

DISCLAIMER

The information included in this brochure is a brief description of basic courtroom procedures. It is meant to assist juveniles and their parents in understanding some of the rights that juveniles have when appearing in a Juvenile Court hearing. It is not meant to give parties the exact legal procedures, but to serve as a guide. Please review this information prior to your court hearing. If you have any questions, or do not understand your rights, you may direct these questions to the Judge or Referee at the time of your hearing.

NOTICE TO THE JUVENILE AND PARENT(S)

Juvenile cases are heard by the Family Division of the Circuit Court. Juvenile delinquency cases are cases involving a minor under age 17 who has either been accused of committing an offense that would be considered criminal if committed by an adult or has been charged with a status offense. A status offense is conduct which is unlawful for a minor, but not unlawful for an adult.

The Family Division of the Circuit Court also handles cases in which a minor under the age of 17 has been charged with a misdemeanor traffic violation.

Juveniles older than age 17 may be still referred to Juvenile Court if the offense was committed before the minor was 17 years old.

Offenses committed after age 17 are referred to adult criminal court.

Each referral to Juvenile Court is screened by the Marquette County Prosecutor's Office. If you are notified to appear, you may be required to attend a *preliminary inquiry* to determine whether your case should be processed formally or informally, or a *preliminary hearing*, (formal cases only) where a judge or referee will determine if probable cause to go forward with the case exists, and you will be advised of your trial rights and asked to enter a plea.

There are three types of pleas in Juvenile Court. They are: Responsible, which means you admit to the charge; Not Responsible, which means you are denying the charge; or No Contest, which means you choose not to contest the charge. The Court treats a No Contest plea the same as a Responsible plea. Persons who enter either of these pleas will not have a trial, but will be scheduled for a dispositional hearing.

You have the right to be represented by an attorney at any hearing. It is your right to decide whether or not you wish to have an attorney assist you.

If you desire to hire an attorney, please contact the Court as soon as possible so that a date and time can be coordinated with that attorney, the Judge or Referee, Prosecuting Attorney's Office, and the probation officer.

In some cases, the court will appoint an attorney to represent you: 1) If a parent refuses to appear and participate in delinquency proceedings; 2) If the parent is the complainant or the victim; 3) If the family is financially unable to retain an attorney and the juvenile requests representation by an attorney; or

4) If the court determines it is in the best interest of the juvenile and the public to appoint an attorney.

If you are financially unable to hire an attorney and you want an attorney, your parent(s) must notify the Court immediately upon receipt of this notice. If you have a court-appointed attorney, you and your parent(s) may be required to reimburse the court in whole or in part for the cost of such services. This determination will be based on the family's financial circumstances.

You have the right to have a trial before a judge or a jury to determine whether you committed the charged offense.

There is no right to a jury trial on a charge of probation violation.

If you choose to have a trial, you have the following rights:

- You or your attorney have the right to request the court to order witnesses to appear at a hearing.
- You or your attorney have the right to question witnesses against you.
- You have the right to testify. If you choose not to testify, your decision not to testify cannot be used as evidence against you.

If you are found responsible for a charge, either by admitting that you committed the offense or through a trial, the Court will conduct a dispositional hearing. At this hearing, you may be placed on probation or conditions of your probation may be

changed. You could be placed out of your home. You could be placed in foster care, in a group home, or in a secure detention facility. The Court could also turn over management of your case to the Department of Health and Human Services.

Certain charges require that the Court take your fingerprints and send them to the Michigan State Police Central Records, which keeps a permanent record of the charge you have been found responsible for. These offenses are referred to as Reportable Offenses.

There are also charges that require an abstract be sent to the Secretary of State, which would impact your permanent driving record. Alcohol violations, drug offenses, or driving violations require the Court to submit an abstract to the Secretary of State. Such offenses can prevent or delay your right to receive a driver's license.

Court costs and victim restitution orders are considered in every juvenile case. In addition, parents may be ordered to pay some or all of the costs if juveniles are ordered into out-of-home placements.

Different Terms are used in Juvenile Court as compared to Adult Court (District or Circuit Court). The following is a comparison of the terms:

JUVENILE		ADULT
Delinquent Act	<input type="checkbox"/>	Crime
Custody	<input type="checkbox"/>	Arrest
Petition	<input type="checkbox"/>	Charge
Responsible	<input type="checkbox"/>	Guilty plea
Denial	<input type="checkbox"/>	Not Guilty
Respondent	<input type="checkbox"/>	Defendant
Hearing	<input type="checkbox"/>	Trial
Disposition	<input type="checkbox"/>	Sentencing

COURT STAFF

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25th Circuit Court, Family Division (JUVENILE COURT)

A Guide To Help
Juvenciles And Parents
Understand The
Court Hearing Process



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*PUBLIC SERVICE OF
Hon. Cheryl L. Hill
Probate Judge*