

JUVENILE COURT
POLICY/PROCEDURE

IMPOSITION OF SANCTIONS

POLICY

At the time of entering a sanctions order that includes the juvenile serving a period of days in Detention, the Court may stay all or a portion of that order and delegate a decision on the "lifting" of the stayed order to the department providing supervision for the juvenile under the procedures outlined below.

PROCEDURES

At the time of entering a "stayed" order imposing a stay in detention at the discretion of the social worker providing supervision to the juvenile the court should clearly indicate to all parties that that discretion has been granted. Parties may request specific language be added to that order, and the court may include specific language related to the exercise of the discretion by the social worker. The order shall include information as to who may impose the sanctions, for how long the sanctions may be imposed, and a "termination" date for that portion of the sanctions order. (A copy of the order form that should be used for this purpose is attached).

To implement the imposition of sanctions:

1. A copy of that sanctions order must be sent to Juvenile Reception Center by the Court.
2. If a social worker wishes to impose the sanction(s) (that is "lift the stay" of the serving of detention days) he/she should verbally notify Juvenile Reception Center of the decision and arrangements that have been made for the juvenile to report to JRC for intake and holding in Detention. As part of that conversation, JRC will document , the nature of the violation(s) upon which the social worker is basing their decision, and information related to the serving of the sanction (e.g. length of time, start date/time, etc.). If the worker accompanies the juvenile to JRC for the purpose of imposing the sanctions, the worker should complete the required information.
3. A copy of the information obtained above will be forwarded to the Court file, the District Attorney's Office, and the Office of the State Public Defender.

Upon receipt of that information or upon other notice that their client has been placed in Detention, the juvenile's attorney may request that a review of the social worker's decision be conducted by the Judge issuing the sanctions order. The request for that review should be made to the branch, and that hearing should be conducted within three working days of the request. The requesting party is responsible for notifying other parties (District Attorney, social worker, parent(s), JRC) of the hearing time and date.