

Common Legal Terms Encountered in the Juvenile Justice System

Pre-adjudication: The period between when a juvenile is arrested and when a court makes a formal adjudication or finding of delinquency. During this time, the youth may be held in detention or placed on house arrest and may undergo assessments and evaluations to determine the best course of action for their case.

Adjudication: The process by which a juvenile court determines whether a juvenile has committed an offense, like a criminal trial in adult court. It is a formal hearing in which the evidence is presented and evaluated, and a judge decides regarding the juvenile's guilt or innocence. If the juvenile is found guilty, the judge may impose a sentence or other disposition, which can include probation, community service, placement in a residential treatment facility, or detention in a juvenile facility.

Detention: A temporary form of confinement that is used to hold juveniles who have been arrested or detained by law enforcement. The purpose of detention is to ensure that the youth appears at their court hearings and does not pose a risk to public safety while awaiting further legal proceedings.

Pre-trial Release: The process of releasing a youth from custody while they await trial or other legal proceedings. This can take various forms, such as releasing the youth to a parent or guardian, placing the youth in a supervised program or facility, or allowing the youth to remain in their own home with certain restrictions or conditions. The goal of pre-trial release is to ensure that the youth can attend legal proceedings and receive necessary support and services, while also minimizing the negative impact of detention or incarceration on their well-being and future prospects.

Diversion: A strategy used by the juvenile justice system to redirect youth away from formal court processing and into community-based programs or services that are designed to address underlying issues that may have contributed to their delinquent behavior. Diversion programs can take many forms, including counseling, mentoring, education, job training, and restorative justice programs. The goal of diversion is to provide youth with the support they need to overcome challenges and make positive changes in their lives, while also avoiding the negative consequences associated with formal court processing, such as a criminal record or incarceration. Diversion programs are typically offered to youth who have committed low-level offenses or who do not pose a serious risk to public safety.

Probation: A court-ordered sanction that allows a juvenile to remain in the community under the supervision of a probation officer, instead of being placed in a secure facility. The terms and conditions of probation are set by the juvenile court and typically include requirements such as regular check-ins with the probation officer, attending school, participating in counseling or treatment programs, and staying out of legal trouble. If the juvenile violates the terms of probation, the court may impose additional sanctions, such as extending the probation period, requiring the juvenile to perform community service, or revoking probation and ordering detention.

Commitment: A more long-term form of confinement that is used for youth who have been adjudicated delinquent and sentenced by a judge. Commitment can take various forms, such as placement in a juvenile correctional facility or a residential treatment program. The purpose of commitment is to provide rehabilitation and treatment to the youth while also ensuring public safety. The length of commitment can vary depending on the offense and the youth's individual circumstances.

Parole: The supervised release of a juvenile from a juvenile correctional facility or a residential treatment program before the completion of their full sentence. Juvenile parole is like adult parole in that it involves a set of conditions that the juvenile must follow while under supervision, such as attending school, participating in treatment programs, and avoiding criminal activity.