

Juvenile Justice System

As an Indiana youth, you are not considered a criminal if you disobey the law. Instead, you are considered a delinquent child. If you break the law, you will enter into the juvenile justice system. The Indiana Juvenile Justice System is designed to hold youth accountable, to ensure public safety, and to provide treatment so that youth will become law abiding citizens. Although you may never be a part of the juvenile justice system, it is a good idea to know its terms and procedures.



Delinquent Acts

There are many differences in the terms used in the adult court system and the juvenile court system.

Juvenile Court Terms	Adult Court Terms
Delinquent Act	Crime
Taken into custody	Arrest
Petition	File charges
Denial or “Not True”	Not guilty plea
Admission or “True”	Guilty plea
Fact finding hearing	Trial
Found delinquent	Found guilty
Disposition	Sentencing
Detention	Incarceration

1. Can I commit a crime even though I’m not an adult?

Usually if you are under age eighteen, you are in juvenile court and you are not charged with committing a crime. Instead of crimes, people under age eighteen commit delinquent acts. If you are in juvenile court, you are not considered a criminal; instead, you are considered a delinquent child. However, there are some cases where you can be charged with a

crime in adult court even though you are under age eighteen.

2. What if I did something that I didn’t know was a delinquent act?

It is your responsibility to know the law. It is not an excuse or defense to say you didn’t know something you did was a delinquent act.

3. What is a delinquent act?

There are two types of delinquent acts. The first type of delinquent act is an act that would be a crime if performed by an adult (a crime delinquent act). The second type of delinquent act is a status offense. Status offenses are delinquent acts only because someone under age eighteen commits them. Adults cannot commit status offenses. Status offenses are truancy (not going to school), runaway, incorrigibility (being disobedient to your parent or guardian), consuming or possessing alcohol as a minor, and violating curfew.

4. What is the difference between a crime delinquent act and a status offense?

In order for the judge to find you to be a delinquent child for a status offense, the judge must find that you need care or treatment that you are unlikely to receive without help from the court.

Contact with Police

The Fourth and Fifth Amendments of the United States Constitution provide rights to people when dealing with the police. The Fourth Amendment states that people should be free from unreasonable searches and seizures by government officials, and the Fifth Amendment states that no person shall be forced to be a witness and provide evidence that can be used against him or her.

1. When can a police officer tell me to stop when I'm in public?

When you are in public, police officers can tell you to stop so they can investigate criminal or delinquent activity. To legally stop you, police officers need to have a specific reason that makes them suspicious that you are committing a delinquent act.

2. When can a police officer search me or my belongings?

If the police want to search you or your belongings, they must first receive a warrant from a judge. A warrant is a court order giving the police permission

to search you or a specific belonging. However, there are times when the police can search you or your belongings without a warrant. One such time is after you are taken into custody, or arrested. Another time is if the police believe that you are armed and dangerous; if the police believe you are armed and dangerous, they may frisk you. A frisk is a limited search on the outside of your clothing to make sure you do not have any weapons.



3. Can a police officer search my car without a warrant?

Yes. If the police have probable cause, or a good legal reason, to believe that your vehicle contains evidence that you have committed a delinquent act, they may search your vehicle without a warrant. (The police don't need a warrant because you may move the vehicle before



they come back from seeing the judge.) The police can search your entire vehicle and all the containers within the vehicle. Police can search your belongings and your passenger's belongings in the car.

4. Can my parent or guardian give the police permission to search my bedroom?

Yes. Whoever owns or rents the home where you live has control over the entire home and can give the police permission to search the home, including your bedroom.

5. What are Miranda warnings?

You must be informed of certain rights before the police can interrogate you, or question you. You are probably familiar with these rights from television. The Miranda rights are:

- You have the right to remain silent.

This means that you can refuse to answer questions the police ask you without getting into trouble.

- Anything you say may be used against you in a court of law. This means that if you do decide to answer the police officer's questions, or decide to speak to the officer even without questions, whatever you say can be used as evidence that you committed a delinquent act.
- You have the right to consult an attorney before speaking to the police and to have an attorney present during questioning now or in the future. This means that you can talk to an attorney and receive legal advice about your decision to talk to the police officer. The attorney can also sit with you while the police officer interrogates you to answer your questions about what the police officer is asking. If you decide to answer questions without an attorney present, you still have the right to stop answering questions at any time and ask to talk to an attorney. This means that if you first decide not to have an attorney, you can later change your mind without getting into trouble. If you want to talk to an attorney, you should make a specific request, such as, "I want to talk to an attorney."

- If you cannot afford an attorney,

one will be appointed for you. This means that you can receive legal advice even if you don't have money to pay the attorney. An appointed attorney is called a public defender.

6. When do I receive my Miranda rights?

Anyone in police custody and accused of committing a delinquent act must be given Miranda warnings prior to police interrogation. Interrogation refers to the questions and actions the police perform to get you to give evidence against yourself. Normally it is only the police who must give you the Miranda warnings. Therefore, if your principal is questioning you at school for an act you committed at school, even if a police officer is in the

room, you will not receive your Miranda warnings because the principal is not a police officer. Your Miranda warnings only apply when you are in police custody. Police custody means that you are not free to leave. Therefore, if you voluntarily go to the police station to talk to the officers, you might not receive your Miranda warnings.

Detention

Detention Centers are facilities around the state of Indiana that will hold youth who get into trouble with the law. These centers are not jails (they hold only youth) but are similar to jails in that the youth normally wear uniforms and the doors are locked so that the youth cannot leave. Youth eat, sleep, and attend school in the detention center.

1. Can I be arrested?

Yes. But remember, in the juvenile system an arrest is called being "taken into custody." A police officer may take you into custody if there is probable cause, or a good legal reason, to believe that you have committed a delinquent act or if there is a court order for the police to take you into custody.

2. What happens if I am taken into custody?

If you are taken into custody without a court order, a police officer may release you to your parent or guardian upon their written promise that you will appear



in court at a later time. However, the officer can take you to a detention center if the officer believes that you will not appear for court or that you have committed murder or what would be an A or B felony if committed by an adult. You also maybe detained to protect yourself or the community, if your parent or guardian can't be located or won't take custody of you, or if you have a good reason for wanting to be detained. In some cases you may be under adult court jurisdiction because of your age and the crime you were alleged to have committed. (See chapter 3). In this case, the police may take you directly to an adult jail.

If the police take you to a juvenile detention center, a probation officer or intake officer will review the reasons you are brought to the detention center. The probation officer may release you to your parent or guardian or may decide to keep you at the detention center until the judge can decide whether you should be released.

3. What happens if I don't go to court when scheduled?

If you are released from a detention center on the condition that you will appear for your hearing, but purposefully don't go to that hearing, then you can be arrested and charged with the delinquent act of "failure to appear."

4. If I am taken to a detention center, how long will I stay there?

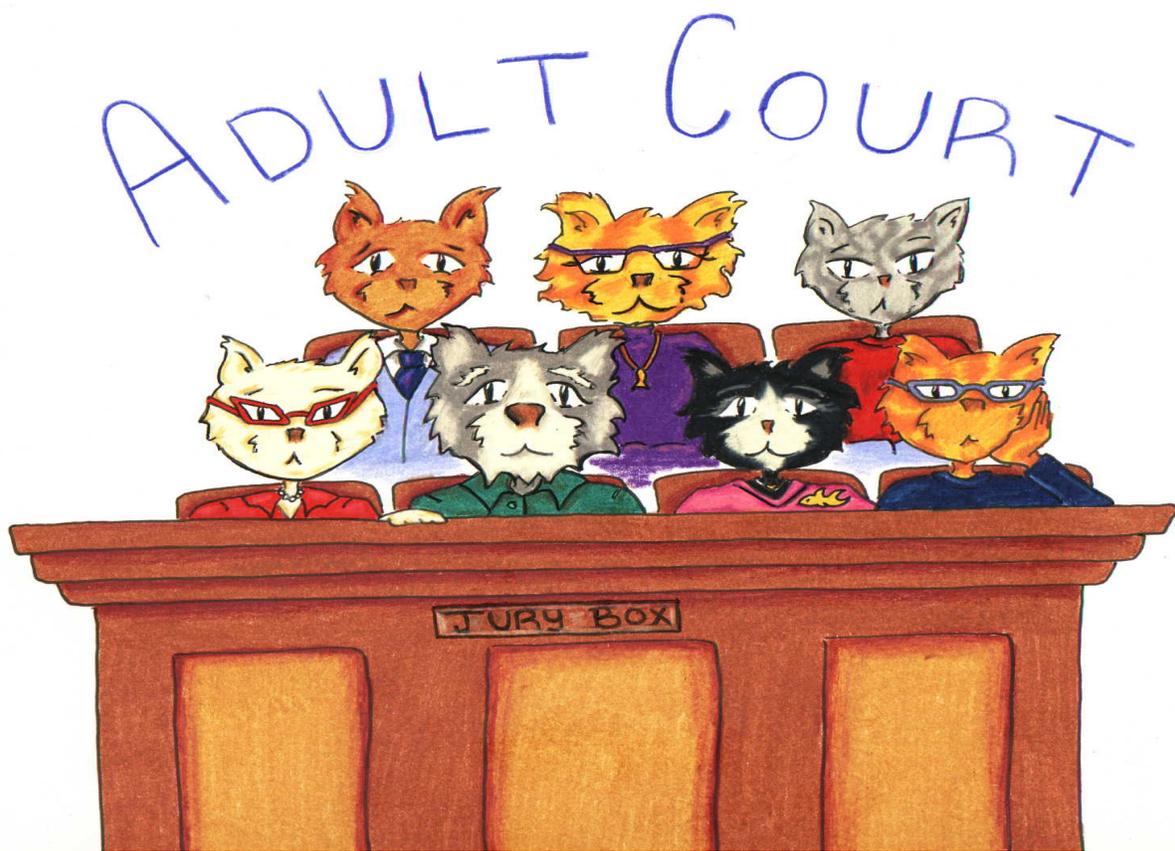
If you are taken to a detention

center for committing a crime delinquent act, you will probably stay until you have a detention hearing, which will be within 48 hours, excluding Saturdays, Sundays, and legal holidays. At the detention hearing, the judge will decide whether you should be released to your parent or guardian or returned to the detention center. If you return to the detention center, the prosecutor must file a petition alleging delinquency (or file charges) within seven days, excluding Saturdays, Sundays, and legal holidays. A fact-finding hearing (or trial) must be held within twenty days, excluding Saturdays, Sundays, and legal holidays, of the filing of the petition.

Generally, you should not be taken to a detention center for committing a status delinquent act. However, there are some exceptions. You can be taken to a detention center for being a runaway for 24 hours before and 24 hours after your first court appearance. If you are on probation for committing a crime delinquent offense and you commit a status offense, then you can be detained at a detention center.

5. What happens at a detention hearing?

The purpose of a detention hearing is to determine whether you should continue to be detained or be returned to your parent or guardian. The judge will tell you and your parents about your right to have an attorney and your right to refrain from testifying against yourself. If you want an attorney, the judge will ap-



point one for you at this hearing. If the judge allows you to go home, you may be placed on home detention (meaning you can't leave your home except to go to school and maybe work) or electronic monitoring (meaning you'll have to wear a tracking device on your ankle). You may have a curfew restriction, a protective order, or a no contact order (meaning you cannot have any direct contact or indirect contact through a mutual friend) with someone. The judge may place some other condition on your actions or behavior. You may also be required to surrender your driver's license to show the judge that you will attend hearings in the future.

Your Legal Rights

In juvenile justice court proceedings, you are given rights that are in addition to your Miranda rights. The rights you have in juvenile court are a little different than the rights you have in adult court.

1. What rights do I have?

The Supreme Court of the United States and Indiana law give you the following rights:

- To receive written notice of the charges against you and have enough time to prepare a defense;
- To confront and cross-examine witnesses (Witnesses are people who have evidence that you committed a delinquent act. Cross-examine means you can ask them questions

in court.);

- To know what witnesses and evidence against you the prosecutor has;
- To introduce evidence on your own behalf or in your defense;
- To be represented by an attorney, even if you cannot pay for the attorney;
- To have a trial within a short amount of time;
- To not be forced to testify against yourself; and
- To have delinquency, or guilt, established by proof beyond a reasonable doubt.

2. What does “beyond a reasonable doubt” mean?

You are presumed innocent of all acts. The prosecutor must prove that you committed a delinquent act “beyond a reasonable doubt.” The prosecutor must give enough evidence to the judge so that the only reasonable, or rational, explanation is that you committed the delinquent act.

3. Can I waive my rights?

Yes. You can waive your rights, meaning you can give up your rights. You cannot waive your rights on your own. Either your attorney or your parent or guardian must agree with you to waive your rights. However, no one can waive your rights without your agreement.

4. What rights do my parents have?

In juvenile court, you are the one facing delinquency charges, not your parent or guardian. However, the judge can order your parent or guardian to participate in and pay for your care, treatment, or rehabilitation. At the hearings where the judge determines your parent’s or guardian’s participation and ability to pay for services, you parent or guardian has the right to cross-examine witnesses, obtain the evidence the prosecutor has, and to introduce evidence on their own behalf.

5. Are my rights in juvenile court different from the rights in adult court?

The United States Supreme Court has held that youth do not have the right to trial by a jury in delinquency proceedings. Instead of a jury, the judge will decide your case. Youth also don’t have the right to post bail, or give money, to be released from detention prior to their fact-finding hearing, or trial. Finally, youth don’t have the right to an open hearing in juvenile court. This means people from the public cannot watch your case. The exception to this rule is that people from the public can watch your case if you are charged with an act that is murder or a felony in juvenile court or if the judge orders your case to be open to the public.

Juvenile Justice Procedures

When youth get into trouble with the law, they become part of the juvenile justice system. There are set procedures and

rules that must occur to make sure that youth's rights are protected and that youth are treated equally and fairly.

1. What is a juvenile probation officer?

A juvenile probation officer is a person who works for the probation department of the juvenile court. The probation officer provides information to the judge and makes recommendations. The probation officer is also the person who supervises you if you are placed on probation. The probation officer is not your attorney and does not represent you in court.

2. What is a preliminary inquiry or P.I.?

The first thing that happens after you are arrested is that a probation officer conducts a preliminary inquiry, or P.I. A preliminary inquiry is a report that the probation officer writes for the judge to give the judge more information about you than what is written in the delinquency petition. The probation officer will meet with you and a parent or guardian to gather information about your background, current status, and school performance.

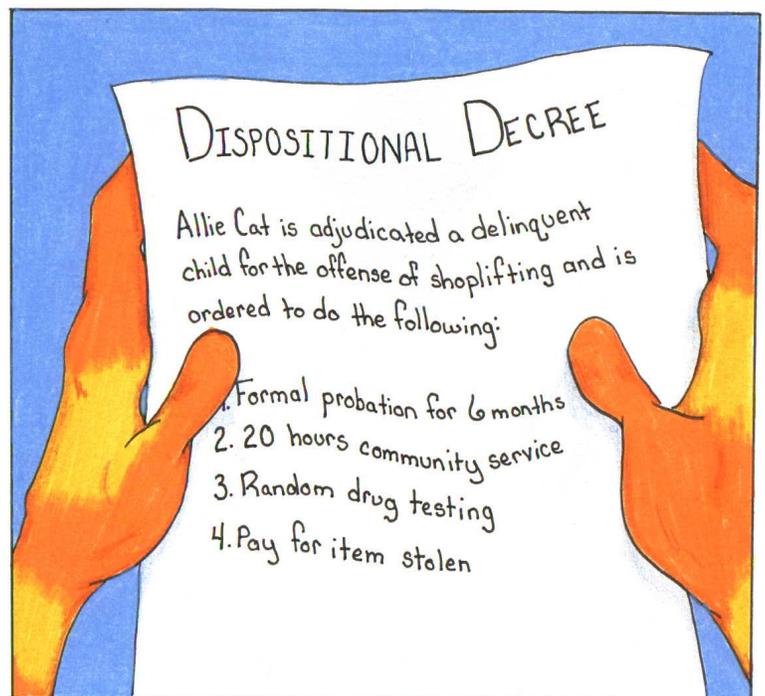
3. What does I.A. mean? Is it the same as diversion?

"I.A." stands for Informal Adjustment, which is frequently called a diversion program. After the preliminary inquiry, your probation officer

may ask you to participate in a program that is designed to keep you from committing future delinquent acts. The program cannot last more than six months unless the juvenile court extends the program for an additional six months. If you successfully complete the terms of the I.A., the prosecutor will not file a delinquency petition.

4. What is an initial hearing and what happens at an initial hearing?

If the prosecutor files a petition alleging you are a delinquent child, then you and your parent or guardian will attend an initial hearing. This is the first hearing where you are formally told of the charge against you. The judge will also tell you what your rights are in court. These rights were explained earlier in this chapter. The judge will tell you whether there is a possibility that you might be waived, or sent,



to the adult court and the dispositional alternatives (or sentencing choices) available if you are found to have committed the delinquent act. The judge will also ask you if you admit or deny the allegations that you committed the delinquent act.

5. What happens if I deny the allegation or say that I didn't commit the delinquent act?

Unless you admit the allegations in the petition, or say the allegations are true, the judge will hold a fact-finding hearing. A fact-finding hearing in the juvenile court is similar to a trial in the adult court. The prosecutor will present evidence to the judge that you committed the delinquent act that you were charged with. You will have an opportunity to cross-examine witnesses and to present evidence in your defense. At the end of all the evidence, the judge will decide whether to find the allegations true, and adjudicate you a delinquent child, or to find the allegations not true and dismiss the case. (Remember, jury trials are only held in the adult system.)

6. What happens if I admit the allegations or the allegations are found true at a fact-finding hearing?

If the judge finds that you committed the delinquent act and that you are a delinquent child, the judge will write the judgment (the decision), order a predisposition report, and schedule a dispositional hearing.

7. What is a predispositional report?

A predispositional report ("P.D.R.") is the report prepared by the probation officer for the judge before the dispositional hearing. The report will contain the probation officer's recommendation as to what care, treatment, rehabilitation, or placement, you should receive that is in your best interest and provides for the community's safety. The probation officer may consult with people who have information about you, such as your doctor, teacher, or counselor.

8. What are a dispositional decree and a dispositional hearing?

A disposition, or dispositional decree, is a court order that lists what you will need to do to show the judge that you will not commit future delinquent acts. You will learn your disposition after the judge holds a dispositional hearing to determine alternatives for your care, treatment, rehabilitation, or placement. The judge will also determine what your parent or guardian will have to do to help you and how much money your parent or guardian will have to pay for the time spent in court and the services you will receive.

9. What are some of the dispositional alternatives that the court can order if I am adjudicated a delinquent child?

If you are adjudicated a delinquent child, the court can order you to:

- Be supervised by the probation department;
- Register with the sex offender registry if you committed a sex crime;
- Receive outpatient treatment (receive treatment from doctors, counselors, etc.);
- Surrender your driver's license;
- Pay restitution to the victim (pay for any damages that you may have caused);
- Perform community service;
- Be removed from your home and placed in another home, shelter care facility, or other facility licensed by the state (such as a detention center); or
- Become a ward of the Department of Correction (if you are at least age twelve, or age ten or eleven and have committed an act that would be murder if committed by an adult).

10. What dispositional alternatives can the court order if I am adjudicated a delinquent for a status offense?

Remember, a status offense is a delinquent act only because someone under age eighteen commits it. If you are adjudicated as a delinquent because of a status offense, the judge can order you to:

- Be supervised by the probation department or county office of family and children;
- Receive outpatient treatment (receive treatment from doctors, counselors, etc.); or
- Be removed from home and placed in another home or shelter care facility.

11. How will the judge know whether I completed the court-ordered disposition?

The judge may order the probation department to file a report on the progress



made in following the dispositional decree. The judge is also required to hold a formal hearing at least every twelve months to determine whether the dispositional decree should be modified or changed. In deciding whether the dispositional decree should be modified, the judge will look at factors such as whether your family has cooperated with the probation department, whether there is a need for additional services, and the extent to which your behavior has improved.

12. What happens if I violate my probation?

If you violate your probation, or don't follow the dispositional decree, your probation officer or the prosecutor may ask the judge to change the dispositional decree. The judge may decide to change the dispositional decree without being asked. (You, your parent, or your service provider can also ask the judge to modify the dispositional decree.) The new dispositional decree may have new orders that you will need to follow.

13. When does probation end?

Your probation will end when the judge finds that you have successfully followed all the orders in the dispositional decree. When you have completed your dispositional requirements, the judge will release you and your parent or guardian.

14. What is the "Department of Correction"?

The "Department of Correction," or

D.O.C., refers to the state operated correctional facilities. The D.O.C. operates both juvenile and adult correctional facilities. You may have heard the D.O.C. referred to as "boys' school" and "girls' school." With certain exceptions, when the judge sends you to the D.O.C., the juvenile court or judge loses jurisdiction over your case. That means it is up to D.O.C. to decide when you will be released. The exceptions to this are: 1) if you are sent to D.O.C. for a status offense, the judge keeps jurisdiction and reviews your placement in D.O.C. at least every 90 days, and 2) if you are sent to D.O.C. for acts that qualify for a determinate commitment to D.O.C., then the court says how long you will stay.

15. Can I ever be placed in a secure facility like a detention facility or the Department of Correction for committing a status offense?

The general rule is that you cannot be placed in a juvenile detention facility or the Department of Correction for being adjudicated as a delinquent child for committing a status offense. However, there are two exceptions to the rule. The judge can order you to be placed in a secure detention facility or the Department of Correction if you were adjudicated a delinquent child for the act of runaway, received a written warning of what would happen if you ran away again, and you ran away again.

You can also be placed in a secure detention facility or the Department of



Correction if you were adjudicated a truant, were ordered to go to school, received a written warning of what would happen if you continued to be truant, and you were truant again.

16. What is the Sex Offender Registry?

If you commit a delinquent act that would be a sex crime if you were an adult, are at least age fourteen, released from the Department of Correction or another secure private facility or detention facility, and the judge finds that you are likely to commit another sex crime in the future, then you must enter your information into the Sex Offender Registry. You must enter information including your full name, date of birth, sex, race, height, weight, hair color, eye color, Social Security number, driver's license number, home address, description of the offense you committed, and a recent photograph. People in your community can access the registry so they can protect themselves and their children from being victims of sex crimes. Your information will stay in the registry for ten years; although there are some instances where your information will stay in the registry for life. You must update the

registry if you move or change your name.

Youth in the Adult Court

Just because you are under age eighteen doesn't mean that you will be in the juvenile court system. Indiana lawmakers can decide what acts will send youth to the adult system. Juvenile judges also may decide in certain cases a youth should stay in the juvenile system or be sent to the adult system.

1. As a juvenile, can I be sent to adult court?

Yes. There are two ways your case can be in the adult court. The first way is by a direct file. If you are at least age sixteen and commit certain felonies, the juvenile court does not have jurisdiction, or the ability, to hear your case. Since the juvenile court is not able to decide the case, the case is directly filed with, or charges are brought through, the adult court. The juvenile judge never sees the case.

The second way your case may be in the adult court is if the prosecutor files your case in the juvenile court but asks the juvenile judge to waive jurisdiction, or send your case, to the adult court. The judge must decide, at a waiver hearing, whether it is in your best interest and the community's safety for you to remain within the juvenile justice system.

If your case is in the adult court, you can be held in an adult jail. You will go to an adult correctional facility if the judge finds you guilty in adult court.

2. Which acts are direct file crimes, so that my case goes directly to the adult court?

If you are age sixteen or older and commit the following crimes, your case will be filed with the adult court and not the juvenile court:

Murder	Intentionally killing someone or unintentionally killing someone while committing another crime such as arson, burglary, rape, carjacking, or dealing drugs.
Kidnapping	Moving someone from one place to another by threat or force, holding someone captive for ransom, hijacking a vehicle, helping someone escape, or holding someone hostage.
Rape	Having sexual intercourse with someone without their consent.
Criminal deviate conduct	Causing someone to perform or receive oral or anal sex or penetrating someone with an object without that person's consent.
Robbery with a deadly weapon or causing injury	Robbery is taking property from someone by threatening to use force against the person or making that person fearful.
Carjacking	Taking a motor vehicle from someone by using or threatening to use force or by making that person fearful.
Criminal gang activity	Participating in a criminal gang. A gang has at least five members; to be a member of a gang, you must commit a felony crime. (See Chapter 6 for information on felony crimes.)
Criminal gang intimidation	Threatening another person because that person refuses to join a criminal gang or has withdrawn from a criminal gang.
Carrying a handgun without a license if charged as a felony	Carrying a handgun in a vehicle or on your body without a license in your possession, except for when you are in your home, on your property, or fixed place of business. A handgun is a gun designed to be shot with one hand, regardless of the gun's length, or a gun with a barrel length less than sixteen inches or an overall length less than twenty-six inches.
Children and firearms if charged as a felony	"Children and firearms" refers to several crimes concerning children having guns. The crime in this category most applicable to you is possessing a firearm as a youth. Youth cannot possess firearms without being in a hunting class, firearm safety class, or target shooting, without permission by your parent or supervision of a parent or licensed instructor. A firearm is any weapon designed to project an object with an explosion. (See Chapter 13 for information about when youth can have a firearm.) If you have a prior conviction for possession of a firearm under this section, your offense can be charged as a felony.
Dealing a sawed off shotgun	Making, keeping to sell, or possessing a sawed off shotgun. A shotgun is a weapon designed to be fired from the shoulder and have one projectile or a number of ball shot fire with each pull of the trigger. A sawed off shotgun is a shotgun with one or both barrels less than eighteen inches in length or a shotgun modified so that the whole shotgun is less than twenty-six inches.
Certain Drug Offenses	Dealing or manufacturing cocaine, narcotics, methamphetamines, or dealing a Schedule I, II, III, or IV drug if you have a prior conviction or adjudication as a delinquent for dealing or manufacturing cocaine, narcotics, methamphetamines, or dealing a Schedule I, II, III, or IV drug. (See Chapter 6 for more information about Schedule drugs.)

3. If I commit two acts at the same time, one that is not a direct file act and one that is a direct file act, will I have one case in adult court and one case in juvenile court?

If the cases are based on the same conduct or on a series of acts connected together or making up a single plan then both acts will be filed in adult court.

4. What are the crimes that I can be waived on?

The juvenile court judge can waive your case to the adult court if you are alleged to have committed the following acts:

- A heinous (utterly horrible) or aggravated (very serious) act or an act that is part of pattern of delinquent acts, even though less serious. You must be at least age fourteen when the act was committed.
- Dealing or possessing drugs (a place where you can use, buy, or sell drugs). You must be at least age sixteen when the act was committed.
- Murder. You must be at least age ten when the act was committed.
- Any act that would be a class A or B felony, involuntary manslaughter, or reckless homicide. You must be at least age sixteen. (See Chapter 6 for information on felonies.)
- Any act that would be a felony if committed by an adult if you have previously been convicted in adult court of a felony.

5. What's the youngest age that I can be waived to the adult court?

You can be waived to the adult court at age ten if you are charged with the offense of murder and there is probable cause that you committed the act. For charges other than murder, you must be at least age fourteen or sixteen, depending on the offense, to be waived to the adult court.

6. If I am sent to the adult court, will I return to the juvenile court if I break the law again?

If you are sent to the adult court as a result of a direct file case, you will return to the juvenile court so long as the new act is not another direct file crime. However, if you are waived to the adult court, all future felony cases will be in the adult court because the juvenile court has already determined that it is *not* in the community's or your best interest for you to stay in the juvenile court system.

Juvenile Record

When you enter into the juvenile justice system, all the reports and evidence are stored and kept as your juvenile record. Much of your record is kept confidential from the public. However, your record is not automatically destroyed after you complete probation.

1. Can my juvenile court record ever be destroyed?

Yes. You can ask the juvenile court



at any time to remove records pertaining to your involvement in the juvenile court from the court's files, the law enforcement's files, and the files of a service provider. The judge considers many factors,

such as your age during your contact with the juvenile court or police, the nature of the allegations, the manner in which you participated in any required services, and whether you currently are in trouble with

the law. If the judge grants your request, the records may be destroyed or given to you to keep.

2. If I have a juvenile record, what should I say on a job application when asked if I have ever been convicted of a crime?

An adjudication as a delinquent is not the same as being convicted of a crime. Therefore, you can say that you have not been convicted. However, if you have gone through the adult system as a youth, you should say that you have been convicted of a crime.

3. Can my juvenile record affect me as an adult?

Yes. Your juvenile record may prevent you from being accepted into the armed forces. Also, your juvenile record may affect your sentence in adult court. In adult court (and in juvenile court) the judge will give you a sentence, but then may suspend it. If you have good behavior on probation, then you will not have to serve your suspended sentence. However, if you have bad behavior on probation, then your suspension will be revoked and you'll have to serve your sentence. As an adult, if you commit a felony and your juvenile record says that within three years of the adult felony you committed a delinquent act that would be a class A or class B felony, two class C or class D felonies, or one class C felony and one class D felony, then the judge cannot suspend your sentence. You will have to serve the

jail time unless the court finds that the crime happened for reasons that probably will not happen again; the victim of your crime was partly at fault, there are facts that excuse or justify your crime that do not amount to a defense, or your prior juvenile acts are not A or B felonies and you are made to do home detention instead of the minimum sentence for the crime.

Chapter 5 Sources

Delinquent Acts

1. Can I commit a crime even though I'm not an adult?
I.C. 31-37-1-1; I.C. 31-32-2-6
2. What if I did something that I didn't know was a delinquent act?
ScalPELLI v. State, 827NE2d 1193, 1198 (Ind Ct. App. 2005)
(Ignorance of the law is no excuse for criminal behavior.)
3. What is a delinquent act?
I.C. 31-37-1-2; I.C. 31-37-2-2
4. What is the difference between a crime delinquent act and a status offense?
I.C. 31-37-1-2; I.C. 31-37-2-2

Contact with Police

1. When can a police officer tell me to stop when I'm in public?
Terry v. Ohio, 392 U.S. 1 (1968)
2. When can a police officer search me or my belongings?
Terry v. Ohio, 392 U.S. 1 (1968); United States v. Robinson, 414 U.S. 218 (1973)
3. Can a police officer search my car without a warrant?
Carroll v. United States, 267 U.S. 132 (1925); United States v. Ross, 456 U.S. 798 (1982); Wyoming v. Houghten, 526 U.S. 295 (1999)
4. Can my parent or guardian give the police permission to search my bedroom?
Peterson v. State, 674 N.E.2d 528 (Ind. 1996)
5. What are Miranda warnings?
Miranda v. Arizona, 384 U.S. 436 (1966); Davis v. United States, 512 U.S. 452 (1994)
6. When do I receive my Miranda rights?
Berkemer v. McCarty, 468 U.S. 420 (1984); Rhode Island v. Innis, 446 U.S. 291 (1980)

Detention

1. Can I be arrested?
I.C. 31-37-4-1; I.C. 31-37-4-2
2. What happens if I am taken into custody?
I.C. 31-37-5-3; I.C. 31-37-5-5

3. What happens if I don't go to court when scheduled?
I.C. 35-44-3-6
4. If I am taken to a detention center, how long will I stay there?
I.C. 31-37-6-2; I.C. 31-37-11-1; I.C. 31-37-11-2
5. What happens at a detention hearing?
I.C. 31-37-6-5; I.C. 31-37-6-6; I.C. 31-37-6-10

Juvenile Legal Rights

1. What rights do I have?
I.C. 31-32-2-1; I.C. 31-32-2-2; In re Gault, 387 U.S. 1 (1967); In re Winship, 397 U.S. 358 (1970); Klopfer v. North Carolina, 386 U.S. 213 (1967)
2. What does "beyond a reasonable doubt" mean?
In re Winship, 397 U.S. 358 (1970)
3. Can I waive my rights?
I.C. 31-32-5-1
4. What rights do my parents have?
I.C. 31-32-2-3
5. Are my rights in juvenile court different from the rights in adult court?
McKeiver v. Pennsylvania, 403 U.S. 528 (1971); Schall v. Martin, 467 U.S. 253 (1984); In re Oliver, 333 U.S. 257 (1948); I.C. 31-32-6-7; I.C. 31-32-6-2

Juvenile Justice Procedures

1. What is a juvenile probation officer?
I.C. 31-31-10-1; I.C. 31-37-23-1
2. What is a preliminary inquiry or P.I.?
I.C. 31-9-2-94; I.C. 31-37-8-2
3. What does I.A. mean? Is it the same as diversion?
I.C. 31-37-9-1; I.C. 31-37-9-2
4. What is an initial hearing and what happens at an initial hearing?
I.C. 31-37-12-5; I.C. 31-37-12-7
5. What happens if I deny the allegation or say that I didn't commit the delinquent act?
I.C. 31-37-13-1; I.C. 31-32-2-2; I.C. 31-32-2-1; I.C. 31-37-13-3
6. What happens if I admit the allegations or the allegations are found true at a fact-finding hearing?
I.C. 31-37-13-2

7. What is a predispositional report?
I.C. 31-37-17-6.1; I.C. 31-37-17-4; I.C. 31-37-17-1.1
8. What are a dispositional decree and a dispositional hearing?
I.C. 31-37-18-1; I.C. 31-37-18-6; I.C. 31-37-18-9
9. What are some of the dispositional alternatives that the court can order if I am charged with a delinquent act?
I.C. 31-37-19-5; I.C. 31-37-19-6; I.C. 31-37-19-7
10. What dispositional alternatives can the court order if I am adjudicated a delinquent for a status offense?
I.C. 31-37-19-1
11. How will the judge know whether I completed the court ordered disposition?
I.C. 31-37-20-1; I.C. 31-37-20-2
12. What happens if I violate my probation?
I.C. 31-37-22-1
13. When does probation end?
I.C. 31-37-20-7
14. What is the “Department of Correction”?
I.C. 11-13-6-4
15. Can I ever be placed in a secure facility like a detention facility or the Department of Correction for committing a status offense?
I.C. 31-37-22-5; I.C. 31-37-22-6; I.C. 31-37-22-7
16. What is the Sex Offender Registry?
I.C. 5-2-12-4; I.C. 5-2-12-6; I.C. 5-2-12-8;

I.C. 5-2-12-8.6; I.C. 5-2-12-13

Youth in the Adult Court

1. As a juvenile, can I be sent to adult court?
I.C. 31-30-1-4; I.C. 31-30-3
2. Which acts are direct file crimes, so that my case would go directly to the adult court?
I.C. 31-30-1-4
3. If I commit two acts at the same time, one that is not a direct file act and one that is a direct file act, will I have one case in adult court and one case in juvenile court?
I.C. 31-30-1-4; I.C. 35-34-1-9; Philson v. State, 899 NE2d 14 (Ind. Ct. Appl. 2008) trf. denied
4. What are the crimes that I can be waived on?
I.C. 31-30-3-2 –I.C. 31-30-3-6
5. What’s the youngest age that I can be waived to the adult court?
I.C. 31-30-3-4
6. If I am sent to the adult court, will I return to the juvenile court if I break the law again?
I.C. 31-30-1-4; I.C. 31-30-3

Juvenile Record

1. Can my juvenile court record ever be destroyed?
I.C. 31-39-8-2; I.C. 31-39-8-3; I.C. 31-39-8-6
2. If I have a juvenile record, what should I say on a job application when asked if I have ever been

