

**An Unofficial Guide to Vocabulary and Abbreviations
For Use By Interpreters in ARY, CHINS, and Truancy Cases
March 16, 2005**

<u>ACA</u>	Associated Counsel for the Accused, a public defense organization that represents either the youth or a parent in BECCA cases
<u>Allegations</u>	Statements of what a party expects to prove in court
<u>ARY</u>	At Risk Youth
<u>Assessment</u>	In ARY and CHINS cases, an evaluation by the Division of Child Services required by law to include factors that are important for the court in deciding whether to grant the petition. The court may order other types of assessments, such as a drug and alcohol assessment to find out whether a youth is abusing substances or a mental health assessment to find out whether a youth may have a mental illness
<u>At Risk Youth Case Managers</u>	Their role is to assist families in filing ARY or CHINS petitions and contempt motions, making referrals to community agencies for services based on the court's order, and helping families negotiate through the court system process. They work for the court.
<u>BECCA</u>	At Risk Youth, CHINS, and Truancy cases
<u>CHINS</u>	Child in Need of Services
<u>Conditions of Supervision</u>	Also known as "Conditions;" part of the court order in ARY or CHINS cases telling the youth and the parents what the rules are at home, such as curfews, going to school, not using drugs or alcohol, etc.
<u>Contempt</u>	Willful disobedience of a court order
<u>Court Clerk</u>	The person who keeps the official court record during hearings
<u>Court Coordinator</u>	Juvenile Court staff who assist the court and parties
<u>CPS</u>	Child Protective Services
<u>CRC</u>	Crisis Residential Center, a secure or semi secure facility

established by law which youth can stay at for short amounts of time

Curfew

The time (hour and minute) that the youth must be at home in the afternoon or evening. Often the youth may stay out later on weekends, which are defined as Friday and Saturday evenings, because there is no school the next day

CWS

Child Welfare Services, part of the Department of Social and Health Services

DCFS

Division of Child and Family Services, part of the Department of Social and Health Services

Declaration of Service

A document which is filled out and signed by the person who serves court papers. It tells the court which court papers have been served, who the court papers were served on, who served the court papers, the address where the court papers were served, the date of service, the date the declaration of service was signed, and is signed by the person who served the court papers.

Detention

Locked facility for incarcerating youth at Juvenile Court

Disposition

Used in CHINS cases, meaning where the child is to be living or who the child will be staying with

Discovery

A request for documents, usually requested by attorneys for the youth from the school district

Dismissed without prejudice

The case is no longer in front of the court for consideration but a new case may be started by filing and **-serving a new petition**

Emancipation

A youth over 16 years old who is self supporting can ask the court to sign an order allowing them to be treated as an adult for certain civil (as opposed to criminal) legal purposes

Expiration

The end of the case, as in "the expiration date of the order is January 1 and the case will be dismissed without prejudice"

Expire

Ends, as in "the order expires on a certain date"

Fact Finding

A juvenile court trial, where parties can present evidence and the court decides if there is a basis to grant a petition

<u>First Review</u>	The first hearing set after the fact finding (trial) in ARY and CHINS cases and its purpose is to review the conditions put into place at the fact finding to see if any changes need to be made
<u>Found</u>	As in "the court found the youth to be in contempt" it means the court looked at all of the evidence, and the court concluded that the youth is in contempt.
<u>FRS</u>	Family Reconciliation Services, a service provided by the department to help families in conflict to teach skills and develop supports in the family to resolve problems
<u>Hearsay</u>	Testimony based on what the person testifying has heard from someone who is not in court to testify or documents given in court that are not based on personal knowledge of the person submitting the documents in court
<u>JPC</u>	Juvenile Probation Counselor, also known as a PO (Probation Officer)
<u>Minor</u>	A person under the age of 18 years old
<u>Motion</u>	A party's application to a court, asking for the court to order relief
<u>Jurisdiction</u>	The court's authority to decide a matter
<u>OPD</u>	Office of Public Defense, which assigns one of the public defender agencies to represent a party
<u>Out of home placement</u>	A placement in a foster family home or group care facility other than that of the child's parent
<u>PO</u>	Probation Officer, also known as a JPC (Juvenile Probation Counselor)
<u>Petition</u>	The written application to start an ARY, CHINS or Truancy Lawsuit
<u>Preliminary Hearing</u>	The first hearing in a truancy case
<u>Purge Condition in contempt</u>	A condition given to the youth as a result of the youth being in contempt
<u>Purged</u>	Whether the youth has completed the purge condition

Sanctions

Another name for purge conditions

Service

Also known as "service of process;" a person over the age of 18 years who is not a party hands court papers to a party. The person who serves the party then signs a Declaration of Service describing how the court papers were served, what court papers were served, and the date and place of the court hearing.

TDA

The Defenders Association, a public defense organization that represents either the youth or a parent in BECCA cases

Withdrew/Withdrawn

As used by the school district, e.g. "the student was withdrawn," it means the student is no longer enrolled in school. As used by an attorney, e.g. "the former attorney withdrew" it means the former attorney does not represent the youth any longer.

Youth

A person under the age of 18 years old

Overview of CHINS Process:

- Parent, youth, or Department completes written CHINS petition and completes assessment with DCFS
- The party who completed the CHINS petition must then obtain from the court a "Notice of Hearing" document which gives a court date for the Fact Finding
- The party who completed the CHINS petition must then file the Petition, Assessment, and Notice of Hearing with the Court Clerk's Office
- The party who filed the CHINS petition must then serve the Petition, Assessment, and Notice of Hearing on the opposing party
- **(Service must be made by someone other than a party, who is over 18 years of age)**
- **The party who completed the CHINS petition must have the person who served the Petition, Assessment, and Notice of Hearing complete and sign and date a Declaration of Service form and the parent must bring the form to court**
- The youth is assigned an attorney
- The parent, youth, and Department appear at the Fact Finding and **present** evidence, the Court decides if the petition should be granted. **If the Petition is granted**, the court then sets a hearing date **and time** for the Dispositional Hearing, and determines where the youth **should reside** until the Dispositional Hearing and what other **conditions should be put into place.**
- **Contempt Motions may be brought at any time after the Petition is granted**
- The parent, youth, and Department appear at the Dispositional Hearing (also known as "Disposition") to determine **where youth will reside temporarily, what type of visits should take place between the youth and the parent, what services should be put in place, whether financial support should be paid by the parent, and what conditions should be ordered, and sets a First Review.**
- The parent, youth, and Department appear at the First Review (within 90 days of Dispositional Hearing) to determine **how the youth's temporary residence is going, how the visits are going, how the parties are progressing with services, whether any conditions should be changed, and to set a Final Review. The Final Review must be held no later than six months from the First Review, and no extensions are allowed.**
- **The parents, youth, and Department do not need to appear at the Final Review, which dismisses the case without prejudice. All orders expire.**

Overview of ARY Process:

- The parent completes a written Petition for ARY and completes the assessment with DCFS, the youth is included in the assessment if the youth is at home and wishes to cooperate
- The parent must then obtain from the court a "Notice of Hearing" document which gives a court date for the Fact Finding

- The parent files the Petition for ARY, Assessment, and Notice of Hearing with the Court Clerk's Office
- The parent must then serve the Petition for ARY, Assessment, and Notice of Hearing on the youth
- Service must be made by someone other than a party, who is over 18 years of age
- The parent must have the person who served the Petition, Assessment, and Notice of Hearing complete a Declaration of Service form and the parent must bring the form to court
- The youth is assigned an attorney
- The parent and youth appear at the Fact Finding and present evidence, the Court decides if the Petition should be granted. If the Petition is granted, the Court orders "Conditions of Supervision" and sets a First Review Hearing (within 90 days of the Fact Finding).
- Contempt Motions may be brought at any time after the Petition is granted
- The parent and youth appear at the First Review to determine whether any of the "Conditions of Supervision" should be changed, and to set a Final Review. The Final Review must be held no later than six months from the Fact Finding, and one extension of up to 90 days may be granted.
- The parent and youth may appear at the Final Review but they do not have to appear unless the parent is asking for the order granting the petition and the Conditions of Supervision to remain in place for up to another 90 days. If a parent does not ask for the order and Conditions to stay in place, the Court will dismiss the petition without prejudice.

Overview of Truancy Process:

- School district files petition and requests court date
- School district serves petition and order setting court date on parents and youth
- The parent and youth appear at the Preliminary hearing, the Court delivers an oral notice regarding the parties' rights to present evidence, to disagree with the school and ask for a hearing, and the effect of a court order if the **Truancy Petition is granted. If the parent or youth asks for a hearing, the Court listens to the evidence and determines whether truancy petition** should be granted. If the petition is granted, the Court also determines how long the order should remain in place.
- The school district can bring a contempt motion at any time after the petition is granted. If the school district files a motion for contempt against the youth, an attorney will be appointed for the youth. If a motion for contempt is filed against the parent, the parent is referred to the Office of Public Defense (OPD) to determine whether they are eligible for appointment of an attorney at no cost.