

Now That You're in Juvenile Court . . .

... It's important to know how it works!

THE PROCESS

You are in juvenile court because the **Commonwealth of Massachusetts**, represented by the Assistant District Attorney -- the **prosecutor** -- has charged you with a crime.

First Step: You will be **arraigned** (that means formally charged with the crime).

- ✓ The **prosecutor** will tell the judge about the crime you're charged with by reading the police report.
- ✓ The **probation officer (P.O.)** will tell the judge about how you are doing at home and at school. The P.O. will check to see whether you have a criminal record. It will help you to be polite and cooperative with the P.O. The probation officer will tell the judge what you say, so do not talk about your case with the P.O. Don't talk to anyone except for your lawyer about your case.
- ✓ **Your lawyer** will then speak on your behalf. He or she will tell the court positive things about you -- if you are going to school regularly, if you are involved in after-school activities, if you don't have any criminal record.
- ✓ The **judge** will listen to what the police say you did, the information from probation, and your lawyer's arguments, he or she will decide whether you can go home or whether a **bail** has to be set. If the judge sets a bail that is not paid, you will go to the Department of Youth Services (**DYS**) while the case is going on.

Remember - Your lawyer is the only person you should speak with about your case. Everything you tell your lawyer stays between the two of you. You are in charge of what happens in your case. The more you work with your lawyer, the more your lawyer can help you.

Next Step: Home or DYS

If you go home after your arraignment:

- ✓ Meet with your lawyer as soon as possible so that your lawyer is able to help you and defend you. Without your help, your lawyer can't do a good job for you.
- ✓ Don't talk about your case with anyone except for your lawyer -- including teachers, parents, or the police. If you do, the prosecutor can use your words against you.
- ✓ Do not talk to, or ask your friends to talk to, the **witnesses** (the people who are saying you did something illegal). You could be charged with intimidating a witness.
- ✓ Go to school every day on time, and/or go to work. Don't get in any kind of trouble, or the judge may say you have to go to DYS while the case is going on.
- ✓ Keep your curfew! The court can send the police to check on you.

If you go to DYS after your arraignment:

- ✓ You have the right to a **bail appeal**. This means that a judge from the Superior Court will hear about your case and will decide whether the bail was fair. Call your lawyer and tell your lawyer you want a bail appeal. Ask him or her to visit you.
- ✓ Don't get in any fights or into any kind of trouble at DYS. A good report from DYS can help you with your case; a bad report can hurt you.
- ✓ Call your lawyer and speak with him or her.

YOUR CASE IN THE COURT

- ✓ After the arraignment, you will have to come back to court for a **pre-trial hearing**. On that day, your lawyer will either see if the case can be worked out, or, if you are fighting the case, will get information from the prosecutor about the details of your case.
- ✓ If you are fighting the case, after the pre-trial hearing, there will be at least one and maybe as many as six or seven more court dates. Eventually, there will be a **trial**.
- ✓ At the trial, the witnesses will come to court and tell what happened to them. Your lawyer will **cross-examine** them, which means he or she will ask a lot of questions.
- ✓ The trial can be in front of a judge or a jury. A jury is a group of people from the community. The judge or jury will decide whether there is enough evidence that you committed this crime.
- ✓ **Important!** Going to court can be tiring and complicated. Ask your lawyer a lot of questions and be sure you know what's going on.
- ✓ Always have a parent or guardian with you.

THE RULES

- ✓ **You have to be there.** If you miss a court date, you will probably be arrested through a default warrant. If you have to miss because of an emergency, call the court and ask to speak to probation. Also tell your lawyer. If you forget court and realize it later, hurry! Call your lawyer and your lawyer will advise you what to do.
- ✓ **Be on time.** You have to be there at 9 a.m. Check in with probation when you get to court; if you are late, the court can issue a default warrant and have you arrested. Sometimes you have to wait a long time for your case. Be patient, and don't ever leave the courthouse without telling your lawyer.
- ✓ **Wear nice clothes.** Leave your hats, beepers, big jewelry, and chewing gum at home. Have your hair neat and clothes clean.

This form was created by the Youth Advocacy Project (YAP). For more information about YAP, call 617/445-5640.

This information is also available in Spanish, Cape Verdean Creole, Haitian Kreyol, Khmer, Vietnamese, and Somalian.