

# A Parents' Guide to the Ohio Juvenile Justice System

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*Dear Parents,*

*Having a child enter the juvenile justice system can be a scary and confusing time for both parents and children. The purpose of this parent's guide is to answer questions you may have about your child's involvement in the Ohio juvenile justice system. This guide should also help you to spot problems that your child may have with the juvenile justice system and give you ideas on how to address these problems for your child.*

*As a parent, you are in the best position to advocate for your child. A parent often knows a child's habits, needs, and personality better than anyone else. Throughout this book we will highlight the most important things for you to do to be a good advocate for your child while they are in the juvenile justice system. If you take away nothing else, read the important advocacy tips, on pages 8-10, so that you can be a better and well-informed advocate for your child!*

*Please know that your family is not alone in this experience. In 2003, approximately 40,000 Ohio children spent some time in an Ohio detention center and even more went through the juvenile justice system but were not incarcerated. If your child is among the many children incarcerated in a detention center, corrections facility, or in a Department of Youth Services facility, it is important for you to remain in close contact with them. Research has shown that maintaining family relationships while youth are incarcerated leads to a more successful transition back to home, to school, and to the community, and reduces the chance of your child being detained again in the future. Whether they are incarcerated for a short or long period of time, or are not incarcerated at all, these children need caring adults to be supportive and advocate for their needs during this very difficult time.*

*The Children's Law Center, Inc. is a non-profit legal service center for children and also serves as the Central Region Juvenile Defender Center. Since our office began work in Ohio in 2003, we have repeatedly heard from professionals and families alike that children and their families and caregivers need to know how Ohio's juvenile justice system works. Our hope is that by giving you some basic knowledge about the juvenile court process for delinquency cases and Ohio's juvenile detention and correctional facilities that you will be able to be an active and effective advocate for your child.*

*Because we want to be sure this parent's guide is useful, please take the time to let us know if we could improve it in any way. You may call, write or email us with any suggestions:*

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***Please remember to never rely on information in this manual instead of talking with an attorney about your child's individual situation. No publication can ever replace the expert and personal advice an attorney can provide you. We advise that you talk with an attorney whenever you need legal advice during your or your child's involvement with Ohio's juvenile justice system. Information in this manual was current through December 2005. The law in certain areas may have changed since the publication of this manual.***

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# Section One:

## Ways to Advocate for Your Child

**This section will provide you with the various ways that you can advocate for your child during their involvement with the juvenile justice system.**

**There are numerous steps parents can take to help their child through the juvenile justice system. For example, you can do such things as provide emotional support for your child or make sure your child has an attorney. The more you can do to help your child, the better off they will be during their involvement with the juvenile justice system.**

### **TOPICS**

**ADVOCACY TIPS FOR SUPPORTING YOUR CHILD  
THE IMPORTANCE OF AN ATTORNEY**

# Advocacy Tips for Supporting Your Child

- **Always ask to speak to an attorney** and never sign any papers or have your child sign or say anything in court to give up the right to an attorney without first talking to an attorney. Your child should never give a verbal or written statement or sign a confession before speaking with an attorney. An attorney understands the law and the legal system and will best be able to advise your child of the various legal options and outcomes.
- **If police ask for your consent to perform a search, always say no, unless you have consulted with an attorney.** Under certain conditions, such as when your child is in custody/under arrest or the police have a warrant they will not need anyone's consent to conduct searches. If they ever ask you for your consent say no unless an attorney advises you otherwise.
- Advise your child that if the police or anyone else ask him questions about any delinquent act or crime, he should **always say that he does not want to talk and he wants a lawyer.**
- **Speak Up!** Talk to your child's attorney. Oftentimes you know important information about your child that other people do not know. Your opinion is important, so please communicate with persons involved in your child's case.
- **Make a list of people that may be helpful to your child's case** and share the list with your child's lawyer. Examples could be teachers, sports coaches, people at church, family, or anyone else that would focus on the positives in your child's life.

**ASK QUESTIONS IF YOU DO NOT UNDERSTAND WHAT SOMEONE IS SAYING TO YOU. ASK THEM TO EXPLAIN WHAT THEY ARE SAYING IN SIMPLER TERMS. DO NOT BE ASHAMED OR AFRAID TO SAY YOU DO NOT UNDERSTAND. UNDERSTANDING WHAT IS HAPPENING IS CRITICAL TO HELPING YOUR CHILD.**



**EVEN IF YOU ARE UPSET WITH YOUR CHILD, REMEMBER THAT COMMENTS YOU MAKE REGARDING YOUR CHILD MAY BE USED AGAINST THEM IN THE FUTURE. FOCUS ON THE STRENGTHS OF YOUR CHILD AND TRY TO BE POSITIVE, EVEN IF YOU ARE UPSET. SPEAK TO YOUR ATTORNEY AND/OR YOUR CHILD'S ATTORNEY BEFORE MAKING ANY STATEMENT TO THE COURT THAT COULD NEGATIVELY IMPACT YOUR CHILD'S CASE.**

- **Always try to resolve a situation regarding your child directly with the person you are dealing with or, if necessary, their supervisor.** If you do not feel that the situation has been worked out, you can either call their supervisor or ask to schedule a meeting with you, that person, and their supervisor. You can work your way through the chain of command if necessary; go to the supervisor's supervisor etc. to get the help you need so that you can assist your child.
- **Keep all documents and papers for your child together in one place** so you can find them when you need them. These documents can include court papers, school reports, proof of attendance at programs and counseling, letters from probation officers, notes, business cards you receive and anything else you think will be helpful in advocating for your child and documenting their situation.
- **Always introduce yourself** to the person you are talking to about your child. Make sure they know your name and your relationship to the child. Get their full name and phone number or another way for you to contact them in the future. Ask for a business card.
- **Keep a calendar to document your contact with the system** and keep track of appointment times. Keep a record of all calls you make and copies of all letters you write. Record the date and time of these conversations as well as who you spoke with and about what you spoke. You and your child may have many appointments. If you or your child are expected to be at a scheduled appointment, it is critical that you do your best to be on time. If you need to arrive late or cancel an appointment be sure to call the person the appointment is with as soon as possible to let them know and to reschedule if necessary.

- **Get a copy of rules for any detention or DYS facility where your child is placed.** Follow these rules when visiting your child or sending letters and packages. Your child will appreciate your effort to keep in touch, even if they do not say anything about it.
- **Develop a support system for yourself.** You will need people in your life that you can depend on during this difficult time. If you feel yourself becoming overwhelmed please think about seeking the help of friends, a member of your faith community, a counselor, or anyone else to help keep you strong and focused so you can help your child.
- **Keep up to date on your child's progress.** Keep informed of their health, mental health, and education status. Be informed and keep track of when your child receives medical or mental health treatment.
- **Always be polite and respectful** toward anyone you are speaking with regarding your child's situation. This can be difficult to do, especially if you feel that someone is expressing an opinion or making a decision that you do not agree with. Try to focus on facts and not feelings when you are talking to people about you child. Make a calm, clear statement of why you disagree with what someone is saying and support your opinion with facts. You can be a strong and passionate advocate without personally attacking other people or losing your cool when communicating under difficult circumstances.

**LEARN. LOOK TO OUTSIDE SOURCES FOR INFORMATION ABOUT WHAT IS HAPPENING TO YOUR CHILD. READING THIS MANUAL MEANS THAT YOU ARE ALREADY TAKING A HUGE FIRST STEP TOWARD HELPING YOUR CHILD. USE THE RESOURCES LISTED IN THE APPENDICES OR OTHER CONTACTS THAT YOU KNOW TO GET OTHER INFORMATION THAT MIGHT BE USEFUL TO YOUR CHILD'S SITUATION. THE MORE YOU KNOW, THE BETTER YOU CAN ADVOCATE FOR YOUR CHILD.**

# The Importance of an Attorney

**THE MOST IMPORTANT THING THAT  
YOU CAN DO FOR YOUR CHILD IS TO BE  
SURE THAT THEY HAVE AN  
ATTORNEY  
REPRESENTING THEM  
AT ALL COURT PROCEEDINGS.**

## **GETTING AN ATTORNEY FOR YOUR CHILD**

- If you cannot afford to pay for an attorney and meet certain income guidelines, the court should appoint an attorney for your child and pay the costs of that attorney.
- Call the clerk's office at the court and ask how to have an attorney appointed.
- Ask the judge or magistrate if they can appoint an attorney for your child.
- Fill out required paperwork regarding your income and expenses.
- You will be asked to pay a \$25.00 application fee for a court appointed attorney. Please apply even if you are unable to pay the fee and when an attorney is appointed ask your child's attorney to ask the judge to waive the fee.
- If your family does not meet the financial guidelines and does not qualify for court appointed counsel, the court can still appoint an attorney for your child, but may try to collect some fees from you later.
- Once you or your child ask for an attorney, one will not be appointed immediately. You may have to wait a period of time before an attorney gets the case.
- If you have problems obtaining an attorney for your child ask the clerk or judge to contact the Office of the Ohio Public Defender because they have written guidelines about how a child can have an attorney appointed

## **PARENTS HAVE A RIGHT TO AN ATTORNEY TOO**

- In Ohio, parents are parties to their child's delinquency case and can have an attorney.
- You will only receive a court appointed attorney if you request one and qualify financially.
- You can choose to hire your own attorney if you do not meet the court's financial guidelines.

**REMEMBER, YOUR CHILD MAY REQUEST AN ATTORNEY AT ANY-TIME DURING THEIR INVOLVEMENT WITH THE COURT—IF YOUR CHILD DOES NOT HAVE AN ATTORNEY AND DECIDES HE WANTS ONE, MAKE IT KNOWN TO THE COURT IMMEDIATELY.**

# What an Attorney Should Do for Your Child

- **Keep your child informed** of what is happening in the case. Make sure you and the lawyer exchange contact information. Before any legal decisions are made, the lawyer should take the time to talk with your child. It is also your child's responsibility to keep his lawyer up to date on what may be happening in the case from his end – for example, changes in school or work, progress while on probation and his treatment while in custody. Make sure your child's lawyer has all possible ways (all phone numbers, address, email, etc...) to contact you and your child.
- **Meet with your child** without delay and as often as possible or necessary throughout the case to gather all important facts in the case. The lawyer should advise your child and make sure your child understands the way things will proceed.
- **Represent your child zealously.** The attorney must represent a child's expressed interests; these interests should be determined by your child after discussing and considering all possible options and outcomes. The lawyer represents your child, not you. The lawyer and your child may talk privately and make decisions about the direction of the case. You can be involved in these discussions if your child agrees to have you there, but your child has the final say in all legal decisions. Your child's lawyer should, however, be willing to listen to what you have to say about other issues, such as mental health, physical health, or education if your child does not object to the attorney talking with you.
- **Keep conversations with your child confidential** unless your child gives her permission to tell others. This means the prosecutor, probation officer, judge, or anyone else should not hear what your child has said unless your child agrees that it is okay. The lawyer may not share this information with you either, unless your child says it is okay to tell you.
- **Get to know your child.** Talking to your child's lawyer about your child's strengths, personality, good behavior, etc... and providing documents to support these comments can benefit the defense attorney in representing your child and obtaining the best outcome.
- **Conduct a prompt investigation** into the case and interview possible witnesses.
- **Seek to have your child released** from detention as quickly as possible prior to the adjudicatory hearing.
- **Investigate all disposition alternatives** and determine which would best suit your child's interests.
- **Pursue appeals** and other legal proceedings necessary to protect your child's interests.

If you feel your child's attorney is not providing the above listed services to your child you should talk to them about how you feel and discuss how you think they could better advocate for your child. If you feel this is a real problem that cannot be resolved with the attorney, you can approach the public defender's supervisor. If your child's attorney does not work for a public defender office, you should ask the clerk or court employee who appointed the attorney who to talk with to discuss your concerns. Most often the problem is a lack of communication. Taking the time to talk to your child's attorney can often resolve your concerns.

# Section Two:

## Ohio's Juvenile Justice System

**This section will provide you with information on how Ohio's Juvenile Justice System works.**

**While juvenile courts are very different from adult courts because juveniles are not convicted of crimes, but instead found to be delinquent, they do consist of many steps similar to the adult courts. Like the adult system, before a hearing the police will investigate the charges against a juvenile. After that point, the juvenile court process involves detention, adjudication, and disposition hearings. These proceedings are similar to arraignment, trial, and sentencing hearings in adult court. This section will walk you through the juvenile court process step-by-step.**

### **TOPICS**

**INTERACTING WITH THE POLICE  
DETENTION HEARINGS  
BINDOVER AND TRANSFER TO ADULT COURT  
SERIOUS YOUTHFUL OFFENDER AND ENHANCED SENTENCES  
PLEA AND PLEA BARGAINS  
PRETRIAL  
ADJUDICATORY HEARING  
DISPOSITION HEARING  
DISPOSITION ALTERNATIVES  
BOOT CAMPS  
PROBATION AND THE PROBATION OFFICER**

# Interacting with the Police

The Fourth and Fifth Amendments of the Constitution give people rights when dealing with police. The Fourth Amendment provides people freedom from unreasonable searches and seizures by the government. The Fifth Amendment orders that no person can be forced to be a witness against themselves or provide evidence to be used against him or her. These rights belong to all people in the United States, adults and children alike.

## POLICE CONTACT

- Police can stop your child in public to investigate criminal or delinquent activity as long as the officers have a specific and articulable reason, in combination with surrounding facts, to justify a reasonable suspicion to make the stop.
- If the police believe your child may be a danger to themselves or others they can perform a frisk – a limited search on the outside of clothing – for weapons.
- Only if they feel something suspicious and weapon-like during the frisk can they continue to search your child's person.
- If the police ask for your consent to search, always say no unless you consult with an attorney first..

**If your child is stopped in public or frisked, be sure that he writes down the specific details of the event, as well as the officer(s) name(s) and badge number(s). Often the exact sequence of events will be helpful in court hearings and it is important that your child have the clearest memory of these events that he can.**

## TALKING TO THE POLICE

- Always get an attorney before saying anything to the police.
- You may think that if your child was not involved in a crime, or even if you know that your child was involved, that it is best for your child to be honest and tell the police everything. This is not good advice to give your child. Your child should not talk to the police without first talking to an attorney.
- Your child has a right to an attorney when being questioned by a school resource officer.
- If taken into custody for a delinquent act (one that would be a crime if committed by an adult), your child may be fingerprinted and photographed.
- During a police interrogation your child should say nothing and ask to speak with a lawyer immediately – even if they deny being involved in the alleged crime. Once they request a lawyer, the police must stop asking them questions. It is difficult to be strong under pressure from the police, but remaining silent is important. Any information your child gives the police can be used against them in court. No matter what they want to say, it is important that your child not talk to the police until they have consulted a lawyer.
- You may be present if your child is being questioned by police. Even if you are present, your child should still speak to an attorney before speaking to the police. The attorney can advise you both of the various courses of action and possible outcomes.

**If approached by the police, your child should tell the police their name, age, and how to contact you, but say nothing else – assert the right to remain silent.**

# Detention Hearing

Once taken into custody, a youth is usually held at a county or multi-county run juvenile detention facility while the initial investigation, fingerprinting, etc. take place. Before being taken to a youth detention facility, a child may be held in a facility where adults are also held for up to 6 hours depending on the reason for their being in custody. The youths must be separated from the adults by both sight and sound. This happens very rarely, and probably will not be an issue for your child.

In Ohio, juveniles have no right to be released on bail before a detention hearing. Instead, the court will look at certain factors and make the determination on whether the youth should be released. At a detention hearing, a judge or magistrate will consider whether to release or detain your child.

## **Factors that could lead a judge to order your child to be detained include:**

- She needs to be protected from immediate or threatened physical or emotional harm;
- He is a danger or threat other persons and is charged with a violation that would be a crime if committed by an adult;
- She is considered a danger or threat to property;
- He may leave the jurisdiction of the court;
- She has no parents, guardian, or other person able to provide supervision and return the child to the court when required.

## **REQUIREMENTS FOR A DETENTION HEARING**

- If your child is not released, a written paper called a complaint stating the alleged delinquent acts of your child must be filed with the court.
- A detention hearing must take place within 72 hours of your child being taken into custody.
- You should be timely advised of this hearing in writing, but if you do not receive anything call the court to check on the hearing date and time.
- The judge or magistrate must advise your child of her right to an attorney and also again advise her of the right to remain silent and not incriminate herself.
- Ideally, your child should have an attorney represent her at this hearing. If they do not have an attorney you should ask the court to appoint one for your child.
- If the detention hearing takes place before your child has been appointed an attorney, once one is appointed, be sure to discuss your child's detention with them and ask them to reconsider the detention order. A court must hold a review hearing within 72 hours of receiving a written request to review the original detention order.

## **To help your child stay out of detention, help their attorney show that:**

- **Your child is trying to do the "right thing"**
- **Your child has a stable home to go to**
- **You have a plan to keep your child out of trouble and properly supervised**
- **Your child is involved in positive activities**
- **You will help your child return to court in the future**



# Alternatives to Detention

There may be programs or services that your child can participate in instead of being in the juvenile detention center. It is important for your child's attorney to look into the local placement options, and advocate that your child be placed in one of these alternative programs rather than a secure detention facility until their adjudication hearing. Some of these alternatives include:

- **Home/Community Detention:** Home or community detention is used to supervise youth who can safely reside at home or with other relatives or guardians. Detention staff visit the home frequently at unannounced and random times to ensure that youth are not involved in delinquent activity. These frequent visits, as well as phone contact, ensure that the youth show up at court appearances. The amount of supervision can be adjusted depending on the juvenile's behavior – supervision and freedom can be increased or decreased. Home detention can vary, but generally there are tight curfews and activities are limited to pre-approved events, locations, and times (home, school, church, and work for example).
- **Electronic Monitoring:** This system is most often used when a child is under "house arrest," allowing him to only leave under pre-arranged conditions. The monitoring device is attached to the child's ankle and a signal is sent to the monitoring staff if the child tries to remove it or if they are not where they are supposed to be. The monitoring can be set up to allow the child to leave for school or work, but then they must come right back. To use this system there usually needs to be a home phone line in the house where your child will stay.
- **Day and Evening Reporting Centers:** Day reporting centers provide several hours of structured activities and supervision for youth that need more supervision than home detention provides. Evening centers provide supervision and structured activities during the high crime evening hours (usually around 3-9 pm). This type of program allows youth to continue living at home, but spend significant time at a structured center on a scheduled basis.

**No matter what your opinion on where your child should go, whether it be to your home, a relative's home, or remain in the detention center, it is in your child's best interest that you speak with your child's attorney before making a statement in court. Your child's attorney will best know how to approach the issue with the court.**



# Bindover and Transfer to Adult Court

The matter of bind-over and transfer to adult court is a complicated one. If you hear about the possibility of your child being bound-over or transferred to adult court it is of the utmost importance that your child get the advice of counsel. An attorney will be able to explain the complexities of the issue to your child.

It is also very important in this situation that your attorney know your child's complete social history, so give the attorney as much information as you can about your child. Be sure the attorney knows the details of your child's education, mental health, disabilities, past treatment, past incarcerations, any history of children services involvement, any past abuse or neglect, medical issues, involvement in community activities, and any other unique circumstances or issue regarding your child. Tell the attorney where records regarding these issues are located.

# Serious Youthful Offender and Enhanced Sentences

## **WHO CAN GET A SERIOUS YOUTHFUL OFFENDER SENTENCE?**

Under certain circumstances, a youth who has committed an act that the law would classify as a felony if committed by an adult may be subject to an enhanced sentence under Ohio's Serious Youthful Offender classification.

## **WHEN IS A SERIOUS YOUTHFUL OFFENDER SENTENCE IS IMPOSED?**

A child sentenced as a serious youthful offender will receive a traditional juvenile sentence to DYS, along with an adult sentence. The adult sentence is suspended upon successful completion of the juvenile sentence.

## **CLASSIFICATION AS A SERIOUS YOUTHFUL OFFENDER**

The matters of enhanced sentencing and serious youthful offender status are complicated. If you hear about the possibility of your child being sentenced as a serious youthful offender or getting an enhanced sentence it is of the utmost importance that your child get the advice of counsel. It is very important to consult an attorney for further explanations of the serious youthful offender classification and its possible effects on your child. If, in the rare case, they are sentenced as serious youthful offenders, it is very important that you advocate for them while they are in a DYS facility so that they do well and have their adult sentence suspended.

# Plea Bargains

## YOUR CHILD'S PLEA

- A plea is your child's answer to the charge made against her.
- Your child can either admit or deny the charge.
- A plea takes place at the detention hearing or arraignment hearing .
- Admitting the charge means the next step will be a hearing for the court to take the plea.
- Denying the charge means the next hearing will be scheduled so your child's case can proceed through the court process. Depending on the your court's local procedures, the next hearing will be either be a pretrial hearing or an adjudication hearing (trial).

**Except for rare exceptions, it is best for your child to deny any charge until they have consulted with an attorney.**

## A PLEA BARGAIN

- Agreement where the prosecutor, your child and your child's attorney arrange to settle the case against your child.
- Your child will agree to make an admission in exchange for some compromise such as reducing the original charge or charges, dismissing some of the charges against your child, or agreeing to the disposition a court will likely impose on your child.
- Allows the parties to agree on the legal matter before it goes before the judge, but there is no guarantee the court will follow the plea agreement.

While an offer for a plea bargain may seem tempting because of convenience, it is very important that you not encourage or instruct your child to make a plea unless your child has discussed this option in detail with an attorney. There may be consequences to a plea agreement that you are unaware of and it is important that your child consult an attorney who can advise him of these consequences.

# Pretrial

The pretrial phase of the procedure takes place before the adjudication hearing. Depending on your jurisdiction's procedure, your child's case may or may not have a pretrial meeting or hearing. The purpose of the pretrial is to give the parties a chance to discuss the case and alternative methods of resolution. During the pretrial stage, your child's attorney may also make requests by making oral or written motions to the court.

## COMPETENCY EVALUATIONS

- Your child's attorney may decide to request a competency evaluation if the attorney has concerns about your child's ability to assist them or to fully understand the court proceeding.
- Usually the court will ask a mental health professional to assess whether your child is capable of consulting with and assisting their attorney and whether your child understands the charges and court proceedings.
- The court hears evidence on your child's mental, emotional, social, and intellectual capacities.
- The court determines whether your child is able to assist his lawyer in his defense at trial and understand the court proceedings.
- Your child's attorney should discuss the decision to request a competency evaluation with your child.

### MOTION TO SUPPRESS

- A motion to suppress evidence or statements seeks to exclude certain evidence or statements that the prosecution may wish to use against your child.
- Relates to the constitutional rights your child has in the initial search, seizure, and interrogation by the police.
- Decided by the judge after both sides present evidence on why the evidence should or should not be admissible.
- This is why it is very important that your child remembers the exact way events unfolded with the police. Again, have your child write down, or tell you so you can write down, everything that took place while in contact with the police as soon as he can. This should not be shown to anyone but the child's attorney.

Both competency motions and motions to suppress evidence or statements are optional, meaning that an attorney does not have to file either of them if he does not have reason to do so. Attorneys may also file other types of motions during the pretrial stage.

# Adjudicatory Hearing

The adjudicatory hearing is to juveniles what trials are to adults. The adjudicatory hearing must be held within 15 days after the filing of the complaint if your child is detained. If your child is not detained, the hearing must be held within 60 days after the complaint was filed. This deadline may be extended under special circumstances or if your child's attorney or the prosecutor moves for a continuance. If the court grants the continuance, the hearing is postponed to a later date. Your child's attorney may request a continuance so they can have more time to better prepare for the adjudicatory hearing.

At the adjudicatory hearing, your child will have the option of admitting that he committed the act that he has been charged with or contesting the charge by denying the charge.

### IF YOUR CHILD DOES NOT ADMIT THE OFFENSE OR ACCEPT A PLEA BARGAIN:

- The **prosecutor** will try to prove beyond a reasonable doubt that your child committed the offense for which he was charged. He will present evidence and question witnesses to try to prove the case.
- Your **child's attorney** will try to create reasonable doubt that your child committed the act. He may also present evidence and take testimony. Make sure your child has told his attorney about all evidence and witnesses that may help his case.
- The **judge or magistrate** will decide if the juvenile committed the act for which he is charged. If the judge determines that your child did commit the act, the judge will set a date for a dispositional hearing. Your child may or may not be held in a detention center for the time period in between the adjudicatory hearing and the dispositional hearing. The judge will look at things like the seriousness of the offense committed, your child's record, and your child's living situation in determining where your child will stay while awaiting his dispositional hearing.

# Dispositional Hearing

The dispositional hearing is similar to a sentencing for an adult. At the hearing, the judge will decide on your child's sentence. The hearing may seem more informal than other hearings because not all of the rules of evidence are used during the disposition.

## **YOUR CHILD'S DISPOSITIONAL HEARING RIGHTS**

- The right to have an attorney represent your child.
- The right to have the same official preside over the adjudicatory and disposition hearings. If there is a different judge at the dispositional hearing, your child's attorney can object to the change and make a request for the same judge who heard the adjudication.

Between the adjudication and the dispositional hearings, a probation officer may complete a pre-sentence or dispositional investigation. During this investigation the probation officer will learn more about your child and write a disposition recommendation for the judge. The probation officer may also testify during the disposition hearing. The hearing may occur immediately after the adjudication, or if the judge needs to review more information on the child, it may take place up to six months after the adjudicatory hearing. If your child is held in a detention center after the adjudicatory hearing, you should talk to your child's attorney about getting your child an earlier court date or trying to get your child released.

The judge might not issue a decision on your child's disposition immediately following the hearing. The judge should provide a written court order within seven days stating what the judge or magistrate's decision is for your child.

## **JUVENILE DISPOSITION ALTERNATIVES**

**Detention Centers:** There are 40 juvenile detention centers in Ohio. Some counties have their own detention centers for the county's juveniles and some detention centers serve children from several counties. Your child may spend time in a detention center while awaiting her adjudicatory hearing.

### **Possible dispositions for your child for misdemeanor or felony offenses include:**

- 90 days sentence to a detention facility
- Reprimanding (The judge will speak to your child about their behavior)
- Unsupervised Probation
- Supervised Probation, with a probation officer, terms, and conditions

### **Possible Dispositions For Felonies Only:**

- Ordering a child to serve time in a community correction facility (CCF)
- Committing a child to the Ohio Department of Youth Services (DYS)

There are eight DYS facilities where judges may send youth found responsible for delinquent acts that would have been considered a felony if they had been an adult.

Youth adjudicated with a felony offense are typically sent (committed) to DYS for a period of either six months to age twenty-one or twelve months to age twenty-one, however some offenses may call for higher minimums of one to three years. These sentences are indeterminate, meaning that your child may be held up to their twenty-first birthday. Please see page 28 for details regarding earlier release options for your child.

Let your child's attorney know if you have any concerns about the court's orders.

# Boot Camps

If your child is ordered to a boot camp or military-style rehabilitation program, be sure the program has a full range of rehabilitative services and programs, including education, substance abuse treatment, individualized case management, and mental health care. Often, the aggressive style that characterizes the boot camp environment does not model the positive social behavior and development that these youth need to learn before returning home.

Youth involved in the juvenile justice system need an individualized approach that accounts for their strengths and needs. Strongly consider whether a boot camp will truly benefit your child and if you are concerned, emphasize the benefits of other dispositional options. Your child's attorney should advocate in court for these other alternatives for your child.

## Probation and the Probation Officer

If a judge determines that your child committed the act with which he is charged, the judge may decide to place your child on probation. This means that your child will be released back into the community or your home with certain conditions. The probation department should provide your child with written "terms" of what your child must do while on probation. Some examples include attend school regularly, attend counseling, pay restitution, be at home at a certain time at night, not commit any further offenses, etc. Your child's probation officer will supervise them and meet with them to see if they are meeting their probation goals. The probation officer will contact you to make sure that your child is doing things like meeting curfew, following your rules, and going to work if they have a job. Probation officers may also make unscheduled visits to your home to see how things are going.

### **WHAT YOU CAN DO TO HELP YOUR CHILD WHILE ON PROBATION**

- Remain involved and help your child meet the conditions of his probation.
- Work together with your child's probation officer and with the court in order to ensure your child's completion of the probation.
- Write down the reasons for missed appointments with the probation officer. If your child misses an appointment because they are sick, get a doctor's note or a receipt from the doctor they visited. Be sure your child calls ahead if they will be late or must cancel an appointment.
- Ensure your child follows the rules of probation to prevent the probation officer from deciding to file a motion to revoke your child's probation. If the court revokes your child's probation, they could serve time in a detention center or local correctional facility or if they had a felony commitment to DYS suspended, they could be sent there. If your child has a probation revocation hearing, be sure that they have an attorney with them in court.

**THE GOAL IS FOR YOUR CHILD TO SUCCESSFULLY COMPLETE THE TERMS OF THE PROBATION SO YOUR CHILD CAN BE TAKEN OFF PROBATION.**

# Section Three:

## Incarceration and Release

**This section will provide you with ways and resources to support your child during their time of incarceration and also once they are released.**

### **TOPICS**

**VISITATION AND MAIL POLICIES**  
**MEETING YOUR CHILD'S UNIQUE NEEDS**  
**EDUCATIONAL RIGHTS OF YOUTH IN DETENTION FACILITIES**  
**CONSTITUTIONAL RIGHTS OF YOUTH IN DETENTION FACILITIES**  
**IF YOUR CHILD IS MISTREATED WHILE INCARCERATED**  
**HOW TO GET HELP IF YOUR CHILD HAS PROBLEMS WHILE**  
**INCARCERATED**  
**EARLY RELEASE AND APPEALS**  
**MENTAL HEALTH DISORDERS**  
**YOUR CHILD'S RELEASE FROM A DETENTION FACILITY**  
**PAROLE**  
**EXPUNGEMENT AND SEALED RECORDS**

# Visitation and Mail Policies

The supportive involvement of family members while your child is incarcerated can reduce your child's anxiety and encourage their rehabilitation. Regular communication with your child is the best way to stay attuned to your child's physical, emotional, and psychological needs. Your involvement provides your child with an advocate who can help them meet their individual needs.

## WAYS TO KEEP IN TOUCH WITH YOUR CHILD

- **Regular letter writing** can be a source of positive interaction with your child that can provide them with hope and facilitate rehabilitation. Positive letters that continue to involve the child in the family happenings can be helpful. Furthermore, this is an additional pathway to stay updated about your child's well being.
- **Get copies** of the visitation and mail policies and procedures of the facility where your child is staying.
- **Make arrangements to visit** as much as possible.
- **Participate in family therapy** with or without your child if possible.
- **Plan** for your child's return home.
- **Communicate** with the facility staff and social worker about your child.

More details on visitation and mail policies can be found in Appendix B. It is important to know the policies and rules and follow them completely. Violation of the policies could cause your mail to go undelivered or your visits to be denied. If your child moves to a new facility, make sure to get a copy of the new policies.

# Meeting Your Child's Unique Needs

Every child is unique from others in many ways. It is important that youth continue to get those unique needs met while in the juvenile justice system. See Appendix C for resources to help you meet these needs while your child is incarcerated.

- **Children with Disabilities:** If your child has an IEP, be sure the facility has a copy and that the special education related services are being provided by the facility. Be sure the facility knows of all medications, medical equipment, therapy, and counseling that your child needs. Also, make sure that the facility makes all necessary accommodations so your child can fully participate in programming and recreation at the facility. Seek the advice of an attorney if you feel your child's needs are not being met. See page 25 for further details on advocating for your child with special education needs.



- **English as a second language:** If you or your child are not English-proficient, it is important that you have a professional translator aid you during your interaction with the juvenile justice system. An interpreter will be able to tell you what is going on during conversations in court, with attorneys, and in any other discussions regarding your child's involvement with the system. A translator will explain to you what various documents say in the language you best understand. Family and friends should not be asked to be translators or interpreters because they may not maintain confidentiality and they may not be familiar with legal words.
- **Immigration Issues:** Immigration issues can make dealing with the police and juvenile justice system very unnerving. If your child is not a citizen of the United States and is charged with a misdemeanor or felony, there are several issues that you should be aware of. Although adult non-citizens or immigrants may be deported if convicted of committing crimes, that is not the case for juveniles. If a juvenile is found to have committed the act with which she is charged, it does not qualify as a conviction. Therefore, a non-citizen child will not be deported if he or she is found to have committed a crime in a juvenile delinquency hearing. However, the records of these hearings may be considered later during the naturalization process by an examiner. The only way that your non-citizen child can be deported for her crime is if the court decides to try her as an adult. As addressed earlier, this is extremely rare. If you have questions about your immigration status, what you should or should not say to a lawyer or the court, or fears about how your status will affect your child, you should seek professional legal advice.
- **Girls:** Girls differ from boys in many ways, both physically and in regards to their reason for being detained. Many risk factors can contribute to girl's delinquent behavior, including substance abuse, mental illness, and being the victim of abuse. Because of the different reasons that girls tend to commit delinquent acts, it can be important that their disposition send them to a program designed for girls. It is very important that girls receive mental health treatment, vocational training, and sexual education/pregnancy training while incarcerated. If your daughter is not doing well while incarcerated or you feel that she would benefit from a program specifically designed for girls, ask your child's attorney about programming specifically for girls. Many resources exist explaining the types of programs that girls tend to thrive in, and those programs should be used during her time in the system if possible.
- **Lesbian, Gay, Transgender and Bisexual Youth:** If your child is lesbian, gay, bisexual, or transgendered, she may face difficulties regarding her sexuality in detention. These youth may feel uncomfortable or out of place in the housing or detention unit in which they are placed. Your child may be more susceptible to harassment due to their sexuality. It is important that you closely monitor your child and encourage them to tell you if they are being treated unfairly. There are resources and programs that exist for youth with different sexual preferences.



# Educational Rights of Youth in Detention and DYS Facilities

## **RIGHT TO AN EDUCATION**

Your child is required to receive an education regardless of whether or not he is being incarcerated. Oftentimes, education programs in detention centers or correctional facilities will not be able to meet the needs of your child without his grades, records, and special education information, such as Individualized Education Plans (IEPs). Make sure that you do everything you can to get these materials to the detention or correctional facility as soon as possible so they will have complete information on your child's educational needs.

Many incarcerated youth suffer from a variety of education-related disabilities. Behaviors that are common to many youth with disabilities may contribute to their increased risk for involvement with the delinquency system. While problems in school do not directly cause delinquent behavior, delinquency is associated with poor academic skills and school dropout rates. It is essential that information about your child's disability be given to the education-related coordinator at the detention center or correctional facility. Children with education disabilities are entitled to free special education and related services and transition services under the Individuals with Disabilities Education Act, regardless of whether they attend a public school or are incarcerated. If your child has an Individualized Education Plan (IEP), their facility should obtain a copy of your child's IEP when they receive all other school records. Just in case, you should be sure to tell the correctional facility that your child has an IEP and provide them with a copy yourself if you have one. If your child does not have an IEP but you feel that he needs one, you should make a request in writing to the facility and the school district where your child last attended school. The detention center or correctional facility must consider your request. If you feel that your child's educational needs are not being met, you should discuss the matter with your child's attorney.

Oftentimes, Legal Aid Societies will represent families regarding special education issues. Non-attorney Parent Advocates are also available to assist Ohio families navigate the Special Education System. If your child needs help regarding their special education needs you should consider contacting your local legal aid office or the Ohio Coalition for the Education of Children with Disabilities (OCECD) for advice and assistance. Contact information for Legal Aid Societies and OCECD is in Appendix C.

# Constitutional Rights of Youth in Detention and DYS Facilities

## CONDITIONS OF CONFINEMENT

Courts have outlined conditions that are and are not acceptable for incarcerated youth.

**Medical Needs:** Your child has a right to adequate mental, physical, and dental health care. If your child is incarcerated, be sure the facility knows about any medications prescribed for your child's physical or mental health and check that your child receives these prescriptions while incarcerated. The detention center or correctional facility should also treat any mental health needs your child has with the prescribed therapy or counseling, not just medication.

**Safe and Sanitary Living Environment:** Your child's right to a safe and sanitary living environment includes proper ventilation, access to bathrooms, clean clothes and bed linens and the right to live in an uncrowded space. Each facility is permitted to house a certain number of youth. If the facility exceeds that number, your child will not have proper access to personal space, bathrooms, etc., and her constitutional rights may have been violated. Also, your child has the right to access basic supplies such as bedding, deodorant, socks, shoes, underwear and seasonally appropriate clothing; adequate laundry practices; adequate and sanitary food services; heating and cooling in the facility.

**Isolation:** Many facilities have isolation cells which prevent children from interacting with others. If your child cannot gain control of herself, she may be placed in isolation. Isolation should last the shortest interval of time necessary for the child to regain control of herself, and is not to last more than one hour unless the behavior continues. Some courts have held that if a child is in isolation for more than 24 hours, administrator approval is needed every eight hours. If a child is in isolation for more than 72 hours in a seven-day period, an emergency plan must be discussed concerning the child's future needs and services. A child in isolation is entitled to receive the minimal requirements for hygiene, medical care, exercise, nutrition, and communication correspondence as if not in isolation.

**Force or Violence:** Your child has the right to be free of force used as punishment. Officials may use force to maintain discipline if your child is a danger to herself or others. Courts have ruled against use of certain forms of force, such as grabbing a youth by the hair or throwing her against a wall.

## IF YOU THINK YOUR CHILD IS BEING MISTREATED WHILE INCARCERATED

If your child is incarcerated in a **county detention center** and you think that he or she is being mistreated, you should make a complaint to the director or superintendent of the detention center. The director or superintendent should then inform the county children's services board and the county sheriff's department. You may also call children's services and the sheriff's department yourself. You should follow your complaint with a letter saying how and when your child was mistreated.

If your child is incarcerated in a **DYS facility**, allegations should be reported to the superintendent, the children's services board, and also to the Ohio State Highway Patrol. The State Highway Patrol will investigate the allegation. You may also report the problem to the Department of Justice and the Ohio Corrections Inspection Committee. You may also call the Children's Law Center for information. See Appendix C for phone numbers.

# How To Get Help

## If Your Child has Problems While Incarcerated

There are several ways for you or your child to get help if they are having problems while in a Department of Youth Services Facility. **Aside from the ways listed below your child has the right to meet with an attorney while in the facility and your child should ask DYS for help obtaining an attorney while they are incarcerated if they feel they need an attorney. There should be forms on your child's living unit that they can use to request to see an attorney while in the facility.**

### 1. GRIEVANCE FORMS

The Ohio Department of Youth Services provides grievance forms for juveniles who are incarcerated in their facilities to use if they have a problem or a concern while in the correctional facility. Examples of concerns that youth may choose to file a grievance about include: concerns about health care in the facility, problems with correction officers, concerns about their living conditions, concerns about not being provided adequate recreation, concerns about the education program. You should encourage your child to use the grievance forms to make their problem or concern known to ODYS staff members. The grievance coordinator will return the grievance form to your child with a written decision regarding how the facility plans to fix your child's problem. If your child does not agree with the statement they should follow the instructions on the grievance form to have the decision reviewed by the superintendent or regional administrator. To do this your child should mark the box on the form indicating they do not agree with the decision and wish to have the decision reviewed. There are locked boxes on each living unit of DYS for your child to place their grievance forms. If your child does not agree with the superintendent's or administrator's decision, the last step in the process is for your child to appeal the grievance to the Department of Youth Services, Office of the Chief Inspector. All of the above steps are detailed on the grievance form and your child should have received information on the grievance process during orientation. It is important for your child to go all the way through the grievance process including the appeal to the Chief Inspector. If the Chief Inspector's response does not help your child, you can seek the advice of an attorney. You can also write directly to the Chief Inspector at DYS Chief Inspector, 51 North High Street, Columbus, OH 43215. Keep a copy of any letter you write to the Chief Inspector. Be sure to include your phone number, address and child's name and facility in the letter.

### 2. OHIO CORRECTIONAL INSTITUTIONAL INSPECTION COMMITTEE

Write or call the Ohio Correctional Institutional Inspection Committee at: Riffe Center, 8th Floor, 77 South High Street, Columbus, Ohio 43215. Telephone: (614) 466-6649. The Committee has oversight to DYS facilities and any report of abuses or concerns regarding your child's stay at a DYS facility may be reported to the committee.

### **3. REPORT THE PROBLEM TO THE FACILITY SUPERINTENDENT**

Call or write the Superintendent of the facility where your child is staying. For a list of facilities and their superintendents please see Appendix B. Keep a copy of any letters you write.

### **4. CHILDREN'S SERVICES**

Report any suspected abuse or neglect of your child in the facility to the Children's Services agency in the county where the facility is located.

### **5. OHIO STATE HIGHWAY PATROL**

The State Highway Patrol is responsible for investigating any allegations of child abuse or other criminal acts against juveniles who are incarcerated in Ohio Department of Youth Services facilities. Call the State Highway Patrol to report any serious concerns about your child in an ODYS facility.

### **6. U.S. DEPARTMENT OF JUSTICE**

The U.S. Department of Justice Special Litigation Section Civil Rights Division investigates serious systemic violations of incarcerated juvenile's constitutional rights. You may contact them at: 950 Pennsylvania Ave., NW, Special Litigation Section, PHB, Washington, D.C. 20530, Telephone: (202) 514-6255. Please note the Department may not be able to help in individual cases, but if a facility wide problem exists, they may begin an investigation.

### **7. THE CHILDREN'S LAW CENTER**

Feel free to call our office and if we can assist or refer you to someone who can assist you, we will. You can reach us at: 104 East Seventh Street, Covington, KY., 41011. Telephone: (859) 431-3313.

## **EARLY RELEASE AND APPEALS**

Your son or daughter should have met with a staff member from the Office of the Ohio Public Defender during their orientation to DYS shortly after they first arrived at DYS. **Staff from the Office of the Ohio Public Defender are able to provide juveniles incarcerated in the Ohio Department of Youth Services with information on how to request an early release from the facility. The Office of the Ohio Public Defender also represents youth for the purpose of filing an appeal of their delinquency case.** Your child should seek assistance from their trial attorney or can contact the Office of the Ohio Public Defender for information about early releases or assistance with appeals. If you believe your child needs assistance in these areas you should encourage them to contact their attorney or the staff of the Office of Public Defender. You can reach the Office of the Ohio Public Defender by calling 614-466-5395 or 800-686-1513.

# Mental Health Disorders

An important way to advocate for your child is to keep attuned to their mental, emotional, and physical well-being both before entering the juvenile justice system, while they are in the system, and after they leave the system. Studies have shown higher rates of mental disorders for youth who become involved with the juvenile justice system than youth in the general population. Youth with mental health needs who come into the juvenile justice system often do so by default – other systems may not have responded adequately or early enough with mental health, social, or educational services. Often these youth have pre-existing conditions upon entering the facility due to lifestyle habits, family relationships, past psychosocial history, and inadequate past care. Youth in the juvenile justice system may be underserved in their mental health needs and are likely to develop additional problems associated with their new living environment.

Although mental disorders are difficult to talk about, it is important not to ignore symptoms or avoid the topic. As a parent, you are best able to recognize physical, mental, and emotional changes in your child and help them get the treatment they may need as soon as possible. The signs to look for are applicable if your child is living with you or is incarcerated in the juvenile justice system. Be sure to seek the help of a mental health professional if you have concerns about your child's mental health.

**Signs to look for that indicate your child may have a mental health disorder:**  
(from American Academy of Child and Adolescent Psychiatry)

- Changes in school performance
- Inability to cope with problems and daily activities
- Changes in eating or sleeping habits
- Many physical complaints
- Sexual acting out
- Prolonged negative mood and attitude
- Alcohol or drug abuse
- Intense fear of becoming obese with no relationship to actual body weight
- Persistent nightmares
- Threats of self-harm or harm to others
- Self-injury or destructive behavior
- Frequent outbursts of anger/aggression
- Threats to run away
- Aggressive or non-aggressive consistent violation of rights of others
- Opposition to authority
- Strange thoughts and feelings and unusual behaviors

If symptoms persist constantly for two weeks or more or you are worried about your child's safety, it is important that you immediately seek the advice of a professional. If you suspect drug or alcohol use or suspect your child is suicidal, you should seek professional assistance immediately. Remember, the stress of incarceration may aggravate the mental health problems your child already faces. You should be directly involved in the process of getting your child treatment. Try to understand the evaluation, diagnosis, and treatment options to best advocate for your child.

See Appendix E for further information and symptoms on common mental health problems for teenagers, including depression, bipolar disorder, and post-traumatic stress disorder and conduct disorder. Suicidal tendencies are also common and require professional assistance.

# Your Child's Release from a Facility

## **TYPES OF RELEASE**

- If your child is sentenced to a detention center, only the judge has the authority to release your child before his sentence is up.
- If your child is sent to DYS, your child is usually given an indefinite commitment of six or twelve months until the age of twenty-one, although in some cases the sentence may be between one and three years until age 21.
- “Judicial” or “early” release is where the judge may choose to release your child early up to the time of the minimum sentence. For example, if your child receives a sentence of six months to age twenty-one, the judge only has the authority to grant early release for your child during those first six months. After that point, there may be other legal strategies an attorney can use to help obtain your child’s release other than requesting judicial release. The DYS release authority staff make the decisions when to release your child after the minimum time period passes.
- Discuss release issues with your child’s attorney because they are very time-sensitive.

The Office of the Ohio Public Defender may be able to assist your child with requesting an early release. Contact info for the Office of the Ohio Public Defender is in Appendix D.

The possibility of judicial or early release can be a great way to motivate your child to be on good behavior. When you write letters, talk on the phone, or visit with your child, it is important that you encourage him or her to follow the rules in the facility.

## **ONCE YOUR CHILD IS RELEASED**

- He will have the right to public education in the county where he lives. Some school districts may try to enroll your child in an alternative education program, because of the nature of your child’s offense and your child’s behavior at school prior to his or her detention. Advocate for the most appropriate school setting for your child. If you need help, call your legal aid society or the OCECD. See Appendices C & D for more information.
- Your family may also find it helpful to seek out alternative support systems to ease your child’s transitions. Talking with members of a support group made up of families who have experienced what your family is going through may make this important time easier for both your child and your family.

### **THINGS YOU CAN DO TO PREPARE FOR YOUR CHILD’S RELEASE:**

- **Have a plan for your child upon release.**
- **Make sure you have adequate space for your child.**
- **Follow any recommendations the judge made for you.**
- **Set rules for your home that encourage your child’s success.**
- **Line up positive activities and appropriate supervision for your child.**
- **Meet with your child’s school to discuss the plan for your child’s education**



# Parole

Your child may be placed on parole once they are released from a DYS facility. Your child will be released back into the community or your home, but with certain conditions. Your child should be given a written list of what your child must do while on parole. Your child will be assigned a parole officer, who will be responsible for supervising them. The parole officer will also be in contact with you to make sure that your child is doing things required of him under his parole agreement.

Before your child is released on parole, his needs should be discussed with you. You should make sure all of your child's needs are met and also confirm that the plan is appropriate for your child, so he can complete all the terms and be released from parole. If there are terms that you know your child will not be able to meet, such as meeting with their parole officer at a certain time, then tell the parole officer so these terms can be adjusted accordingly.

It is very important that you remain involved and help your child meet the conditions of his parole. You want to prevent the parole officer from deciding to file a motion to revoke your child's parole. If the court does revoke your child's parole they could return to the DYS facility – even if they are over the age of 18. Juveniles who get jobs, attend school regularly, and become involved in school or community activities and programs are much less likely to return to detention or DYS and much more likely to become successful adults. If your child does have a parole revocation hearing, be sure an attorney represents them in court.

# Expungement and Sealed Records

Ohio juveniles may have their record sealed or expunged upon request to the court.

## **SEALING OF RECORDS**

- Juveniles adjudicated delinquent may have their record sealed.
- The sealed record is separated from the youth's main file and is accessible only to the juvenile court personnel.
- The request may be made two years after the date after the last court order, usually when your child has been released from detention and is no longer on probation.
- The trial court has the discretion of whether or not to seal a record.

## **EXPUNGEMENT OF RECORDS**

- Juveniles charged with being delinquent, but found not guilty or not a delinquent may have their record expunged.
- Allows all references to the case must be destroyed by the appropriate person or governmental agency.
- Requests for expungement may be made immediately after the youth is found not guilty or the case is dismissed.

During 2005, the Ohio Legislature was considering changes to the Ohio expungement laws, so ask your child's attorney about the current method for sealing or expunging a record.

# Glossary

## Appendix A

**Adjudication or Adjudicatory hearing:** A legal process/trial in juvenile court. The state must prove to the judge or magistrate beyond a reasonable doubt that the child committed the act in question.

**Adjudicated:** Term used if youth is found delinquent.

**Admission:** When a youth tells the court that they did the act in question. Similar to a guilty plea in adult court. It could also be a statement made by your child police or any other person saying they did the delinquent act.

**Appeal:** To take a case to a higher court to review the opinion of the juvenile court.

**Attorney:** Represents a person in a legal action. The attorney's job is to do what the client requests within ethical and professional guidelines. The state also has an attorney (prosecutor) representing their interests in the case. An attorney is the same as a lawyer.

**Assessment:** A professional evaluation of a child's educational or mental health needs. Used to determine what services are needed for successful rehabilitation or educational success.

**Bindover hearing:** A hearing where the court determines whether your child's case should go forward in juvenile court or be transferred to adult court.

**Case law:** Law followed by the courts that has been established over time through prior court rulings.

**CCFs:** Local community corrections facilities.

**Clerk of Courts:** Department of the court that handles court records, scheduling court hearings, and mailing court documents. Often also appoints attorney for the people who cannot afford an attorney. You often pay fines at the clerk's office. Court documents are "filed" with the clerk. The documents will get a date and time stamp by the clerk so everyone can tell when they were filed.

**Commitment to DYS:** A sentence which sends your child to the Department of Youth Services for a minimum period of time and possibly up to the age of 21.

**Competency:** The intellectual abilities of a child to understand the legal proceedings taking place and to be able to assist his attorney in his defense. A child who cannot understand what is taking place and cannot assist the attorney may be deemed "incompetent."



## Appendix A

**Complaint:** A document filed in the court by law enforcement officials that states the facts and charges that your child must answer to in court.

**Confession:** When a child tells the police that he did the act in question.

**Confidential:** Information kept secret and private. Communications between a client and their attorney are confidential and the lawyer can't share them with anyone else (including parents) unless the youth agrees to it.

**Continuance:** An order by a judge or magistrate to postpone a court date to a future date.

**Cross-examination:** When a lawyer asks questions of the other side's witness in a trial.

**Counsel:** Another name for a lawyer or an attorney.

**Court Appointed Counsel:** An attorney appointed by the court to represent your child at their request. This attorney can be either a public defender or a private attorney.

**Custody:** A minor is in the custody of the person who has the legal right to control what you do and must make sure basic needs are met. Parents or guardians usually have custody of a minor, however if your child is sent to DYS, DYS will have custody of your child until release.

**Defense Attorney:** The attorney/lawyer representing the accused. A defense attorney can be a private attorney paid by the child or the child's parents or a public defender or private attorney paid for by the state.

**Delinquent:** A legal term for a juvenile who committed an act that if committed by an adult it would have been a crime.

**Detention:** A facility usually holding youth before they proceed to adjudication or disposition. Can also be used as a place to send youth for a short-term disposition.

**Detention hearing:** Hearing at which a judge decides whether to keep a child in custody prior to his adjudication hearing. This hearing must take place within 72 hours of the child being taken into custody.

**Disposition:** The equivalent of a "sentence" in the adult system. When a judge decides what should happen to a child who has been adjudicated delinquent.

**Disposition hearing:** A hearing where the judge decides what sentence to give the child. The child's attorney may present witnesses to help the judge make a decision about appropriate dispositions. Often, the probation department will do an investigation and make a recommendation about what they think the child's disposition should be.

## Appendix A

**Due Process:** Rules and procedure specified by law that must be followed in a court proceeding. Due process protects a citizen's rights and helps to guarantee a fair trial.

**Early release:** When a child comes home from detention, a group home, or wherever they were sent during their disposition, before the end of their assigned time because a judge ordered their release sooner than in the original order.

**Evidence:** Information (photographs, testimony, documents, etc) used to make a point being argued by a lawyer.

**Expungement:** A court order for all references to a child's case, including court records of the case be destroyed.

**Felony:** A serious criminal offense.

**Frisk:** A pat-down on the top of clothing by a police officer for the purpose of feeling for weapons.

**Hearing:** A court proceeding which is usually scheduled in advance and all parties to the case are usually present. A record, either video or audio, is made of what people say in the court during the hearing.

**Indictment:** Filing of papers by the police formally asserting charges and evidence against a youth. Similar to an information or complaint.

**Indigent (Indigency):** A finding that you or your child meet the state's standards for being unable to afford an attorney and can have one appointed.

**Individual Education Plan (IEP):** A written plan for your child's education that is developed to meet your child's special education needs. The plan entitles your child to certain educational and related services.

**Interrogation:** Law enforcement officers asking questions about the event at issue.

**Judicial release:** The authority of the court to release a child from incarceration sooner than the minimum time period the court originally sentenced the child.

**Juvenile:** In Ohio, a person under 18 years old.

**Lawyer:** Represents a person in a legal action. The lawyer's job is to do what the client requests within ethical and professional guidelines. The state also has a lawyer (the prosecutor) representing their interests in the case. A lawyer is the same as an attorney.

**Magistrate:** An officer of the court who performs a function similar to that of a judge. If you do not agree with the magistrate's order, you can ask your child's attorney to file objections to the magistrate's decision so a judge review the order of a magistrate.

## Appendix A

**Minor:** A person under 18 years old – the same as a juvenile.

**Misdemeanor:** A minor criminal offense that if committed by an adult would be punishable by up to six months in jail. Less serious than a felony.

**Modification:** To make changes to a sentence or disposition by making it less severe (possibly early release) or more severe (like placing a child in a detention facility instead of a group home).

**Motion:** A legal request by a lawyer asking a court to do something. Usually done in writing and filed with the clerk's office.

**ODYS or DYS:** Ohio Department of Youth Services.

**Ohio Revised Code (ORC):** The state law that governs Ohio. Contains state statutes. Works in conjunction with the Ohio Rules of Juvenile Court.

**Ohio Rules of Juvenile Court:** Sets rules for how the court and juvenile justice system should operate. Work in conjunction with the Ohio Revised Code.

**Parole:** Continuing supervision by DYS following release from a DYS facility.

**Parole Officer:** An employee of DYS who monitors your child and makes sure they follow the conditions of their release. Parole officers can help your child access programs or services after their release.

**Plea bargain:** An agreement between a child's lawyer and the prosecutor where the child says he admits to certain charges filed without the state having to prove the charges. The agreement usually also has a promise by the prosecutor to drop certain other charges.

**Pleading:** A legal document filed in court. For example, complaints and motions are types of pleadings.

**Post-disposition:** The stage of a case that takes place after a court makes the first order of disposition.

**Pre-trial:** The stage of the case before the adjudication hearing takes place. During the pretrial stages, the parties might decide to discuss the case, alternative methods of resolution, and file motions.

**Probable cause:** Good legal reason for believing a crime has been committed by the accused.

**Probation:** Continuing supervision by the court, either as a disposition, or following release from a detention facility or other facility.

**Probation Officer:** An employee of the juvenile court who monitors your child and makes sure they follow the conditions that the judge ordered.

## Appendix A

**Prosecutor:** The government's lawyer who tries to prove a youth delinquent beyond a reasonable doubt.

**Public defender:** A defense lawyer who works in a public defender's office. The county and state pay the lawyer's salary so they can represent children who cannot afford an attorney.

**Reasonable doubt:** Doubt that would cause a person to hesitate before acting in matters of importance to themselves.

**Release Authority:** The department of DYS that makes decisions regarding a child's release.

**Sealed:** A sealed record is separated from the youth's main file and is made accessible only to the juvenile court. All other courts that have a copy of this record must destroy it

**Serious Youthful Offender (SYO):** A juvenile qualifying as a "serious youthful offender" may be tried in juvenile court and at disposition is sentenced to both a traditional juvenile disposition and an adult sentence, with the adult sentence stayed pending successful completion of the juvenile sentence. If the juvenile sentence is not successfully completed, the adult sentence will be imposed.

**Sheltercare hearing:** Another term for a detention hearing.

**Status offense:** An offense that is illegal when done by a juvenile, but not a crime for an adult (for example truancy or running away).

**Subpoena:** Order of the court requiring a person to appear at a certain date and time. Also an order for someone to make records or documents available to the court.

**Superintendent:** The highest ranking official in a detention center or DYS facility.

**Testimony:** Words spoken by a witness, under oath, in court.

**Transfer:** When a child is moved from one detention facility to another. Also used when a youth is bound over from juvenile court to adult court.

**Warrant:** A court order to allow officers to search certain property or arrest a certain person.

**Witness:** A person who testifies in a court.

**Zealously:** Zealously representing someone means a lawyer working for his client enthusiastically and following all professional rules and standards of legal practice.

# Court and Juvenile Justice System Resources

## Appendix B

### Court and Attorney Resources

- Children's Law Center  
104 E. Seventh Street  
Covington, KY 41011  
Phone: (859)431-3313  
Email: [childrenslaw@fuse.net](mailto:childrenslaw@fuse.net)  
[www.childrenslawky.org](http://www.childrenslawky.org)
- Ohio Department of Youth Services Contact Information: <http://www.dys.ohio.gov>
- DYS Facility Directory: <http://www.dys.ohio.gov/PDF/CourtDirectoryMarch2005.pdf>

### County Juvenile Detention Centers

- |   |  |
|---|--|
| • Allen County Juvenile Justice Center<br>Larry Webb, Director<br>1000 Wardhill Avenue<br>Lima, Ohio 45805<br>Phone: (419) 998-5240<br>Fax: (419) 222-7403                  | • Central Ohio Youth Center<br>Vikki Jordan, Superintendent<br>18100 State Route #4<br>Marysville, Ohio 43040<br>Phone: (937) 642-1015<br>Fax: (937) 642-5900                      |
| • Ashland County Juvenile Detention Center<br>Duane Botdorf, Director<br>1260 South Center Street<br>Ashland, Ohio 44805<br>Phone: (419) 289-3988<br>Fax: (419) 281-8710    | • Clark County Juvenile Detention Center<br>Fred Thomas, Director<br>101 East Columbia Street<br>Springfield, Ohio 45502<br>Phone: (937) 328-2626<br>Fax: (513) 328-2639           |
| • Ashtabula County Youth Detention Center<br>Dan Sheldon, Director<br>3816 Donohoe Drive<br>Ashtabula, Ohio 44004<br>Phone: (440) 992-3390<br>Fax: (440) 992-7835           | • Clermont County Juvenile Detention Center<br>Tom Del Grande, Superintendent<br>2339 Clermont Center Drive<br>Batavia, Ohio 45103<br>Phone: (513) 732-7154<br>Fax: (513) 732-7695 |
| • Butler County Juvenile Detention Center<br>Thomas Barnes, Superintendent<br>280 North Fair Avenue<br>Hamilton, Ohio 45011<br>Phone: (513) 887-3865<br>Fax: (513) 328-2639 | • Cuyahoga County Juvenile Detention Center<br>Leonard Munks, Superintendent<br>2209 Central Avenue<br>Cleveland, Ohio 44115<br>Phone: (216) 443-3300<br>Fax: (216) 443-5019       |

## Appendix B

- Edward J. Ruzzo Juvenile Justice Center  
Gloria Craig, Director  
1440 Mt. Vernon Avenue  
Marion, Ohio 43302  
Phone: (740) 389-5476  
Fax: (740) 389-2060
- Erie County Juvenile Detention Center  
Lee Millhouse, Administrator  
1338 Tiffin Avenue  
Sandusky, Ohio 44870-2038  
Phone: (419) 627-7611  
Fax: (419) 627-6672
- Franklin County Juvenile Detention Center  
Herb Henderson, Superintendent  
399 South Front Street  
Columbus, Ohio 43215  
Phone: (614) 462-4291  
Fax: (614) 462-4838
- Greene County Juvenile Detention Center  
Gary Neidenthal, Director  
2100 Greenway Blvd.  
Xenia, Ohio 45385  
Phone: (937) 562-4100  
Fax: (937) 562-4118
- Hamilton County Juvenile Court Youth Center  
Harvey Reed, Superintendent  
2020 Auburn Avenue  
Cincinnati, Ohio 45219  
Phone: (513) 946-2644  
Fax: (513) 946-2675
- Jefferson County Juvenile Detention Center  
William M. Ward, Director  
16001 State Rt. 7, PO Box 549  
Steubenville, Ohio 43952  
Phone: (740) 283-8563  
Fax: (740) 283-8695
- Lake County Youth Detention Center  
Rich Sivula, Superintendent  
53 East Erie Street, P.O. Box 490  
Painesville, Ohio 44077  
Phone: (440) 350-3159  
Fax: (440) 350-2724
- Logan County Juvenile Detention Center  
Lt. Andrew J. Smith, Administrator  
104 South Madriver St.  
Bellefontaine, OH 43311  
Phone: (937) 593-9513  
Fax: (937) 292-4069
- Lorain County Juvenile Detention Home  
Lorie Simon, Director  
9967 South Murray Ridge Road  
Elyria, Ohio 44035  
Phone: (440) 326-4040  
Fax: (440) 329-0811  
Female Detention Center  
Phone: (440) 329-3764
- Louis Tobin Attention Center  
Denna Bryant, Administrator  
8363 County Home Road  
Lisbon, Ohio 44432  
Phone: (330) 424-9809  
Fax: (330) 424-0429
- Lucas County Child Study Institute  
Tony Garrett, Director  
1801 Spielbusch Avenue  
Toledo, Ohio 43624  
Phone: (419) 213-6704  
Fax: (419) 213-6898
- Martin P. Joyce Detention Center  
Kevin Douglas, Detention Director  
300 East Scott Street  
Youngstown, Ohio 44505  
Phone: (330) 740-2261  
Fax: (330) 742-5877

## Appendix B

- Medina County Juvenile Detention  
Nancy Peteya, Interim Superintendent  
655 Independence Drive  
Medina, Ohio 44256  
Phone: (330) 764-8408  
Fax: (330) 764-8412
- Montgomery County Detention Center  
Jimmie Carter, Director  
303 West Second Street  
Dayton, Ohio 45422  
Phone: (937) 225-5901  
Fax: (937) 496-7270
- Multi-County Juvenile Detention Center  
Ed Penrod, Superintendent  
923 Liberty Drive  
Lancaster, Ohio 43130  
Phone: (740) 652-1525  
Fax: (740) 652-1527
- Muskingum County Detention Center  
Daniel B. Kieffer, Superintendent  
1860 East Pike  
Zanesville, Ohio 43701  
Phone: (740) 588-4335  
Fax: (740) 588-4354
- Northwest Ohio Juvenile Detention Center  
April Cook, Superintendent  
3389 County Rd. 24.25  
Stryker, Ohio 43557  
Phone: (419) 428-2322  
Fax: (419) 428-6303
- Portage-Geauga Detention Center  
Thomas Rehnert, Director  
8000 Infirmary Road  
Ravenna, Ohio 44266  
Phone: (330) 297-5233  
Fax: (330) 297-1533
- Richland County Attention Center  
Cindy Hoover, Director  
411 S. Diamond Street  
Mansfield, Ohio 44902  
Phone: (419) 774-6388  
Fax: (419) 774-6391
- Sandusky County Juvenile Detention Center  
Dale Mitchell, Director  
2100 Castalia Road  
Fremont, Ohio 43420  
Phone: (419) 334-6498  
Fax: (419) 334-6505
- Sargus Juvenile Detention Center  
Beth Oprisch, Administrator  
210 Fox Shannon Road  
St. Clairsville, Ohio 43950  
Phone: (740) 695-9750  
Fax: (740) 695-6001
- Scioto County Juvenile Detention Center  
Dean Novinger, Superintendent  
526 5th Street  
Portsmouth, Ohio 45662  
Phone: (740) 351-0931  
Fax: (740) 351-0860
- South Central Ohio Regional Juvenile Detention Center  
Michael T. Oyer, Superintendent  
182 Cattail Road  
Chillicothe, Ohio 45601  
Phone: (740) 773-4169  
Fax: (740) 773-3714
- Seneca County Youth Center  
Kurt Baumgartner, Interim Director  
3484 South Township Road 151  
Tiffin, Ohio 44883  
Phone: (419) 447-7852  
Fax: (419) 448-5061

## **Appendix B**

- Stark Attention Center  
Rod Schneider, Director  
815 Faircrest Street, S.W.  
Canton, Ohio 44706  
Phone: (330) 484-6471  
Fax: (330) 484-2766
- Tuscarawas Attention Center  
Pam Watkins, Director  
241 University Drive, N.E.  
New Philadelphia, Ohio 44663  
Phone: (330) 339-7775  
Fax: (330) 339-1311
- Summit County Juvenile Detention Services  
Dave Bailey, Superintendent  
650 Dan Street  
Akron, Ohio 44310  
Phone: (330) 643-2960/643-2962  
Fax: (330) 643-2987
- Warren County Juvenile Justice Center  
Desiree Batsche, Director  
570 Justice Drive  
Lebanon, Ohio 45036  
Phone: (513) 695-1617  
Fax: (513) 695-1394
- Trumbull County Juvenile Detention Center  
John Cickelli, Detention Director  
220 Main Avenue, S.W., Box 1209  
Warren, Ohio 44482  
Phone: (330) 675-2612  
Fax: (330) 675-2619

### **Ohio Department of Youth Services Facilities and Visitation Policies**

Further information on the facilities, including directions and maps can be found at <http://www.dys.ohio.gov/Corrections.html>

- Circleville Juvenile Correctional Facility  
Damita Perry, Superintendent  
640 Island Road, P.O. Box 598  
Circleville, Ohio 43113  
Phone: (740) 477-2500  
Fax: (740) 420-9816

Circleville Visitation (from DYS website)

“While the youth is on intake, only his immediate family can visit. Family visitations are encouraged in order to maintain and strengthen family ties and to keep the family informed of the youth's progress. Visitation is on Saturday and Sunday from 9:00 A.M. to 11:00 A.M. and 1:00P.M. to 3:00 P.M. Any request for visits other than the regular family visits listed above must be presented to the youth's Social Worker. He or she will determine whether a special visit is in order. These visits will be supervised by the Social Worker or Unit Manager.”



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- Cuyahoga Hills Juvenile  
Correctional Facility  
B.G. Bower, Superintendent  
4321 Green Road  
Highland Hills, Ohio 44128  
Phone: (216) 464-8200  
Fax: (216) 464-3540

Cuyahoga Hills Visitation (from DYS website)

“Visitation is encouraged to maintain and strengthen family ties. Parents or Legal Guardians, and grandparents may visit the first weekend the youth is at CHJCF. Siblings and stepsiblings may visit the second weekend unless contraindicated by the youth's Regional Office. Alternative visits may be arranged if the youth is in a specialized program that has its own requirements for visits. Regular visits are on weekends. Special visits are set up by the Social Worker for therapeutic reasons. These visits are during the week, in the company of the Social worker or Unit Manager. Visiting Hours: 8:00 A.M. to 11:00 A.M. and 1:00 P.M. to 4:00 P.M. on Saturday and Sunday. Youth phone calls are only available on the pay phones on each unit. They must be collect calls and be logged. Youth have at least weekly access to the phones. Youth in isolation may be subject to losing their phone privileges. Mail is received from the post office and distributed to youth after it is examined for contraband. Youth should not write to, or receive mail from adults or youth that are incarcerated in correctional facilities. Any mail received of that nature would be returned to the sender. If the mail is from an incarcerated family member, the social worker will contact the Regional Office to inquire as to whether the youth should receive the mail.”

- Freedom Center (Girls only treatment facility)  
Marci Sutherland, Superintendent  
8101 Dublin Road  
Delaware, Ohio 43015  
Phone: (740) 881-3337  
Fax: (740) 881-3389

Freedom Center Visitation (from DYS website)

“Following each youth's admission, a family information packet is sent to the custodial parent. This packet includes information on our program, visitation privileges, family counseling and educational opportunities, and general information about staff and program components. Every Saturday, parents have the opportunity to visit. During visitation, parents are encouraged to attend a family education session taught by the Social Workers. This provides an opportunity for the family members to learn about various treatment component concepts and aftercare alternatives for ongoing recovery once the youth returns home.”

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- **Indian River Juvenile Correctional Facility**

Joe Marsillo, Superintendent  
2775 Indian River Rd.  
Massillon, Ohio 44647  
Phone: (330) 837-4211  
Fax: (330) 837-4740

Indian River Visitation (from DYS website)

“While the youth is on intake, only his immediate family can visit. Family visitations are encouraged in order to maintain and strengthen family ties and to keep the family informed of the youth's progress. Visitation is on Saturday and Sunday from 1:30 P.M. to 4:00 P.M. Any request for visits other than the regular family visits listed above must be presented to the youth's Social Worker. He or she will determine whether a special visit is in order. These visits will be supervised by the Social Worker or Unit Manager.”

- **Marion Juvenile Correctional Facility**

Mike Kline, Superintendent  
322 Marion Williamsport Rd.  
Marion, Ohio 43302  
Phone: (740) 223-2400  
Fax: (740) 223-7534

Marion Visitation (from DYS website)

“Families are encouraged to visit youth to strengthen family ties and foster a support system for the youth. Visits are arranged by contacting the youth's social worker. Visiting hours are as follows: Saturday and Sunday 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m.”

- **Mohican Juvenile Correctional Facility**

Martha Spohn, Superintendent  
1012 ODNR Mohican 51  
Perrysville, Ohio 44864  
Phone: (419) 994-4127  
Fax: (419) 994-3441

Mohican Visitation (from DYS website)

“While the youth is on intake, only his immediate family can visit. Family visitations are encouraged in order to maintain and strengthen family ties and to keep the family informed of the youth's progress. Visitation is on Saturday and Sunday from 9:00 A.M. - 11:00 A.M. and 12:30 P.M. - 2:30 P.M. Any request for visits other than the regular family visits listed above must be presented to the youth's Social Worker. He or she will determine whether a special visit is in order. These visits will be supervised by the Social Worker or Unit Manager.”

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- **Ohio River Valley Juvenile Correctional Facility**

Aldine Gaspers, Superintendent  
4696 Gallia Pike, P.O. Box 1000  
Franklin Furnace, Ohio 45629  
(740) 354-7000 (fax: 740-354-9639)

Ohio River Valley Visitation (from DYS website)

“While the youth is on intake, only his immediate family can visit. Family visitations are encouraged in order to maintain and strengthen family ties and to keep the family informed of the youth's progress. Visitation is on Saturday and Sunday from 8:00 A.M. to 11:00 A.M. and 1:00 P.M. to 4:00 P.M. Any request for visits other than the regular family visits listed above must be presented to the youth's Social Worker. He or she will determine whether a special visit is in order. These visits will be supervised by the Social Worker or Unit Manager”

- **Scioto Juvenile Correctional Facility**

Robert Prichett, Superintendent  
5993 Home Road  
Delaware, Ohio 43015  
(740) 881-3550 (fax: 740-881-5994)

Scioto Visitation (from DYS website)

“Visitation is by reservation only. Visitation is for parents or legal guardians only. No children are permitted to visit. Do not bring children on grounds, including the parking lot. Visits will be accepted from 12:40 p.m. until 2:00 p.m. If you arrive at the institution after 2:00 p.m. your visit will be forfeited. State law prohibits anyone to bring alcohol and weapons onto the grounds of DYS institutions. All visitors, their vehicles and belongings are subject to search. You will be required to present a photo ID to be admitted to the institution (driver's license or State photo ID). You will be required to provide the license plate number of any vehicle that you leave in the parking lot during your visit. No one is permitted to sit in the vehicle in the parking lot; any unapproved visitors will be required to leave the grounds. Smoking is not permitted in the institution by youth or visitors. Except for your car keys and a maximum of \$10.00 in change (for vending machines), nothing may be brought into the institution. No paper money is permitted. Also, please leave purses in a secured vehicle. If visitation rules are violated, visitations can be limited or withheld. Youth are permitted, at a minimum, to make two collect phone calls per week and youth may not receive incoming calls. Youth are permitted to send two free letters per week. You may send embossed envelopes (such as from the US Post Office) to your child for their use in writing to you; they will add the return address to the envelope. Do not bring them to visitation. During his time at SJCF, a youth may receive cards and letters only. With the exception of the embossed envelopes mentioned above, no other items may be sent to youth through the mail. When sending mail to your child, be sure his/her name and unit are clearly marked on the envelope.”

## Appendix B

### Community Corrections Facilities

- Butler County Juvenile Rehabilitation Center  
Thomas Barnes, Superintendent  
280 North Fair Avenue  
Hamilton, Ohio 45011  
Phone: (513) 887-3800  
Fax: (513) 887-3871
- Hocking Valley Community Residential Center  
Sally Walters-Barr, Executive Director  
111 West 29 Drive  
Nelsonville, Ohio 45764  
Phone: (740) 753-4400  
Fax: (740) 753-4448
- Juvenile Residential Center of N.W. Ohio  
Bridget Ansberg, Director  
1012 South Dunbridge Road  
Bowling Green, Ohio 43402  
Phone: (419) 353-4406  
Fax: (419) 353-4502
- Lucas County Youth Treatment Center  
Tara Hobbs, Administrator  
225 Eleventh Street  
Toledo, Ohio 43624  
Phone: (419) 213-6161  
Fax: (419) 213-2450
- Miami Valley Juvenile Rehabilitation Center  
Gary Neidenthal, Director  
2100 Greenway Blvd.  
Xenia, Ohio. 45385  
Phone: (937) 562-4150  
Fax: (937) 562-4170
- Montgomery County Center for Adolescent Services  
Richard Hamning, Superintendent  
333 Access Road  
New Lebanon, Ohio 45345  
Phone: (937) 687-9427  
Fax: (937) 687-0112
- Multi-County Juvenile Attention System Community Corrections Facility  
Don W. Thernes, Superintendent  
815 Faircrest Street S.W.  
Canton, Ohio 44706  
Phone: (330) 484-6471  
Fax: (330) 484-2766
- North Central Ohio Rehabilitation Center  
Darin Elson, Director  
1440 Mt. Vernon Avenue  
Marion, Ohio 43302  
Phone: (740) 386-2232  
Fax: (740) 389-5920
- Northern Ohio Juvenile Community Corrections Facility  
Krista Collins, Director  
323 Columbus Ave.  
Sandusky, OH 44870  
Phone: (419) 627-7782  
Fax: (419) 627-6600
- Oakview Group Home  
Chad Sokolowski, Director  
45232 National Road West  
St. Clairsville, Ohio 43950  
Phone: (740) 695-3500  
Fax: (740) 695-3564
- Perry / Multi-County Juvenile Facility  
Ben Taylor, Director  
1625 Commerce Dr.  
New Lexington, Ohio 43764  
Phone: (740) 342-9700  
Fax: (740) 324-9701
- West Central Juvenile Rehabilitation Facility  
Harry Russell, Director  
2044 North County Road 25A  
Troy, Ohio 45373  
Phone: (937) 440-5651  
Fax: (937) 335-3843

# Community Resources

## Appendix C

### Constitutional Protections and Rights

- Ohio Correctional Institution Inspection Committee  
Riffe Center, 8th Floor  
77 South High Street  
Columbus, Ohio 43215  
Phone: (614) 466-6649  
<http://www.ciic.state.oh.us>

The CIIC has oversight to DYS facilities and any reports of abuses or concerns regarding your child's stay at a DYS facility may be reported to the committee.

- U.S. Department of Justice  
**SPECIAL LITIGATION SECTION**  
Civil Rights Division  
950 Pennsylvania Ave, NW  
Special Litigation Section, PHB  
Washington, DC 20530  
Phone: (202) 514-6255
- National Mental Health Association Publication on Rights for those in the Juvenile Justice System  
<http://www.nmha.org/children/justjuv/juvenilejustice-rights.pdf>

### Gay and Lesbian Rights

- National Center for Lesbian Rights  
870 Market St., Ste. 370  
San Francisco, CA 94102  
Phone: (415) 392-6257
- Parents, Families, and Friends of Lesbians and Gays (PFLAG)  
Go to [www.pflag.org](http://www.pflag.org) for a list of all 19 PFLAG chapters in Ohio

Cincinnati  
PO Box 19634  
Cincinnati, OH 45219-0634  
Phone: (513) 721-7900

Columbus  
P.O. Box 340101  
Columbus, OH 43234

Cleveland  
11644 Harbor View Drive  
Cleveland, OH 44102-6153  
Phone: (216) 556-1701

Dayton  
P.O. Box 3721  
Dayton, OH 45401  
Phone: (937) 640-3333

## **Appendix C**

### **Translation Services**

- Languages Unlimited Inc  
51 North High Street, Suite 2  
Columbus, OH 43215  
Phone: (614) 228-3336
- International Services Center  
1836 Euclid Ave., Suite 200  
Cleveland, OH 44115  
Phone: (216) 781-4560
- International Family Resource Center  
Language Bank  
200 McFarland Street  
Cincinnati, OH 45202  
Phone: (513) 354-5702
- Vocalink Language Services  
40 S Perry St Ste 135  
Dayton, OH 45402  
Phone: (937) 223-1415

### **Girls**

- Girls Justice Initiative  
<http://www.girlsjusticeinitiative.org/index.shtml>

### **Immigration**

- International Family Resource Center  
200 McFarland Street  
Cincinnati, OH 45202  
Phone: (513) 721-7660
- Community Refugee and Immigration Services  
3624 Bexvie Ave.  
Columbus, OH 43227  
Phone: (614) 235-5747

### **Education**

- Ohio Coalition for the Education of Children with Disabilities  
165 West Center Street, Suite 302  
Marion, OH 43302-3741  
Phone: (740) 382-5452 or (800) 374-2806 (in Ohio)  
Fax: (740) 383-6421  
[www.ocecd.org](http://www.ocecd.org)

# Legal Resources

## Appendix D

### Legal Aid Offices

- Western Reserve Legal Services  
265 South Main Street, 3rd Floor  
Akron, OH 44308-1223  
Phone: (330) 535-4191  
Fax: (330) 535-0728
- Stark County Legal Aid Society  
306 Market Avenue North, Suite 730  
Canton, OH 44702-1423  
Phone: (330) 456-8361  
Fax: (330) 456-3812
- Legal Aid Society of Cincinnati  
901 Elm Street  
Cincinnati, OH 45202-1016  
Phone: (513) 241-9400  
Fax: (513) 241-0047
- The Legal Aid Society of Cleveland  
1223 West Sixth Street, 4th Floor  
Cleveland, OH 44113-1301  
Phone: (216) 687-1900  
Fax: (216) 687-0779
- The Legal Aid Society of Columbus  
40 West Gay Street  
Columbus, OH 43215-2896  
Phone: (614) 224-8374  
Fax: (614) 224-4514
- Ohio State Legal Services  
861 North High Street  
Columbus, OH 43215-1427  
Local: (800) 589-5888  
Phone: (614) 299-2114  
Fax: (614) 299-6364
- Legal Aid Society of Dayton, Inc.  
333 West First Street, Suite 500  
Dayton, OH 45402-3031  
Phone: (937) 228-8088  
Fax: (937) 449-8131
- Legal Aid Society of Lorain County, Inc.  
382 West Broad Street  
Elyria, OH 44035  
Local: (800) 444-7348  
Phone: (216) 323-8240  
Fax: (216) 323-8526
- Butler-Warren Legal Assistance Assn.  
Society Bank Building, Suite 501  
6 South Second Street  
Hamilton, OH 45011-2808  
Phone: (513) 894-7664  
Fax: (513) 894-7669
- Allen County-Blackhoof Area Legal Services Association  
311 Building  
311 East Market Street, Suite 307  
Lima, OH 45801-4565  
Phone: (419) 224-9070  
Fax: (419) 224-9947
- Central Ohio Legal Aid Society, Inc.  
23 East Church Street  
Newark, OH 43055-5512  
Phone: (614) 345-0850  
Fax: (614) 345-2064

## Appendix D

- Advocates for Basic Legal Equality, Inc.  
Spitzer Building  
520 Madison Avenue, Suite 740  
Toledo, OH 43604-1305  
Local: (800) 837-0814  
Phone: (419) 255-0814  
Fax: (419) 259-2880
- The Toledo Legal Aid Society  
One Stranahan Square, Suite 342  
Toledo, OH 43604-1459  
Phone: (419) 244-8345  
Fax: (419) 321-1582
- Wooster-Wayne Legal Aid Society, Inc.  
121 West North Street  
Suite 100  
Wooster, OH 44691  
Local: (800) 998-9454  
Phone: (330) 264-9454  
Fax: (330) 262-2379
- Northeast Ohio Legal Services  
700 Metropolitan Tower  
Youngstown, OH 44503-1505  
Local: (800) 425-8877  
Phone: (330) 744-3196  
Fax: (330) 744-2503
- Rural Legal Aid Society of West Central Ohio  
31 East High Street  
Springfield, OH 45502-1234  
Phone: (937) 325-5991  
Fax: (937) 325-5953

### State Public Defender Office

- Ohio Office of the Public Defender  
8 East Long Street - 11th Floor  
Columbus, Ohio 43215  
Phone: (614) 466-5394 or (800) 686-1573

### County Public Defender Offices

- Ashtabula County Public Defender Office  
4817 State Road West, Suite 202  
Ashtabula, OH 44004  
Phone: (440) 998-2628
- Carroll County Public Defender  
PO Box 507  
Dover, OH 44622  
Phone: (330) 364-5595
- Office of the Ohio Public Defender Athens County Branch  
80 North Court Street  
Athens, OH 45701  
Phone: (740) 593-6400
- Clark County Public Defender Office  
50 East Columbia Street, 4th Floor  
Springfield, OH 45502  
Phone: (937) 328-2640
- Auglaize County Public Defender Office  
119 West Auglaize Street, PO Box 180  
Wapakoneta, OH 45895  
Phone: (419) 738-7111
- Clermont County Public Defender Office  
10 South Third Street  
Batavia, OH 45103  
Phone: (513) 732-7223
- Belmont County Public Defender Office  
100 West Main Street  
St. Clairsville, Ohio 43950  
Phone: (740) 695-5263
- Clinton County Public Defender Office  
32 E. Sugartree St.  
Wilmington, OH 45177  
Phone: (937) 382-1316



## Appendix D

- Columbiana County Criminal Defense Co.  
PO Box 61  
Salem, OH 44460  
Phone: (330) 337-9578
- Coshocton County Public Defender Office  
239 North 4th Street  
Coshocton OH 43812  
Phone: (740) 623-0800
- Cuyahoga County Public Defender Office  
1200 West Third  
Cleveland, OH 44113  
Phone: (216) 443-7223
- Indigent Legal Assistance Fund of West  
Central Ohio (Drake County)  
414 Walnut Street  
Greenville, OH 45331  
Phone: (937) 548-1920
- Erie County Public Defender Office  
220 Columbus Ave.  
Sandusky, OH 44870  
Phone: (419) 627-6620
- Franklin County Public Defender Office  
373 South High Street, 12th Floor  
Columbus, OH 43215  
Phone: (614) 462-3194
- Geauga County Public Defender Office  
211 Main Street  
Chardon, OH 44024  
Phone: (440) 285-2222
- Greene County Public Defender Office  
90 East Main Street  
Xenia, OH 45385  
Phone: (937) 562-5041
- Hamilton County Public Defender Office  
230 East Ninth Street, 2nd Floor  
Cincinnati, OH 45202  
Phone: (513) 946-3700
- Hancock County Public Defender Office  
316 Dorney Plaza  
Findlay, OH 45840  
Phone: (419) 424-7276
- Harrison County Public Defender Office  
112 North Main Street, PO Box 427  
Cadiz, OH 43907  
Phone: (740) 942-2010
- Huron County Public Defender Office  
16 E. Main St., 2nd Floor  
Norwalk, OH 44857  
Phone: (419) 668-3702
- Knox County Public Defender Office  
One Public Square  
Mount Vernon, OH 43050  
Phone: (740) 393-6734
- Lake County Public Defender Office  
125 East Erie Street, Suite 50  
Painesville, OH 44077  
Phone: (440) 350-3200
- Toledo Legal Aid Society-Defender  
Division (Lucas County)  
555 North Erie Street, Suite 248  
Toledo, OH 43624  
Phone: (419) 244-8351
- Medina County Public Defender Office  
120 West Washington Street, Suite 2D  
Medina, OH 44256  
Phone: (330) 764-8437

## Appendix D

- Miami County Public Defender Office  
Courthouse  
215 West Main Street, 2nd Floor  
Troy, OH 45373  
Phone: (937) 440-3950
  - Monroe County Public Defender Office  
117 North Main Street  
Woodsfield, OH 43793  
Phone: (740) 472-0703
  - Montgomery County Public Defender  
117 S. Main Street, Suite 400  
PO Box 972  
Dayton, OH 45422  
Phone: (937) 225-4652
  - Portage County Public Defender Office  
209 South Chestnut St., Suite 400  
Ravenna, OH 44266  
Phone: (330) 297-3665
  - Office of the Ohio Public Defender  
Ross County Branch Office  
14 S. Paint St., Suite 54  
Chillicothe, OH 45601  
Phone: (740) 772-4772
  - Shelby County Public Defender Office  
108 East Poplar Street  
Sidney, OH 45365  
Phone: (937) 498-1714
  - Stark County Public Defender Office  
200 W. Tuscarawas Street, Suite 200  
Canton, OH 44702  
Phone: (330) 451-7200
  - Legal Defender Office of Summit County,  
Ohio Inc.  
One Cascade Plaza, Suite 1940  
Akron, OH 44308  
Phone: (330) 434-3461
  - Office of the Ohio Public Defender  
Trumbull County Branch Office  
328 Mahoning Avenue  
Warren, OH 44483  
Phone: (330) 393-7727
  - Joint County Public Defender Office  
(Tuscarawas County)  
153 North Broadway  
New Philadelphia, OH 44663  
Phone: (330) 364-3523
  - Counsel for Indigents of Union County  
122 East Fifth Street  
Marysville, OH 43040  
Phone: (937) 642-5627
  - Van Wert County Public Defender Office  
124 East Main Street  
Van Wert, OH 45891  
Phone: (419) 238-6621
  - Office of the Ohio Public Defender  
Washington County Branch Office  
30 Fourth Street  
Marietta, OH 45750  
Phone: (740) 373-1441
  - Wayne County Public Defender Program  
113 West Liberty Street  
Wooster, OH 44691  
Phone: (330) 287-5490
  - Wood County Public Defender Office  
123 North Summit St.  
Bowling Green, OH 43204  
Phone: (419) 354-9244
- If your county is not listed, then the court in your county uses a court appointed counsel list.

# Mental Health Resources

## Appendix E

- American Academy of Child and Adolescent Psychiatry  
[www.aacap.org](http://www.aacap.org)
- National Mental Health Association Brochure on Best Practices for Mental Health Treatment in the Juvenile Justice System  
<http://www.nmha.org/children/JJCompendiumofBestPractices.pdf>

**Specific symptoms of common teen mental illnesses** (All summaries come from the American Academy of Child and Adolescent Psychiatry Facts for Families series)

**Depression:** Depression becomes an illness when the feelings of sadness and hopelessness are persistent and interfere with an adolescent's ability to function. Children are at an increased risk for depression if they're under stress, have experienced loss, or have learning, conduct, or anxiety disorders. Depression is a mental disorder that has been shown to run in families. Depression requires professional help. If one or more of the following signs are persist for two weeks or more in your child, seek help:

- Frequent sadness, tearfulness, or crying
- A feeling of hopelessness
- Decreased interest in activities
- Inability to enjoy favorite activities
- Low energy and persistent boredom
- Social isolation
- Lack of or poor communication
- Low self-esteem
- Extreme sensitivity to failure or rejection
- Poor concentration
- Frequent complaints of physical ailments
- Increased irritability or anger
- Frequent absences from school
- Poor concentration
- Major change in eating or sleeping patterns
- Efforts to run away from home

## Appendix E

**Bipolar Disorder (Manic Depressive):** Bipolar disorder consists of a persistent combination of extremely high and extremely low moods. Bipolar disorder is less-common in teens than in adults, but it does occur and needs to be identified as soon as possible. Teens who have a family history of Bipolar disorder, drug, or alcohol abuse are at a greater risk for developing the disorder. The following signs are symptomatic of bipolar disorder, however because they are similar to the signs of other problems, such as drug abuse, delinquency, attention deficit hyperactivity disorder or schizophrenia, it can only be diagnosed through careful observation over an extended time period. The signs to be aware of include:

**Manic (high) symptoms:**

- Severe changes in mood when compared to others of the same age or background
- Unrealistic self-esteem
- Increase in energy and the ability to go for days without sleep or feeling tired
- Increase in talking – too much, too fast, quick topic changes, can't be interrupted
- Distractibility
- Repeated high-risk behavior

**Depressive (low) symptoms:**

- Irritability, depressed mood, persistent sadness and frequent crying
- Thoughts of death or suicide
- Loss of enjoyment in favorite activities
- Frequent complaints of physical illness
- Low energy level with complaints of boredom
- Change in eating or sleeping patterns

**Post-traumatic Stress:** An adolescent who experiences a catastrophic event may experience continuing difficulties known as post-traumatic stress disorder. The stressful or traumatic event often involves a situation where someone's life was threatened or a severe injury has occurred or the child perceived that her life, or someone close to her life, was in danger. For example, having been a victim of physical or sexual abuse, or having witnessed a parent victimized of domestic violence, could lead to post-traumatic stress disorder. The risk of a child developing post traumatic stress disorder is related to the seriousness of the trauma, whether the trauma is repeated, the child's proximity to the trauma, and the child's relationship to the victims. The child may show agitated or confused behavior, or intense fear, helplessness, anger, sadness, horror or denial. They may develop a type of emotional numbing to block the pain or trauma. They also will avoid situations that remind them of the trauma, and possibly re-experience the traumatic event through memories, dreams, or feelings like it will happen again. If your child experiences this syndrome, intervention is necessary to help reestablish a feeling of safety and decrease fears.

## Appendix E

**Conduct Disorders:** Conduct disorder is a complicated group of behavioral and emotional problems. Adolescents with this disorder have a difficult time following rules and behaving in socially acceptable ways. They are often viewed as bad or delinquent rather than mentally ill. Many children with conduct disorder often have other coexisting mental conditions which can also be treated. Without treatment, these youths are likely to have troubles adapting to the demands of adulthood, holding relationships, or keeping a job. Often times they will break laws or behave in an antisocial manner. Behavior and psychotherapy are appropriate to help the youth learn to express and control anger properly. Early treatment increases the chances of improvement in behavior and a productive life. Signs to look for include:

- Aggression to people and animals
- Destruction of property
- Deceitfulness, lying, or stealing
- Serious violations of rules

**Suicidal Tendencies:** For some adolescents and teens, suicide appears to be a solution to their problems and stress. Depression is often a precursor to suicidal tendencies. Both are treatable mental disorders, therefore it is important that they be recognized and diagnosed as early as possible. If your child says “I want to kill myself” or “I’m going to commit suicide,” always take them seriously and immediately seek medical assistance for them. Asking your child whether they are having thoughts of suicide can be helpful, as it will provide them with assurance that someone cares. Other signs to look for other than explicit comments include:

- Change in eating or sleeping habits
- Withdrawal from friends, family, and regular activities
- Violent actions and rebellious behavior
- Running away
- Drug and alcohol use
- Neglect of personal appearance
- Marked personality change
- Persistent boredom
- Difficulty concentrating and decline in quality of schoolwork
- Frequent complaints of physical pain
- Loss of interest in enjoyable activities
- Not tolerating praise or rewards
- Complaints of being a bad person or rotten inside
- Verbal hints such as “I won’t be a problem for you much longer”
- Putting affairs in order – giving away possessions, cleaning room, giving away important belongings
- Becoming suddenly cheerful in times of depression
- Signs of psychosis

# Works Cited

- What an Attorney Should do for your Child  
*American Bar Association Juvenile Justice Standards*: 3.1(b)(ii)(c), 4.2, 4.3, 5.1, 6.4, 9.2, 10.3-10.5
- Constitutional Protections  
*Terry v. Ohio*, 392 U.S. 1 (1968)  
*U.S. v. Robinson*, 414 U.S. 218 (1973)  
*Hiibel v. Sixth Judicial Dist. Court*, 542 U.S. 177 (2004)  
Ohio Revised Code § 2151.313
- Detention Hearing  
Juvenile Rule 7, 7(F), 7(G)  
Ohio Revised Code §§ ORC 2151.31(C)(1), 2151.311(C)(1)(a) and (b), 2151.314, 2151.314(A)
- Bindover and Transfer to Adult Court  
Ohio Revised Code § 2152.12
- Adjudicatory Hearing  
Juvenile Rule 29(a); 29(b)
- Disposition Hearing  
Ohio Revised Code §§ 2151.352, 2151.354  
Juvenile Rule 29(F)(2)(b)
- Constitutional Rights of Youth in Detention Facilities  
Ohio Revised Code § 3321.01(A)  
*Doe v. Foti*, 634 So.2d 58 (La. 1994)  
*Rhodes v. Chapman*, 452 U.S. 337 (1981)
- Mental Health Disorders  
National Mental Health Association, *Mental Health Treatment for Youth in the Juvenile Justice System* (2004)  
American Academy of Child and Adolescent Psychiatry, *Facts for Families*  
<http://www.aacap.org/publications/factsfam.htm>
- Expungement  
Ohio Revised Code §§ 2151.358(A), 2151.358(C)(1)(a), 2151.358(D), 2151.358(F)