

# **THE JUVENILE COURT SYSTEM:**

## **A Guide for Victims and Witnesses of Juvenile Crime**



**Franklin County Juvenile Probation  
Victim/Witness Services  
425 Franklin Farm Lane  
Chambersburg, PA 17202  
717-261-3122**

## CASE INFORMATION

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Arresting Officer \_\_\_\_\_

Phone \_\_\_\_\_

Incident Number \_\_\_\_\_

Juvenile's Probation Officer \_\_\_\_\_

Phone \_\_\_\_\_

Hearing Date	Time	Location
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_____	_____	_____
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_____	_____	_____
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_____	_____	_____
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_____	_____	_____
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Notes: \_\_\_\_\_

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Helpful Websites:

[www.ova.state.pa.us](http://www.ova.state.pa.us)—Office of PA Victim Advocate

[www.pacrimevictims.org](http://www.pacrimevictims.org)—helpful information for victims

[www.pavictimrights.org](http://www.pavictimrights.org)—information about victims' rights

[www.paacp.state.pa.us](http://www.paacp.state.pa.us)—Address Confidentiality Program

[www.winservices.org](http://www.winservices.org)—Women In Need

# JUVENILE JUSTICE GUIDE

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## SERVICES PROVIDED BY VICTIM ADVOCATES

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Victim Services helps victims and witnesses of crime. We will work with you to meet your needs and answer your questions.

We will:

- ◆ Support you during the court process
- ◆ Tell you how the court process works
- ◆ Give you information about your case
- ◆ Tell you about court events
- ◆ Go with you to court events
- ◆ Help you plan what you say in court
- ◆ Help you write down how the crime has hurt you
- ◆ Make sure you have a safe place to wait in the courthouse
- ◆ Help you tell the court about your financial loss

We will also help you:

- ◆ Get your property back
- ◆ Talk to people who have sent you bills
- ◆ If you are threatened by the defendant
- ◆ Contact other agencies that can help you



## VICTIMS' RESPONSIBILITIES

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1. To always tell the truth.
2. To provide your current address and telephone number.
3. To tell us if your address or telephone number changes.
4. To be honest when you fill out forms.
5. To give us copies of bills and receipts when completing forms relating to money.

# VICTIMS' BILL OF RIGHTS

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As a victim, you have rights. Here are some of the rights you have:

**You have the right to be told...**

- ◆ about basic services available to you in your county
- ◆ about certain court events, including information on escape of a juvenile, release of a juvenile
- ◆ about the details of the final disposition of a case

**You have the right to receive...**

- ◆ notice of the arrest of the juvenile
- ◆ information about restitution and assistance with compensation
- ◆ accompaniment to all juvenile justice proceedings by a family member, a victim advocate or a support person

**You have the right to provide input...**

- ◆ into the disposition of the juvenile and to receive help in preparing an oral and/or written victim impact statement

**NOTE: Notifications are only sent if YOU ASK FOR THEM—there is a check box on the Victim Impact Statement page.**

For more information on your rights as a victim you can call our office at (717)-261-3122 or go online to [www.pacrimevictims.org](http://www.pacrimevictims.org) or to [www.pavictimrights.org](http://www.pavictimrights.org)  
*If you don't understand your rights or if you feel that you didn't receive all of your rights, please call our office and speak to a victim advocate.*

## DEFINITIONS

**Delinquent Act:** A crime committed by a juvenile.

**Juvenile:** A person between the ages of 10 and 18 years old who is arrested for committing a crime.

**Allegation/Petition:** The list of charges filed. Charges are the criminal acts the juvenile is accused of doing.

**Detention:** A temporary, secure holding facility for the juvenile who commits a serious offense.

**Adjudication:** A hearing to decide if the juvenile has committed the crime.

**Defense Attorney:** The attorney representing the person who is accused of committing a crime.

**District Attorney:** The attorney who works for the Commonwealth of Pennsylvania is also called a *prosecutor*. He/She prosecutes people who break the laws of Pennsylvania.

**Disposition:** The final decision on how a juvenile will be held accountable for his/her actions. There may or may not be a hearing.

- **Diversion:** A way to hold a juvenile accountable without having an Adjudication hearing. It is sometimes offered to juveniles who have never committed a crime before. In most cases, there is some supervision from Juvenile Probation involved and types of Diversion include the Youth Aid Panel, Informal Adjustment, and Consent Decree.
- **Probation:** The Juvenile Probation Office will supervise the juvenile for a time period specified by the Judge. The judge will order treatment and supervision that is designed to best meet the juvenile's needs for such things based on their risk for reoffending. The juvenile must obey rules from the court.
- **Placement:** When a juvenile has been Adjudicated Delinquent for a serious crime and the Court feels that he/she is unable to safely remain in his/her community, he/she will be sent to live in a place that offers close supervision and treatment.

**Disposition Review Hearing:** A hearing where the Court looks at the juvenile's progress every six (6) months to determine if treat-

ment and supervision are still needed.

**Judge:** An elected official who hears and decides cases in a court of law.

**Juvenile Master:** A person, usually an attorney, who is appointed by the judge to hear and decide certain juvenile cases.

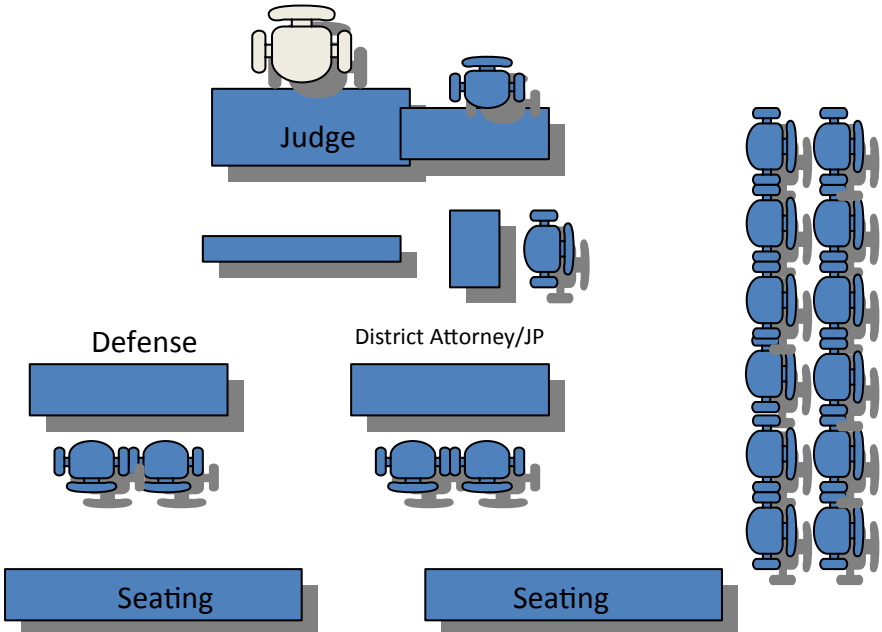
**Personal Injury Crime:** A crime where the victim is hurt, physically and/or mentally, and goes to the doctor and/or counselor for treatment.

**Placement Review Hearing:** A hearing that takes place every three (3) months when a juvenile is committed to a placement facility. Placement Review hearings assess the progress in treatment that the juvenile has made while he/she has been there.

**Certification Hearing:** A hearing to decide if a case should be moved from juvenile court to adult court.

**Victim Impact Statement:** A victim impact statement is your chance to tell the court how the crime hurt you and your family or how it has changed your life. You may write your statement and you may speak in court, but you are not required to do or say anything. This is also your opportunity to request financial restitution in writing.

## GENERAL COURTROOM LAYOUT



# RESTITUTION AND VICTIMS' COMPENSATION

As a victim of crime, you may have loss of money or have extra costs because of the crime. There are two ways you can get help.

## Restitution

Restitution is money a defendant repays to a victim. This is money that you have lost or spent because of the crime. The restitution can repay you for loss of property, loss of money, and medical, counseling, and prescription copays.

- ◆ Money will be paid to ***you*** for money you have spent, bills you have paid, bills you owe, and insurance deductibles.
- ◆ Money will be paid to your ***insurance company or another company*** that has paid your bills or paid you for your losses.

You must tell us about the money you think should be paid back. We will give you a form that will help you give us information. We can also help you fill out this form.

The Judge will tell the juvenile about the money to be paid back. The Judge will decide the amount based on the information you put on the form. You will continue to receive a check from the Payment Division at Franklin County Probation until the juvenile has paid the full amount.

## How is it paid?

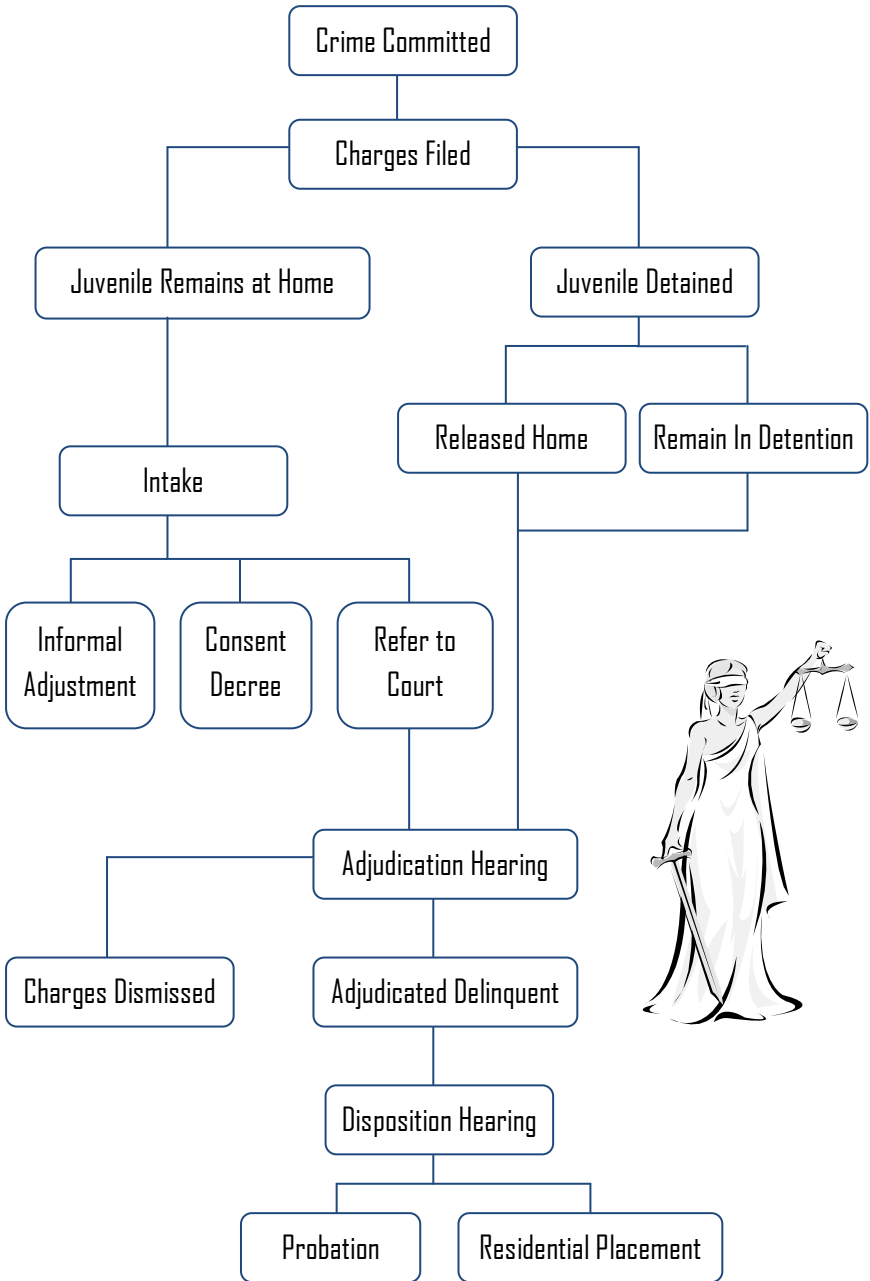
The juvenile makes payments through the Probation Department Payment Division. If a juvenile pays, the payment division receives the money and sends a payment to you. If your address changes it is important for you to notify us so we can tell the Payment Division where to send your restitution.

## Victims Compensation Assistance Program (VCAP)

This program can help victims by paying back money they had to spend because of a crime. It may also repay money a victim lost because of a crime. This program could pay money for medical bills, counseling, lost pay, funeral costs, child care, stolen cash and other costs. The program does not cover all costs. You must apply to the program to see if you qualify for the program. For more information, go to [http://www.pccd.pa.gov/Victim-Services/Pages/Victims-Compensation-Assistance-Program-\(VCAP\).aspx#](http://www.pccd.pa.gov/Victim-Services/Pages/Victims-Compensation-Assistance-Program-(VCAP).aspx#).



# THE JUVENILE JUSTICE SYSTEM



# THE COURT PROCESS

## Crime Reported

When a crime is reported, the police will investigate. If the police think a crime happened, they can arrest someone. People between 10 and 18 who are charged with a crime will go through the juvenile court system.

## Detention

Detention is not long-term. A juvenile is placed in detention if he/she committed a serious crime, didn't show up in court for a hearing, or ran away from a court ordered placement. When the police arrest a juvenile, the probation officer decides if the juvenile will go to a detention center or to his or her home while waiting for court. If the person is put in a detention center, a court date must be held within 3 court business days for a judge to decide if the juvenile will stay in the detention center.

## Finding of Fact/Adjudication

A Finding of Fact/Adjudication hearing is held to decide if the juvenile committed the crime. If the juvenile admits that he or she committed the crime, then it is possible that you may not need to tell the court what happened. If the juvenile does not admit he/she committed the crime then you will have to testify.

If the juvenile denies his or her involvement in the crime, the District Attorney will ask people, including you, to tell what happened. (This is called *testimony* and the people are called *witnesses*). Witnesses may be *sequestered*, or placed in a separate area, before giving testimony so they are not able to hear the other testimony.

The juvenile's lawyer can also ask you questions. When the District Attorney is done asking questions, the juvenile's lawyer will ask questions to his witnesses. The juvenile may decide not to testify.

When the lawyers finish asking questions, they will each make a last statement. The judge will then decide if the juvenile committed the crimes or not. If the judge decides that the juvenile did commit the crimes, the juvenile will be adjudicated delinquent

this means the same as “found guilty” in adult court.

## **Disposition**

A disposition in Juvenile Court is similar to a sentence in Adult Court. It is the “outcome of the case”. The judge decides how to balance holding the juvenile accountable for his/her actions while making the victim feel that justice was served and protecting the community from further harm.

## **Certification**

Certification is when a juvenile case is sent to Adult Court because of having felony charges (and most likely an extensive history with the juvenile court). After being Certified, the juvenile goes through court as an adult. Decertification means a juvenile’s case is sent from Adult Court to Juvenile Court because the judge feels that he/she can be helped by treatment.

## **Disposition Review Hearing**

A disposition review hearing is a hearing that is scheduled to review any progress the juvenile has made, either with completing their Conditions of Probation or at a placement facility. It is used to determine if there is a need to make changes to the Disposition and/or whether it is best for the juvenile, the victim, and the community to keep the juvenile at the current placement facility. Disposition Review hearings for juveniles in the community happen every six (6) months and for juveniles in placement facilities, they happen every three (3) months.



## What is a Victim Impact Statement and How is it Used?

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As a crime victim, you have the right to write a Victim Impact Statement. A victim impact statement is your chance to tell the court how the crime hurt you and your family. You can also tell the judge how the crime has changed your life. You may say what punishment you think the defendant should receive. You may write your statement and if you choose, you may speak in court when the defendant has hearings. A victim impact statement helps the court see the impact of the crime and lets victims be a part of the court system and have a voice in what happens in the case that affected them.



The choice to write a victim impact statement is up to you, however it may help the judge when he or she decides what the outcome of the case will be. Your statement will become an official court document after it is given to the court. The judge, district attorney, defense attorney, probation officer, and even the defendant may read your statement. No one knows better than you how this crime may have changed your life and writing a victim impact statement gives you the chance to make sure the court knows that.

## Tips for Writing Your Victim Impact Statement

First, write down your answers to the following statements:

- \* Briefly describe the crime that happened to you and/or your family member. Remember that the judge already has many of the details in the file.
- \* Describe the effect that the crime has had on you and your family. Examples of this include, but are not limited to: changes you have made to your routines, recurring nightmares, financial burden, changes in your relationship with family, problems in school and/or problems in your other relationships.
- \* Think about the different types of emotional and mental effects the crime has had on you. Tell the judge how you interact with others and your current level of trust in them. If you are the significant other or parent of the victim, make sure you include a brief piece about how the victim is acting about or coping with the situation. Have you had counseling as a result of the crime?
- \* What do you need and/or want from the Juvenile Justice System in order to heal? What do you need and/or want from the youth in order to heal?

Next, complete your Victim Impact Statement. Include all the feelings and examples that you have come up with. This is your time to let the judge know what this crime has done to you and your family and what may help you to begin to heal. This helps the judge to determine how best to balance holding the juvenile accountable for his/her actions while making the victim feel that justice was served and protecting the community from further harm. Your thoughts and feelings are a very important part of this process.

\*\*If you have medical bills, counseling expenses, damages to property or possessions or any monetary loss as a result of this crime, be sure to complete the Restitution Claim Form (Pg. 1 of the packet) so that restitution can be determined and ordered in your case.

# QUESTIONS AND ANSWERS

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## **Where is Court?**

The courthouse address is 157 Lincoln Way East (Route 30), Chambersburg, PA 17201. The Juvenile Hearing Master Complex is at 31 N. Second St. (Route 11), Chambersburg, PA 17201. The Victim Advocate can tell you where your hearing is scheduled to take place.

## **Where can I get a drink or snack?**

There is a vending machine on the 1st floor of the courthouse, but you are not allowed to bring any food or drinks to any other floor of the courthouse or to the courtrooms.

## **How should I dress for court?**

Women can wear a dress or dress slacks with a nice top. Men can wear dress pants and shirts. Clean, unripped jeans are fine. Do not wear shorts, a hat, a shirt with spaghetti straps or a shirt that shows your belly. You may want a jacket or sweater. The courtroom can be chilly.

## **Should I bring anything with me?**

Often you will have to wait to testify, so you may want to bring something along to help you pass the time. You may choose to bring your own games or reading material. You may want to bring a “comfort object” that can help you with nervousness or stress.

## **Will anyone stay with me?**

A victim advocate will answer questions, show you the courtroom and go with you to any court events. You may also bring another person with you for support, but be aware that they may not be allowed in the Courtroom as juvenile hearings are closed to the public.

## **Who is permitted in the courtroom?**

Juvenile court is closed to the public. The only people who are allowed to be in the courtroom are the people who are involved in the specific case, the juvenile and his/her family and the victim and witnesses. The District Attorney, Defense Attorney, Judge or Master and the Juvenile Probation Officer will also be in the court

# QUESTIONS AND ANSWERS

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room. People who are going to testify are sequestered. This means that they are not allowed in the courtroom until they are called to come in to testify.

## **Where can I get an excuse for missing work or school?**

You can show your subpoena to your employer or school official.

## **What about security?**

The courthouse has a metal detector system and an x-ray machine at the entrance. Pocketbooks, briefcases and packages will be scanned. All cell phones must be turned off. You may not bring weapons, pocket knives, box cutters or mace into the courthouse. If you do, the sheriffs will take them, give you a receipt and keep them for you until you are ready to leave. There are also sheriffs in each courtroom to provide security and maintain order.

## **As a victim, do I need a lawyer?**

No, the District Attorney's Office will handle your case. The District Attorney is a lawyer who looks out for the interests of the people of Franklin County. The District Attorney or Assistant District Attorney will work with you, the police and other witnesses to prepare and handle your case. The District Attorney is paid by the county, so you do not have to pay any fees.

## **When will my property be returned?**

If you are the victim of a crime, sometimes the police may hold some of your property as evidence. Sometimes, it can be photographed and returned to you by the police. The District Attorney may ask you to bring the property with you to court to use in the trial. Sometimes, you must wait until the case is over to get your property back.

## **What if I have special needs? What if someone coming to court with me has special needs?**

If you or someone coming to court with you requires special accommodations, please call our office ahead of time and we can make special arrangements to meet your needs.

## TIPS FOR WITNESSES

These suggestions may help you when you tell the court what happened to you.

- ◆ Tell the truth.
- ◆ Dress neatly.
- ◆ Speak loudly.
- ◆ Do not chew gum.
- ◆ Be confident when you walk to the witness stand (where you will tell the court what happened).
- ◆ When you take the oath, hold your hand high and answer “I do.”
- ◆ Listen carefully to the question before you answer.
- ◆ Do not nod “yes” or “no.” Say “yes” or “no.”
- ◆ Do not be afraid to say “I don’t know” or “I don’t remember.”
- ◆ If you do not hear a question, ask for it to be repeated.
- ◆ If you do not understand a question, ask for it to be explained. When you answer the question, do not give any



## TIPS FOR WITNESSES (Continued)

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more information than was asked.

- ◆ Stay calm.
- ◆ Do not laugh.
- ◆ Do not lose your temper.
- ◆ Do not argue with the defense attorney.
- ◆ If you make a mistake when you answer, say “I made a mistake.” Then give the correct answer.
- ◆ If you do not know an exact time or distance, say “It was about this time” or “It was about this distance.”
- ◆ Do not talk to other victims or witnesses about what you will say or what you have said.



# IMPORTANT TELEPHONE NUMBERS

**\*IF YOU ARE IN IMMEDIATE DANGER, DIAL 911!\***

## **DOMESTIC VIOLENCE/SEXUAL ASSAULT SERVICES**

Women in Need Victims' Services 717-264-4444  
W.I.N. 24 Hour Hotline 800-621-6660

## **OTHER SERVICES**

Crisis Intervention 717-264-2555  
Crisis 24 Hour Hotline 866-918-2555  
Childline Child Abuse Hotline (24 hrs.) 800-932-0313



## **FRANKLIN COUNTY OFFICES**

Franklin County District Attorney 717-261-3827  
Franklin County Juvenile Probation 717-261-3122  
Franklin County Children and Youth 717-263-1900  
Franklin County Drug & Alcohol Programs 717-263-1256  
Legal Services of Franklin County 717-262-2326  
Franklin County Victim/Witness Services 717-267-1575  
Franklin County Information and Referral 717-263-0848

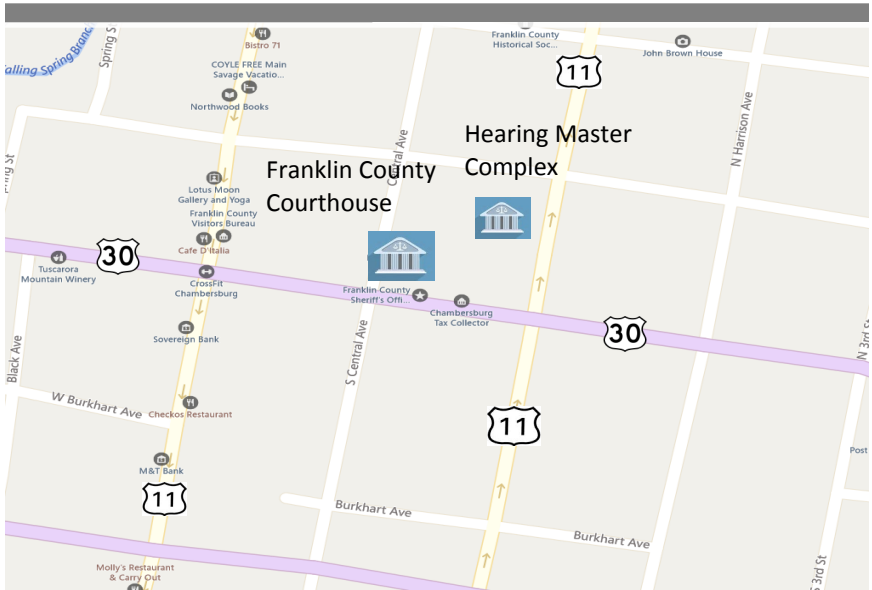
## **VICTIMS' COMPENSATION**

Victims Compensation Assistance Program 800-233-2339

## **POLICE DEPARTMENTS**

Pennsylvania State Police 717-264-5161  
Chambersburg Police Department 717-264-4131  
Waynesboro Police Department 717-762-2132  
Washington Township Police Department 717-762-1447  
Greencastle Police Department 717-597-9506  
Mercersburg Police Department 717-328-3116  
Shippensburg Police Department 717-532-7361

# COURTHOUSE LOCATION & DIRECTORY



Franklin County  
 Courthouse  
 157 Lincoln Way East  
 Chambersburg, PA 17201

Franklin County Hearing  
 Master Complex  
 31 N. Second St.  
 Chambersburg, PA 17201

## COURTOOMS:



2nd Floor: Courtrooms  
 4 & 5  
 3rd Floor: Courtrooms  
 1, 2, & 3

1st Floor: Juvenile  
 Master Courtroom  
 2nd Floor: Master of  
 Divorce Courtroom

## RESTROOMS:



All Floors

All Floors

## COURT OFFICES:



District Attorney: 4th Fl.  
 Public Defender: 4th Fl.  
 Clerk of Courts: 2nd Fl.  
 Court Administrator:  
 3rd Fl.

Juvenile Master: 2nd Fl.  
 Master of Divorce:  
 2nd Fl.

## VENDING MACHINES:



1st Floor

None