



Parent/Professional
Advocacy League

What to Expect When You Bring Your Child to Court

A PPAL Juvenile Justice Tip Sheet

If your child is charged with a crime, the court process can be long and confusing. Here are some tips for making everything go as smoothly as possible.



1. **Summons:** Your child will receive a summons or notice to appear in court, by mail or hand-delivery. The summons will tell you the date your child has to appear in court. If they do not appear, they can be arrested or detained. People are often seen in the court in the order they arrive, so show up when the court opens. Being early shows that your child is taking the court appearance seriously. If your child absolutely cannot be there on the assigned day - for example, they run away - bring them to court as soon as you find them, and check in with the court magistrate.

2. **Arrival and Security:** When you arrive at the courthouse, you will go through security. Bring as few things with you as possible. Your purse or bag may be dumped out and searched in public. Don't bring things you don't want people to see. Many things (belts, jewelry, watches, etc.) can set off the metal detector. Items like nail files, clippers, and lighters are generally not allowed in court. Your cell phone may not be allowed either. Check the court's policy on cell phones ahead of time, and preview it with your youth. Security will not hold items that are not allowed for you.

3. **Check In with Probation:** Your next step will be to check in with the probation desk. Most courts have separate probation desks for adults and juveniles. Make sure you find the right one! Someone will check you in and let you know what you should do next.

4. **Probation Interview:** The first time your child is in court, probation will conduct an interview to gather basic information. If you are bringing your own lawyer to court, make a plan with your lawyer prior to speaking with anyone in court. Everything you and your child say during the interview can be shared with the judge. You and your child can decline to answer any of the questions. Consider ahead of time what information you want to share, particularly sensitive information like diagnoses, medications, hospitalizations, and school plans.

5. **Assignment of Attorney:** After the interview, an attorney will be assigned to your child if you do not have your own. Make sure that your child speaks with their attorney before appearing before the judge. If your child is called into the courtroom before meeting their attorney, they should tell the judge "I'd like to wait until I've met my attorney" or "I haven't spoken to my attorney yet." (Your child, not you, will be asked to speak, so make sure you teach them to say this.) Nothing should proceed in the courtroom until your child has talked with their attorney. Remember, your child's attorney works for your child, not you. This means the (con't)



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attorney cannot even talk with you about the case unless your child gives them permission. If you and your child disagree on their goals, your child's attorney will listen to your child, not you. If your child tells their attorney not to talk with you, the attorney can't. Please talk with your child ahead of time about including you in the conversation.

6. **Wait:** Next, you and your child will likely wait awhile until their name is called. The wait is usually in an open, public area outside the courtroom. Don't speak openly about the case there. Details overheard could be used against your child. Only talk about the case when and where the attorney says it's ok to.

7. **Court Appearance:** When the court is ready, your child's name will be called. They will enter either a courtroom with a judge, or another room with a Clerk Magistrate. You may go in as well, but you may not speak unless addressed directly. In a courtroom, a barrier will separate those directly involved in the case (the "well" area) from the seating in the rest of the courtroom (the "gallery"). Your child and their attorney will go into the well area. You must stay seated in the gallery. Do not use your cell phone in the courtroom and maintain a respectful silence at all times.

8. **Arraignment:** The first appearance before the Judge or Magistrate is generally the arraignment, where charges will be reviewed and a pre-trial date (the next time you bring your child to court) will be set. The arraignment may also determine your child's placement during the court process. There are several options: (i) Your child is released "on personal (recognizance)," meaning they leave with their family with no cost or system involvement. (ii) Your child is released "with conditions" such as bail, or probation. (iii) Your child may be given a "diversion" plan. This may include immediate services and support for your child, and a program for your child to complete. If your child completes the program successfully, the case does not go to trial, and the child will not have a criminal record. (iv) Your child may be released to DCF. (v) Your child may be detained and taken into DYS custody.

9. **Continued Court Appearances:** Court dates will continue, and the process will repeat itself, except for the probation interview, which occurs only the first time your child appears in court for that charge. Though the court tries to avoid this, there may be a different judge or District Attorney (DA) for every court appearance depending upon schedules. Court dates continue until there is a trial, plea agreement, or dismissal - collectively called the disposition of the case.

If you have questions or concerns, or need help, reach out to us at www.ppal.net.

