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JACKSON COUNTY MISSOURI FAMILY COURT

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JACKSON COUNTY MISSOURI FAMILY COURT

you

Victim Services has sent you this booklet because you have been the victim of a juvenile offense. We are sorry this happened to you and we will try to make your encounter with the Juvenile Justice System as stress-free as possible. To that end this booklet has been created especially for you to serve several purposes:

- To notify you, the crime victim, of your rights as they currently exist under Missouri law.
- To help you understand how the Juvenile Justice System works.
- To outline the services available to you.
- To show you how to ask for restitution if you have out-of-pocket losses.
- To show you how, if you are a victim of violent crime, to apply for state crime victim funds.
- And finally, to explain what will be expected of you in the days and weeks ahead.

We hope you find this information useful and that it helps to make your journey through the system just a little easier. If you require additional assistance, or you just need to speak to a Victim Advocate about your Juvenile Court case, please call:

816/435-4818 or 816/435-4812

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Upcoming Changes in Juvenile Court...

In May 2018, the Missouri Legislature passed Senate Bill 793, raising the age that individuals are automatically charged, jailed and tried as adults from age 17 to 18, the result of the national "Raise the Age" movement. Missouri had been only one of the five remaining states that automatically try 17-year-olds in the adult system. At the time this brochure was printed, the bill had been sent back to the Senate for more revisions and sources of funding must be secured before the new law can be put into effect.

The Raise the Age movement resulted from studies that indicate juveniles penalized in the adult criminal system are three times more likely to reoffend as compared to youth dealt with within the juvenile justice system that show a 34% decrease in recidivism.

A juvenile treated in the adult system also faces repercussions that go beyond just their time served. A criminal record creates barriers to educational opportunities, jobs, housing and military service. By keeping juvenile offenders in the juvenile system, the hope is, by offering rehabilitation services, kids can turn their lives around, helping them become better citizens and helping to build a stronger society.

This law does not however, change certification, a process for dealing with violent, repeat juvenile offenders. Individuals, now age 12 to 18, who commit certain offenses (see page 6: *What is Certification?*), will still be considered for certification and could be sent to the criminal court system to be tried as adults.

The Family Court Philosophy

People unfamiliar with how Family (or Juvenile) Court works are surprised to find it is very different from the adult criminal justice system where the emphasis is on punishment and offenders repay their debt to society by serving time in prison. But in Missouri, the law mandates that when anyone under the age of 17 (or under state legal age) commits an offense, we must first try to rehabilitate that individual. In lieu of punishment such as incarceration, Jackson County Family Court uses supervision and services to help juveniles recognize the harmful effects their delinquent behavior has upon the lives of their victims as well as the community and what they must do to repair that harm. This approach lies at the heart of the Restorative Justice movement, practiced for generations by societies around the world. In a Restorative Justice system, services are offered to victims while juveniles are helped to develop new skills and behaviors to guide them towards making better choices. Statistics show with this method versus a punitive approach, juveniles are less likely to re-offend in the future, thus creating safer communities.

An
Introduction
to
Family
Court

The Restorative Justice Model



- Juveniles are ordered to complete services (*counseling, attending school, anger management, community service, drug treatment, etc.*) to help them develop competencies (*problem solving, job skills, etc.*).
- Juveniles are accountable for behavior (*completing court orders, paying restitution, apologizing to victims, etc.*).
- Outcomes: restoring harm done to victims (*restitution paid*), creating safer communities (*fewer offending juveniles on the streets*).

To aid in this restorative approach, Jackson County Family Court has a number of services for juvenile offenders. From diversion programs that target young, first-time offenders, to a residential facility for juveniles who commit more serious offenses, Jackson County has a number of intervention programs for its troubled kids.

However, while rehabilitation is the focus in a restorative system, juvenile offenders are still held accountable for their behavior. If, during their trial, the petition against them is sustained (*found guilty*), or they admit to their offense(s), juveniles must then follow the recommendations ordered by a Juvenile Court Judge or Commissioner (*see page 27*). These recommendations can include educational requirements, house arrest, electronic monitoring, various levels of probation, family and individual counseling, anger management, victim empathy classes, community service, restitution to victims, and in some cases, group home or residential placement. Juveniles can also be committed to the custody of the Division of Youth Services (*see page 29*).

With certain offenses that would be charged as felonies if the individual was 17 or older (*or of state legal age*), and/or when the juvenile system can no longer provide appropriate services, the juvenile could be certified and sent to the criminal system to stand trial as an adult (*see pages 6 & 7: What is Certification?*).



In making restorative recommendations to the Court, Probation Officers try to balance the needs of the juvenile with those of the victim and the community. Ultimately, the goal of Family Court is to:

- 1) *provide supervision and services to juveniles to help them develop skills to change their behavior so they are less likely to re-offend.*
- 2) *assist victims in healing the harm done to them due to the juvenile's delinquent behavior by way of restitution and referral to services.*
- 3) *create safer communities by rehabilitating juveniles, or, when rehabilitation is no longer an option, recommending that violent or habitual offenders be sent to the criminal system to be tried as adults.*

Steps in the Juvenile Justice Process

Juvenile taken into custody: Known as the “arrest” step in adult criminal cases. This can happen at the scene (*school, home, etc.*) but the juvenile is not always detained. An officer may take the juvenile into custody to be detained if:

- *The officer has reasonable cause to believe the juvenile committed a delinquency or*
- *An order was issued to take the juvenile into custody*

Delinquency petition filed: After the juvenile is charged and taken into custody, the Juvenile Officer/Prosecutor files a petition, a document outlining the delinquent behavior allegedly committed by the juvenile. The juvenile is then screened for possible release. If released, conditions may be imposed such as electronic monitoring, no contact with the victim, random drug testing, etc. In some cases, the Juvenile Officer can file a motion to consider sending the juvenile to the adult system for trial (*see pages 6 & 7: What is Certification?*).

Detention hearing: A juvenile in custody has the right to a detention hearing within 72 hours. The Judge must decide to either continue detention or choose another placement such as a group home, with a relative or the juvenile can be sent home with certain restrictions. The criteria used to determine if the juvenile should be held in detention until the trial are as follows:

- *For the protection of the community and other persons*
- *If the juvenile is a flight risk or violated a prior order*

Case management hearing: This type of hearing can be scheduled any time throughout the process, usually to discuss legal issues involving the case or the juvenile. Though not always necessary, as the victim you have the right to attend.

Arraignment: A hearing to give the juvenile an opportunity, through an attorney, to admit (*guilty*) or deny (*not guilty*) the allegations outlined in the petition, generally held within 10 to 24 days of the petition being filed. If the juvenile denies the charges (*which is very common*), an adjudication date is set. If the juvenile admits, the disposition may follow, but is usually scheduled for a later date. Victims generally receive a packet of information from Victim Services, including a Victim Impact Statement, just prior to the arraignment.

Adjudication: An adjudication, or “trial”, is a hearing to determine if the juvenile committed the offense(s) alleged in the petition. A Judge or Commissioner hears testimony from witnesses, reviews evidence and then decides if the juvenile committed the offense beyond a reasonable doubt. If the case requires it, you and other witnesses may be called upon or subpoenaed to appear. If the petition is sustained (*guilty*), the disposition may follow, or it may be scheduled for another date (*especially in sex assault cases*). If the petition is not sustained (*not guilty*) the case is dismissed and the juvenile is released from jurisdiction. A juvenile may also decide to admit to the offense(s). If so, then witnesses (*including the victim*) are not required to testify. During an admission, the juvenile is asked certain questions to make sure s/he is competent to proceed and is aware of his/her rights, then goes on to admit to the charge as outlined in the petition or as it was amended to a lesser charge.

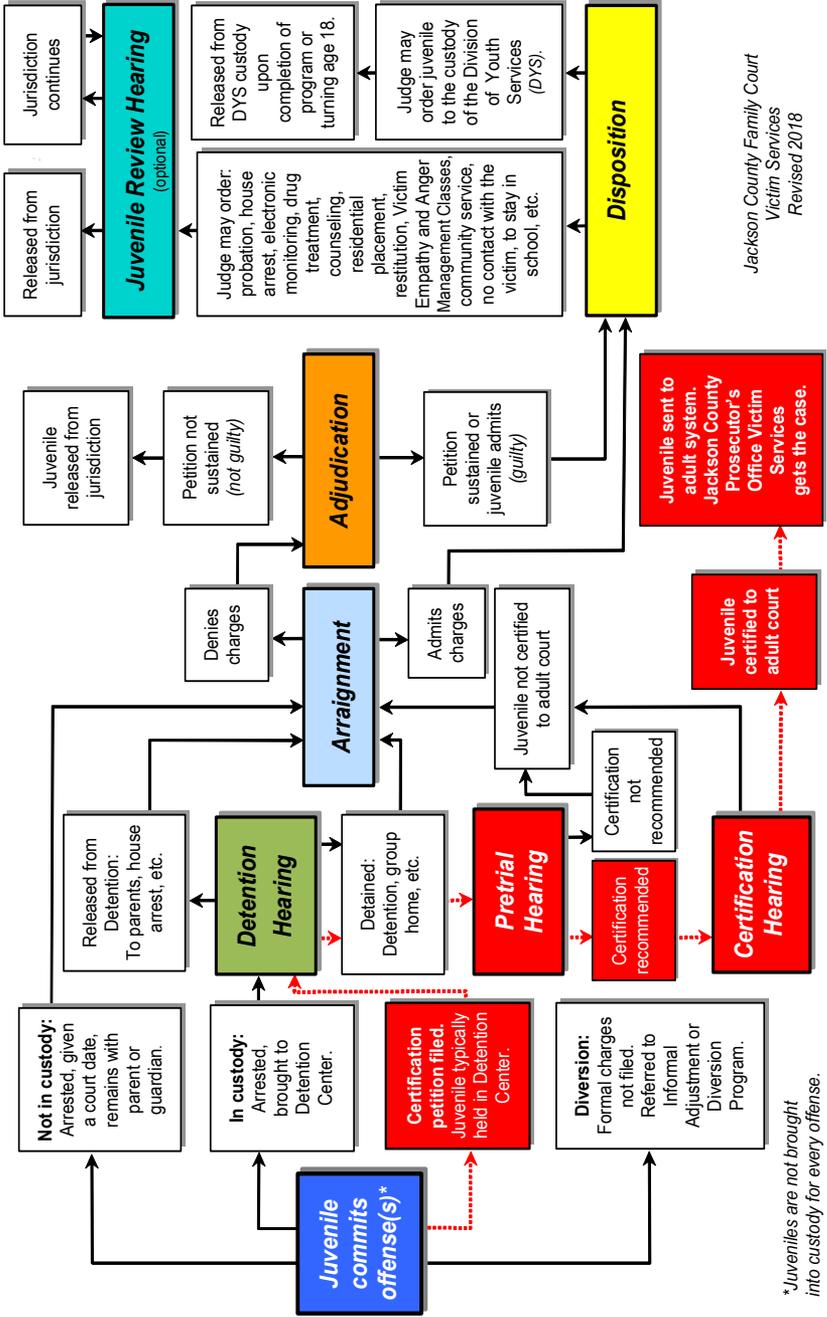
Disposition: A hearing that follows the adjudication/trial. Also known as the “sentencing phase” in the adult system. During the disposition the Judge decides what will happen to the juvenile. S/he considers recommendations from the Probation Officer and the juvenile’s attorney and then may order any of the following:

- *Juvenile released into the custody of a parent or guardian*
- *Various levels of probation*
- *Electronic monitoring/house arrest*
- *School attendance with no unexcused absences*
- *Medication assessment and compliancy*
- *Victim empathy classes*
- *Anger management classes*
- *Community service*
- *Restitution to the victim(s)*
- *Drug treatment/random drug testing*
- *Individual and/or family counseling*
- *Residential or group home placement*
- *Custody transfer to the Division of Youth Services*

During the disposition the victim can make a verbal impact statement to the Court (see page 23: *Making a Verbal VIS*).

Review: If the Court feels it is necessary, a hearing is scheduled 2 to 6 months after disposition to review the juvenile’s progress towards the completion of all orders that were entered at the time of disposition. If the juvenile completes everything, including restitution to the victims, community services, etc., or if the juvenile successfully completes a residential program, s/he could be released from jurisdiction. If the requirements have not been completed, the juvenile may remain under jurisdiction and another review date is scheduled. More services could be ordered if the Court feels the juvenile needs additional help with his/her rehabilitation.

Juvenile Justice Flow Chart



Jackson County Family Court
Victim Services
Revised 2018

*Juveniles are not brought into custody for every offense.

What is Certification?

In serious cases such as first and second-degree murder, voluntary manslaughter, forcible rape or sodomy, kidnapping, first degree robbery and first-degree arson, or the attempt of any of these offenses, the law requires the Court to consider the juvenile for certification. When a juvenile has two prior unrelated charges that would be felonies if s/he were an adult, the Court has the discretion to consider certifying the juvenile. To certify a juvenile means the case in Family Court is dismissed and re-filed in criminal court where s/he will stand trial as an adult. In some instances, an individual may have allegedly committed an offense while still a juvenile but was not apprehended until after his/her 17th birthday (or of state legal age). The Court must first certify the individual before s/he can be tried for those crimes in the adult criminal system.

The certification process begins with a type of hearing called a pretrial conference during which time the Juvenile Officer discloses the recommendation to the Court. If the recommendation is to seek certification, asking the Judge to transfer the juvenile to the adult system for trial, a certification hearing is scheduled about three to four weeks after the pretrial. If the recommendation is against certification, keeping the case in Family Court, a trial date is set. The case will then proceed along normal Juvenile Court channels (see pages 3 & 4).

Some factors Family Court considers when certifying a juvenile to the adult system:

- *The seriousness of the offense.*
- *If the offense involved force or violence.*
- *If the offense was against persons or against property.*
- *If the offense is part of a pattern (an indication the juvenile may be beyond rehabilitation).*
- *The record and history of the juvenile with the Court system.*
- *The sophistication and maturity of the juvenile.*
- *The juvenile's age.*
- *If the juvenile can benefit from these treatment or rehabilitative programs.*

At the certification hearing, the Judge listens to arguments by the Juvenile Officer and the defense attorney, then decides: either to dismiss the juvenile case and transfer it to the court of general jurisdiction (*adult criminal court*) where the juvenile will stand trial as an adult or keep the juvenile in Family Court to stand trial as a juvenile.

If certified, the juvenile is generally moved from the Juvenile Detention Center to the Jackson County jail as soon as possible.* After the transfer, depending on the nature of the crime, s/he may be eligible for bail. To be kept informed about your case after the juvenile has been certified, contact an Advocate at the Jackson County Prosecutors Victim Services office at 816/881-3555.

The Court will consider certifying an individual when s/he was ordered to participate in numerous juvenile services but shows few signs of rehabilitation. It is a very serious decision that no one at Family Court makes lightly. Because of that, depending on individual circumstances, juveniles may be given more than one opportunity to turn their life around before they are sent to the adult system.

If certified and later found guilty during the trial, the Prosecutor from the adult Court can decide to sentence the individual to dual jurisdiction. Under a dual jurisdiction sentence, the individual is placed under both juvenile and adult Court authority with the adult sentence suspended. The individual is housed in a juvenile facility (*in the custody of the Division of Youth Services*) until his/her 18th birthday. The case is then reviewed to see if the offender should remain in the custody of DYS, released on probation, or transferred to the Department of Corrections for incarceration in an adult facility.

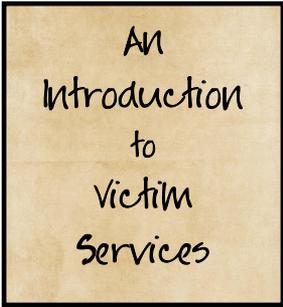
If your case has been certified you can track it on Case.net at:
<https://www.courts.mo.gov/casenet/base/welcome.do>.

While on the Case.net website you can register with Vinelink/MOVANS (Missouri Victims Automated Notification System) for automatic notifications. Click on "Register with MOVANS". Then click on "Missouri" and then the "Search & Register" bar and follow the instructions. This is for adult and certified case only.

**If the individual is already 17 or older when apprehended (or of state legal age), s/he will generally be held in an adult detention center during the certification process. The certification hearing could possibly be held at an adult criminal court facility, but your Advocate will keep you informed of any special circumstances involving your case.*

What is a Victim Advocate?

At one time crime victims had little input into the criminal justice process. They were kept in the dark about the status of their cases and restitution was rarely even considered. But in the 1960's an upsurge in crime led to an increase in the number of victims who were unhappy with how the system treated them. They gathered into support groups all over the country which led to the launch of the crime victim reform movement. Since 1983, with the creation of the Office for Victims of Crime within the United States Department of Justice, services to victims have gradually been incorporated into law enforcement and prosecution agencies across the nation.



Jackson County Family Court provides Victim Advocates to help you navigate the sometimes confusing Juvenile Justice System and to not only make you aware of your rights as a victim of crime, but to assure these rights are upheld throughout the legal process.

Some people don't feel the need to have an Advocate with them in Court, but after a court hearing they may have questions about what happened. If you experience this, call Victim Services and ask an Advocate to help clarify issues you didn't understand or to discuss concerns you may have.

Other services include offering you support when attending Court proceedings as well as explaining the rules, procedures and what will be expected of you if you are called upon to testify.

Also, upon request, your Advocate can refer you to other services such as counseling and support groups. After being victimized people report feeling a number of emotions: shock, disbelief, distrust, helplessness, anger, fear, loneliness, depression, anxiety. Others may experience physical symptoms such as muscle aches, jumpiness, stomach distress and sleeping difficulties. These reactions are the normal by-products of experiencing a stressful event and should go away. But if your emotional and physical symptoms don't begin to fade after time, talk to your Advocate about getting connected to other

services such as crisis counseling or a support group. Your Advocate has a list of resources available for the greater Kansas City area. You can also refer to the Resource List in this booklet (see pages 34-38).

Services Provided to Victims:

- Information
 - *How the Juvenile Justice System works*
 - *How to ask for restitution*
 - *Completing your Victim Impact Statement*
 - *Your rights as a crime victim*
 - *Victim Offender Mediation*
 - *Available state crime victim funds*
 - *Small Claims Court**
- Notification of court dates/continuances, etc.*
- Support during court proceedings*
- Preparation for trial*
- Liaison between victim and Juvenile Officer (prosecution office)
- Provision of a safe room away from the main waiting area*
- Letter for employer to be excused from work*
- Referrals to other services/resources:*
 - *Crisis counseling*
 - *Support groups*
 - *State crime victim funds (CVC)*
 - *Medical care*

If you would like your Advocate to provide support during a hearing, call as soon as possible before the trial date so the necessary arrangements can be made. If you wait until the day of the hearing an Advocate may not be available.

When you arrive for the trial, sign in at the reception desk and have your Advocate paged. Someone will be out as soon as possible. In some cases, we can escort you to the Victim Waiting Room where we can answer any last-minute questions you may have about testifying, restitution, or the Court process before the trial begins.

* Upon request/upon request for non-mandatory cases.

What are My Rights as a Victim of *Crime?*

Nearly every state in the United States has some form of Bill of Rights for crime victims. In 1993, Missouri amended its constitution and modified laws to incorporate these new crime victims' rights. Below is a list of rights that are automatically afforded to victims and their families of violent, first degree crimes (see page 15). Victims of other offenses such as burglary, second and third-degree assault, tampering (*car theft or damage*), property damage, etc., must submit their notification requests in writing or by checking the appropriate boxes on the Victim Impact Statement (see pages 14 & 15: *What is a Victim Impact Statement?*). Below is a summary of your rights in Missouri as they currently pertain to Juvenile Court:

- *To be present at all criminal proceedings where the juvenile has that right, even if you are called to testify or may be called to testify as a witness in the case.*
- *To speak with the Juvenile Officer/Prosecutor regarding pleas, dispositions and probation revocation hearings (detention hearings).*
- *To be heard at juvenile probation revocation hearings (detention hearings).*
- *To offer a written victim statement regarding the out-of-pocket financial losses you suffered as the result of the juvenile's actions.*
- *To make a verbal impact statement in Court about how the offense affected your life and that of other family members.*
- *To receive restitution for out-of-pocket expenses directly related to the offense.*
- *To protection from harmful threats from the juvenile, or persons acting on behalf of the juvenile, for activities arising out of cooperation with law enforcement officials.*
- *To fair employment rights in that an employer cannot discharge or discipline you or other witnesses for honoring a subpoena or for participating in the preparation of a Court proceeding.*
- *The right to a secure waiting area before and after Court proceedings.*
- *To be notified within 30 days of the death of the juvenile.*

For More Information...

Missouri Attorney General Crime Victims' website:

<http://ago.mo.gov/crimevictims/>

National Center for Victims of Crime:

800/394-2255 TTY: 800/211-7996

Web: www.ncvc.org

National Organization for Victim Assistance:

800/TRY-NOVA

Web: www.trynova.org

Office for Victims of Crime Resource Center:

800/581-3420 TTY: 877/712-9279

Web: www.ojp.usdoj.gov/ovc

If you feel your rights have been violated, first speak to your Advocate.

If you are still not satisfied, contact the Missouri Department of
Public Safety Crime Victim Services Unit at:

301 West High Street

Harry S. Truman Bldg., Room 870, PO Box 749

Jefferson City, MO 65102

Or go online at:

<http://www.dps.mo.gov/dir/programs/cvsu/victimservices/>

For more information on victim issues contact the
Missouri Victim Assistance Network (*MOVA*),
a non-profit organization at:

800/698-9199

Web: <http://www.movanet.org>

For a complete list of crime victims' rights,
speak with your Advocate or see
Article 1, Section 32 of the Missouri Constitution
or Chapter 595 in the Missouri Revised Statutes
at your local library or go online at:

<http://www.moga.mo.gov/const/a01032.htm> or
<http://www.moga.mo.gov/statutes/c500-599/5950000209.htm>

What is Restitution?

Specifically, restitution is money a juvenile, if found guilty or who admits to a charge, is ordered to pay to a victim for out-of-pocket losses that were a direct result of his/her delinquent behavior. But in a Restorative Justice system, restitution is more. It is a way for the juvenile to help repair some of the harm done to you by taking responsibility for that delinquent behavior.

At Victim Services we try to make the restitution process as easy as possible by providing a Victim Impact Statement for you to record your loss information. However, if the juvenile's attorney objects to restitution or to the amount, it may be necessary for you to testify in Court to clarify your loss information.

In Juvenile Court, restitution is intended to cover out-of-pocket losses only (for example: your insurance deductible or medical co-pays, expenses not covered by insurance). When considering restitution Family Court must balance many factors including the number of services a juvenile has been ordered to complete and how much that juvenile can repay within the time s/he is under jurisdiction. So unlike adult Court, it is uncommon to see large sums of restitution ordered in the juvenile system. Under certain circumstances, as when the juvenile is very young or has mental or physical challenges that could make getting a job difficult, restitution may not be ordered at all. If your out-of-pocket losses are significant, you may want to consider other options such as filing an application for Crime Victim Compensation Funds for medical bills or going through Small Claims Court or filing a civil action for property losses. Ask your Advocate for more information.

If you are not able to gather your loss information within the time frame allotted, talk to your Advocate as soon as possible to discuss your options. But you must act quickly before it is too late for your losses to be considered.

If you want reimbursement for your losses, remember this: **Restitution is NOT automatically awarded to you. You must provide loss information to the Victim Services offices at least one week (five business days) before the trial/adjudication (NOT THE ARRAIGNMENT) to allow your Advocate time to process your information and enter it into the case file.** Waiting until the last minute to return your Victim Impact Statement or to provide your receipts and loss information could impact your chances of being awarded restitution for your losses. Also, include copies of documentation. Your originals will not be returned. If you do not have receipts for older items that were damaged or stolen, try to obtain value estimates from other sources such as the Internet.

The most common way for juveniles to pay their Court-ordered restitution is through Community Service, working at volunteer organizations and getting credited \$6.00 an hour towards their debt. Most juveniles are eligible to earn a maximum of \$500.00 through a Division of Youth Services' grant that pays this salary. Some juveniles have jobs and use their salary to pay their restitution. Under most circumstances, juveniles are not released from the Court's jurisdiction until they have fulfilled their restitution obligation.

REMEMBER

Restitution is not automatically awarded to you. You must provide your loss information to the Court.



What is a Victim Impact *Statement*?

The Victim Impact Statement (VIS) provided to you by Victim Services is a form that serves five main purposes. It allows you to:

1. Document your out-of-pocket losses for the Court.
2. Request the services you want such as notification of court dates, dismissals, notice of the final outcome and of the juvenile's release, if you're interested in Victim-Offender Mediation, etc.
3. Express how the offense has affected you and your family.
4. Share your thoughts on what types of treatment or rehabilitation programs the juvenile should participate in so s/he will not re-offend in the future.
5. And most importantly, your Victim Impact Statement gives you, the victim or the relative of a victim, a voice in the Juvenile Justice System, a right for which victims have fought for a very long time. So even if you had no financial losses, you are encouraged to complete and return your VIS and ***MAKE YOUR VOICE HEARD.***

Because restitution is not automatically awarded to you, it is necessary to document your losses. Your Victim Impact Statement is the easiest way to present your loss information to the Court. It is also a way to tell the Court how the crime has impacted your life.

If you are faxing your VIS use a cover sheet to the attention of Victim Services. If you fax additional information at a later time, again be sure to use a cover sheet and include your name, the case name (*the juvenile's name*), the case number and a phone number where you can be reached if your Advocate needs to follow up with you.

Also keep in mind that unless yours is a mandatory notification case (*first and second degree murder, voluntary manslaughter, first degree robbery, first degree assault, forcible rape or sodomy, kidnapping or first degree arson*) you will not receive future hearing or AWOL notices, case summaries, or notification of the juvenile's release unless you complete your Victim Impact Statement and check the appropriate boxes on the front of the form (see pages 16 & 17: *Suggestions for Completing Your VIS, Section 5*).

To make sure you receive your notification requests in a timely manner, report any change of contact information to your Advocate as soon as possible. After your case has been decided, to prevent delays in your restitution payments and/or notification requests, be sure to report any address/phone number changes to Restitution Services at 816/881-8310. If the juvenile in your case was sent to the Division of Youth Services (DYS), and you want to be notified of his/her release or of any other events, report changes in your contact information to DHS at 816/889-2657.

Copies of your VIS are provided to the Juvenile Officer, Probation Officer, the juvenile's defense attorney and a copy is put in the juvenile's social file. While the juvenile may not have direct access to it, the Probation Officer could discuss victimization issues with him/her, using general information from your VIS. Defense attorneys may also discuss information about restitution with their clients. If you have concerns about the juvenile seeing information in your VIS (*for example, a new address or phone number*), speak to your Advocate before returning your VIS. Measures can be taken to keep your new contact information confidential.

Remember:
*Your
VIS is
due 5 days
before the
adjudication
/trial
(NOT
the
arraignment).*

Suggestions for Completing Your VIS

*Before completing your Victim Impact Statement please read the suggestions below. This is an overall suggestion list and your VIS may differ slightly. If you still have questions, or your situation is unique, call Victim Services and speak to your Advocate.**

Section 1. VICTIM INFORMATION: Make corrections or updates to your name, address and phone numbers. Fill in missing information such as phone numbers or a parent or a contact person's name. If the victim is a school or business and you are not the person who will be filling out this form, please forward this form to that person. Also include your email if you prefer to communicate in that manner.

Section 2. JUVENILE INFORMATION: The juvenile's name is the case name. This, along with the case number, are important for identification purposes when you have questions about your case.

Section 3. HEARING INFORMATION: Make a note of the date, time and place for your hearing (*see pages 3 & 4: Steps in the Juvenile Justice Process for an explanation of the type of hearing*).

Section 4. PREVIOUS VICTIMIZATION: Indicate if you or a close family member, or your school or business, have ever been a victim of juvenile crime and enter the year and the charge.

Section 5. SERVICES: It is important to check the services you want such as notices of future court dates, dismissals and outcomes; if you are interested in Victim Offender Mediation; if you want to be notified when the juvenile is released. ***IF YOU DO NOT CHECK ANY OF THESE BOXES, VICTIM SERVICES WILL NOT NOTIFY YOU OF FUTURE COURT DATES, THE OUTCOME OF THE CASE OR A CASE SUMMARY, THE RELEASE OF THE JUVENILE, ETC., UNLESS YOUR CASE WAS CHARGED AS A MANDATORY NOTIFICATION OFFENSE*** (*see page 15*).

Section 6. HARM: This section gives you the opportunity to discuss the harm that resulted from the juvenile's actions, the physical and emotional harm and, for individual victims only, if you or a family member sought professional help to deal with the aftermath of the offense (*if you are comfortable stating so*).

Section 7. TREATMENT: Keeping in mind that Missouri mandates the rehabilitation of juvenile offenders, this section asks your opinion regarding the type of services you feel the juvenile needs so s/he will be less likely to re-victimize in the future, or for certification cases, if you believe the juvenile should be sent to the adult system to stand trial.

Section 8. FINANCIAL IMPACT: In this section, enter information involving your out-of-pocket losses, first for property and then any medical or related expenses or co-pays. Out-of-pocket refers to losses that were *not* covered by insurance. If your losses were covered by insurance, your out-of-pocket losses are your insurance deductible and/or medical co-pays. Focus your losses on the specific charges that were filed. Juvenile Officers/Prosecutors file charges for offenses they believe can be proven by the available evidence. For example: You may believe the juvenile is responsible for damaging your car while trespassing on your property, but you cannot claim losses for that damage if the juvenile was only charged with trespassing. **ALSO, YOU MUST ADD UP YOUR RECEIPTS AND ENTER YOUR TOTAL PROPERTY AND TOTAL MEDICAL LOSSES. THEN ADD THESE TWO NUMBERS (IF YOU HAD LOSSES IN BOTH CATEGORIES) AND ENTER THE TOTAL AMOUNT OF RESTITUTION FOR WHICH YOU ARE ASKING.** Victim Services is not responsible for determining this total amount. If you do not have receipts at the time you are returning your VIS, or you had additional expenses directly related to the crime, it is your responsibility to get this updated information to your Advocate at least one week (*five business days*) before the adjudication/trial/certification.

Section 9. SIGNATURE: Sign the document as directed. If you are completing the VIS for someone else, identify who you are and your relationship to the victim. For businesses/schools, if you are not the person identified as the contact person in **Section 1**, please correct/update this information.

Attach copies (*originals can not be returned*) of documentation for your out-of-pocket losses to your completed VIS and return it to Victim Services. Examples of documentation:

- *Insurance deductible or co-pay receipts*
- *Bills/receipts/estimates for repairs falling below insurance deductible*
- *Receipts for items not covered by insurance*

You must complete and return your VIS to Victim Services at least five business days before the adjudication/trial. If this is not possible, speak to your Advocate about your options. You have four ways to return your completed Victim Impact Statement and documentation:

1. Return in the self-addressed stamped envelope provided (*no postage needed*).
2. Fax, with cover sheet, to the attention of your Advocate, either Jan Holden or Theresa Shephard at 816/435-4793.
3. Scan your completed VIS and receipts and email them to both:
jholden@courts.mo.gov and theresa.shephard@courts.gov
4. Drop off your completed VIS with copies of documentation to the Victim Services offices at the Family Justice Center.

**If the juvenile in your case is certified, your VIS will be faxed to the adult Victim Services offices unless you indicate you do not want this to happen.*

What is Victim Offender Mediation?

Victim Offender Mediation (VOM) is a process that provides interested victims an opportunity to meet their juvenile offender, in a safe and structured setting, and engage in a mediated discussion of the offense*. With the assistance of a trained mediator, you can tell the juvenile about the physical, emotional and financial impact of the offense and to receive answers to lingering questions about what happened, perhaps learning more about the juvenile as well. Mediation can be an especially useful tool to resolve ongoing conflict in school, church, neighborhood and family settings.

Research has shown that individuals who have participated in VOM feel safer and less fearful afterwards than those who did not take part in a mediation process.

Victim Offender Mediation is a free, voluntary service. If you are interested in participating, check the appropriate box on the front of your Victim Impact Statement. A mediator will contact you at the appropriate time, generally shortly after your case has concluded.



*VOM is not appropriate for all cases. For more information, speak with your Advocate.

What is the CVC Fund?

Many states have funds to reimburse victims or their families who have suffered injuries or death in a violent crime, resulting in significant financial loss. In Missouri this program, the Crime Victims' Compensation Fund (CVC), is administered in Jefferson City by the Crime Victims' Compensation Unit of the Division of Workers' Compensation. This fund may reimburse you for out-of-pocket medical, prescription and counseling expenses, lost wages and funeral costs. However, the fund does not cover property loss or damage or pain and suffering*. You may be eligible for benefits if:

- *You suffered personal injury as a victim or from going to the aid of a victim.*
- *You are the relative of a sexual assault victim who needs counseling to better assist that victim to recover.*
- *Your spouse, child or other dependent was killed in an act of violence and you need help with funeral expenses.*
- *You lost a family member due to a violent crime and you need counseling to help deal with the death.*
- *You are a Missouri resident and received injuries in a violent crime in a state that does not have a Crime Victim Compensation Fund.*
- *Due to a violent crime, you lost two or more continuous weeks of earnings or support.*

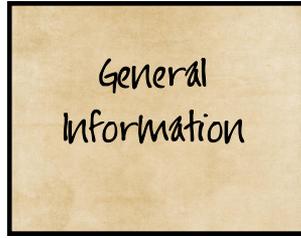
If you or a family member have been a victim of violent crime, please speak to your Victim Advocate for more details on eligibility requirements or for an application, or call the Crime Victim Compensation Program at: 1-800-347-6881.

You can also get an application online at:
<http://www.dps.mo.gov/dir/programs/cvc/>

**The CVC may reimburse you up to \$250.00 for personal property such as bedding and clothing that has been seized by law enforcement as evidence in the crime for which you are seeking compensation. It does not reimburse for items damaged or stolen nor for damages to your home and property.*

What Will Be Expected of Me?

As a crime victim you have an important role in the Juvenile Justice System. If your case goes to trial, the Juvenile Officer or Prosecutor may need your witness testimony to help prove the charges. Sometimes the defense attorney and the Juvenile Officer will need to meet with you a few days before the trial date to interview you about what happened. This is called a deposition. The deposition gives the attorneys a clear idea what it is you will say on the witness stand if there is a trial.



To make certain you appear for trial, you might receive a subpoena. A subpoena is an official order commanding a witness to appear and/or produce certain documents pertaining to the case. If you are subpoenaed or asked to appear in Court, don't panic. While the thought of testifying in Court may be unsettling, it might be a little easier if you go into the process knowing what is expected of you.

The Basics of Testifying in Court



The most important rule to remember when testifying in court is also the most obvious: Tell the truth, the whole truth and nothing but the truth. Before you testify you will be asked to take an oath that you will speak only to the information or events you know to be true. Don't guess and don't give your opinion unless you are specifically asked to do so.



Don't make long, rambling statements unless the Juvenile Officer/Prosecutor asks you to explain an answer. But even then, keep your responses brief and to the point.

-  To insure that your testimony is accurate, you must correctly hear the questions. Listen carefully to each question and do not start to answer until the person asking the question has finished talking.
-  If you don't understand a question, ask for it to be repeated or that it is asked in a different way.
-  It's acceptable to say "I don't know" or "I don't remember" if they are accurate statements.
-  ***STAY CALM.*** Be respectful of all participants in the case. Everyone has a job to do, including defense attorneys. They must do everything within the limits of the law to represent their clients.

 **More suggestions:**

Speak in a loud, clear voice
so you can be heard throughout the courtroom.

Do not shake your head for "yes" or "no."
Your answers are being recorded.

Don't speak until the other party has finished
asking a question. The court reporter or
the recording equipment cannot record
two voices with any degree of accuracy or clarity.

Stop talking if you hear
someone say "objection." Wait until the Judge
decides if you can answer the question.

If you find yourself getting nervous, upset, or angry,
stop and focus for a brief moment.
Take a few deep breaths before you continue.

 **And more suggestions:**

For your hearing, dress comfortably, yet appropriately. Don't wear a hat into the courtroom.

Do not chew gum or bring food or drinks into the courtroom.

Be on time. Sometimes earlier proceedings run long causing delays, but you need to be available when your hearing starts. If the unexpected happens and you are unavoidably late, call the reception desk at 816/474-3606 to explain.

Give the receptionist your name, the case name and the Division or courtroom where the hearing is scheduled.

Before going into the courtroom, shut off (*not on vibrate*) all cell phones, pagers or any other communication devices.

You **CANNOT** text or use your phone in any way while in the courtroom.

While in any Family Court courtroom, you **CANNOT** take photographs or make video recordings.

Don't speak or make comments while the hearing is in progress. If you *must* say something that is important to the case, ask to speak to your Advocate outside the courtroom. But for general questions, wait until the hearing is over and your Advocate will then help answer your questions.

Do not try to communicate in any way with the person testifying on the witness stand.

What if My Child is the Victim?

If it is necessary for your child to testify in Court an Advocate and the Juvenile Officer/Prosecutor will help make the process as easy as possible. Sometimes a plea agreement between the juvenile and his/her defense attorney and the Juvenile Officer can be worked out for the juvenile to admit to a lesser charge, making it unnecessary for witnesses to testify.* But if that is not possible, it will be necessary for witnesses to the offense, including your child, to testify. As it gets close to the trial date, arrangements can be made for your child to take a tour of the courtroom and a special activity booklet is available that explains what is expected of children when they come to Court. But the basics are the same as for adults: your child will be encouraged to speak up and tell the truth. It may be helpful to give your child something positive and fun to focus on to do after the trial is over such as going to the park or a movie, renting that video game they have wanted or getting ice cream. But it's important to remember that children who handle the situation most successfully are those whose parents provide calm and reassuring support throughout the entire legal process.

Making a Verbal VIS to the Court

Even if you returned your written impact statement, you also have the right to make a verbal impact statement in Court. A victim, or a family member of a victim, is usually given this opportunity during the dispositional or sentencing phase, after the juvenile has admitted to the charges or the petition has been sustained (*found guilty*). If you choose to make a verbal impact statement, direct your comments to the Judge. Be as brief as possible and specific to the topic. Focus on how the offense has affected your life and the lives of your of family. If it makes it easier for you, write out what you want to say beforehand and read it to the Court when your turn comes to speak. Do not go into the particulars of the crime or disclose information that was not presented and proved in Court. This can be an emotional experience with feelings running high, but this is not meant to be a chance to attack the juvenile or his/her family nor to make accusations of other crimes. Instead, use this opportunity to put into words what you may not have been able to put onto paper: how life may be different now than it was before the offense.

**In Juvenile Court the recommendations or "sentence" will often be the same even when a charge has been reduced or amended down.*

Now What Happens?

If you were called upon to testify during the adjudication/trial, you can remain in the courtroom to hear the remainder of the proceedings or you may choose to go to the Victim Waiting Room until the trial is over. Either way you will need to stay until the end of the trial in case you are recalled to the stand to testify as a rebuttal witness (see page 30). This applies if your child is the victim as well.

When all the witnesses have testified and the evidence has been presented, it will be up to the Judge to decide if the State (*the Juvenile Officer/Prosecutor*) has proven its case beyond a reasonable doubt. If not, the petition is not sustained (*not guilty*) and the juvenile is released from jurisdiction. If the petition is sustained (*guilty*), it means the State proved its case and the disposition, or sentencing, can follow or it may be scheduled for another date. During the disposition, the assigned Probation Officer, who has usually interviewed the juvenile and the parents, examined the police reports, school, medical and mental health histories and any previous Court records, and read any available Victim Impact Statements, will make recommendations to the Court. These recommendations are to serve three purposes:

1. *To rehabilitate the juvenile so s/he will be less likely to re-offend in the future.*
2. *To help restore victims who have financial losses by recommending restitution that is fair yet feasible for the juvenile to repay in the amount of time s/he will be under jurisdiction.*
3. *To help create safer communities by holding juveniles accountable for their behavior and helping them to develop competencies to be better citizens, or by recommending residential treatment for juveniles who present a risk until they can be safely returned to the community.*

The recommendations may include a number of services (see page 4) and the defense attorney may argue against these suggestions, but ultimately it is up to the Judge to decide what will happen to the juvenile. At this time, you can make your verbal victim impact statement if you like.

If the juvenile decides to admit to the charges instead of having an adjudication/trial, the process is the same but instead of witnesses testifying, the juvenile takes the stand, is advised of his/her rights and then admits to the charge as it is outlined in the petition or as it was modified (see page 31).

Unlike an adult sentence, a juvenile's time in the system is self-paced and will depend on several factors such as the number of services they were ordered to complete, their abilities and level of motivation to complete the services and if they have any minor problems adjusting to the structure of probation or a residential program, which is not unusual for adolescents with delinquency issues. When juveniles successfully complete all the services and programs ordered, including restitution to their victims, they will be released from jurisdiction.

After the trial and disposition, Victim Services closes out your case. If you requested it (*by checking “to be notified of the final outcome” on your VIS*), we send you a case summary that includes any applicable phone numbers you may need such as the Division of Youth Services, the adult Victim Services, or if you were ordered money for your losses, the number for Restitution Services. If you have questions or are having problems with your Court-ordered restitution after your case is closed, or you want to report a change in contact information, call Restitution Services at 816/881-8310.

After your case has closed, you will be called by someone in our Assessment and Development Department and asked to participate in a survey to evaluate your experience with Victim Services as well as the Juvenile Court. Your contribution is important in helping us continue to improve the services we provide to victims and their families.

If the juvenile is certified, your case transfers to the adult system. Your Family Court Advocate can provide contact information for the adult court Victim Services so you will continue to be informed about the status of your case as it progresses through the adult system (see pages 6 & 7: What is Certification?). This number is also listed in the Resources Section (see page 34).

After the disposition, juveniles are assigned a field or residential Probation Officer who monitors the completion of their Court-ordered requirements, including restitution. If you indicated on your VIS that you want to be notified of weekend passes, AWOLS, release from a residential facility or from jurisdiction, etc., these Probation Officers keep you informed of these events. This process works in a similar way if the juvenile is placed in a Family Court residential facility such as Hilltop or if they are sent to the custody of the Division of Youth Services. If you want your requested or mandatory notification services and your restitution payments to continue uninterrupted, it is important to immediately report to the appropriate authorities any changes in your contact information (*see page 15*).

After the final hearing is over, some victims report feeling immense relief. They put the incident behind them and resume life as it was before the legal inconvenience began. But not all victims can return to their lives as they were before. Some are left to deal with injuries they sustained during the crime. Others struggle with the loss of a loved one. Almost all are left to wrestle with the emotional aftermath of being a victim of crime. Victims can sometimes get locked into stress emotions such as depression, anxiety and hyper-vigilance (*always on guard, waiting for something bad to happen*) accompanied by physical symptoms such as stomach ailments and changes in appetite and sleep patterns. If you continue to experience moderate levels of depression, anxiety, hyper-vigilance or physical discomfort weeks after you were victimized, you may need additional help to get your life

back on track. Talk to someone: your doctor, your Advocate or call one of the agencies listed in the Resources Section (*see pages 34-38*) to start the process of healing and regaining control of your life.

Crime victims don't just
"get over it."

They adapt. They grow
and heal and
eventually move on,
though perhaps
different in mind, body
and spirit from before.

With family and
community support,
our hope is that all
victims come through
their ordeal with
renewed strength and
a belief in their own
ability to survive
anything.



What Does it Mean?

Adjudication: A hearing scheduled two to four weeks after an arraignment. Also called a trial. The Juvenile Officer (*called a Prosecutor in the adult system*) and the juvenile's defense attorney present evidence and witnesses before the Court. The Judge then decides if there is enough evidence to sustain the allegations in the petition beyond a reasonable doubt (*guilty*), or rules that the allegations are not sustained (*not guilty*).

Admission: A statement by the juvenile acknowledging that the allegations in the petition are true. A juvenile can admit at the arraignment or the adjudication.

Allegations: The wrongdoing the juvenile is accused of.

Arraignment: A hearing where the juvenile admits (*guilty*) or denies (*not guilty*) the charges filed in the petition. If the juvenile denies, an adjudication date is set. If the juvenile admits, the Judge can accept the admission or not. The admission can be followed by the disposition or it can be scheduled for another day after the Probation Officer has had the opportunity to assess the juvenile, prepare a recommendation for the Court and restitution can be determined.

Attorney for the Juvenile Officer (AJO) or Juvenile Officer (JO): Also known as the Prosecutor in adult court. This person is responsible for presenting evidence and calling witnesses before the Court to prove the juvenile committed the offense(s) described in the petition.

Beyond a reasonable doubt: The degree of proof needed for the Judge to rule that a juvenile is guilty. If the Judge does not find the evidence proves the juvenile's guilt to this degree, the petition will not be sustained (*the juvenile is found not guilty*).

Burden of proof: The responsibility of the Juvenile Officer to prove beyond a reasonable doubt that a juvenile committed the offense that is charged.

Capias: A pick-up warrant issued by the Court when a juvenile fails to appear for a hearing or when his/her whereabouts are unknown.

Certification: A process to determine if a juvenile's case in Family Court should be dismissed and transferred to the court of general jurisdiction (*adult court*) where the juvenile will be tried as an adult.

Commissioner: A Judge who hears all cases except certifications.

Continuance: A delay of a hearing, usually in cases of illness, schedule conflicts or by agreement of all parties.

Count: The description of the behavior in the petition. This is known as the charge in the adult system.

Court of general jurisdiction: Another name for the adult court system where a juvenile case is sent after certification.

Defense attorney: A lawyer who represents the juvenile's wishes. A defense attorney can be appointed from the Public Defender's office, pro bono (*at no charge*) from a private firm, or privately hired by the juvenile's parent or guardian.

Delinquency: Any act committed by a juvenile that would be called a crime, misdemeanor, criminal act or a felony if committed by someone 17 and older (*or of state legal age*).

Deposition: Sworn testimony from witnesses, taken prior to the adjudication, usually in the presence of the defense attorney and Juvenile Officer, to inform the parties what the witnesses would say if there is a trial/adjudication. Depositions can be used to detect discrepancies in previous statements witnesses made to the police and what they say on the witness stand during the trial.

Deputy Juvenile Officer (DJO): A Case Assessment Probation Officer who determines the juvenile's needs and makes recommendations to the Court during the disposition. After the adjudication and disposition another type of field Probation Officer, a Juvenile Probation Officer (JPO) or a Case Management Officer (CMO), supervises the juvenile while s/he is under the Court's jurisdiction.

Detention: A locked facility where juveniles, accused of serious offenses or who are at risk for running, are placed to await a hearing, placement or transfer to another facility or jurisdiction.

Detention hearing: A process to decide where the juvenile is placed to await the next stage of their case, generally an arraignment or a pretrial conference. Must be held within 72 hours after juvenile is detained.

Dismissal without prejudice: When a petition against a juvenile is dismissed early enough in the process so that it can be re-filed in the future if additional evidence comes forth.

Dismissal with prejudice: Dismissing a current petition without the ability for it to be re-filed in the future.

Disposition: A hearing to determine what type of treatment and rehabilitation the juvenile will be ordered to complete. This hearing often takes place immediately following the adjudication but it can be scheduled for a separate date. This is also known as the sentencing phase in the adult system. For sex offense cases, the disposition is almost always set 3-4 weeks after the trial to give the Deputy Juvenile Officer time to assess the juvenile for the appropriate sex offender treatment. During this process, restitution to victims may be ordered. Victims can also make a verbal victim impact statement at the disposition.

Diversion: A Family Court program that assesses juveniles and channels appropriate candidates (*low to moderate risk first-time offenders*) out of the formal Court system and into services to help curb future delinquencies. Restitution to victims may be included. If the juvenile or parents do not cooperate or the juvenile picks up a new charge, the Court, depending on the circumstances, could chose to file/re-file on the original charge.

Division of Youth Services (DYS): A state agency charged with the protection of the community and the care and treatment of delinquent youth committed to its custody by Missouri's 45 Juvenile Courts. Services include assessment, treatment and education. Treatment programs range from non-residential day treatment centers through secure residential institutions with aftercare programs. Juveniles can be held in DYS custody until age 21 though age 18 is more common.

Dual jurisdiction: A blended sentencing option in which juvenile and adult sentences are simultaneously imposed with the execution of the adult sentence suspended. When the juvenile turns 18, the Court reviews the case to decide if the juvenile should be placed on probation, is to remain in the custody of DYS, or transferred to the Department of Corrections (*an adult prison facility*).

Home detention: A program where the juvenile is allowed to return home but is required to wear an electronic monitoring device. The juvenile's activities are severely limited and a Probation Officer visits randomly to monitor compliance. Other restrictions may also be ordered.

Informal Adjustment: A diversion program for very young, first-time, low-risk offenders. Juveniles must first admit to the offense and, with their parent(s) cooperation, agree to participate in non Court-ordered programs for a period up to six months. Restitution to victims may be included. If the juvenile or parents do not cooperate or the juvenile picks up a new charge, the Court could choose to file/re-file on the original charge.

Intensive Supervision Services (ISS): A highly structured probation program, including 60 days of electronic monitoring, face-to-face meetings with a Probation Officer up to three times a week, counseling, educational intervention and late-night curfew surveillance (*Night Light Program*) designed to provide to juveniles highly structured monitoring with the goal of changing their behavior and keeping them out of a long-term residential facility.

Intermediate Sanctions Program: An additional service that can be added to any probation program that may include up to 60 days of electronic monitoring and house arrest, more frequent visits with a Probation Officer and up to 14 days of residential placement without a Court order for minor probation violations.

Joint and several liability: When multiple juveniles, charged with the same offense, found guilty or who entered admissions, are Court-ordered to equally divide the amount of restitution that is to be paid to their victim(s).

Mentoring: A program of volunteers, screened then chosen to offer support and guidance to juveniles in need of role models.

Petition: A legal document outlining the offenses the juvenile allegedly committed. At trial, the Juvenile Officer must prove to the Court the juvenile committed these offenses.

Pretrial conference (or hearing): In certification cases, a type of hearing where the Juvenile Officer/Prosecutor announces if s/he recommends keeping a juvenile's case in Family Court or is asking the Court to transfer the juvenile to the adult system.

Rebuttal Witness: a witness called on to dispute evidence or testimony previously presented.

Restitution: Money paid to the victim for out-of-pocket losses, not covered by insurance, resulting from the juvenile's delinquent behavior.

Restorative Justice: A philosophy that balances the needs of the juvenile offender, the victim and the community and creates opportunities for the juvenile to repair the harm resulting from their delinquent behavior through such programs as mediation, restitution and community service and by developing skills to lessen the chance of re-offending in the future.

Subpoena: An official order commanding a witness to produce documents important to the case and/or to appear before the court to testify. A subpoena must be honored and is active for as long as the case is open.

Testify: To give evidence, under oath, before the Court.

Victim: Someone who suffers direct or threatened physical, emotional or financial harm as the result of a juvenile's delinquent behavior. Victims can also be family members, especially in cases of homicide or some other violent crime or when the victim is a minor child. These people are known as Secondary Victims.

Victim Empathy Classes: An educational program to help juvenile offenders understand the harmful effect their behavior has upon others.

Victim Impact Statement: A form for victims to document the emotional and financial harm caused by the juvenile's actions. It also serves as a method to register the type of future notifications victims wish to receive.

Frequently Asked Questions

Q. *Do I need to attend the arraignment?*

A. It's not essential that you attend, especially if you have difficulty getting time off work or finding transportation. However, as a victim you have the right to be there and if these issues are not concerns, Victim Services encourage you to attend if possible. Also, though rare, juveniles can admit to the charges at the arraignment, but the disposition or sentencing is usually set over for a later date, giving you time to gather your loss information.

Q. *The juvenile admitted to the crime when he was arrested but he denied it at the arraignment and now there's a trial scheduled. What's going on?*

A. Because they are not of legal age, juveniles must be represented by an attorney and, like adults, be advised of their rights. However, just because a trial is scheduled does not mean a juvenile will not decide to admit to the charge once s/he has had time to confer with an attorney who will recommend the best path based on the evidence. But ultimately a defense attorney must abide by their client's wishes and if a juvenile insists s/he did not commit the offense for which they are charged, they are entitled to a trial.

Q. *Why did my case get dismissed?*

A. Just as with adult cases, Juvenile Officers/Prosecutors cannot go forward without enough evidence or witnesses to prove their case. If they determine the evidences not strong enough, or witnesses cannot be located or will not cooperate, a Juvenile Officer may dismiss the case before it goes too far so that if new evidence surfaces, the case can be re-filed. If they go to trial with inadequate evidence and lose or the Judge dismisses it with prejudice, the case cannot be re-filed, even if new evidence is discovered. A case may also be dismissed when it is believed the juvenile is an appropriate candidate for the Diversion or Informal Adjustment programs (*see page 29*).

Q. *Why was the charge reduced?*

A. Juvenile Officers sometime reduce a charge down in agreement with the juvenile's attorney to admit to the lesser charge, what is called a plea bargain in the adult system. Sometimes this is to assure a verdict but also to prevent a victim from having to testify. However, unlike the adult system, the recommendations (*or sentence in the adult system*) that are made by the Probation Officer seldom significantly change as the result of a modification of the charges. A juvenile's "time" spent under jurisdiction depends not so much on what the final charge is but on several factors: the juvenile's rehabilitation needs, the probation officer's recommendations to the Court, what the Judge orders and how long it takes the juvenile to complete those orders.

Q. *Why wasn't the juvenile in my case locked up after s/he was arrested?*

A. Research showing the damaging effects incarceration and institutionalization has on adolescent development and behavior has led to many changes in juvenile systems across the country. Typically, juveniles are not placed in Detention unless they are considered a danger to others or to the community, have a history of running from their Court-ordered placement or they did not appear at a previous hearing. The law mandates that juveniles must be placed in the least restrictive environment based on each situation. Therefore, juveniles not charged with violent offenses are often released and may be electronically monitored (*via GPS ankle bracelets*). However, if they have incurred multiple violations, the next step could be a group home or Detention to await their trial. If their case has already been to trial and they are violating aspects of their probation they could be placed in a residential facility.

Q. *Why wasn't the juvenile in my case certified?*

A. Each situation is different but generally speaking a juvenile will not be certified if the Court determines there are still services available in the Juvenile System and the juvenile is amenable to rehabilitation. If the juvenile has had many arrests and been through probation services, a residential facility and perhaps the Division of Youth Services and is nearing legal age but continues to break the law, s/he might be looked upon as less amenable to rehabilitation than a 15-year-old who has not had as many services or involvement with the Court.

Q. *Why can't I just bring all my receipts and estimates for my losses to the trial? Why do I have to fill out all this paperwork and send it in?*

A. Things happen very quickly in Juvenile Court and your Advocate and other parties involved in your case may be tied up with several other cases the day of your trial. However, each case is important and your Advocate needs to have your loss information processed and distributed to all the involved parties at least a week prior to the trial so on the actual trial day, time can be spent offering information and support to victims and their families.

Q. *I don't have any financial losses so why should I bother filling out the Victim Impact Statement?*

A. The VIS doesn't just deal with financial issues. It also allows you to voice how this offence affected you and your family. It also provides an easy way for you to request various notifications such as if the case is dismissed or when the juvenile is released from jurisdiction.

Q. *I rushed to get to the Courthouse only to wait for an hour for my hearing. Then I found out the juvenile was going to admit to the charge and I didn't need to testify. Why didn't someone tell me this sooner?*

A. Your Advocate and/or the Legal Department try to notify you of any changes as soon as possible, but sometimes the decision for the juvenile to admit to the charges instead of going to trial are not made until the day of the trial. Continuances too can sometimes be last minute. But even when there is an admission, it is a good idea to be present to answer any questions the Court or the defense attorney may have about your restitution. And if the admission is followed by the disposition (*sentencing*), you have the opportunity to make a verbal impact statement to the Court if you choose.

Q. *If I decide I don't want to testify, then what will happen?*

A. Every case is different but if you are the only witness to the offense, the case cannot go forward without your testimony. If you have concerns about testifying, speak with the Juvenile Officer on your case as well as your Advocate. Arrangements can be made for you to sit in the special Victim Waiting Room if you have concerns about being around the juvenile and/or the juvenile's family while you're waiting for the trial to start. It's important that you share your concerns before deciding.

Q. *The juvenile painted graffiti on my garage. Why can't he repaint it as his community service?*

A. Most juvenile authorities believe making the "punishment" fit the "crime" is an excellent approach to create a more meaningful experience for the juvenile as well as the victim. However, realistically in a county with our population, the staff is not available to supervise juveniles under such individual circumstances. At the present time, juveniles do their community service jobs for volunteer organizations that take on the responsibility of supervising them as they work to earn the money to pay their restitution obligations.

Q. *I had thousands of dollars in medical bills so why did the Judge only order the juvenile to pay \$500.00 in restitution? I've heard of people out less money getting more.*

A. Restitution, in Juvenile Court, is based on several factors, including the juvenile's ability to pay the amount back in the time the Court has them under jurisdiction, their mental and physical abilities and the time they have available to work, balanced by the victim's needs and their access to insurance and other sources of funding. But large restitution amounts are not common in Juvenile Court. That is why, for medical and funeral expenses, long-term counseling and money lost from extended time off work (*for victims of violent crime*), your Advocate will encourage you to apply for state crime victim funds (*see page 19: What is the Crime Victim Compensation Fund?*). For large property losses or damages, you may want to consider Small Claims Court or a civil suit.

Q. *How can I get my possessions back from the police?*

A. Generally, in juvenile cases, your property is returned to you as soon as it is recovered and documented. If not, at the end of your case, call the officer or detective who was in charge and ask for your property to be released. If your verbal request fails, send a letter addressed to the head of the department that investigated your case. Date it and keep a copy for your records. If your property is still not returned, call your Advocate. Keep in mind that illegal items (*such as unlicensed firearms*) will not be returned to you. Also, if your case is being considered for certification your property may be held until the matter has been decided. If the case is certified the police department may hold onto any property seized as evidence until the conclusion of the trial in adult Court.

Q. *Do I need a lawyer?*

A. You can retain an attorney if you choose, but since you are not the person charged with a crime, your attorney would not be a party to the case and could only act as a support person to you during legal proceedings. S/he could not speak in Court on your behalf nor make arguments before the Court.

Resources

Family Court

Victim Services.....	816/435-4818 or 435-4812
Fax.....	816/435-4793
Legal Services.....	816/435-4725
Restitution Services.....	816/881-8310

Jackson County Prosecutor's Office Victim Services (adult court)

Switchboard.....	816/881-3555
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Other

Division of Youth Services (DYS)	
Victim Info.....	816/889-2657

State Victim Compensation Programs

Missouri Crime Victims' Compensation Fund...	800/347-6881
Kansas Crime Victims' Compensation Fund...	785/296-2359

Legal

Legal Aid of Western Missouri	
Central office (<i>Grand Blvd</i>).....	816/474-6750
West office (<i>SW Blvd</i>).....	816/474-9868
Kansas Legal Services.....	573/636-3635
MO Bar Lawyer Referral Services (<i>Civil</i>).....	816/221-9472
Small Claims Court.....	816/881-1364

Dental

Rodgers-Independence Dental Center	
620 W 23 rd , Independence, MO 64055...	816/254-3382
Cabot Westside Dental (<i>and Medical</i>)	
2120 Summit St, KCMO 64108.....	816/471-0900
Miles of Smiles, Inc.....	816/413-9009
(<i>free dental for eligible kids of Clay & Platte Counties</i>)	

Misc. Social Services

Guadalupe Centers.....	816/421-1015
United Way.....	211
Harvesters Food Bank.....	816/929-3000

Medical

Downtown/Midtown:

Kansas City Free Clinic (*and Dental*)
3515 Broadway, KCMO 64111.....816/753-5144

South:

Samuel U Rodgers Community Health Center
2701 E 31st St, KCMO 64128.....816/474-4920

East:

Kansas City Free Clinic
5119 E 24th St, KCMO 64127.....816/753-5144
Samuel U Rodgers Community Health Center
825 Euclid, KCMO 64124.....816/474-4920

North:

Samuel U Rodgers Community Health Center (*and Dental*)
Clay County Public Health Center
800 Haines Drive, Liberty, MO 64068....816/413-0662

Counseling/Crisis Services

Citywide:

The Family Conservancy (*various MO/KS locals*).....913/742-4357

Downtown/Midtown:

The Children's Place
Two E 59th St, KCMO 64113816/363-1898
Swope Health Services
3801 Blue Parkway, KCMO 64130.....816/923-5800
MOCSA (*Metropolitan Organization to Counter Sexual Assault*)
3100 Broadway, Ste. 400, KCMO 64111...816/923-5800
Crisis/Info line.....816/531-0233
Midwest Trauma Treatment Center
400 E Red Bridge, #212, KCMO 64131.....816/589-4636

Western MO Mental Health Center
 1000 E 24th St, KCMO 64108.....816/512-7000

Kansas City Veterans' Center
 301 Armour, # 305, KCMO 64111.....816/753-1866

Truman Behavioral Health Network
 2211 Charlotte St, KCMO 64108.....816/404-5700

Samuel U Rodgers-South Therapeutic Intervention Center
 2701 E 31st St, KCMO 64128.....816/861-7070

ReDiscover Mental Health
 301 Armour Blvd, KCMO 64111.....816/931-6500
 Crisis line.....816/966-0900

Kansas City Free Clinic (*mental health services*)
 3515 Broadway, KCMO 64111.....816/777-2722

Catholic Charities
 1112 Broadway, KCMO 64105.....816/221-4377

South:

ReDiscover Mental Health
 6801 E 117th St, KCMO 64134.....816/966-0903
 Crisis line.....816/966-0900

Catholic Charities
 751 E 63rd St, KCMO 64110.....816/333-2040

Westside:

Mattie Rhodes Counseling Services (*Spanish spoken*)
 1740 Jefferson, KCMO 64108.....816/471-2536

Crittenton Children's Center
 10918 Elm, KCMO 64134.....816/765-6600

East:

Comprehensive Mental Health
 10901 Winner Rd, Ind, MO 6405.....816/254-3652

Kansas City Free Clinic (*mental health services*)
 5119 E 24th St, KCMO 64127.....816/777-2722
 Appointments.....816/753-5144

Don Bosco Counseling Center
 520 Garfield, KCMO 64124.....816/404-6345

ReDiscover Mental Health
 901 NE Independence Ave
 Lee's Summit, MO 64086.....816/246-8000
 Crisis line.....816/966-0900

CAPA (*Child Abuse Prevention Association, counseling services*)
 503 E 23rd St, Ind, MO 64055.....816/252-8388

Samuel U Rodgers Behavioral Health Center
 825 Euclid, KCMO 64124.....816/889-4610

Two Rivers Psychiatric Hospital
 5121 Raytown Rd, KCMO 64133.....816/382-6300

North:

Synergy Services
 400 E 6th St, KCMO 64152.....816/587-4100

Tri-County Mental Health
 3100 NE 83rd St, KCMO 64119.....816/468-0400

Positive Options
 171 English Landing Rd, KCMO 64152.....816/746-5775

Kansas:

Johnson County Mental Health Center
 6000 Lamar, Mission, KS 66202.....913/831-2550

Mental Health Association of the Heartland
 739 Minnesota Ave, KCKS 66101.....913/281-2221

Wyandot Center
 757 Armstrong Ave, KCKS 66101.....913/328-4600

Support Groups

Mothers Outraged by Molesters (*MOMS*).....816/478-2355

Bikers Against Child Abuse (*BACA*).....816/520-0991

Parents of Murdered Children (*POMC*).....816/850-4200

Domestic Violence

Hope House Crisis Line (<i>East</i>).....	816/461-4673
Rose Brooks Center Crisis Line (<i>Central</i>).....	816/861-6100
Synergy (<i>North</i>).....	800/491-1114
Safehaven (<i>North</i>).....	816/452-0245
Deafline MO (<i>TTY</i>).....	800/380-3323
Crossline Community Outreach (<i>Kansas</i>).....	913/281-3288
National Domestic Violence Hotline.....	800/779-7233
National Teen Dating Abuse Helpline.....	866/331-9474
TTY.....	866/331-8453
National Sexual Assault Hotline.....	800/656-4673

Help Lines

National Suicide Crisis Line.....	1-800/SUICIDE (1/800/784-2433)
TTY.....	800/799-4TTY (4889)
Western Missouri Suicide Crisis Line.....	888/279-8188
Kansas City, KS Suicide Crisis Line.....	913/281-1234

Rape Crisis Lines:

Missouri.....	816/531-0233
Kansas.....	913/642-0233

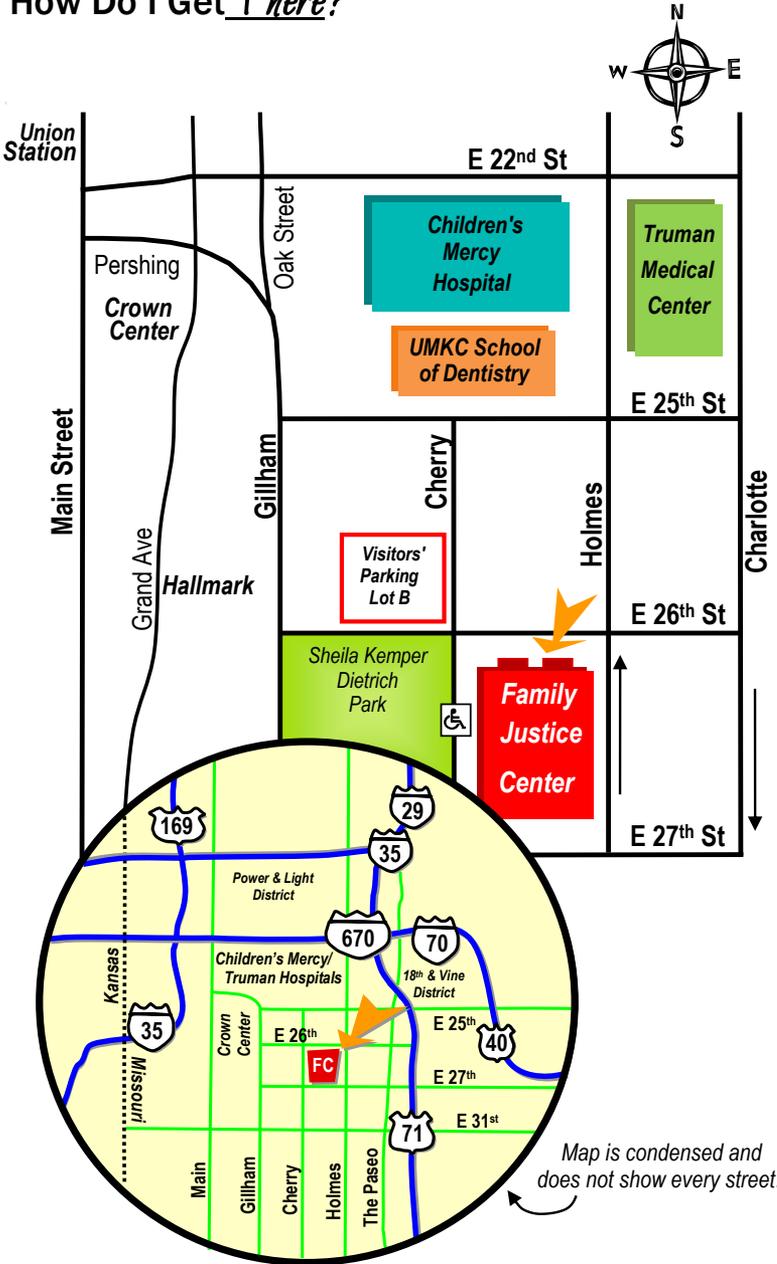
Youth Crisis Lines:

Missouri.....	816/741-8701 or 816/923-7000
Kansas (<i>Teen Connection</i>).....	913/281-2299

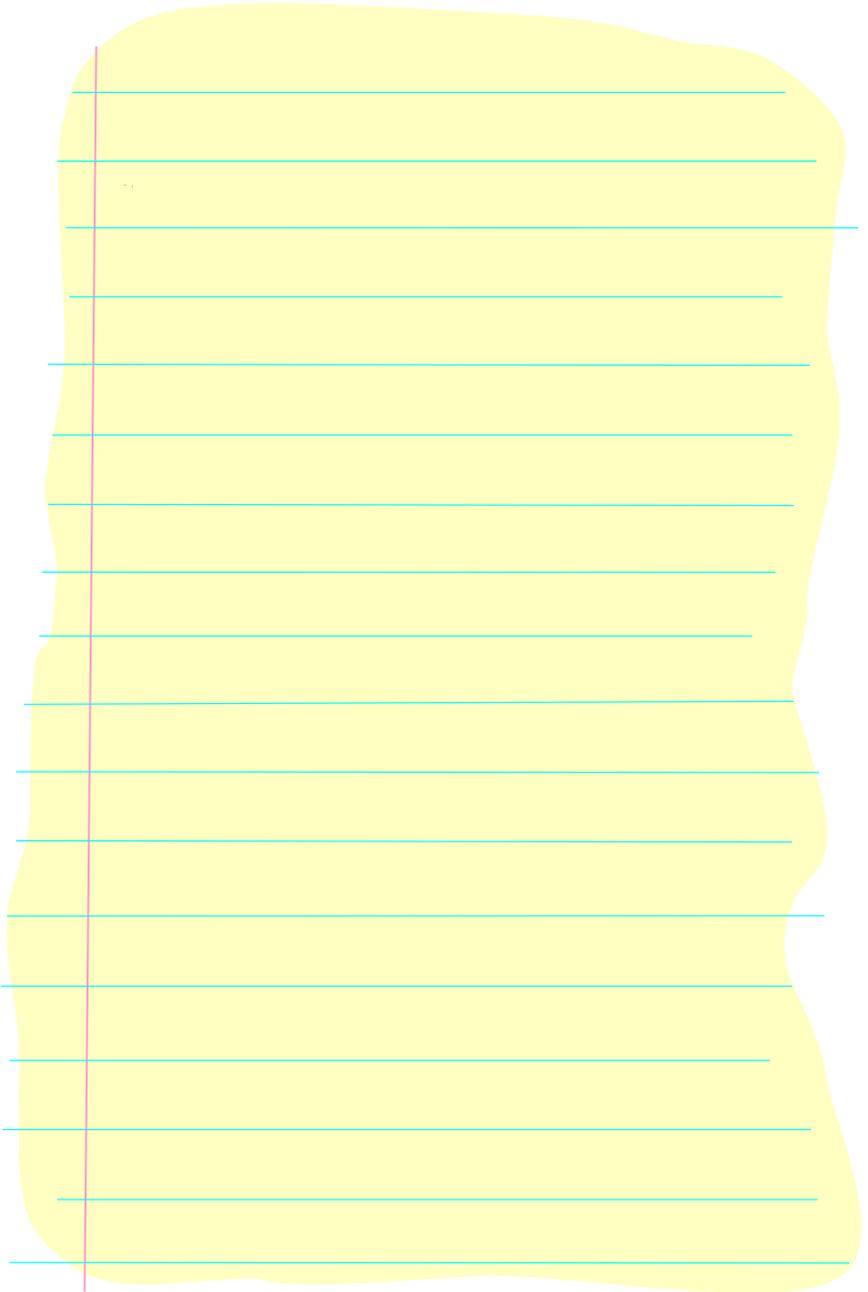
Child and Elder Abuse Hot Lines:

Missouri Child Abuse/Neglect.....	800/392-3738
Missouri Elder Abuse.....	800/392-0210
Kansas Child and Elder Abuse Hotline.....	800/922-5330
National Runaway Hotline.....	800/786-2929
Hotline for the Homeless.....	816/474-4599

How Do I Get There?

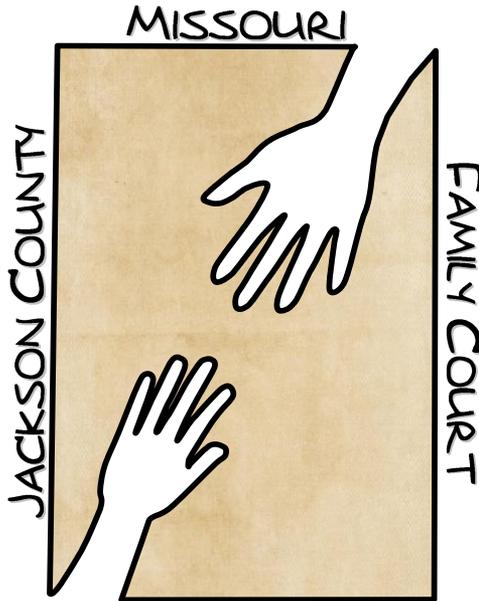


Notes



Our mission is...

*to treat each victim and family member as an individual;
to always remember that each case is unique and special,
and to involve victims and the community
in a restorative process that helps
diminish the devastating impact of crime.*



VICTIM SERVICES

625 E 26TH STREET

KANSAS CITY, MO 64108

816/435-4818 816/435-4812

Created in 2013

FCRS ^{by} Victim Services

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