

Chapter 6: Juvenile Justice Procedures

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In recent years, the Missouri Juvenile Court has become more formalized and the rights of individuals including children, the public and the victim have been recognized as highly important. Due process procedures are now required in juvenile court under certain circumstances and the juvenile and his /her guardian are entitled to representation by an attorney, notification of charges, discovery of evidence, and proof beyond a reasonable doubt based upon testimony that meets the requirements of the Confrontation Clause of the Sixth Amendment to the Constitution. The process of arrest and taking a juvenile into custody is now governed by statute as is the process concerning fingerprinting and photographing of juveniles. The entire court process is more open as the public and victims of juvenile crime have identifiable rights and can even attend certain hearings concerning the juvenile. Families are included within the process from apprehension through rehabilitation. Overall the process has evolved to meet the demands set forth by the Supreme Court in such cases as *Kent v. United States*, *in re Gault*, *in re Winship*, *McKeiver v. Pennsylvania*, and *Breed v. Jones* as well as the mood of the country concerning juvenile offenses and public safety issues and concerns.

Although the process is now more formalized, the focus still remains mostly on the juvenile and his/her safety and rehabilitation into a healthy and productive citizen. Informal processing and informal sanctions still exist; however, these options are now purely voluntary and a juvenile cannot be forced to comply with an informal disposition without consent. According to juvenile court statistics from 1996, 44% of delinquency cases were handled informally (NCIRS 1997). Today, informal processing and informal sanctions are still widely utilized and the Missouri Juvenile Court 2005 Annual Report concluded that 76% of all referrals were informally disposed. Thus, deinstitutionalization is preferred and reasonable efforts need to be made before a child can be removed from his/her home.

Missouri's Revised Statutes and the Missouri Supreme Court Rules govern the procedures used in Missouri's Juvenile Courts from offense through disposition. When the police apprehend a juvenile, they are required to contact the Family Court and provide it with the circumstances surrounding the event. Temporary (24 hours) protective custody is allowed whenever a "law enforcement official or a physician has reasonable cause to believe that the child is in imminent danger of suffering serious physical harm or a threat to life as a result of abuse or neglect and such person has reasonable cause to believe the harm or threat to life may occur before a juvenile court could issue a temporary protective custody order" (125.RSMo.) provided that upon taking the child into protective custody, the person immediately notifies the court of the county in which the child is located of these actions and makes a reasonable attempt to advise the parents, guardians or others legally responsible for the child's care and files within twelve hours, a written statement describing the circumstances which gave reasonable cause to believe that there was imminent danger of serious physical harm or threat to the life of the child (Chapter 211, RSMo.). Once the juvenile court is notified that the child is in protective custody, the juvenile officer must either return the child to the person responsible for his care or shall initiate child protective proceedings under Chapter 211, RSMo.

Similar provisions are required when a child is arrested and/or taken into custody. Section 211.061 (RSMo.) requires that "the child, together with any information concerning him and the personal property found in his possession, shall be taken immediately and directly before the juvenile court". The Court then preliminarily examines the reasons for detention and either orders the child released; or continued in detention until a detention hearing is held provided a petition is filed articulating probable cause supporting a belief that the child has committed a delinquent act or has violated a municipal ordinance. The detention hearing should be held within three days of his initial detention unless the court

for good cause orders the hearing continued. Notice of the date, time and place of a detention hearing, and of the right to counsel, shall be given to the juvenile and his custodian in person, by telephone, or by such other expeditious method as is available. In other words, a juvenile can be detained up to 24 hours without a court order and longer if the court so orders, but the parents must be notified as soon as possible.

Missouri Supreme Court Rule 111.02 supports the presumption that juveniles should be released and not remain in custody unless authorized by the court, the judicial officer or other appropriate persons upon showing substantial reasons exist for detaining the juvenile (Section 211.141.1). Further, these substantial reasons are required to be placed in writing either as a petition or as a written statement describing the circumstances depending on whether the juvenile is held in custody for delinquency/status allegations or abuse/neglect allegations.

Once the juvenile is admitted into a detention facility, the juvenile is immediately entitled to be informed of: (1) the reason for detention; (2) the right to a detention hearing; and (3) the rights during detention under Rule 111.10 including written notice setting forth the right to remain silent and the right to counsel. Furthermore, the juvenile's custodian must also be notified of these same facts and provided an attorney if necessary. Under the current Missouri statutory provisions, if a juvenile is detained, the juvenile has the right not to say anything until he or she speaks with a lawyer, other than identifying himself or herself by name, address and age. Furthermore, once a child is under juvenile jurisdiction, whether it is for delinquency, neglect or abuse, both the child and the child's parents have the right to be represented by an attorney (McCarver, S. 2005).

Nothing in the Missouri statute or the rules establishes a minimum age for admission into a juvenile detention facility, but the court should consider the appropriateness of placement of a juvenile in a detention facility within the context of the options available pursuant to section 211.151, RSMo. Furthermore, at the protective custody hearing the court is required to make findings concerning whether the juvenile can safely return home, whether the Juvenile Division has made reasonable efforts to prevent or eliminate the need for removal from the home, and whether continuation of the juvenile in the home is contrary to the juvenile's welfare (Rule 111.14 f). If detention is deemed appropriate, the court can also order the Juvenile Division to investigate: whether there are appropriate relatives to care for the child; whether the proposed placement is the most appropriate placement and is consistent with the best interests of the child; visitation; whether disruption of the child's school can be avoided; whether the juvenile has special needs and if services can be offered immediately; and, among other things, whether the Division has offered services to the parents (Rule 111.14g).

The juvenile's rights during detention allow the juvenile to telephone his/her custodian and counsel and authorize reasonable visitation if the juvenile so desires (Rule 111.10). If the juvenile is represented by counsel no person may interview or interrogate the juvenile concerning the violation of a state law or municipal ordinance by the juvenile unless counsel is present or with the consent of counsel. Since the purpose of detention is to safeguard the juvenile or the public pending adjudication, except for the juvenile's custodian, the counsel, and authorized personnel of the court, no person is allowed to interview or interrogate a juvenile held in a detention facility unless approval has first been obtained from the court or the juvenile officer. Furthermore, in order for the police to acquire admissible statements from the juvenile, the interview or questioning must take place in the presence of the parent and a judicial officer and Miranda and McMillan rights must be read. (These rights are explained more fully in Chapter 7.) Either the parent or the juvenile can refuse to be interviewed by the police and if either, the parent or juvenile, requests an attorney, the interview must be terminated until an attorney is present (Juvenile Offender Resources, 2007).

Prior to the 1990's most juvenile proceedings were closed to the public. Only actual parties, the juvenile, his/her parent and court personnel were granted admission to the hearings. In 1992, the

Missouri Constitution Amendment allowed victims of juvenile crime to attend the hearings of the accused juvenile. In 1995, the state legislature further opened the proceedings to allow the general public to be present when the case is an A or B felony; or if it is a C felony and the juvenile has two unrelated prior adjudicated felonies. The public is still however, to be excluded when the social background is being discussed.

Now specifically pursuant to Section 211.319.4. RSMo., the court may admit persons with a direct interest in a given case or in the work of the court. This includes victims and in certain circumstances, the general public, grandparents, and child caretakers. However, the court may also exclude any persons from hearings. In *State ex rel., St. Louis Post-Dispatch v. Garvey*, (2005), the court held that Section 211.171 RSMo., provides that juvenile adjudicatory hearings in delinquency or status offenses (as opposed to other hearings, like dispositions and status conferences) are to be open where the juvenile is charged with any of the offenses mentioned above unless the standard established by the U.S. Supreme Court for closing criminal cases has been met. To close an adjudicatory hearing, the court must find that there is a substantial probability that publicity will prejudice the defendant's right to a fair trial that closure would prevent, and reasonable alternatives to closure cannot adequately protect the defendant's fair trial rights. Further, in light of *In Re Gault*, (1967) the court is limited in its ability to exclude the presence of the juvenile, at least in those adjudicatory hearings involving a delinquency petition. Due process requires that the juvenile should have the right to confront the witnesses in a disputed adjudication alleging the child's actions. Thus, the child must be present when witnesses are testifying as to what the child himself or herself has allegedly done. A child may be excluded when the testimony concerns allegations of actions of others like the juvenile parent or home life. As a precautionary measure if the child is excluded, his/her counsel should be present and if the child is not represented by counsel, then the court should appoint a *guardian ad litem* to protect the juvenile's interests.

Cases of abuse, neglect or termination of parental rights proceedings are also open to the public unless good cause is shown or unless exceptional circumstances dictate exclusion of persons or closure of the proceedings is necessary to protect the welfare and best interests of the child (Section 211.319.1.RSMo.). However, even in open hearing situations, only those with a direct interest in the case or work of the court shall be admitted during the testimony of any child or any victim (Section 211.319.2. RSMo.).

Open hearings did not expand who is a party to the proceedings. Foster parents, pre-adoptive parents, or relatives providing care for a child are still not parties to the case and therefore are "not entitled to receive copies of the paperwork, nor are they entitled to participate in the hearings by calling witnesses or cross-examining the witnesses of the other parties" (Rule 110.05a). However, these persons may be "provided with notice of, and an opportunity to be heard in, any permanency or other review hearing to be held with respect to the child (Section 211.171.3, RSMo.). Grandparents also have a right to intervene in any proceeding in which the custody of a grandchild is in issue, unless the juvenile judge decides, via a motion's hearing that such intervention is against the best interest of the child (Section 211.177.1, RSMo.). A termination of parental rights proceeding is not a juvenile custody determination and accordingly, a grandparent does not have a right to intervene in termination proceedings (*In Interest of C.M.D.*, 2000).

As mentioned above the Missouri Constitutional Amendment in 1992 authorized victims of juvenile offenses to attend the hearings of the juvenile. What this means is that the victim or a member of the victim's immediate family may either appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the child. Victims are also allowed to submit a written statement to the court personally or by counsel right at the sentencing phase in the form of a victim impact statement unless the court finds that the presence of the victim would not serve justice. The victim's statement is limited to the facts of the case and any personal injuries or

financial loss incurred by the victim (Section 211.171, RSMo.). Victims also have the right to know the name of the juvenile offender and information concerning the status of their crime.

Records concerning and prepared for juvenile court proceedings are typically confidential and not privy to inspection except by order of the court to persons having a legitimate interest therein or when the juvenile petition charges the child with an offense categorized as a Class A felony, such as capital murder, first degree murder, or second degree murder (Section 211.321.2, RSMo.). Status offense records are also confidential and may be revealed only pursuant to a court order. Delinquency records are confidential but limited information may be revealed without a court order so that the juvenile officer may provide information or discuss matters related to the juvenile or the violation with the victim, witnesses, school officials, law enforcement officials, prosecuting attorneys, or any person or agency having or proposed to have legal or actual care, custody and control of the child or any person or agency providing or proposed to provide treatment of the child. Those persons to whom this information is released are not authorized to further release the information to the general public. Recipients of the information must keep the information confidential and may exchange information with only those persons mentioned above.

The information that may be revealed includes: the offense, the substance of the petition, and the status of the proceedings in juvenile court. The revealed information may not specifically identify the juvenile or the juvenile's family. Furthermore, although felony dispositional hearings are open to the public, the social summaries, pre-sentence investigations and status reports submitted to the court by a treating agency or individual after a dispositional order is entered remain confidential.

In abuse/neglect or termination of parental rights cases, the pleadings and orders are open to the general public but, the files that contain medical records, psychiatric or psychological records, Juvenile Division reports, social histories, home studies, police reports and law enforcement records are confidential. All records available to the public, must redact any and all information concerning the identity of the child, and any information that could identify or lead to disclosure of the source of information to a hotline (Section 211.319.3. RSMo. and Rule 122.02 Missouri Supreme Court Rules).

To assist in maintaining the confidentiality of juvenile matters, Missouri's Supreme Court Rule 122.03. requires law enforcement records of juveniles, including fingerprint and photograph records, to be kept separate from the records of other persons. These records are not open to inspection, disclosure or distribution except by order of the court or in situations where the juvenile has been certified for prosecution under the general law in adult court. Further, upon a motion the court may order destruction of all social histories, records and information, other than the official court file, and may enter an order to seal the official court file to ensure privacy at any time after the juvenile has reached his/her seventeenth birthday, if the court finds that it is in the best interest of the juvenile (122.04 Mo. Sup. Ct. Rule).

Juveniles who are brought within the jurisdiction of the juvenile court have many rights consistent with the rights afforded to adults including the right to a safe and healthful environment, participation in educational, recreational and religious services and activities of the juvenile's choice on a voluntary basis, subject to the safety, security and control needs of the facility, the right not be subject to corporal or unusual punishment, mental abuse, or the punitive restriction of daily living needs, and the right to report grievances when necessary (RSMo. 210.115).

Once a child is in the juvenile court system, whether it is for delinquency, neglect or abuse, the Juvenile Court has a number of options. The options include:

- Returning the child home with probationary conditions;
- Detaining the juvenile;
- Assessing fines;
- Ordering parents to provide support, perform specific duties;

Placing the juvenile in a group home or foster home;
Requiring the juvenile to perform community service or make restitution; or
Detaining the juvenile in a secure facility until the juvenile reaches age 21 (NCJJ 2006).

Detention involves placing a child in a locked facility while awaiting a court hearing, adjudication, disposition, etc. or permanent placement. There are 25 secure juvenile detention facilities in Missouri administered at the county or regional level. Detention is a short-term placement option and is not to be used as the final disposition or as a sanction for probation violations. Alternatives to detention are administered at the local level and often include home detention and electronic monitoring.

The process for judicial handling of matters in Missouri's family court begins with the complaint, summoning the parties (Rule 128.15) or the taking into custody of a juvenile (211.131.1 RSMo. and Rule 111.01), a temporary detention hearing or shelter care hearing, and if, the deputy juvenile officers working as intake screeners for the Judicial Circuit's Juvenile Office determine legal sufficiency a formal writing of charges, known as the petition is filed. Rule 114.01 and Section 211.091, RSMo specify the requirements for the contents of a petition. Specifically, Rule 211.091 requires that the petition's format be as follows:

The petition shall be entitled "In the interest of, a child under seventeen years of age".

The petition shall set forth plainly:

- (1) The facts that bring the child or person seventeen years of age within the jurisdiction of the court;
- (2) The full name, birth date, and residence of the child or person seventeen years of age;
- (3) The names and residence of his parents, if living;
- (4) The name and residence of his legal guardian if there be one, of the person having custody of the child or person seventeen years of age or of the nearest known relative if no parent or guardian can be found; and
- (5) Any other pertinent data or information.

Further, if any facts required above are not known by the petitioner, the petition shall so state. Prior to the voluntary dismissal of a petition filed under this section, the juvenile officer shall assess the impact of such dismissal on the best interests of the child, and shall take all actions practicable to minimize any negative impact.

Per the Printed Missouri Juvenile Handbook, the petition must include the date, place and manner of the acts alleged and the law or standard of conduct if any allegedly violated by the acts together with any other pertinent data or information. To allege abuse/neglect, the petition should cite Section 211.031, RSMo as well as the definitions of abuse or neglect in Section 210.110, For status offense allegations, the petition should explicitly mention the required elements of proof of the particular status offense in Section 211.031, RSMo. For delinquency matters, the juvenile officer should utilize the book Missouri Approved Charges- Criminal and the juvenile officer should precisely quote the charging language for the particular crime in question. Each petition must satisfy constitutional due process requirements such as notice and a fair opportunity to contest the issues as well as Section 211.091.2, RSMo.

Petitions can be amended at any time by leave of court provided that due process considerations are met (Rule 114.02). A petition may also be dismissed by the juvenile officer without prejudice and re-petitioned later provided it is in the best interest of the child to do so (Section 211.091.4. RSMo.). But in no event may a juvenile be adjudicated for an uncharged or un-petitioned offense as the notice and hearing requirements will not have been met (*In Interest of J.D.B.*, 2 S.W.3d 195 (Mo.App.W.D. 1999)).

Once the petition is filed an arraignment hearing is scheduled and held. If the charges are denied, and no certification hearing is scheduled or required evidence is presented at an adjudicatory hearing (Rule 119.03) where the judge (not a jury) decides the case. If the facts claimed in the petition are upheld

a Deputy Juvenile Officer is assigned to prepare a social history (Rule 119.05.) and disposition is set. If the juvenile is in detention or protective custody, the dispositional hearing must be scheduled within thirty days unless agreed to by the counsel for the juvenile. Evidence is received regarding the disposition, including, if appropriate, testimony from the victim and the offender. Then the court enters an order of disposition. Juveniles are entitled to an appeal to the Missouri appellate court.

At all juvenile hearings the juvenile and his/her custodian have the right to be present except where it appears that exclusion is in the best interests of the juvenile. All juvenile hearings are recorded the juvenile officer has the burden of proving the allegations within the petition to the appropriate standard of proof – beyond a reasonable doubt for delinquency matters and by clear and convincing evidence in other circumstances (Rule 117 and RSMo. Section 211.031). If a juvenile is placed in the legal custody of the Juvenile Division dispositional review hearings must be held every 90 to 120 days the first year following removal and at least annually thereafter with six month permanency plan reviews (Rule 119.01c). These time constraints are purposeful to ensure that the best interests of the child are being considered.

Besides the formal processing discussed above another alternative available involves informal adjustments where the juvenile admits committing the offense and agrees to abide by the rules set forth by the Juvenile Officer for up to six months (RSMo. Section 211.081 and Rule 113). The informal adjustment process begins with a conference attended by the juvenile officer, the juvenile and the juvenile's custodian. Preliminarily, the officer (1) informs the parties of their right to counsel under Rule 116.01 and the right of the juvenile to remain silent. If counsel is requested, the proceeding adjourns until one is secured. (2) If the conference proceeds forward the juvenile officer informs the child and the guardian of the information establishing jurisdiction under the Juvenile Code. (3) Next, the Juvenile Officer discusses potential recommendations or courses of action to correct the behavior or environmental conditions and general facts relevant to the situation. (4) The Judicial Officer informs the parties that during the informal adjustment process no petition will be filed and that the process is entirely voluntary and that they may withdraw from the process at any time. (5) Additionally, the parties are informed that the Juvenile Officer also has the right to terminate the informal adjustment process at any time and either dismiss the matter or proceed with the complaint by filing a petition with the court.

Informal adjustments involve the juvenile officers advising the child and his/her parents of appropriate sanctions and conditions that must be met depending upon the consent of the juvenile's parent. Parents are part of the process and can be required to pay up to \$4,000 for damages and injuries caused by their child if the court so orders. Missouri's informal adjustment provision section 211.083 RSMo. allows the juvenile court to permit the child:

- (1) To make restitution or reparation for the damage or loss caused by his offense. Any restitution or reparation shall be reasonable in view of the child's ability to make payment or perform the reparation. The court may require the clerk of the circuit court to act as receiving and disbursing agent for any payment agreed upon;
- (2) To complete a term of community service under the supervision of the court or an organization selected by the court.

Furthermore, the Court may require participation or order support by the parent or guardian in any activity the court finds is necessary to carry out the purposes of the juvenile code including, but not limited to:

- (1) Requiring the parent or guardian to attend counseling sessions; and
- (2) Requiring the parent or guardian to participate in any institutional treatment program, including attendance at the institution where the child resides; and

(3) The court may order the parent or guardian to support the child committed for institutionalization by paying the reasonable costs of support, maintenance and treatment of the child that the parent is financially able to pay (RSMo. 211.134. 1 and NCJJ, 2006).

In abuse and neglect situations, the judicial process is much the same however, the child is not detained in the same facilities as the delinquent or status offenders and “reasonable efforts” findings are required. First, separate facilities are required by law. Second, if a juvenile is removed from his/her residence, the court must make a determination on the record as to whether the Department of Family Services (DFS) made reasonable efforts to prevent or eliminate the need for removal of the juvenile from the home and, after removal, to make it possible for the child to return home. In cases of emergency removal, the first contact by DFS is deemed to have met the reasonable efforts requirements to prevent or eliminate the need for removal. Thereafter, reasonable efforts findings must be made within 60 days after the child has been removed and placed by the State. Reasonable efforts findings should be made in the first court order and in each court order thereafter.

Reasonable efforts has been defined to mean the exercise of reasonable diligence and care by DFS to utilize all available services related to meeting the needs of the juvenile and the family. Section 211.183.2 RSMo. requires that the child’s present and on-going health and safety shall be the paramount consideration in determining what reasonable efforts are to be made and in the making of those reasonable efforts.

Further, the Court must recite specific findings describing what preventive or reunification efforts were made and why further efforts appear inadequate in eliminating the need or shortening the duration of the juvenile’s separation from the family. DFS shoulders the burden of proving reasonable efforts usually by way of an “affidavit of efforts” which it admits into evidence at the hearing and is incorporated into the court order. If the affidavit contains hearsay, DFS must produce admissible evidence to support its findings on the issue of “reasonable efforts” (*In Interest of J.M.C.*, 1996). Even if DFS’s efforts were not found to be reasonable, the court may still authorize removal of the juvenile if further efforts could not permit the child to remain at home.

The reasonable efforts findings order must include:

- (1) whether removal is necessary to protect the child and the reasons,
- (2) a description of the services available to the family before removal including in- home services,
- (3) a description of the efforts made to provide those services relevant to the needs of the family before removal of the child,
- (4) a statement as to why the efforts did not prevent removal of the child and
- (5) a statement as to whether the efforts made were reasonable based upon the needs of the family and child (RSMo. 211.183).

DFS is not required to make reasonable efforts, when the court determines circumstances exist such as that:

- (1) the parent has aided or abetted, attempted, conspired or solicited to commit, or actually committed the murder or voluntary manslaughter of another child of the parent; or
- (2) the parent has subjected the child to a severe act or recurrent acts of physical, emotional or sexual abuse toward the child, including an act of incest; or
- (3) the parent has committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent; or
- (4) the parent’s parental rights to a sibling have been involuntarily terminated.

In these instances, the court should hold a permanency hearing within 30 days of making this determination.

Finally, contrary to popular belief juvenile records are not automatically expunged or destroyed when a youthful offender turns 17. The records are stored or saved for use by probation officers in preparing pre-sentence and pretrial reports if the juvenile commits crimes as an adult. The records are also used for background checks by agencies such as the military and the F.B.I. prior to acceptance into service or potential employers or for background checks for handgun permits or purchases.

References

Breed v. Jones, 421 U.S. 519 (1975).

In Interest of C.M.D., 18 S.W.3d 556 (Mo.App.W.D. 2000).

In Interest of J.D.B., 2 S.W.3d 195 (Mo.App.W.D. 1999).

In Interest of J.M.C., 920 S.W.2d 173 (Mo.App.W.D. 1996).

In Re Gault, 387 U.S. 1, 87 Sup. Ct. 1428, (1967).

In Re Winship, 397 U.S. 358, 90 Sup. Ct. 1968 (1970).

Juvenile Offender Victims' Resources, 2007.

<http://mova.missouri.org/Topics/juveniles.htm>.

Kent v. United States, 383 U.S. 541, 86 S. Ct. 1045 (1966).

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National Center for Juvenile Justice. 2006. "Missouri." State Juvenile Justice Profiles. Pittsburgh, PA: NCJJ. Online. Available: <http://www.ncjj.org/stateprofiles/>. 211.083.

Protective custody of child, RMo 210.125.

State ex rel., St. Louis Post-Dispatch v. Garvey, ED85879 (Mo.App.E.D. 5-3-2005).

Internet Links for Additional Information:

Missouri Revised Statutes

§ 210.125 "Protective Custody . . ."

§ 211.061 "Arrested Child . . ."

§ 211.131 "Taking Custody . . ."

Missouri Supreme Court Rules

Rule 111.01 "When Juvenile May Be Taken Into Judicial Custody"

Rule 111.02 "Procedure Upon Taking Juvenile Into Judicial Custody"

Rule 111.05 "Notice Upon Admission To Detention Facility"

Rule 111.06 "Temporary Detention"

Rule 111.10 "Rights During Detention"

Rule 122.02 "Juvenile Court Records to be Confidential"

Rule 122.03 "Law Enforcement Records of Juveniles to be Kept Separate"

Rule 122.04 "Sealing of Court Files and Destruction of Records"

Rule 122.05 "Notification of Rights"

Missouri Juvenile Justice Association Standards

§ 2 "Administration", Items 2.5, 2.8, 2.12 and 2.13

§ 7 "Juvenile Rights", Items 7.9 and 7.10

§ 9 "Rules and Discipline", Item 9.2

§ 10 "Juvenile Records", Item 10.2

Missouri Revised Statutes

<http://www.moga.mo.gov/statutes/C211.HTM>

Review Questions

1. Discuss the process involved in informally handling juvenile matters. What are the perimeters of the process and who are the participants?
2. Describe under what circumstances can the general public attend juvenile procedures and when can persons be excluded?
3. Discuss how victim's rights have expanded over the years and what rights victim's now have in juvenile matters.
4. What happens to juvenile records and files after the hearings are concluded?
5. When must reasonable efforts be performed in juvenile matters and who and how are reasonable efforts shown to be sufficient?
6. Discuss how a juvenile's rights have been affected by the Supreme Court decisions decided since 1966.
7. Are the more formal provisions utilized in Juvenile Court more helpful in meeting the intended purposes of the Juvenile Court? Discuss both the pros and cons of formalizing the process.
8. Why are violations of probation matters treated as civil issues and therefore not subjected to the same due process protections as the original delinquent activity?