

## **Juvenile Probation Frequently Asked Questions**

### **My child was arrested by law enforcement, now what happens?**

- Law enforcement will submit the police report to the Prosecutor's Office and to Probation. If the Prosecutor would like to pursue charges, then you will receive a letter in the mail with an appointment for preliminary inquiry appointment. If the Prosecutor does not want to pursue charges, you will receive a letter informing you of this. If your child is arrested in our county, but resides in another county, the police report will be sent to your child's home county to handle.

### **My child was detained at the time of their offense, now what happens?**

- Depending on the severity of the offense, a juvenile may be detained at [Johnson County Juvenile Detention Center](#). If this is the case, a Juvenile Probation Officer will contact you the next business day.

If a child is detained, a detention hearing will be held at Shelby County Courthouse. An attorney will be present to represent your child during the detention hearing. At the detention hearing, it will be determined if juvenile should remain in secure detention, be released to your custody, or released on home detention (house arrest).

### **What is a preliminary inquiry appointment?**

- A preliminary inquiry appointment is a meeting with a Juvenile Probation Officer where you will be advised of your rights, charges, sign release of information, and create a preliminary inquiry report. The preliminary inquiry report will provide more information on the juvenile including: home life, friends, activities, education, employment, physical health, mental health, substance use, and any other information. This preliminary inquiry report is utilized when making a decision how to proceed with the case.

### **Due to the severity of my child's case, I would like an attorney to represent him/her. How can we obtain one?**

- If you wish to speak to an attorney prior to the preliminary inquiry appointment, please notify the Probation Officer listed on your preliminary inquiry letter. If a formal petition is filed with the court, then an attorney will automatically be appointed to represent your child.

## **Our family is already involved with Department of Child Services, now what happens?**

- Shelby County has a [Dual-Status](#) Team. This team will review cases that are involved with Department of Child Services and/or Probation. It will determine a lead agency to manage the case, although both agencies will be working the case. The goal is to not duplicate services and to address the needs of the child/family.

## **What happens during the formal court process?**

- Detention hearing is a hearing for when a juvenile is detained at the time of their offense and is required to be held within 48 hours (not counting weekends or holidays). The purpose of this hearing is to determine if juvenile should be released from secure detention, placed on home detention, or released into the parent/guardian's care.
- Initial hearing is a hearing for when a juvenile will be read his rights and charges. The juvenile can enter a denial or admit to the charges.
- Waiver hearing is a hearing that happens when a Prosecutor asks the Judge/Magistrate to send the case to adult court. The Judge/Magistrate will hear information about the case and determine which court is best for case to be heard.
- Pretrial conference is a hearing to review any updates on the case, determine if fact finding is still being held, or if an agreement has been made.
- Fact-Finding hearing is a hearing for the Prosecutor and Defense to present their case to the Judge/Magistrate including witnesses and other evidence. The Judge/Magistrate will then determine if the juvenile committed those delinquent acts.
- Dispositional Hearing is a hearing to determine the disposition of the case. The Judge/Magistrate will review the predisposition report prepared by Probation. The Judge/Magistrate can hear testimony from the Prosecutor and the Defense. The Judge/Magistrate has the ultimate decision of disposition.
- Review hearing is a hearing to review certain things that have been required. This is common if a juvenile is placed in a residential facility to have a review hearing every 60 days. There may be a review hearing to review status of conditions such as home detention.

## **My child has admitted to an offense, now what?**

- Prior to the dispositional hearing, your child will meet with a Juvenile Probation Officer to complete a predisposition report. At this appointment, we will complete the IYAS Risk Assessment to determine a risk level that determines what criminogenic areas to work on, how often to be seen, and what programs to utilize. We will also update information from the original preliminary inquiry report. After updating information and completing the IYAS Risk Assessment, Probation will submit the pre-dispositional report with our recommendations on how to handle the case to the court.

### **What are possible outcomes for my offense?**

- There are several possible outcomes depending on the severity of your offense and previous legal history. Outcomes include: warn and release, refer to another agency, informal sanction (like community service), Informal Probation (admit in our office and be placed on Probation), and formal petition to Juvenile Court.

A juvenile could be required to complete online classes, essays, [community service work](#), [Restorative Justice](#), MADD Victim Impact Panel, substance abuse treatment, [home detention](#), [JAG](#), (community corrections link here), [secure detention at Johnson County Juvenile Detention Center](#), and [Department of Corrections \(Boys/Girls School\)](#).

### **My child violated their probation, now what happens?**

- A violation of probation can be from not following conditions, new offense/arrest, failing drug screens, not working with treatment providers, or absconding. If this happens, a modification report is filed with the court. We will then have a court hearing to review alleged violations. If found guilty, the Judge/Magistrate can extend probation term, sentence to home detention, sentence to [secure detention at Johnson County Juvenile Detention Center](#), and sentence to [Department of Corrections \(Boys/Girls School\)](#).

### **How can my juvenile records impact my future?**

- Information how your juvenile delinquency cases can impact your future can be found at the [IN.gov website](#).

### **How can we get the juvenile records expunged?**

- Information for expungement can be found at the [IN.gov website](#). We cannot provide legal advice, if you are unsure how to proceed, then you will need to obtain a lawyer.

### **Still need more information?**

- Here is a [guidebook](#) that Indiana created to help guide you through the Juvenile Court Process.

### **My child has not been arrested or committed a crime, but I need help!**

- [Shelby County Youth Assistance Program](#) is an early intervention program for juveniles who may need help connecting to resources This program is free.