

WHAT YOU NEED TO KNOW ABOUT FAMILY COURT – JUVENILE DIVISION



Honorable Pamela A. Moskwa
Judge of Family Court

Honorable John A. Hohman, Jr.
Judge of Family Court

INTRODUCTION

This brochure is an overview of the Family Court System, Juvenile Division in Monroe County, Michigan. It will help in understanding the Court process, what happens at each hearing and what can happen as a result of a juvenile being involved in the Court.

MISSION STATEMENT

The mission of the Juvenile Division of the 38th Judicial Circuit Court is to administer prompt justice, protect the community and to provide individualized, strength-based services to youth and families that are responsive, restorative and which encourage responsibility.

JUVENILE COURT PHILOSOPHY

Juveniles who violate the law before they turn 17 may be brought into the juvenile justice system. The philosophy of Family Court is based on balanced and restorative justice principles that address public safety, accountability and competency building.

JUVENILE COURT PROCESS

Petition: The police investigate a complaint and submit a complaint requesting a charge to the prosecuting attorney's office. The prosecuting attorney reviews the report and decides whether to authorize or not. The petition lists the offense with which the juvenile is being charged. The petition is then forwarded to the Juvenile

Division of the Family Court and either sent to the Diversion Program for services or set for formal hearing before the Referee.

Pretrial & Adjudication Stage: The juvenile and parent can meet with the prosecuting attorney to discuss the charge at the first hearing. The juvenile also has a right to be represented by an attorney at all hearings. If the family cannot afford to retain an attorney, one can be appointed for the juvenile. The cost of the Court appointed attorney is charged back to the parent. The juvenile can admit or deny the charge at the Pretrial Hearing. If the juvenile denies the charge, a trial date will be set. The juvenile has a right to a jury trial or a bench trial. A juvenile can be adjudicated a delinquent and come under the jurisdiction of the Court either by admitting the charge or being found guilty at trial. After the juvenile is adjudicated, a Disposition hearing occurs.

Disposition: The Disposition is similar to sentencing in Adult Court. A probation officer is assigned to the case, investigates and presents information concerning the juvenile's history of behavior, conduct and the family to the Court. The Judge/Referee will make a decision and enter an order that is in the best interest of both the juvenile and the community. The Judge or Referee may order any of the following for the juvenile:

- Warn & release the juvenile, closing the case.
- Probation for a length of time in the home of the parent/guardian/relative.
- Order community service; counseling for juvenile and family and/or participation in Court or community programs.
- Order random drug testing and payment of cost involved.
- Placement into the Monroe County Juvenile Drug Court Program.
- Placement in foster care with probation rules.
- Remand the juvenile to the Monroe County Youth Center or commitment to residential treatment at the facility.
- Order payment of full restitution to the victim; State & County fees; Victim Rights fees; probation fees; Court appointed attorney costs; Youth Center fees and any other Court costs.

CRIME VICTIMS:

Crime victims have the right to attend all delinquency hearings in Family Court and are encouraged to attend Disposition hearings. Victims may submit verbal or written impact statements to the Court, request restitution for their loss and recommend what they would like to see happen as a result of the crime.

AUTHORITY OVER PARENTS

Parents must attend all Court hearings unless excused for good cause. The Court also has the authority to enter orders over parents that are in the best interest of the child.

FEES

State & County Minimum Fees:

- \$120 for each felony charge
- \$90 for each high misdemeanor
- \$80 for each misdemeanor
- Probation fees: \$20 a month
- Victim rights fees: \$20

38th Judicial Circuit Court
Family Court - Juvenile Division
125 E. Second St.
Monroe, MI 48161
Phone: 734-240-7160
Fax 734-240-7155
www.co.monroe.mi.us