

Cleaned Review Questions and Concepts from Class Notes

Juvenile Justice Concepts and Review Questions

1. **What is the legal definition of an emancipated minor?**
 - An emancipated minor is a juvenile aged 16 or 17 who has lived in the same county or federal territory for at least six months and has proven to the court their ability to live independently. Once emancipated, they can make contracts, sue or be sued, and transact business like an adult. This status is irrevocable.
2. **Under what circumstances can law enforcement take a juvenile into temporary custody without a court order?**
 - Juveniles can be taken into temporary custody if they are delinquent or under circumstances of imminent danger or neglect.
3. **What are the steps to obtain a non-testimonial identification order (NTO)?**
 - Probable cause must exist that a felony offense has been committed. Reasonable grounds must indicate the juvenile's involvement, and the procedure must materially aid the investigation. Requests for NTOs must be made through the prosecutor and approved by a judge.
4. **What rights are juveniles entitled to during custodial interrogations?**
 - Juveniles under 16 require a parent, guardian, or custodian present during questioning in addition to Miranda warnings. For juveniles 16 or 17, they may waive this right, but Miranda warnings still apply.
5. **What differentiates juvenile probation from adult probation?**
 - Juvenile probation involves coordination with juvenile probation officers and is managed separately due to confidentiality laws. Adult probation officers do not have access to juvenile records.
6. **What are the dispositional alternatives for delinquent juveniles?**
 - Options include community service, probation, house arrest, wilderness programs, victim-offender reconciliation programs, and placement in youth development centers. Decisions depend on the seriousness of the offense, public safety needs, and the juvenile's rehabilitation potential.
7. **What are the confidentiality rules for juvenile records?**
 - Access is limited to the juvenile, their attorney, their parents/guardians, the DA, court counselors, and certain law enforcement officers. Unauthorized access or dissemination is prohibited.
8. **What is the purpose of juvenile intake services?**
 - To assess the evidence for jurisdiction, determine if court action is necessary, and decide on community resource referrals.
9. **What are non-divertible offenses under juvenile law?**

- Crimes like murder, rape, arson, first-degree burglary, and felonies involving serious bodily harm or the use of a deadly weapon.

10. How should officers conduct interviews with juveniles in non-secure settings?

- Officers must ensure juveniles know they are free to leave, avoid coercion, and refrain from interrogation if they lack a parent or legal representative when required.

11. What are the guidelines for photographing and fingerprinting juveniles?

- Juveniles 10 years or older can be photographed and fingerprinted if charged with certain offenses. If charges are not filed, prints must be destroyed within a year.

12. What are the legal requirements for notifying guardians when juveniles are taken into custody?

- Guardians must be notified within 24 hours of custody. If a felony is involved, the school principal must also be notified within five days.

13. What defines an undisciplined juvenile?

- A juvenile under 16 (but at least 10) who is truant, disobedient, or found in prohibited locations or has run away for more than 24 hours.

14. What is the importance of establishing rapport during juvenile interviews?

- Rapport helps de-escalate emotional responses, builds trust, and ensures effective communication, particularly when dealing with trauma or strong reactions.

15. What are the procedures for handling juveniles in secure custody?

- Officers must surrender weapons before entering secure facilities, ensure medical evaluations are completed, and document contraband removal.

16. How does the court handle cases of undisciplined juveniles?

- The court assesses the juvenile's needs and may order house arrest, protective supervision, or alternative education programs.

17. What factors determine whether a juvenile is considered in custody?

- Courts examine language used by officers, the presence of weapons, the number of officers present, and whether juveniles felt free to leave.

18. How does the juvenile justice system balance confidentiality and public safety?

- Records are kept confidential but can be shared under strict circumstances for investigations or legal proceedings.

19. What are the legal responsibilities when juveniles commit offenses requiring detention?

- Secure custody orders must articulate reasons, and juveniles must receive appropriate medical and mental health care while in custody.

20. What is the process for handling runaway juveniles?

- Law enforcement coordinates with juvenile court counselors and social services to locate and safely return the juvenile, considering any risks of trafficking or abuse.