Welcome to Juvenile Delinquency Advocacy. My name is Nancee Tomlinson and in the 20 plus years I have practiced law, I have discovered that a lot of attorneys don't enjoy being in juvenile delinquency court. And because of that I have developed a course to help understand the differences between juvenile court and adult court. A lot of attorneys go to juvenile court and think that it is supposed to be just like adult criminal court when they get there, they remember that it is a completely different world. It is not criminal court jv. They take the juvenile case, they go down there. There are all these foreign things, P-D-R-A-D-E-A-I-D-J-J, asking questions of clients and it never feels like things are going the way they should. They're not criminal court. So criminal defense lawyers who should be practicing in juvenile court find it very difficult to go to juvenile court. Do you take the case or don't you? And so this is how we learn how juvenile court works going to teach you kids deserve better advocacy and there's an easy way to learn how criminal court plus works.

The Georgia legislature created juvenile court. Juvenile court did not come down from England in the same way that adult criminal courts did. So this iteration of juvenile court, the general assembly has stated that this is about protecting the community, imposing accountability for violations of the law, making sure kids have treatment and rehabilitation, but also equipping those charged with juvenile offenses so that they can live responsibly and productively. And as we work through the different aspects of juvenile court, the theme that runs through it is what's best for the child, what's best for this teenager who maybe doesn't think that they're a child?

The most important part of this is to ensure the best interest of the child. So that's what we're here for. We're going to start with detained versus delinquent. What do those words mean? Detained is a child placed outside a parent's custody, whether it's RYDC, a group home or a treatment facility. The child is not in the parent's custody or the guardian's custody, legal guardian's custody. They are being detained by the government. A delinquent child is one who has been found to have committed a crime against the laws of the state of Georgia or an act against the criminal laws of the state of Georgia and has had a disposition finding of delinquency. A child, we'll talk about this in a little while, can go into court sometimes and admit to committing the offense and argue that they are not in need of treatment. Rehabilitation and judges will occasionally dismiss the case that child is not delinquent.

So this is a preview of what juvenile court looks like. This is the timeline and the process, which is a lot like, but not like criminal court. We'll get to this, but this slide is in your packet and you can look at it more clearly as a separate document. The court is always asking about the child, D-J-J-P-D-R-A-D-I-A, who's a party, what's the best interest? All of these things are asking how the child is doing. How is the child situated in the world that they live in? Yes, juvenile court is different. Rarely have I had a judge in superior court or state court or municipal court ask how things are going with the client beyond the courteous. How's it going? Juvenile court is going to ask, what are you doing after school? How's it going at the RYDC? Are you taking classes? How's school going? Are you having discipline problems? All of those things are important at every stage at every time the child appears before a judge in juvenile court.

So DJJ stands for the Department of Juvenile Justice and they will be checking in with the child and family during the pendency of a case, sometimes more than others. If the child is detained, the child will have access to a case expediter. The case Expediter can sometimes not always get access to services evaluations that a child might need in the process, but the important part is DJJ is not like adult probation. DJJ does provide predisposition services. One of those services is the DAI Detention assessment instrument. This instrument is used when a child is suspected when there's probable cause to believe by law enforcement that a child has committed an offense. The DAI goes through and assigns a number to the following issues. That becomes the basis on which the Department of Juvenile Justice decides whether a child should be detained and sent to an RYDC.

Oftentimes it is not the judge, it is the Department of Juvenile Justice making that decision. I have heard tell of situations where the police have said, this child is a problem. We need you to talk to the judge. And the DJJ talks to the judge tells him the DAI and the judge says you can't detain them. And so there's flexibility. There's also some misunderstanding around what the DAI does. The highest score on A DAI is a 26. I learned that sitting in court one day when a DJJ officer was outlining my client's history, which was lengthy and at the point at which the officer said, well, we're at 26 right now and that's the highest it goes, but there's more. I learned that that's how that works. So a low score is good. A high score means detention. The 26 obviously is the

Highest highest for perspective. A new felony charge has a score of eight points. The DAI looks at a child's gender and race, but also looking at and weighing where the child's living, their placement at the time. Are they in DJJ custody? Are they on probation? Are they living with their parents and never been in trouble? These are all factors. What's the most serious current offense if it's all misdemeanors? Odds are, unless child has significant history of child's going home, what's the past history? Have there been prior escapes? Prior adjudications? Has child had probation violations? Have there been administrative revocations? And DJJ does have an administrative process for probation violations which address violations more quickly than trying to get kids into the overloaded juvenile courts. And what's their current status? Are they on probation? Are they 18? Are they 17 because it's 17, the child's going to go to adult jail, but maybe on probation and what are we going to do about that?

But a score of 12 or more means detention. Again, 17 year olds go to adult jail. 18 year olds go to adult jail, but they may have probation and it may be something DJ J has to look at as a probation violation versus a new formal offense. When a child comes up for a detention hearing or a disposition, DJ J will weigh in. A parent weighs in community members, alleged victims, and the state may be representing the community solely or there may be others who show up to represent the community, but everyone weighs in and the judge will hear what everyone has to say. Parents though are not parties. It is an odd thing. Parents are required to be present and a child can't go forward with an admission with a detention hearing, with any sort of process without a parent or a guardian ad litem. A guardian ad litem can be appointed and that person can sign off on an admission, can be present as the parent and loco parentis. But parents are needed. They're

But they're not required. The law says that a court cannot prevent a child from disposing of a case, but the court will likely appoint a guardian ad litem if the parent or guardian doesn't show up. In the absence of a parent, the state or counsel can request a guardian ad litem. They can request a protective order to make the parent subject to the court, or they can ask for a show cause motion for contempt to be filed. All of these things make the parent accountable. One of the important things to remember is a child being in trouble is many times, not always, but many times a sign of strain within the family. It is not that the child is bad, it is that there is a problem within the family that needs to be fixed and a parent being absent from court when the parent knew there was court is a signal that something is going on.

The next screening tool we'll talk about is a P-D-R-A. A P-D-R-A evaluates the child, the child's circumstances, the child's alleged behaviors. The PDRA levels the disposition or sentencing. It levels the playing field across the state because juvenile courts in rural areas may make a bigger deal of some crimes, even some minor crimes. While larger jurisdictions are overwhelmed and unable to get to cases, things get worked out or there's a different value on these cases from jurisdiction to jurisdiction. PDRA levels the playing field across the state. If a judge deviates from the recommendation of the PDRA, the judge has to put in writing why there was a deviation. PDRA is a series of questions that we're going to go through. They're put into a system called J-T-S-J-T-S gives a number. That number correlates to a recommendation or a disposition. And if the judge deviates from that disposition, judge has to enter findings as to why the judge deviated. So the DJ

Will ask the parents and the children a series of questions before disposition to help fill out the PDRA. You might prepare the parents if they are inclined to speak with you about it, about these things so that they're prepared. Some parents love their children, love the child who is making them absolutely insane, and sometimes answers are given that exacerbate problems and sometimes there's a bigger problem and they don't answer in the way that might be helpful to the child. So talking to the parent about, these are the things that are going to come up. You might want to think about this ahead of time. If you have any questions, I'm happy to talk to you, but you have to tell the truth. But this is important. The age of the child, that's pretty easy. How many times has the child been adjudicated? And this is different dates. So let's say the child has a day, the child goes through a parking lot during the UGA football game, breaking windows, stealing stuff from cars, 15 cars, 15 charges, maybe even 15 different cases. If the prosecutor chooses under this, that seems to be one date. So 15 adjudications, but on one day. And DJJ will say there was 15 adjudications for that day, but it was just one day. So bear that in mind as you're kind of doing your mental calculations around that. Total adjudications for violent or assaultive offenses, what does that mean?

Obviously, assault, battery, family violence. I expect burglary will be treated as a violent offense, home invasion and beyond assaultive, it speaks for itself and that's something to be mindful of that would trigger sending a child to some therapy at a lower level and trying to get the child some anger management or to figure out what's going on with the child. If there's maybe some trauma. Is the current offense property related? What does that matter? Well, taking stuff from other people escalates the crime, escalates the threat to the community, and so that's why that question is there. How many times has the child been placed out of the home? How many times has DJJ taken custody, whether by commitment, which is placed in DJ custody or been sentenced to detention by the court? How many times has that happened? Most of the time the answer's zero, but you need to make sure they're going to look at behavior at school and attendance at school for the last 12 months. Truancy is an indicator of many problems. The child is not going to school. The child is not paying attention. The child is having trouble getting to school on time. This is an indicator of a problem in the home. Oftentimes a child's behavior is indicative of problems in the home. The child's behavior is a symptom, not the source of the problem. Family strain can manifest in the child's behavior.

If a child is using substances or abusing substances, we need to examine the degree to which that impairs the behavior and impacts the relationships in the family and what strains are showing up and in the school problems as well as arrests. While marijuana may be legal for adults, in some places it is still not legal for children, even CVD. So be aware. What are the positive relationships and negative relationships among peers? Does the child have friends that are out doing community service out playing basketball or it's child hanging out with the kids who are hanging out with gang members and becoming part of the ecosystem of that negative influence, at least what the court would call a negative influence, making sure that you're aware of that and how that will impact the child's outcome.

What's the supervision like? Is mom working third shift and relying on the older child to get the younger kids to school? What's that look like? Is there a grandparent who's there? These issues among family are scaled from none to some to major. So making sure you know what that looks like before you walk in to get A-P-D-R-A is important. What is the participation? What are the pro-social activities? Church, school, garage band sewing? I don't know, but what are the things, even if it sounds crazy, if there's a group that's doing it. If they're a bunch of kids who play video games in the afternoon, hey, that's great, as long as they're not getting into trouble. That's pro-social.

All this information's put into JTS and it calculates a score. Negative four to one is probably short probation, maybe a dismissal, maybe an a advance, maybe it just goes away. Two to five probation, 12 to 24 months, probably maybe six months high is going to be a longer term of probation with some stick to go with the carrot. And those are the things you need to think about. The JTS score can't be manipulated once the number's put in. That's the number you get. However, if you reach a resolution that will involve lesser charges than the ones that are charged in the complaint, make sure DJ J has that. That way their PDRA comes out for that charge instead of for another charge.

The judge is always looking out for best interest, always. Of course, my favorite factor is number 20 in this code section. Any other factors considered by the court to be relevant and proper to its determination? Never doubt the legislature will leave a catch-all for judges, but the court will consider whether children have access to the necessities. Do they have food? Do they have water power? All of those things that are necessary for life. What's the family bond look like? What is who's in the house? Mom, dad, normal nuclear family. Is it a blended family, siblings, half siblings, step siblings, whatever words you want to use. What does that

Look? Are there energy battles going on between kids in the household and how is that affecting the family dynamic and creating strain? Who's the child attached to? Was child attached to the parents child attached to a grandparent, aunt or uncle? What does that look like? How are the parents doing? Are they working? Are they not working? Is that a strain? Is their shift work interfering with being able to supervise children? What does the home environment look like? And that's something you really need to ask the child as best you can. What is going on at the house? How do you get along with your family? What do you do with your mom and dad on the weekend? How do you play games? You play puzzles. Do you have hobbies?

You watch sports? The court will also ask about health, particularly if parents present in a way that makes one question the health of an individual. The court will also look at what the child wants. What does the child want in this situation? What are the child's bonds to the school, to the community? Are there teachers who've written letters who are interested in the child? Are there community organizations or activities he's involved in? He or she is involved in that can offer some stability. What are the safety risks? Is a child a safety risk in the home? Is the home a safety risk for the child? All of these things are going to be weighed and considered. Talking to your client about these things, making sure you have answers. And if there are concerns for the child, you need to raise those with the court.

We've talked about the DAI at the time. The offense is noticed, the child is detained or not. If a child is detained with a warrant, the hearing must be within five days, the child is detained without a warrant. The hearing must be within eight hours. What are days and hours? Hours and days calculations do not include weekends and holidays. If the period of time is less than seven days or is seven days, the code does anticipate that the court will review a case if there is a lengthy absence from court to determine if there is probable cause potentially.

So if you have a detention hearing probable cause hearing, no, that hearsay is admissible at the probable cause hearing as well as the detention hearing. The detained client will be evaluated for DAI. Again, if you manage to get some of the charges reduced in the probable cause hearing, make sure the DAI reflects that reduction. Also, this is the time to begin marshaling family and friends and community support to make the case for the release of the child from detention. If there is a supervision issue, the child's leaving the home all the time. If the child is not happy with the parents, if the crime involve the parents, create a supervision plan with another family member who is willing and able to take the child, create a plan where the child is supervised, the child is going to court school, preferably the same school, and try to get the court to endorse that plan and release the child.

If the court orders a child be detained after this hearing, the state must file a petition within 72 hours. Again, not including weekends and holidays, but keep track of that 72 hours because sometimes more often than I would like to know that deadline is missed. If that deadline is missed, the child is released immediately the charges don't go away, but the child is released immediately before adjudication work to get some sort of reduction. An informal adjustment or an abeyance for a child with no history might be one that you could get. An informal adjustment is 90 days probation pretrial, which is kind of like pretrial diversion and advance is a little pretrial diversion, but could be after the admission.

A client with no history should qualify for that. But if a child was detained, it's going to be a harder sell. This is the time to use those adult criminal court skills to get the charges reduced to attack the case. To get the prosecutor to understand that they don't want to try this case just like you would in criminal court, adult criminal court, this reduces the child's future exposure. Make sure you advise your client that adjudications in juvenile court, even though we treat them like no big deal, they are and they accumulate in sort of the same way that crimes accumulate in federal court. If you think about it, the maximum five year juvenile detention sentence is a third of the life of a 15-year-old. By the time they get out, they will have spent a quarter of their life in detention.

That is something to think about because the misdemeanors add up and you end up with designated felonies based on the accumulation of charges. This becomes a much bigger deal. So juvenile disposition, even though it feels like a nothing case and a nothing charge is incredibly important. The adjudication hearing must be scheduled within 10 days of the filing of the petition. Now, those 10 days do not exclude holidays and weekends. So 10 days is 10 days. At the adjudication hearing, the regular rules of evidence apply. Hearsay is not freely admissible. If the child is adjudicated, the client child should be set for disposition within 30 days. It could be immediately, but there are ways to avoid that. If the child is adjudicated by plea or trial to a designated felony, a behavioral health assessment should be ordered. In my experience, those are taking a couple of months at least, but

That will help the court make the decision about how long. In other cases, the juvenile code permits a request for a predisposition report. The predisposition report is a report created by the Department of Juvenile Justice. That report court covers what the child's situation is, school situation, therapy situation, what's going on with the family and anything else, how a child did predisposition, all of those things. It's not a formal screening or scan like you might imagine a psychological is, but it is kind of a strengths assessment done to see what the child needs. And so that covers the left half of this chart. The right half is a child who's released and the child who is released, we would say at the side of the road or at the scene of the alleged delinquency, they're still going to have a DAI and they're DAI.

If it's between seven and 12, that child will likely be sent home with restrictions and conditions and the parent will have to abide by those and DJ J will be following up. If the child's DAI is below seven, child gets sent home and a complaint gets sent to the juvenile court. Once the complaint is sent to the juvenile court, the petition has to be filed within 30 days. In my experience, it's not always that quick, but the juvenile court or the DJJ officer or someone within those two places may refer the case for informal adjustment. You might get a letter or a phone call or the parents will asking them to come in and sign papers. Nothing big. It's pretrial diversion. Just pretrial diversion with looking at school records and access to other things. There may be a referral to peer court if the peer court is functioning in your locality.

And that is a way for a child to say, yeah, this happened. And to let the peers participate and dispose of the case and make decisions. And oftentimes, peers can be more harsh than judges, but that is certainly an option. Finally, there may be a dismissal. The DA's office looks at the case or the prosecutor designated prosecutor. It's not always the DA looks at the case and says, yeah, no, I'm not doing that. There's no case here, and it gets dismissed. So keep track of those things. They're not always going to tell you, but assuming the case is petitioned, it gets set for arraignment and the adjudication should be scheduled within 60 days of the filing of the petition. Same as trial for a detained child. Hearsay rules are not waived. You have to follow the rules, have to have a trial, and so again, the disposition could be immediate, it could be 30 days. You might ask for a predisposition report as mentioned earlier, you might ask for a behavioral health assessment. Make sure the court has as much information as you can get because the legislative mandate is a balancing test of protecting the community, accountability, treatment, and rehabilitation, and equipping juveniles to live responsibly and productively. That is the most critical point.

The juvenile court is a place that can interrupt. It can interrupt a bad path, and that's what the juvenile court is set up to do right now. Maybe not forever, but for now it is set up to help juveniles. The other things to consider are.

Another aspect that you will need in the practical realm is the complaint. The complaint will be filled out by a police officer most of the time, and it's going to be brief. It's not going to be a full police report. The juvenile court may or may not have the full police report to provide to you, but the complaint should include the police report number and that will assist you in getting a report. They may redact it and cover names because other parties may be juveniles and that will be frustrating, but it'll give you a good start on what is going on. You may also ask the juvenile court for a copy of the child's history. That is an important aspect for considering what the consequences are. And when you go in to talk to the child, having that information, knowing that the child's detained because the child's history, because of the level of activity.

Was it violent? Was it property damage? Was it domestic violence? What are the aggravating factors? These are important questions. Talking to the prosecutor ahead of time might, if you can get you some agreement to perhaps have the child released from detention, it might get you a way to resolve the case, but always bear in mind that what I said earlier about it being cumulative, it's all cumulative. It compounds and adds up, and juveniles end up in bigger trouble as things snowball. So recognizing and trying to help them understand we can't make them. As with any situation, families and kids, we can't force them to understand how things work. We can explain it in a way that everyone understands it. We need to remember that we're lawyers and we use big words. We need to remember that we need to speak English, not lawyer, because kids don't understand. And oftentimes parents don't. Either they are stressed out and they don't know how to handle a situation where their child is out of their reach for the first

Time their child has done something that they find shameful, or the police have arrested their child in the parent's mind, without reason or warning. And all of that is what we need to carry is an empathy for that situation so that we can get the information from the family and from the child, and make the best choices and guide the situation the best we can.

Now we will talk about the practical, the real. We spend a lot of time, particularly in law school, learning the ideas and the principles and how things are supposed to work. How do things really work is what we as trial lawyers need. It's the practical aspects that are most important in dealing with juvenile court. One thing I will note, if your child is charged in a county that the child doesn't live in, the adjudication will be held in the county where the charges arose and the case normally is transferred to the county where the child lives. There are exceptions. The court in the county where the child is charged should notify the county in which the child resides to let the county know that they're considering disposing of the case in the county where the charge happened. Does that always happen? No. Can a case get disposed of outside that rule? Yes. It's not the way it's supposed to work, but it does work that way sometimes and sometimes it's to the benefit of the client depending on where you are. So keep that in mind as to how dispositions work out.

That being said, if you get called about a child who is going to have a detention hearing, I have created an intake form for talking to parents or guardians and an intake form for talking to children. And we're going to talk through that a little bit. But that should come when you sign up for this course, the initial questions are going to cover where was the child picked up, where does the child live? Is the child in the YDC? And who let you know that? What phone number are you using? Because oftentimes it's going to be on the weekend and you may not be able to get a direct line into an ROI, but the parents should have that information ask if the detention hearing set, how did they find out? Did DJJ call them? Did somebody from the juvenile court call them? What's that about? I,

Once you have all of this information, make sure you get the parents' information as well, the email and cell phone or phone number and their address and schedule an appointment to meet with the parents or guardians in that meeting. You need to be clear that if they hire you or if you're appointed that the child is your client, not the parent. And empathize that it's difficult, but that's just how this works. And so you would go through who's in the home, how many kids are there, how old are they? If it's a blended family, find out if the siblings or half siblings or step siblings or is there both parents? Is it again blended? What's that situation? Are there extended family in the house, aunts, uncles, grandparents, all of that, grandchildren of the parent? What does that look like? And what are the dynamics going on in that household? Because that's going to inform the conversation around the best interest of the child. And asking these questions will help you understand that dynamic. Talk about school. Where's the child go to school, what are the child's grades? And they will say they're good, they're bad. Okay, so you ask, can you kind of tell me what they are so you have a good sense of whether the child's failing, whether passing at 70 is acceptable and good in this family so that you can have a gauge so you don't step on toes and you don't get crossways.

Is there a special education plan? Is there a 5 0 4? Is there an IEP? If they don't know, they don't know. If you have the chance, go to the school's website, school board's, website, find out their open records policy. Normally there's a release on the internet. You can print out, fill out, get the child's disciplinary education records, attendance records. You're going to need that. Attendance, discipline and grades. Those are the things that DJ J'S going to look at. Those are the questions the judge is going to have. So ask about those. But do ask, have there been discipline problems? Has a child been suspended? Has a child been in school or out of school?

Does child receive security disability? If so, what for? Or social security. If a parent has died, there may be a social security check until the child's 18. And that is information you should have. A death in the family could be indicative of trauma for the child, whether it's diagnosed or not. And that's an important thing to know. Does your child have mental health issues? And they may say no. They may say yes. And you might ask, is child in therapy? Is child have a mentor? Those types of questions are important to have that information because if you can reach the mentor or get a release for the therapist from the parent, you might be able to get more information. Does a child take any medication?

If so, what for what's, does the child have a health issue that's complicating how they interact with the world? And then how are things at home? Are there any behavior problems? And if the parent kind of hems and haws, the next question is, teenagers are challenging in different ways or kids, do y'all have any strains? Is there anything y'all are struggling with that could be helped? That is an important question because parents oftentimes think that the battles they're having with their child are the same battles that other people have. And there are battles, but not all battles are the same. And finding out what those are will help get a family pointed in the right direction. What are the child's extracurricular activities? Is there an afterschool program? Is there sports? Is there church activities? Are they taking music lessons or some kind of lessons? What do those look like? And if the response is, well, I tried to get 'em into X, Y, or Z, write that down and try to talk to the child about what it was about that wasn't interesting or why they didn't want to stay.

Finish out maybe with what are the child's strengths, what makes your child's special? Or you may start with this, but what are the things your child is good at and what do they bring? Because you're going to want good things to say to the judge. Having good positive things to say to the judge helps get the child out of detention, helps get a better disposition. And suggesting these things that the parent tried to get the child enrolled in but the child was not interested or there was some other aspect to that. Those are all things that you're going to be using to develop a story and a better outcome for this child if the child's detained and not likely to return home. If the parent's saying no child can't come home, or the incident happened within the household and it happened with one of the other children, and so the judge is not likely to let this child go home.

The next question is, where could the child go? Is there a family member, a close friend, someone who's willing to look after this child while the family heals? And that is going to be important. That could be the difference between the child staying in detention or going home. But look for the places where the parent has good things to say. What do those look like? Make sure you make a note of 'em, highlight 'em, bold them. Tell the judge those things. Now when you talk to the child, it's a little bit different because kids are different. Absolutely. Tell the child, I'm your attorney. What you tell me is confidential. That is important to build that relationship with the child. Yes, I've talked to your parent, but your parent's, not my client. You're my client. You make the decisions. And that is liberating for a lot of kids. This intake form is named date of birth. Where are you talking to the kid? Are you in the holding cell? Are you at the YDC? Are you on the phone from the RYDC? What does that look like? And ask the child, where are you going to school? What are your grades look like?

Has he ever been? Is he on grade level? That kind of question. Who are your teachers and what do they teach? What subjects do they teach? This can unlock a number of avenues to get the child talking. If the child is connected to school, if the child's not, then kind of move on. What's a favorite subject? How are your grades? Who are your friends? What are their names? For me, when I ask this question, if I know those names, it's usually not a good sign I've represented them or they've been co-defendants in other cases that I've worked. So be mindful if you do a lot of this work of the names that are being used. Ask the child who's your parent. This sometimes reveals who is the most important person to 'em. And it may be a grandparent as opposed to a mother or a father. Or it may be that the child is being left with a family member who isn't the parent who's with you. And that tells a lot as well. Ask the child about siblings, how old they are, how many? Who's in the house? Who lives in the house with you? How many people are there? If you don't have those names, ask about those people. And then how are things at home?

It's kind of a boring question. It's not a great question, but it might get the child talking. If supervision's going to be an issue, who would you be comfortable living with if you couldn't go home? That's an important question because child's interest is important. And if child says, I want to stay at the RYDC, it may be time to ask for a guardian ad litem. That may be the time to do that, depending on the child's age. Do you work? What do you do? Where have you been working? And you might get some surprising answers And ask the child if they're on any medication. They may know they take something, they may know how often they take it. They may not know what it is or what it's for.

You know anybody who smokes marijuana, do you smoke marijuana? It's very common among youngsters to smoke marijuana. And it's going to be important to know are there any other substances you're using? What else is going on in your environment that we need to know about? Now, the next question I think is important is, do you know why you were detained? Child's not detained. Do you know why you were charged? What happened? I don't know. Well, you know when the police stopped you. So what happened before that? Or what did the police tell you they stopped you for? And that sometimes will get a conversation going, getting all of that information.

If there's more than one charge or more than one day, make sure you get as much information as you can. That's very typical criminal case information. Do you have any history with DJJ? Have you ever been to court before? Did you have a probation officer? Who was that? So all of these things are kind of working together to build rapport with the child to establish that you are the child's attorney and not the parent's attorney, but the parent needs to cooperate. And those are the things in practical terms, taking those questions from the PDRA and the DAI and the list of best interest and making them concrete and real for families and for kids. And for the lawyer, it sounds social worky and it is a little bit, but because we're doing rehabilitation and treatment in juvenile court, these are the important questions that need to be asked.

Some other points that we should probably cover. The attention hearing is going to be in person, at least as of this recording. The DJJ and R YCS won't do by video unless something changes. So if you've got a conflict, make sure that you talk to the juvenile court because they're going to hold the child at the courthouse in the holding cell. They have to hold 'em separately from the adults. And there are strict federal limitations on how long they can have the child at the courthouse. So if something needs to change, talk to the court. Look at the conflict rules. Juvenile court has hopscotched up the priority list on many, many topics. Jury trials Trump juvenile court, but many juvenile matters come ahead of superior Court matters now. So make sure you check out the conflict rules. Try to talk to the child, even if it's by phone to the RYDC. If the parents have a phone number for the RYDC that they have access to the child, make sure that you try that number and see if you can get them to let you speak with the child. You may have to email or fax your bar card and driver's license. That's just part of the process. But it's important.

So the IEP and the 5 0 4 are detailed documents that describe why the child has these plans and those documents may useful if you get the child's special ed file. There may be a psychological evaluation in there. School psychological is not the same thing as a full psychological, don't be confused, but it can be useful. You can take that if there's something that indicates the child has a developmental delay, the child has processing issues, the child has executive function issues, and use that to say this child has issues beyond being violative of the law that need to be looked at. Whether the court will let the child out based on that immediately is certainly a question. But having the release for the parent for the school records, getting the school records to the school attorney, school release to the school attorney to get those records, and they usually are pretty quick about getting those things, make sure that you get those records. There may be a competency issue because kids are not presumed competent under 10 or 11. So make sure you've got those records. If the child's mental age is less than their actual age, you should probably explore that. If the child has IQ issues, if the child's got prefrontal cortex, executive function issues, bring that to the court's attention. That's what the juvenile court is for.

And so these are the things that are important in representing a child. This is a quick overview of how juvenile court is different and I hope that you have found it useful. Thank you.