

Understanding How the Juvenile Justice System Works in Idaho

A Handbook for Families

A Brief Introduction to the Juvenile Justice System

The juvenile justice system includes more than just the court system. It starts with the peace officers that interact with youth and includes attorneys, judges, probations officers, and detention facilities and correction centers. Local city, county, and state resources all work together to support youth and their families while following the principles of the Juvenile Corrections Act: accountability; community protection; and competency development.

This handbook includes information about the people and facilities involved in the juvenile justice system, court etiquette, the hearings that a youth may be a part of, and some of the evaluations that may be conducted by the court. This handbook is not meant to explain every detail of the process, but to give an overview to help families understand how the system works.

Important Definitions

These two definitions are important to understanding this handbook. More definitions are included in the Terms to Know section at the end of this handbook.

Juvenile: A juvenile is any person under the age of eighteen (18). In this handbook, the words “youth” and “child” are also used to mean juvenile. A person is treated as a juvenile if the offense was committed before they turned eighteen (18).

Parent: A parent is a person who, by birth or adoption, is responsible for the care of a child. In this handbook, the term parent may also mean those with guardianship or custody. In Idaho, parents are responsible for participating in any process, program, or sentence that is the result of a juvenile offense.

Disclaimer:

This handbook is intended to be a general overview to help families navigate the Idaho juvenile justice system, but is not intended to be legal advice. While every attempt has been made to present information that is accurate throughout the state, each county has the authority to implement their programs in a manner appropriate for their unique needs. Please check with your probation department, the Court, or your defense attorney if you have any questions about your specific circumstances or the information presented in this handbook.



Contents

A Brief Introduction to the Juvenile Justice System	i
Important Definitions	i
Moving Through the Juvenile Justice System	1
People in the Juvenile Justice System:	
Peace Officers	3
Juvenile Prosecuting Attorney	5
Defense Attorney	7
Judge	9
Probation Officer	11
Youth	13
Parents	15
Detention Facility Information	17
Correction Center Information	19
Court Etiquette	21
Hearings and Conferences	23
Court Gathered Information	
Social History	26
Competency Examination (20-519A)	27
Mental Health Assessment (20-511A)	29
Safety Assessment (Rule 16)	31
Rule 19 Screening	32
Psychosexual Evaluation	33
Release from Facilities	
Release from a Detention Facility	35
Release from a Correction Center	36
Expunging Juvenile Records	37
Resources	38
Terms to Know	39
Commonly Used Acronyms	41



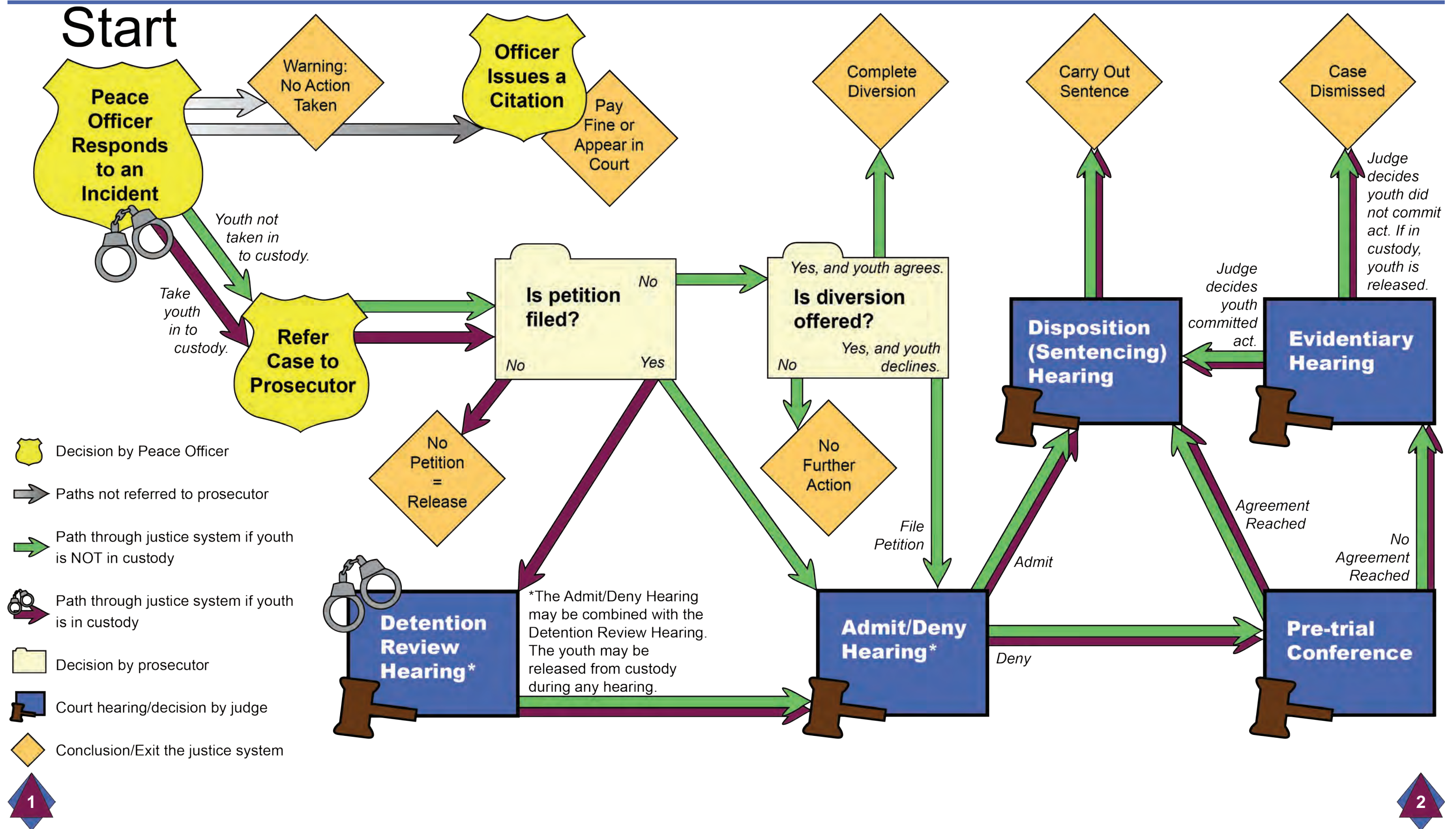
Acknowledgements:

This handbook was created as a group effort between multiple agencies. Thanks goes to the Department of Juvenile Corrections, and the Idaho Supreme Court, with support from multiple state agencies, county probation offices, county detention facilities, local and county law enforcement, state, county and private attorneys, and parents around Idaho.



Moving Through the Juvenile Justice System

Each step shown in this chart is explained further in the following pages.





Peace Officers

Different names they go by and who they work for:

- Police Officer (city, town, state)
- Sheriff Deputy (county)
- Tribal Law Enforcement (tribal government)
- School Resource Officer or “SRO” (can be from any agency)

Responsibility:

A peace officer is a member of law enforcement whose primary responsibility is the prevention and detection of crime.

When a peace officer is involved, they have three options:

- Warn the youth – no formal action taken
- Issue a citation (which usually has a fine payable to the court, city, or county, depending on the violation)
- Refer the case to the prosecutor’s office – this can be done with or without taking the youth into custody.

When do they interact with youth?

Peace officers get involved when a youth is accused of an offense that would be called a crime if they were an adult. They are also involved if there is an issue of safety, or if they are aware of a something called a “status offense”

A status offense is an action that is prohibited only because of the person’s age. Status offenses include:

- Truancy (violation of school attendance policy)
- Running away from or being beyond the control of a parent
- Alcohol age violations
- Curfew violations

How do you contact a peace officer?

- If there is an emergency or you feel someone is in danger, peace officers may be contacted by calling 9-1-1.
- If you need to report an offense, but there is not an emergency, all law enforcement agencies have a non-emergency phone number. You may find this number by visiting their web site.
- You may contact most School Resource Officers by calling the school they work at.
- Police reports include the contact information for the peace officer involved, and you may reach them either with the information on the report, or by calling the non-emergency line.
- All law enforcement agencies have offices that may be visited in person. Check their web site for times that they are open to the public.

What do peace officers wish youth and families knew?

Peace officers support families by partnering with parents to help keep their children safe and protected.

What happens if a youth is given a citation?

A citation is a written order to appear in court at a specific time and place. A citation is frequently used for crimes such as traffic violations and there is usually a fine that must be paid when a citation is issued.

Why would a peace officer refer a case to the prosecutor's office?

Usually a peace officer refers a case to the prosecutor's office when:

- There is a reasonable belief that the youth committed an act that would be a misdemeanor or felony if they were an adult.
- The peace officer or a private citizen saw the youth violate any local, state, or federal law, or municipal ordinance.
- There is reason to believe the youth committed a status offense.

What happens if a youth is taken into custody?

Youth under 18 are not arrested; they are taken into custody. Parents are notified that their child is in custody as soon as possible. After being fingerprinted and photographed, youth may be released to their parents with a signed written promise to bring the youth to court at a stated time unless:

- Otherwise ordered by a judge
- Release does not promote the welfare of the community or youth

If a youth is kept in detention, a Detention Hearing is scheduled within twenty-four (24) hours (except for weekends and holidays) to determine if the youth will stay in detention, go home, or live in an alternate setting until the next hearing.





Juvenile Prosecuting Attorney

Responsibility:

In Idaho, juvenile prosecuting attorneys work for the county. They decide if a juvenile petition will be filed with the court after a youth is accused of an offense. If a petition is filed, the prosecuting attorney is also responsible for presenting the case during hearings in juvenile court.

What is a juvenile petition?

A juvenile petition is a document that tells the court there is a claim that the youth committed an offense. The petition includes a statement of how the suspected offense was committed. Unless a petition is filed, the youth may not be brought before the court, except to be released from detention. In some counties the youth is released before the detention hearing if no petition is filed by the county prosecutor.

How does the prosecutor know about an offense?

Peace officers write a report with information they have gathered about each identified offense. If they choose to forward the report to the county prosecutor's office, a prosecuting attorney reviews the information. School districts may also contact the prosecutor's office to file a report of truancy, which is when a student between 7 and 16-year-old repeatedly violates the school's attendance policy.

What does the prosecuting attorney do with the report?

Once the report is reviewed, the prosecuting attorney makes the decision to:

- Do nothing, the issue is dropped and no petition is filed.
- Offer the youth the option to use a diversion program.
- File a juvenile petition with the court.

Under certain circumstances, a youth can be charged as an adult. If this happens, the youth leaves the juvenile court system and continues in the adult system, which is not explained in this handbook. For more information about this process, refer to the Idaho Juvenile Corrections Act in Idaho Code §20-508 and §20-509.

What do juvenile prosecuting attorneys wish youth and families knew?

Juvenile court is about skill development, not punishment. The goals of the Juvenile Prosecuting attorney are to help youth gain knowledge, learn new skills, and make restitution so that they can be productive members of society.

When do prosecuting attorneys interact with families?

Sometimes family members are victims of the youth's offense. Victims have specific rights in Idaho, one being to meet with the prosecutor of the case. In that situation, victim(s) who are family members may meet with the prosecuting attorney to discuss facts of the case and the victim's rights during the court process. Families also interact with the prosecuting attorney if the youth does not have a defense attorney.

When do prosecuting attorneys interact with youth?

Typically, youth only interact with the prosecuting attorney through their defense attorney in court or if they are representing themselves.

Once a petition is filed with the court, the judge may either issue a warrant for the youth to be taken into custody or issue an order to appear in court for an Admit/Deny Hearing. If ordered to appear, a copy of the petition and notice of the Admit/Deny Hearing is sent by the Court and either delivered in person or mailed to the youth and their parents. The Notice of Admit/Deny Hearing, called a summons, includes the location, date, and time for the youth and their parents to go to court and either admit or deny the claims in the petition. If a warrant is issued, the youth is taken into custody and will proceed to a detention hearing before the Admit/Deny Hearing.

How do you contact a prosecuting attorney?

Prosecuting attorneys may be reached by contacting the county prosecutor's office in the county where the offense occurred. The name of the prosecuting attorney is included on the copy of the petition delivered to the youth and their parents. If the youth has a lawyer, the prosecuting attorney is contacted through the defense attorney.



Defense Attorney

Different names they go by:

- Defense Counsel
- Defense Lawyer
- Juvenile Defender
- Public Defender (assigned by the court)

Counsel is another term for lawyer or attorney, and is a person who gives advice on and deals with legal situations.

Responsibility:

A juvenile defense attorney represents the legal interests of the youth during the court process. They are responsible for understanding the juvenile legal system and advocating on behalf of the youth during both formal hearings and informal conferences. They are also responsible for making sure the youth is given access to all of their constitutional rights and rights under Idaho law.

Defense attorneys are responsible for explaining the court process to the youth and their parents. They also explain the youth's rights and the options available to them. Defense attorneys help the youth understand what each hearing is about, what will happen at each hearing, and the information the defense attorney will present in the hearing. Defense attorneys request "discovery," or the evidence in the prosecutor's possession, in order to evaluate the strength of the state's case, and then properly advise the youth. It is important to know that the defense attorney represents the youth and not the parents.

Why would a youth be assigned a public defender?

A public defender is assigned by the court to a youth who does not have a private attorney and does not waive their right to counsel. Some situations, including when the youth is under the age of fourteen (14), do not allow the youth to waive their right to counsel. Review the Idaho Juvenile Corrections Act in Idaho Code §20-514 for more details.

When do they interact with youth?

The number of interactions between defense attorneys and the youth they represent varies depending on the complexity of the case and the number of hearings and conferences that are scheduled. Typically, a defense attorney gathers information about the alleged offense by requesting discovery and by talking with the youth and other witnesses. They are typically present at all hearings and legal conferences until the case is resolved.

What do defense attorneys wish youth and families knew?

The juvenile justice system is designed to be flexible and to help youth and their families. It helps the defense attorney if the family knows how they would like a case to be resolved so that they can work towards that goal together.

Do parents have to pay for a public defender?

Idaho counties are allowed to charge parents for the use of a juvenile public defender unless the court determines the family does not have the resources to afford it. A judge typically determines the amount the family needs to pay at the end of the case.

Can a family hire a private attorney for their youth?

Families are always allowed to hire their own lawyer to represent their child, however the court cannot provide recommendations and the task of finding a lawyer and paying their fees is solely the responsibility of the youth and their parents. A private defense attorney can be hired at any time during the process, even if a public defender has already been assigned to the case. A youth cannot have a private attorney and a public defender at the same time for the same charge.



How do you contact a public defender?

Public defenders work for the county and can be contacted through the county public defender's office. Specific contact information should be given to the youth and parents once a public defender is assigned to the case.



Judge

Types of judges who typically work with youth:

- Magistrate Judges
- District Court Judges

Magistrate judges are responsible for most juvenile cases. They often hear criminal cases involving less serious crimes, such as misdemeanors, have the authority to issue warrants, and may transfer a case to district court. District court judges are responsible for juvenile cases only when they have been transferred from a magistrate judge. They typically hear more

serious criminal cases, and appeals from decisions made by magistrate judges. It is rare for a juvenile case to be heard by a district court judge. Both types of judges work directly for the State of Idaho.

Responsibilities:

Juvenile courts do not have juries, so juvenile judges are responsible for listening to evidence and witness testimony in order to determine if the claim in the juvenile petition is true or not. They determine an appropriate disposition (or resolution) of the case by considering factors such as age, home and school life, behaviors, and mental health needs.

When do they interact with youth?

Judges preside over all formal hearings in the juvenile court and interact with youth during that time. Common types of hearings include:

- Detention Hearing
- Admit/Deny Hearing
- Evidentiary Hearing
- Disposition (Sentencing) Hearing

Judges usually do not interact with youth outside the court process, however interactions during probation may vary.

Can a judge order parents to pay for expenses related to the case and/or the sentence?

A judge may require parents to pay fees for court costs and probation fees such as for community service and monthly supervision. A family may also be ordered to pay for community programs, and support and treatment fees while their child is at a detention facility. Parents may also be ordered to reimburse the state in part for correction center expenses. The judge may also require parents to pay any restitution to the victim.

What do judges wish youth and families knew?

Parent participation is vital and families have an important voice in the juvenile justice system.

Can the judge ask for more information to be gathered?

Judges may ask for more information during a case. Some common examples of information gathered by a judge include:

- Social History - records past history, home environment, friends, hobbies, substance abuse issues, mental and physical conditions, and other similar details. Includes a risk assessment for committing future offenses.
- Competency Examination – verifies if the youth is able to assist in their defense.
- Mental Health Assessment – identifies if the youth needs mental health treatment.
- Safety Assessment – provides information about a youth that may be neglected, abused, abandoned, homeless, or whose parents are unable to provide a stable homelife.

What are some common dispositions (sentences) used in juvenile court?

Judges have many options to resolve a juvenile case and those options are frequently combined into one sentence. Some of the more common options include:

- Informal Adjustment (Disposition)
- Restitution
- Diversion Programs
- Suspended or Restricted Driving Privileges
- Mental Health or Substance Use Treatment
- Restricted Contact
- Suspended Sentence
- Probation
- County Detention
- Commitment to the Idaho Department of Juvenile Corrections

How do you contact a judge?

Juvenile judges are prohibited from speaking to youth without the attorneys present. Therefore, all contact with a judge is typically in the courtroom during a hearing. If a youth or their parents want to contact the judge, they may give the information to the defense attorney. The defense attorney forwards any information to the judge and prosecuting attorney.



Juvenile Probation Officer

Responsibility:

Juvenile probation officers are county employees responsible for supervising youth and reporting compliance of court orders to a judge. They may also be responsible for youth during their participation in a diversion program.

Juvenile probation officers help youth in areas of accountability, community protection, and competency development.

This may include connecting youth with resources such as:

- Community services
- Counseling
- Education and skills development
- Juvenile probation officers work with families, law enforcement, social services, and schools to help youth become successful during and after the court process.

When do they interact with youth?

Juvenile probation officers interact with youth throughout the process of resolving an offense. Some common examples of involvement include:

- Initial and follow-up interviews – These meetings allow the probation officer to visit with the youth and their parents, explain what the charge is, and inform them of their role in the process. They can also collect information to assist the judge in making fair and appropriate decisions.
- Answering questions – Youth and their parents may contact their probation officer to get information on upcoming court dates, the court process, and details about court orders.
- Diversion programs – Many counties use probation officers to administer their diversion programs. Probation officers meet with the youth and parents to create and implement a diversion agreement.
- Supervision – Juvenile probation officers are frequently tasked with supervising youth while they complete their terms of probation. This may include verifying they are attending school, complying with orders of restricted contact, participating in court ordered programs such as community service, mental health, or substance use treatment, and completing any assignments from the court to provide restitution to victims. This can happen during and after the court process, and usually continues after release from a detention facility or correction center.

What do probation officers wish youth and families knew?

Probation officers see themselves as a guide for youth and families throughout the juvenile justice process. They are available to assist families by providing services and monitoring compliance with court orders.

What is diversion?

Diversion is a voluntary program generally available to first time offenders who have committed misdemeanor or status level offenses. It is sometimes used after a citation. The goal of a diversion program is to divert (or redirect) a youth away from the formal court process and into a program that can help them avoid committing further offenses. Diversion programs can be run by county probation officers or by community-based programs. The youth, their parents, and the diversion program staff create a diversion agreement that is signed by the youth and their parents.

What can a diversion program require a youth to do?

While each diversion agreement is unique to the youth, some common items included are:

- Community service
- Restitution
- Apology letters
- Classes
- Counseling
- Written assignments
- Random drug testing
- Curfew

Diversion programs never include detention.

What happens if a youth does not complete the diversion agreement or does not follow the rules of probation?

If the youth does not complete the diversion agreement, the charge returns to the court process. If the youth does not follow the rules of probation, the prosecuting attorney files a probation violation with the court. The judge may order that any or all of the terms in the disposition (sentence) be imposed.

How do you contact a probation officer?

Probation officers can be contacted through the county probation office. Youth who are assigned a probation officer are given their probation officer's direct contact information.



Youth

A juvenile is any person under the age of eighteen (18). In this handbook, the words “youth” and “child” are also used to mean juvenile. A person is treated as a juvenile if the offense was committed before they turned eighteen (18).

Responsibility:

Youth are responsible for avoiding status offenses, and following all laws and ordinances, including those at the local, state, and federal levels.

Youth are responsible for complying with all directions and orders from peace officers and all officers of the court, including: the judge, court staff, and the prosecuting attorney. They must also follow directions from detention facility or correction center staff.

What happens when a youth is taken into custody?

If a youth is taken into custody, they are usually transported to the local county juvenile detention facility where they are photographed and fingerprinted. The parents are notified as soon as possible by the peace officer involved.

Youth may be released to parents, with a signed written promise to return to court at a specified time and location, unless otherwise ordered by a judge, or if the release does not promote the welfare of the community or the youth.

If the youth is not released, a Detention Hearing is scheduled within twenty-four (24) hours, not including weekends and holidays.

What happens at a detention hearing?

A Detention Hearing determines if the youth will stay in the detention facility, return home, or be placed in another setting while the case is resolved.

In the hearing, the youth goes before a judge, either in person or via video conference from a detention facility. The judge decides if the youth stays in the detention facility, returns home, or is placed in another setting while the case is resolved. Youth do not have the right to bail, so the judge determines where the youth lives until the case is resolved.

What do youth who have gone through the process wish other youth and families knew?

This process offers change, and change brings opportunities to improve. While change can be scary, especially change you are forced to make, those changes can give you the opportunity to learn new skills and have new experiences that make you a better person.

What happens during a hearing?

Hearings happen inside a courtroom. Court procedures are very formal and must be followed by all participants. It is important to not talk or make noise unless directed to do so by the judge or other court official.

There may be many people in the room, including the judge, the court reporter, the clerk, the bailiff, the prosecuting attorney, the defense attorney, the probation officer, employees of different youth services, and sometimes other youth and families waiting for their hearings.

Each case is identified and the appropriate lawyers, youth, and parents are asked to step to the front of the courtroom. If the youth is participating by video conference, they are displayed on the monitors before the hearing begins. The lawyers and judge discuss the reasons for the hearing and the youth, parents, and witnesses are asked to give further information as appropriate.

Once the hearing is concluded, a date for the next hearing (if needed) is set.

What is appropriate behavior in the courtroom?

- Arrive on time and plan to stay until your hearing is finished.
- Be clean, neat, and conservative in your appearance. Avoid flip flops, shorts, sleeveless t-shirts, shirts that do not cover your stomach, and clothes with slogans, holes, or stains.
- Turn off cell phones before going into the courtroom.
- Do not talk in the courtroom unless asked a direct question.
- Be polite to all court staff, including the judge and attorneys.
- Follow directions from your defense attorney while in court.
- Always address the judge as “Your Honor” and add “sir or ma’am” to all of your responses.



Parents

Who is a parent?

A parent is a person who, by birth or adoption, is responsible for the care of a child. In this handbook, the term parent may also mean those with guardianship or custody. In Idaho, parents are responsible for participating in any process, program, or sentence that is the result of a juvenile offense.

What happens if my child is taken into custody?

If your child is taken by a peace officer to a detention facility without your knowledge, you will be notified as soon as possible. Your child will be fingerprinted, photographed, and may be released to you after a promise to bring them to court at a specific day and time. Youth are kept in a detention facility because of a court order or to ensure the welfare of the youth or community. If that happens, you will be notified of the date and time for their Detention Hearing which will be scheduled within twenty-four (24) hours, not counting weekends and holidays.

How are parents involved in the juvenile justice system?

In Idaho, it is a requirement that parents work towards the three goals of the juvenile justice system; namely, holding the youth accountable for their actions, protecting the community, and helping the youth develop the skills needed to be a contributing member of society. Part of this responsibility is that parents support the juvenile justice process by:

- Attending hearings
- Following court orders
- Participating in diversion programs
- Complying with terms of probation
- Paying court costs

What is expected of parents during the court process?

The judge may require that your child participate in a combination of evaluations, treatment planning, diversion programs, community programs, probation, or other sentencing requirements. Parents are responsible for transportation to appointments, providing parent feedback, and following directions from the court. These directions may limit contact with specific people, including family members and friends, some activities, actions, and business dealings. Parents may be asked to attend classes to help them develop positive parenting skills. If parents do not follow the orders of the court, they may be held in contempt, and be required to enter their own court process.

What do families who have gone through the process wish other families knew?

It is okay to ask questions. The people who work in the system do this every day and sometimes forget families don't understand the words they use or the way things work. Keep a list of everyone you talk to and the best way to contact them if you need to ask questions later.

What is the parent's role in a court hearing?

Parents are required to be at all hearings and conferences with their child, even if a family member is the victim of the offense. Parents are not required to advocate for their children, but must participate in the process. Parents may choose to hire a private defense attorney for their child, although the court may provide a public defender if needed.

Is there a cost to families when their child is taken into custody?

The judge is allowed to charge a fee, payable by the youth and their parents, for costs associated with the court process and any associated programs. Specifically, a judge may order a family to pay:

- Restitution to the victim
- Court fees
- Probation fees
- Support and treatment fees
- Program charges
- Detention fees

If a youth is committed to a state correctional center, the Department of Juvenile Corrections determines an appropriate amount of reimbursement that is paid to the Department for the care, maintenance, training, and education of their child.

When will parents be involved during the juvenile justice process?

Parents are involved throughout the juvenile justice system. They may be interviewed by peace officers before a report is filed with the prosecuting attorney. If a family member is the victim of the offense, the prosecuting attorney may speak with the parents. The defense attorney often asks for parent input when preparing for hearings. Judges frequently ask parents questions during hearings. Parents give information to probation officers and diversion program staff. If the judge orders a competency evaluation, a mental health assessment, a social history, a safety assessment, or any other information gathered, parents are involved to provide background information, current conditions, and future expectations.



Detention Facility Information

Staff Responsibilities:

Detention facilities are typically staffed by county employees who are responsible for the health and wellbeing of a youth while they live in a county detention facility. They have physical custody of the youth, but do not have legal custody, which typically remains with the parents.

Why would a youth be in a detention facility?

When a youth is taken into custody by a peace officer, they are transported to a county detention facility to be fingerprinted and photographed. If the youth is not released to their parents, they stay in the detention facility until their Detention Hearing. At the Detention Hearing the judge decides if the youth stays at the detention facility, returns home, or is transferred to another location during the court process.

If found guilty of the offense in the petition during the court process the judge may require the youth to live in the detention facility for a period of time. Misdemeanor level offenses may receive up to 90 days, while felony level offenses may receive up to 180 days.

What should a parent bring for their child while they are in a detention facility?

All clothing and toiletries are provided for youth while in custody. Youth are allowed to wear their own prescription glasses. If a youth has prescription medications, they may be delivered to detention facility staff in their original bottles to be dispensed according to the labeled directions. If needed, new prescriptions may be written by detention facility contracted medical providers.

School work and books may also be delivered to the facility so that the youth may stay current on classroom assignments. If no school work is supplied from home, youth participate in on-site school activities.

Will youth attend school while in a detention facility?

Every detention facility includes a school which holds classes all year long. These schools are staffed by the local school district and use a curriculum that allows students to stay current with grade level work. Upon release, the completed work is forwarded to the youth's home school district as proof of education during their absence.

If a youth has an Individual Education Program (IEP), it is followed during their stay in a detention facility. The education staff communicates with the IEP team from the home school to gather any needed information. The IEP is updated as appropriate while the youth is in the detention facility school. Parents are included in all IEP team meetings.

What do detention facility staff wish youth and families knew?

Many positive things happen in a detention facility. Youth are cared for and are safe. They begin learning skills to help them make positive changes as soon as they arrive, and staff members work hard to help them transition home successfully.

What happens if a youth requires medical or mental health treatment while at a detention facility?

Medical staff is available at the facility to diagnose and treat many common illnesses and injuries. For situations requiring specialized care, or for emergencies, youth may be transported to a community provider and monitored by facility staff.

Basic mental health care is also provided on site, however if specialized outpatient care is required, youth are transported to a community provider and monitored by facility staff. If additional mental health services are required, the judge may request a mental health assessment and ask for a treatment plan to be created. If psychiatric inpatient care is needed, the judge may ask the Department of Health and Welfare to do a mental health assessment and recommend an appropriate placement.

Expenses for medical and mental health care outside of the detention facility may be the responsibility of the parents.

When can I visit my child?

Each detention facility has specific visiting hours. Contact your child's facility to find out when you may visit.

How do you contact detention facility staff?

When your child is taken into custody you will be notified which facility they have been taken to. Each facility has a contact number that allows you to speak to staff who can answer your questions.



Correction Center Information

Staff Responsibilities:

Correction center staff members are usually state employees who are responsible for the health and well-being of a youth while they live in a state correction center.

Sometimes the Department of Juvenile Corrections contracts with private and county facilities to work with youth committed to their care. The employees of these facilities are required to meet the same level of licensure and training as state employees.

The Department of Juvenile Corrections has legal custody of the youth while they are in the correction center.

How is a youth assigned to a correction center?

If, during the Disposition (Sentencing) Hearing, the judge decides a youth would benefit from placement in a corrections center, the youth is sent to an observation and assessment program to determine which facility best meets the youth's needs. If possible, a facility close to the youth's home is selected.

How many correction centers are in Idaho?

There are three facilities operated by the Department of Juvenile Corrections. They are in Lewiston, Nampa, and St. Anthony. There are various other facilities contracted with the Department of Juvenile Corrections that are run by private companies and local counties. All of these facilities must meet the same standards of care and operation as identified in Idaho law.

What do I need to bring my child if they are in a correction center?

All clothes, shoes, toiletries, and supplies are provided by the correction center. While some personal items may be allowed, check with correction center staff to make sure any items you wish to send are on the approved list. As your child participates in their treatment program and demonstrates progress, the type and number of personal items allowed may change.



What do correction center staff wish youth and families knew?

The Department of Juvenile Corrections is not a system of punishment. The focus is teaching youth the skills they need to have a healthy, safe, and productive adolescent life.

Do youth attend school while in a correction center?

Youth attend school all year while living in a correction center. They are required to work towards middle school or high school graduation by completing graduation requirements. Once they graduate from high school or complete their GED, they may take college classes or work towards technical certificates. Credits are assigned for each class completed and are added to the youth's official transcript. Special education services are available as appropriate, and each child with an Individualized Education Program (IEP) or 504 plan will be supported according to state and federal laws. Parents are encouraged to continue participation on IEP teams.

What happens if a youth has a court ordered treatment plan?

All youth who are in the custody of the Department of Juvenile Corrections participate in an observation and assessment process before they are assigned to a corrections center. Existing mental health records and treatment plans, including any court ordered plans, are reviewed and evaluated as part of this process. The Department of Juvenile Corrections then creates a new treatment plan for the youth that is compatible with the program they are assigned to.

Can I visit my child while they are at a corrections center?

Parents are encouraged to visit unless otherwise ordered by the court. Each facility has specific guidelines for visits, so it is important to contact your child's service coordinator to schedule any visits ahead of time.

How do you contact correction center staff?

All youth who are committed to the Department of Juvenile Corrections have a juvenile service coordinator. They can answer questions about the facility, treatment, progress, and visitation. Questions about school can be directed to the school administrator. Contact information is included in the parent handbook that is given to families when their child arrives at the facility.

Court Etiquette



Arrive on time and plan to stay until your hearing is finished.

- You may be asked to wait before your hearing begins, but it is important you are there at the time given to you.
- You are expected to stay until the hearing is finished, even if you need to go to work or have other commitments. Be sure to plan ahead to give yourself enough time to be at court.

- Young children, such as siblings, are generally allowed in the courtroom but are expected to be reasonably quiet. If that is unlikely due to their age or the length of time they will be there, plan ahead to find appropriate childcare. You will need to stay until the hearing is finished, even if your young child is unable to stay in the courtroom. Children may not be left unattended in the courthouse.

Be clean, neat, and conservative in your appearance.

- Wear clothes that are appropriate for business. Avoid flip flops, shorts, sleeveless t-shirts, shirts that do not cover your stomach, and clothes with slogans, holes, or stains.
- It is not appropriate to wear hats, sunglasses, costumes, masks, pajamas, slippers, or bathing suits to court.

Follow all verbal and posted rules.

- Turn off cell phones before going into the courtroom. Do not text, make calls, record anything via audio or video, or play video games while sitting in the courtroom. This includes handheld electronic games. This rule applies to everyone, including children.
- Do not talk in the courtroom while waiting for your hearing.



Hearings are held in a courtroom which is a formal setting. Before going to your first hearing it is important to know the rules and understand the expectations.

Be polite.

- Only one person speaks at a time so that the court reporter may record what is being said. Do not interrupt anyone when they are speaking.
- Keep your voice calm and respectful, even if you do not agree with what is being said.
- Stand up when requested, specifically when a judge enters or leaves the room, and do not sit down until the judge sits or has left.
- Stand when speaking to the judge.
- Be polite to all court staff, including the judge and attorneys.

Be aware of your language.

- Only talk to the judge when you are asked to. The judge will ask direct questions when they want a response.
- Always address the judge as “Your Honor.”
- Add “sir or ma’am” to all of your responses.
- If you need to communicate with family members or your attorney, you may do so by writing them a note, or saying something quietly in a whisper.



Hearings and Conferences



There are multiple steps involved once a youth has been taken into custody or a petition is filed with the court. Each step has a specific purpose and is part of the larger juvenile justice system. The table below explains the most frequent steps and what you need to know about each one. Any questions about this information can be answered by the defense attorney or the probation officer. Explanations and definitions of the terms included can be found on the following pages.

Detention Hearing (Idaho Supreme Court Juvenile Rule 7)

What Happens Before	What Happens During	Possible Results
<p>A youth is held at the detention center after being taken into custody.</p>	<p>The judge determines if the youth will remain in detention until the case is resolved or another hearing takes place. There is no option for bail in juvenile court.</p> <p>Sometimes this hearing is combined with the Admit/Deny hearing.</p>	<p>The youth may:</p> <ul style="list-style-type: none"> • Stay at the detention facility. • Return home with parents. • Go to a relative's home. • Transfer to a group home or foster care placement. • Enter a treatment program.



Admit/Deny Hearing (Idaho Supreme Court Juvenile Rule 6)

What Happens Before	What Happens During	Possible Results
<p>A juvenile petition is filed with the court.</p>	<p>The youth has the opportunity to admit or deny that they committed the act listed in the petition.</p>	<ul style="list-style-type: none"> • If the youth admits to the act in the petition, and they are fourteen (14) and older, then the judge may schedule a sentencing hearing. • If the youth admits to the act in the petition, and they are fourteen (14) and older, then the judge may offer a diversion program instead of continuing the court process. • If the youth denies committing the act in the petition, or the youth is under fourteen (14), then the judge schedules a pre-trial conference. • The judge may ask for more information, such as a competency evaluation, a mental health assessment, or safety assessment, to be presented at the next hearing.

Pre-trial Conference (Idaho Supreme Court Juvenile Rule 12)

What Happens Before	What Happens During	Possible Results
<p>Admit/Deny Hearing is complete and the youth denied committing the act.</p>	<p>The youth, with their defense attorney, meets with the prosecuting attorney to reach an agreement about how to resolve the petition. In many counties a judge is not present.</p> <p>Depending on the county, this meeting may happen in an office or in the courtroom.</p> <p>Any agreements are submitted in writing to the court.</p>	<ul style="list-style-type: none"> • The youth admits to the charge and may be offered an informal adjustment instead of continuing the court process. • The youth admits to the charge and a disposition hearing is scheduled. • The youth may admit that they committed a different charge, the petition is amended, the court is updated on the change, and a disposition hearing is scheduled. • They may determine that they cannot come to an agreement and an evidentiary hearing is needed. • They may agree to collect more information and hold another pre-trial conference.

Evidentiary Hearing (Idaho Supreme Court Juvenile Rule 15)

What Happens Before	What Happens During	Possible Results
<p>Admit/Deny Hearing and usually at least one Pre-trial Conference is complete and the youth denied committing the act.</p>	<p>The prosecuting attorney presents evidence, which may include witnesses, to the judge to prove beyond a reasonable doubt the claims in the petition.</p> <p>The defense attorney cross examines the evidence presented by the prosecuting attorney and may also present evidence, which may include witnesses.</p> <p>The judge hears the evidence because there is no jury in juvenile court.</p>	<ul style="list-style-type: none"> • If the judge decides the youth did NOT commit the acts in the petition, the case is dismissed. • If the judge decides the youth DID commit the act in the petition, then a disposition hearing is scheduled. • If the judge decides the youth DID commit the act in the petition, they may order a Rule 19 screening the disposition hearing. The prosecuting attorney may also request that the judge order a Rule 19 screening. There is more information about Rule 19 screenings on the following pages. <p>Note: If all the needed information is available, the judge may hold the Disposition Hearing at the end of the Evidentiary Hearing.</p>

Disposition (Sentencing) Hearing (Idaho Supreme Court Juvenile Rule 17)

What Happens Before	What Happens During	Possible Results
<p>The youth admits to committing the act in the petition.</p> <p>-OR-</p> <p>The judge determines the youth committed the act in the petition during the Evidentiary Hearing.</p>	<p>The judge decides the appropriate action to be taken based on the facts of the case, information gathered about the youth and their past history.</p> <p>Recommendations from the Rule 19 screening (if a screening was ordered) are taken into consideration.</p>	<p>There are many actions a judge may take, but some common ones include a combination of:</p> <ul style="list-style-type: none"> • Informal Adjustment • Probation (up to three years) • Restitution • Suspended or Restricted Driving Privileges • Restricted Contact • Mental Health or Substance Use Assessment and/or Treatment • Assessment of fees • Suspended Sentence • Transfer of case to county where the youth lives • County Detention • Commit to the Idaho Department of Juvenile Corrections

Court Gathered Information

Information is gathered throughout the juvenile justice process to help prosecuting attorneys and judges identify appropriate programs, resources, and actions to take to resolve a case. Judges are allowed to ask for additional information during hearings. Listed below are a few types of information that may be requested and how the information will be used.

Social History

A judge may request a probation officer complete a social history to help determine the most appropriate resolution to a juvenile case. Social histories, including descriptions of current and past living situations, family history and dynamics, medical information, previous court involvement, education and employment information, and victim information, are compiled into a report and submitted to the judge for review. The probation officer also completes a risk assessment and offers recommendations to the court about supervision.

What happens before a social history is done?	What is included in a social history?	What is the social history used for?
A social history can be requested by a judge or a probation officer to help them decide the most appropriate way to resolve a case or create a diversion agreement.	Social histories may vary by county, but most include: <ul style="list-style-type: none">• Interviews with the youth and parent(s)• Personal information• Family information and home environment• School information• Extracurricular activities, hobbies, interests• Medical and mental health information• Employment information• Information about friends and social groups• Prior criminal history• Substance use	Youth and parents are often allowed to review the social history prior to it being finalized. For youth who participate in a diversion program, social histories are used to help create the diversion agreement. Judges may use a social history to help them identify an appropriate disposition (sentence) to a petition.

Court Gathered Information

Competency Examination (20-519A)

Competency is the necessary ability to understand and participate in the court process. A youth is competent to proceed if they have all of the following:

- An ability to consult with their attorney with a reasonable degree of rational understanding
- A rational and factual understanding of the proceedings against them
- The capacity to assist in their defense

A request to determine if the youth is competent may be submitted any time after a petition is filed. The request must include facts that support the request for a competency evaluation.

If the judge agrees that the youth may not be competent, then the court process is paused until the youth can be examined by either a licensed psychologist, qualified psychiatrist, or an evaluation committee that is trained in the mental illness or disability that is believed to be responsible for the competency issues. Frequently the Department of Health and Welfare is responsible for assisting in the evaluation.

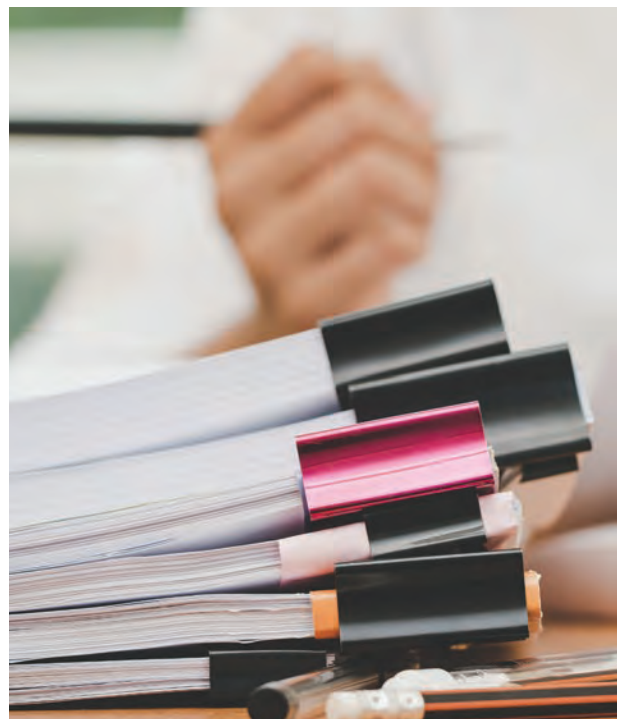
The judge may require parents to contribute to the cost of the evaluation.

After the evaluation, the examiner, or the examination committee, submits a written report to the court.

If a judge determines the youth is not competent, and it is not likely that the youth will become competent within six (6) months, then a screening team is asked to create a treatment plan for the youth.

The screening team may include:

- Parents
- Representatives from:
 - Department of Health and Welfare
 - County probation office
 - Local school district
 - Teen early intervention organizations
 - Department of Juvenile Corrections
 - Other agencies as designated by the court



What happens before a competency hearing?	What happens during a competency hearing?	What are the possible results of a competency hearing?
<p>A competency examination (20-519A) is requested and completed.</p> <p>A report is created by the evaluation team and submitted to the judge.</p>	<p>The judge considers:</p> <ul style="list-style-type: none"> • The results of the report • The examiner’s opinion of the youth’s competency • The youth’s capacity to: <ul style="list-style-type: none"> • understand the charges • understand the possible penalties • understand the adversarial nature of the legal process • give counsel facts important to the process • demonstrate appropriate courtroom behavior • understand the facts about which they are being examined • appreciate the meaning of an oath to tell the truth • understand the consequences for not telling the truth 	<p>If the report finds that the youth is competent, then the court process continues.</p> <p>If the judge determines the youth is incompetent, and it is not likely that competency can be restored within six (6) months, then the court may delay or dismiss the petition. Before a delay or dismissal, the judge may convene a screening team to develop a treatment plan.</p> <p>If the judge finds it likely that competency could be restored within six (6) months, then the Department of Health and Welfare will create a plan of treatment.</p> <p>The judge can order parents to participate in this plan.</p> <p>The court can keep the petition open for six (6) months, or until one of the following things happens, whichever comes first:</p> <ul style="list-style-type: none"> • The youth is restored to competency. • It is determined that the youth will not be restored to competency. • The charges are dismissed. • The youth reaches 21 years of age. <p>The court can extend the timeline beyond six (6) months with good cause.</p>

Court Gathered Information

Mental Health Assessment (20-511A)

At any time during the court process, a judge may order the Department of Health and Welfare to complete a mental health assessment and treatment plan if there is reason to believe:

- The youth has serious emotional disturbance (SED)
- The youth is unable to comply with court directions, or is a danger to themselves or others
- Corrective measures have not met their needs

Serious emotional disturbance (SED) is the combination of a mental health diagnosis and a functional impairment that limits the ability to participate in family, school, or community activities.

A screening team may review the mental health assessment and the treatment plan and to create written recommendations for the judge. The screening team may include:

- Parents or Guardians
- Representatives from:
 - Department of Health and Welfare
 - County probation office
 - Local school district
 - Teen early intervention organizations
 - Department of Juvenile Corrections
 - Other agencies as designated by the court

If the judge decides that more information is needed, a psychiatrist, licensed physician, or a licensed psychologist may be asked to do an evaluation and provide more information.

If the judge approves the plan, parents are responsible for participating while the Department of Health and Welfare is responsible for providing the identified mental health treatment.

The costs of assessment, treatment planning, and treatment services are the responsibility of the parent according to their ability to pay, based on the current sliding fee scale used by the Department of Health and Welfare. Youth who have serious emotional disturbance (SED) may qualify for coverage through Medicaid's YES program as part of Idaho's Youth Empowerment Services (YES) system of care. Any cost associated with hiring a psychiatrist, licensed physician, or a licensed psychologist to provide further information to the court, is paid by the Department of Health and Welfare.

How does the court get a mental health assessment?	What happens when the judge receives the completed assessment?	What are the possible outcomes of a mental health assessment?
<p>The judge orders a mental health assessment (20-511A) and treatment plan to be completed by the Department of Health and Welfare.</p> <p>The completed assessment, treatment plan, and recommendations from the screening committee are submitted to the court.</p>	<p>The judge reviews the assessment, treatment plan, and any recommendations from the screening team to determine if:</p> <ul style="list-style-type: none"> • The youth has serious emotional disturbance (SED) -AND- • The youth is unable to comply with court directions, or is a danger to themselves or others -AND- • Corrective measures have not met their needs. 	<p>If further information is needed, the judge may order a psychiatrist, licensed physician, or a licensed psychologist to do an assessment.</p> <p>If the judge believes a youth needs mental health treatment, the judge may order the treatment plan to be followed.</p> <p>If no mental health treatment is needed, the court process may continue without action.</p>



Court Gathered Information

Safety Assessment (Rule 16 Expansion)

Sometimes the court will order a Rule 16 Expansion, which requires a comprehensive safety assessment by the Department of Health and Welfare's Child and Family Services Program. The assessment is to determine if a youth is neglected, abused, abandoned, homeless, or if there is an unstable home environment as determined by Child Protection. This assessment is often called a child protection investigation.

The assessment includes information about the family, including the parents, all children, and any other adults in the home, parenting styles, and discipline methods. It also includes a home visit and interviews with the family, including observations of living conditions and current or potential safety concerns. Once the assessment is complete, a report is given to the court.

The judge uses the information in the report to help better understand the youth and the family. If the report raises concerns, the judge may choose to expand or join the youth's juvenile offense hearings to include a formal Child Protection case at the same time. The judge may also require that a youth be placed in shelter care for their safety until further hearings are held. Shelter care is temporary placement in a licensed foster home as determined by Child Protection when the youth cannot be in their own home. The court will determine within 30 days if the child needs to remain in foster care.

What happens before a safety assessment is completed?	What happens during a safety assessment?	What are the possible results of a safety assessment?
<p>Information presented to the court indicates there may be evidence that the youth is neglected, abused, abandoned, homeless, or in an unstable home environment.</p> <p>The court orders an investigation or a safety assessment to determine if there should be a Rule 16 Expansion of the juvenile case to include a Child Protection Act proceeding.</p>	<p>Information about the youth and family is gathered by the Child and Family Services Program and a report is submitted to the court.</p>	<p>The judge reviews the report and decides if more action is needed.</p> <p>If there are concerns that the youth is being neglected, abused, abandoned, is homeless, or if they have parents who are unable to provide a stable home environment, then the judge may choose to open a Child Protection case at the same time as the youth's juvenile court case.</p> <p>If there are no concerns for the safety or well-being of the youth, no action is needed and the child protection case is closed.</p>

Rule 19 Screening

After a judge finds the youth guilty of an offense, a screening team determines if the risk to the community created by the youth's actions can be addressed in a community setting or if the risk needs to be managed in a secure setting.

The screening team includes:

- Youth
- Parents
- Defense Attorney
- Prosecuting Attorney
- Representatives from:
 - County probation office
 - Department of Juvenile Corrections
 - Department of Health and Welfare
 - Local school district
 - Other agencies as designated by the court

Once they have reviewed a detailed history of the youth, they submit written recommendations to the judge.

What happens before a Rule 19 screening is held?	What happens during a Rule 19 screening?	What are the possible results of the Rule 19 screening report?
<p>After the Evidentiary Hearing, if the judge decides the youth did commit the offense, the judge orders a screening team to give recommendations about commitment to the Department of Juvenile Corrections. (Rule 19)</p>	<p>The screening team determines if the risk to the community created by the youth's actions can be addressed in a community setting or if the risk needs to be managed in a secure setting.</p> <p>The screening team reviews a detailed history of:</p> <ul style="list-style-type: none"> • Mental health issues or substance abuse treatment • Family structure and dynamic • Parent engagement in counseling and treatment designed to develop positive parenting skills • Academic performance and behavior at school • Prior interventions and treatment efforts by the family and community • Prior offenses • Current and prior risk assessments. 	<p>A written report is submitted to the court with the screening team's recommendations.</p> <p>They may recommend either:</p> <ul style="list-style-type: none"> • Commitment to the Department of Juvenile Corrections • Suspended Commitment (This means commitment only if the youth does not follow certain orders of the court) • No Commitment <p>If the screening team does not agree on a recommendation, the report contains a summary of each opinion.</p>

Court Gathered Information

Psychosexual Evaluation

A psychosexual evaluation is used to gather information about a youth who committed an offense that is sexual in nature. The evaluation identifies the risk of the youth committing a similar offense, the type of victim most at risk, anticipated treatment needs, how well the youth will respond to treatment, and how likely the youth is to participate in treatment.

The court may order a psychosexual evaluation after it is determined the youth committed the offense in the petition. The evaluation may be used to:

- help the judge make sentencing decisions, including a commitment to the Department of Juvenile Corrections,
- assist in treatment planning,
- provide information when planning for release from custody, and
- help identify appropriate terms of probation.



Why would a psychosexual evaluation be ordered?	What happens during a psychosexual evaluation?	What are the possible results of a psychosexual evaluation?
<p>This evaluation may be ordered after the evidentiary hearing if the judge decides the youth did commit the offense.</p> <p>This evaluation may be requested to:</p> <ul style="list-style-type: none"> • assist in treatment planning, • help determine if commitment to the Department of Juvenile Corrections is appropriate, • inform decisions related to release from the Department of Juvenile Corrections, • identify terms of probation and post-release supervision • determine registration and community notification requirements. <p>Before the evaluation is completed, the youth may speak with their attorney to better understand the effect on their right against self-incrimination.</p>	<p>A certified psychosexual evaluator will interview and collect information about the youth.</p> <p>Some of the areas included in the evaluation include:</p> <ul style="list-style-type: none"> • Willingness to participate in treatment • Background, criminal and social history • Medical and mental health history • Educational and employment history • Family of origin history and dynamic • Sexual history • Psychological test results • Mental health diagnosis • Risk assessment • Risk factors • Risk level <p>The evaluator may gather this information through personal interviews with the youth. They may also collect information from police reports, victim statements, prior test results, criminal records, and other forms of research.</p> <p>It is possible for a youth and/or family to refuse to participate in any or all parts of this evaluation, however the evaluation may still be completed if there is enough information from other sources. If the evaluation was ordered by the court, there may be consequences for choosing not to participate.</p>	<p>The evaluator will make a determination if the youth is a low, moderate, or high risk to commit another sexual offense.</p> <p>The evaluation may include recommendations for supervision while living in the community.</p> <p>The evaluation does not give the court a recommendation about how a youth should be sentenced, but the results of the evaluation may influence the sentence.</p> <p>The results of this evaluation are usually not confidential. Results of the evaluation may be shared with lawyers, the court, probation officers, treatment providers, or other involved people and/or agencies.</p>

Release from Facilities

Release from a Detention Facility

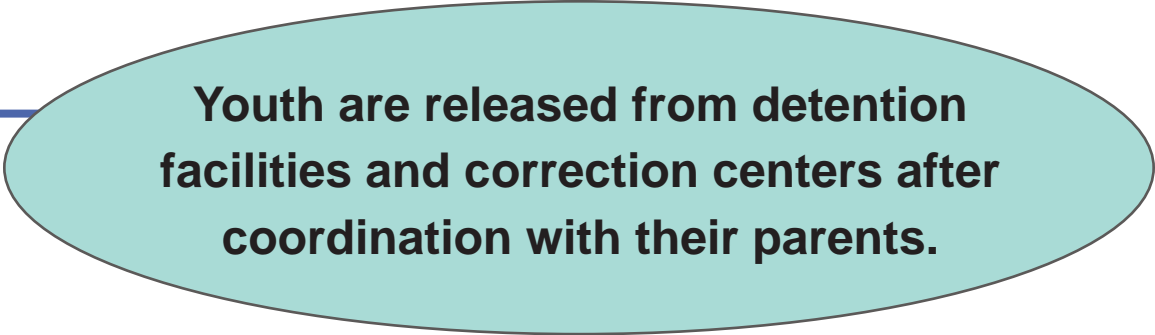
Youth typically stay in a detention facility for only a few days or weeks, but sometimes up to one hundred and eighty (180) days.

If a youth stays in detention after their Detention Hearing, their release date is determined by either the original detention order, or as part of a release order from a judge.

Detention facility staff members may complete various types of assessments while a youth is in their care. Upon release, assessment results are transferred to the youth's probation officer to help them identify appropriate terms of probation and community-based services and supports. If the youth has an existing community mental health provider, they may be invited to visit the youth prior to release to update their own assessments. If the youth requires mental health support after release and does not have their own mental health provider, detention facility staff helps connect the youth with community services.

For youth who have short term detention stays, any work on classroom assignments is reported to the youth's home school. Students who stay in detention for longer periods of time may have updated educational records forwarded to their home school. Special education records are also transferred.





Youth are released from detention facilities and correction centers after coordination with their parents.

Release from a Correction Center

When youth are committed to the Department of Juvenile Corrections, they are given an indeterminate sentence. This means the amount of time they stay at a correction center is based on completing the individualized treatment plan (sometimes called a service plan) that was created at the beginning of their stay. The youth's treatment team also assesses their risk level, with the expectation that the risk level must be lowered before released.

Often youth go into the community, and sometimes home on passes, to help the treatment team verify that the goals in the treatment plan have been met and the risk level is reduced. The decision to release a youth is discussed with the treatment team, which includes the youth and parents. Once release is appropriate, aftercare planning is finalized, and the Department of Juvenile Corrections sets a release date.

When a youth is released from a correction center, they remain on probation until a judge ends the probation order. A Review Hearing (sometimes called a Re-entry Hearing) may be held before the youth leaves the correction center, or up to thirty (30) days after release. During the Review Hearing, the terms of probation are reviewed and updated as appropriate. In this hearing parents may be ordered to comply with conditions of the probation order.

Prior to release from the custody of the Department of Juvenile Corrections the juvenile service coordinator works with the family, the probation officer, and community resources to identify required treatments, therapies, and medications that need to be continued after release. Participation in continuing treatment is frequently added to the terms of probation.

If the youth has not graduated from high school or received their GED, their educational records may be requested by their home school once they are released from the correction center. If the youth has an IEP or 504 plan, those records are included in the educational file. If the youth graduated from high school or received their GED while in the corrections center, those transcripts are available through the Department of Juvenile Corrections website.

Correction Center staff are passionate about youth successfully transitioning from custody to the community. At the beginning of a youth's stay, treatment teams, including parents, develop plans for returning the youth to their community. Reintegration Plans are adjusted throughout the youth's time in custody, and finalized upon release to ensure a smooth transition.

Expunging Juvenile Records

Most juvenile cases may be expunged, a process that removes their case from the public record. There is a delay between when the case is resolved and when it can be removed from the record.

Timelines to have a record expunged:

- If the youth committed a misdemeanor level or status offense, or had the case dismissed because of an informal adjustment, then they must wait one year after probation ends, or when they turn 18, whichever happens later.
- If the youth committed a felony level offense, then they must wait five years after probation ends, or when they turn 18, whichever is later.

Records are NOT expunged automatically. The youth must request that the court remove the record. Expungement packets are available from the court. More information is available under Idaho Code § 20-525A.



Idaho Department of Juvenile Corrections

www.idjc.idaho.gov

The Idaho Department of Juvenile Corrections helps juveniles become responsible citizens by developing life skills and holding them accountable for restoring their victims and communities while ensuring public safety.

Helpful Information on this Website:

- **Juvenile Corrections Act & Rules:** The Idaho Code (Title 20, Chapter 5) and associated statutes, Idaho Supreme Court Rules, and Idaho Administrative Procedures that governs the juvenile justice process.
- **Resources for Parents:** Links to helpful resources for families.
- **State Facilities:** Provides information about individual state facilities, including information about having a child in state custody and direct links to facility specific information.
- **Educational Services:** Information about educational services for youth in the custody of the Department of Juvenile Corrections. Includes links to request educational records.

Idaho Supreme Court

www.isc.idaho.gov

The Idaho Supreme court is the State's court of last resort. Among its duties, it hears appeals from district court, and reviews decisions from the Court of Appeals. The Idaho Supreme Court also is responsible for the administration and supervision of the trial courts and the Court of Appeals.

Helpful Information on this Website:

- **Idaho Juvenile Rules:** These rules govern the procedures in Idaho district and magistrate court for actions and proceedings under the Juvenile Corrections Act (Chapter 5 of Title 20, Idaho Code) and the Child Protective Act (Chapter 16 of Title 16, Idaho Code)

Youth Empowerment Services (YES)

www.yes.idaho.gov

Youth Empowerment Services (YES) is Idaho's mental health system of care for youth 17 and younger who have serious emotional disturbance (SED).

Idaho Federation of Families

www.idahofederation.org

A family run advocacy organization that supports families who have children with emotional, behavioral, and mental disorders. A family support line is available to help families navigate the system, connect to services, and find useful resources in an effort to empower parents to advocate for their child and family.

Terms to Know

Adjudicate	A formal decision about a problem. In the juvenile court system, petitions are adjudicated when the judge issues a final resolution in the case.
Admit/Deny Hearing	A meeting in court where a youth admits or denies the charges identified in the petition. (Idaho Juvenile Rule 6)
Commitment	A term that means to transfer legal custody. In the juvenile court system, it means to transfer legal custody to the Department of Juvenile Corrections (DJC). (Idaho Code §20-502(2) and (14))
Custody	This means that a youth is held by law enforcement, the court, or the Department of Juvenile Corrections.
Department of Juvenile Corrections (DJC)	This department of the Idaho government is responsible for all juvenile offenders who have been committed by a judge. They are also responsible for establishing standards for county detention facilities.
Detention	A term meaning temporary and secure placement. (Idaho Code § 20-502(6) and § 20-516 through § 20-518)
Detention Hearing	A meeting in court held no later than twenty-four (24) hours (excluding weekends and holidays) after a youth is taken into custody by a peace officer. (Idaho Juvenile Rule 7 and Idaho Code § 20-516)
Diversion	An out-of-court program that is an informal way to handle a juvenile offense. (Idaho Code § 20-511)
Disposition Hearing	A meeting in court after a judge has found a youth guilty of an offense, where the judge determines how to hold the youth accountable for their actions. Also called a sentencing hearing. (Idaho Juvenile Rule 17 and Idaho Code § 20-520)
Evidentiary Hearing	A meeting in court where evidence is presented, witnesses may be called, and the judge determines if the youth committed the offense in the petition. In adult court it would be called a trial. (Idaho Juvenile Rule 15 and Idaho Code § 20-519)
Expunged	A term that means removed from public record. (Idaho Code § 20-525A)
Felony	A crime, if committed by an adult, that is more serious than a misdemeanor. For offenses that would be a felony, the maximum number of days a judge may order a juvenile to live in a detention facility is one hundred and eighty (180). (Idaho Code § 20-520(1)(d))

Informal Adjustment	A type of disposition where a juvenile’s case may be dismissed if the youth completes probation without any further offenses. (Idaho Code § 20-511)
Juvenile	A person under the age of eighteen (18), or a person under the age of eighteen (18) when the offense was committed. (Idaho Code § 20-502(10) and §18-101A(13))
Juvenile Corrections Act	The part of Idaho law that explains the juvenile justice system. (Idaho Code §20-501)
Legal Custody	A responsibility to protect, train, discipline, provide food, shelter, education, and ordinary medical care. A legal custodian has physical possession of the youth. (Idaho Code § 20-502(14))
Offense (or Juvenile Offense)	An act committed by a juvenile that violates a law or ordinance, including those at the local, state, and federal levels.
Misdemeanor	A crime, if committed by an adult, that is less serious than a felony. For offenses that would be a misdemeanor, the maximum number of days a judge may order a juvenile to live in a detention facility is ninety (90). (Idaho Code § 20-520(1)(c))
Parent	A parent is a person who, by birth or adoption, is responsible for the care of a child. In Idaho, parents are responsible for participating in any process, program, or sentence that is the result of a juvenile offense.
Petition (or Juvenile Petition)	A document that tells the court about an allegation of an offense. (Idaho Code §20-510)
Pre-Trial Conference	A meeting where the prosecuting attorney, the youth, their parents, and the defense attorney discuss the case and decide if it will continue in the court process or be resolved another way. (Idaho Juvenile Rule 12)
Probation	This is a community-based program that is used as an alternative to detention. Youth who are assigned to probation are supervised by a juvenile probation officer. (Idaho Code §20-520(1)(a))
Restitution	Money paid to a victim of a crime. Restitution must be paid before all other court or probation fees. (Idaho Code §20-538)
Risk Assessment	A tool that determines a youth’s risk to the community and their risk to reoffend.
Status Offense	A status offense is an action that is prohibited only because of the person’s age. The maximum penalty for a status offense is thirty (30) days in a detention facility. (Idaho Code § 20-516(c) and §20-520(1)(b))

