

Robert O. Dawson
Juvenile Conference

February 25, 2018

Primer on Juvenile Justice:
Vocabulary, Age, and Offense
Jurisdiction

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SOURCE OF LAW

**Criminal law
&
Juvenile law**

NUANCES & TRAPS

Top 10 List - IMPOSSIBLE



BROAD OVERVIEW



Basic Structure of Juvenile Justice System & Unique Vocabulary

PHILOSOPHICAL COMPARISON

JUVENILE

- Rehabilitation based
- Confidential

ADULT

- Punishment based
- Public

VOCABULARY COMPARISON

ADULT

- Warrant VS
- Arrested VS
- Jailed VS
- Bond/Bail VS
- Defendant VS
- Criminal Offense VS
- Information/Indictment VS
- Trial VS
- Sentencing VS
- Plea of Guilty/Not Guilty VS
- Convicted VS

JUVENILE

- Directive to Apprehend
- Taken Into Custody
- Detained
- Released to Parents
- Respondent
- Delinquent Conduct or Conduct
- Indicating a Need for Supervision
- Petition
- Adjudication Hearing
- Disposition
- Plea of True/Not True
- Adjudicated for Delinquent Conduct

AGE LIMITS

10	Minimum Age for Juvenile Court Jurisdiction
14	Minimum Age for Certification as Adult <i>Capital, 1st Degree, Agg. C. Substance Felony</i> <i>Exception: Age 10 for capital felony or murder if post-18 certification</i>
15	Minimum Age for Certification <i>All other Felonies</i>
17	Age at Which Criminal Court Jurisdiction Begins <i>Exceptions: Fine Only and Local Ordinances – age 15 (rebuttable presumption incapable of committing between 10 and 14)</i> <i>Perjury: No limit if understands nature and obligation of oath</i>
18	Maximum Age of Juvenile Court Control <i>Exceptions: TFC §§51.041; 51.0411; 51.0412; 54.02; 54.051</i> <i>(Appeal, Transfer/Release Hearing, Incomplete Proceedings, Post-18 Certification)</i>
19	Maximum Age of TJJD Control Maximum Age of Juvenile Court Control for Determinate Sentence Probation <i>TFC §§54.04; 54.0451; HRC §248.151</i>

TYPES OF OFFENSES

- **Conduct Indicating a Need for Supervision**

- Non-traffic fine-only; Runaway; Huffing; School violation that results in expulsion; Sexting; Prostitution

- **Status Offenses**

- Would not be a violation if committed by adult (e.g. runaway, MIP, curfew)

- **Delinquent Conduct**

- Jailable misdemeanors and felonies



JUVENILE CASES IN GENERAL

- **Right to a jury trial**
- **Waiver of rights**
- **Search & seizure**
- **Confessions**
- **Mental health issues**
- **Sex offender registration**

ORDINARY JUVENILE ADJUDICATIONS

- **Jury selection**
- **Disposition**
- **Enhancements**

DETERMINATE SENTENCES

- **Offenses & punishment ranges**
- **Probation**
- **TJJJ commitment**

CERTIFICATION HEARINGS

- **Offenses & age**
- **Administrative hearings**
- **Post 18 hearings**



RECORDS

- **Juvenile Records**
- **Criminal Records**

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