

Juvenile Delinquency Rights:

Hello. You will shortly be appearing before the Court in a hearing regarding the allegations of delinquent behavior that have been made against you.

You have the following rights in this hearing, and all future hearings. You have the right to get notice of the dates and times of all the hearings and meetings regarding these allegations.

You have the right to be told about the allegations against you and to get a written copy of any legal documents and reports. You can ask to have the documents read to you, if you need to. You can also ask someone to explain them to you if you don't understand something in them.

You have the right to admit to the allegations made against you, deny them or remain silent. If you remain silent, the judicial referee or judge will enter a denial on your behalf and the case will go to trial.

You cannot be forced to speak about the allegations against yourself.

You have the right to an attorney before making any statements or answering any questions in court proceedings. You have the right to be represented by an attorney at each stage of the case.

If you do not have an attorney or can't afford an attorney of your own, an attorney will be appointed to represent you. You have the right to decide to not have an attorney only if you are fourteen or older. A judge will let you give up this right only if the judge decides that the decision was made without pressure from anyone and that you understand the possible consequences of going ahead without a lawyer.

If you are the parent, guardian, or custodian of a child alleged to have committed a delinquent offense, you also have the right to have an attorney represent you. If you cannot afford an attorney, you have the right to a separate court appointed attorney but only for two specific phases of the case.

Those two phases are the detention hearing and the disposition hearing. Both of those hearings include an opportunity for you to tell the judge what you think the court should do to your child.

A detention hearing is a hearing to decide if your child can return home while the case is active. It is similar to a bail hearing for an adult who has been charged with a crime. There may be more than one detention hearing while the case is going on.

The disposition hearing is the hearing where the judge or judicial referee decides the consequences.

The disposition hearing is the hearing where the judge or judicial referee decides what consequences your child will get if it is found that the allegations are true. It is equivalent to a sentencing hearing for an adult found guilty of a crime. If you want a court appointed attorney you must fill out the application and return it to the court as soon as possible.

You have the right to ask questions of any person who testifies against you. You have a right to subpoena people for the purpose of providing information on your behalf.

You are presumed innocent. It is up to the state to prove guilt beyond a reasonable doubt. You have the right to deny the allegations or charges that have been made against you.

You have the right to deny the allegations or charges that have been made against you. If you have already denied the allegations, you have the right to continue with your denial and the court will set a trial for your case.

You have the right to admit to the allegations against you, and you should be aware that if you admit to the offenses, there will be no trial on the allegations.

By admitting, you give up the right to a trial as well as the right to question people who would have testified against you. You also give up your right to remain silent and must answer the questions the court or state's attorney ask you about the allegations.

Before you admit to any allegation, you have the right to be told about possible consequences for your behavior, including any treatment, education, or other conditions that the court may order and how long those may last.

If you admit to or are found to have committed the delinquent offenses alleged, the court will direct you to provide information to a court officer so the officer can conduct a pre-disposition assessment. A pre-disposition assessment is used to review both your strengths and your needs. This helps the court determine the proper outcome for your case.

The court officer will collect information on your past behavior and any needs you may have. They will also conduct appropriate screenings. You may be on probation while this occurs.

During the final court proceeding, the court will make decisions to ensure you receive appropriate treatment and set requirements to ensure the community is safe and the harm caused to the victim or the community is repaired. Before you admit to any delinquent behavior, understand how this could turn out for you.

You may remain in your parent's custody, at your home, but be placed on probation supervision for up to twelve months with certain conditions as set by the court. Probation conditions will relate to your individual risk and needs.

Probation can be extended in order to complete the treatment goals of the court order. The juvenile director can give you further consequences for not following the consequences that have been given to you. If the violation is serious you could be brought before the judicial referee or judge again.

You may be ordered to pay restitution. Restitution is money you are required to pay to the victim to cover the damage you caused to them. The judge or judicial referee may also require you to perform community service hours as either a punishment or instead of paying restitution.

Probation cannot be extended just to collect restitution, but if restitution is not paid in full, the victims can ask the court to order your parents to pay it on your behalf. Civil judgements may be ordered when restitution is not paid.

You may be ordered to report for drug and alcohol screenings. Also, you may be ordered to participate in a juvenile drug court program if your situation meets the admission criteria.

You may be removed from the custody of your parents and placed in the custody of the State Division of Juvenile Services for appropriate placement. If you are placed in the custody of the Division of Juvenile Services, your placement may include a secure facility such as juvenile detention or the North Dakota Youth Correctional Center in Mandan.

Putting you in a locked facility is the most serious possible outcome.

Taking custody away from your parents and putting you in a locked facility is the most serious possible outcome for you and it will only be considered if the court cannot find a less severe method to change your behavior.

You have the right to appeal a decision of this court. The judicial referee or judge will ask if you understand these rights. If you have any questions regarding your rights, ask your attorney before the hearing or ask the judicial referee or judge during your hearing.

It is important that the court be able to reach you at all times. Every person involved in this case is required to tell the court anytime they change their address, phone number or other contact information.

Juvenile proceedings are closed to the public. Your case will be called individually.

At the beginning of the hearing, the judicial referee or judge will ask you if you understand these rights. If you have any questions about them, you should ask them then.