

## Nature and Possible Consequences of Juvenile Court Proceedings

Upon adjudication, the court may impose any or all of the following dispositional alternatives:

**DELINQUENCY ADJUDICATION** (§938.34) The following dispositional alternatives are authorized for any adjudication:  
**Mandatory** victim/witness surcharge of \$20.00 for each adjudication (required to be paid *at or before* disposition hearing)

Counseling (individual, family, and/or other counseling)

Supervision, including up to 30 days of home detention

Assignment to a Volunteers in Probation program

Assignment to a Teen Court Program

Participation in an Intensive Supervision program

Placement in the home or outside of the home, including:

- Foster home, treatment foster home, or group home
- Residential Treatment Center
- Type 2 Residential Care Center for children & youth
- Independent living (if over 17)

Secure detention or juvenile portion of county jail up to 30 days

Electronic monitoring

Transfer of legal custody to relative, department or agency

Serious Juvenile Offender Program

Correctional Placement in secure correctional facility

Aftercare supervision (following a correctional placement or secured residential care placement)

Restitution to the victim for damages

Supervised work program/community service work program

Victim-offender mediation program

Special treatment or care

Integrated service plan

Alcohol or drug treatment/education

Drug testing program

Educational program

Experiential education program

Youth report center and/or a Day Treatment Program

Juvenile offender education program

Vocational training

Forfeiture up to adult court maximum (or maximum of \$100 if violation is applicable to only someone under 18)

Transfer to a foreign country if a citizen/national of a foreign country

The court may also stay a dispositional order or portions of the dispositional order on the condition the juvenile comply with certain requirements; if there is a violation of those requirements, the stayed order can be put into effect and enforced.

**JUVENILE IN NEED OF PROTECTION OR SERVICES ADJUDICATION** (uncontrollable, habitual truancy, school dropout, delinquent act by juvenile age 9 or under, not responsible by reason of mental disease or defect, not competent to proceed) (§938.345)

Any of the provisions listed above for delinquency **EXCEPT:**

- Placement in the serious juvenile offender program, a juvenile correctional facility, or a secured residential care center
- Payment of a forfeiture or surcharge
- Restrict or suspend the driving privileges unless the adjudication is based on school dropout or habitual truancy
- Placement in a secure detention facility or juvenile portion of county jail

**CHILD IN NEED OF PROTECTION OR SERVICES ADJUDICATION** (§48.345) The following dispositional alternatives are authorized for any adjudication:

Counseling and/or Supervision

Placement in the home outside of the home, including:

- Foster home, treatment foster home, or group home
- Independent living (if over 17)
- Residential treatment center

Transfer of legal custody to relative, department or agency

Special treatment or care

Transfer to a foreign country if a citizen/national of a foreign country

Alcohol/drug treatment or alcohol/drug education program

Education programming (nonresidential)

### Delinquency Enhancers

In a **Delinquency** proceeding, the following may be ordered or required by law in the appropriate situation:

- If a "school zone" violation: up to 100 hours of community service work
- If a "graffiti" violation: *mandatory* 10 and up to 100 hours of community service work
- If a "hate" violation: restitution, community service, victim-offender mediation, sensitivity training
- If a "motor vehicle" violation: restrict or suspend the juvenile's operating privileges
- If a "computer" violation: restrictions on the use of computers
- If a "bomb scare" or firearm violation: *mandatory* suspension of juvenile's operating privileges
- If a "controlled substance" violation: *mandatory* suspension/revocation of operating privilege for 6 months
- If a "controlled substance possession" violation: forfeitures, AODA assessment, outpatient AODA treatment program, pupil assistance program.
- If a "controlled substance possession on or near certain premises" violation: *mandatory* 100 hours of community service
- If a "sex crime"-type violation, DNA testing and sex offender reporting requirements