



**Juvenile Justice Training Academy
Lesson Plan**

Program: Juvenile Probation Officer Basic Course	Citation Source: TAC 37 Chapter 344
Required by: <input type="checkbox"/> Texas Statute <input checked="" type="checkbox"/> Texas Administrative Code <input type="checkbox"/> Professional Development	
Training Title: On the Record – Courtroom Proceedings and Dispositional Recommendations	
Developed By: Resource Training Officer Group	Date: August 2015
Revised By: Delisha McLain, TJJD Curriculum Developer	Date: December 1, 2018

PARAMETERS

Training Duration: 3.00 Hour	Minimum/Maximum Number of Participants Recommended: 5 - 50
Instructional Setting: Classroom	Target Audience: Juvenile Probation Officers completing mandatory training.

COURSE DESCRIPTION

This course will provide an overview of the courtroom, the expected etiquette, and duties a juvenile probation officer will be expected to perform. Individual roles during courtroom proceedings, appropriate demeanor, and dispositional recommendations will also be considered.

APPROVALS

Training Authority

Jenna Reblin, Staff Attorney Date
General Counsel Office

Training Authority

Kristy Almager, Director Date
Juvenile Justice Training Academy

PERFORMANCE OBJECTIVES

At the conclusion of this module, participants will be able to:

1. Discuss the courtroom blueprint, including fundamental rules, individuals in court, and appropriate etiquette.
2. Discover integral responsibilities juvenile probation officers are tasked with regarding court proceedings.
3. Applying knowledge gained from this training, practice making sound recommendations for juveniles appearing in court.

INSTRUCTOR MATERIALS

1. TJJD Approved Lesson Plan, December 1, 2018
2. Copy of Participant Guide
3. Power Point Show
4. Handout: Activity | You're UP

PARTICIPANT MATERIALS

1. Participant Guide

REFERENCES

1. Center for Sex Offender Management. The Comprehensive Assessment Protocol: A Systemwide Review of Adult and Juvenile Sex Offender Management Strategies. *Assessments Specific to Criminal and Juvenile Justice Systems*. http://www.csom.org/pubs/cap/2/2_1.htm. Accessed September 18, 2018.
2. Chron. *Probation Officer Responsibilities*. <https://work.chron.com/probation-officer-responsibilities-13023.html>. Accessed September 17, 2018.
3. Corrections One. *Are You Prepared for Court? 4 Keys to Courtroom Demeanor for Correctional Officers*. <https://www.correctionsone.com/careers/articles/179688187-Are-you-prepared-for-court-4-keys-to-courtroom-demeanor-for-correctional-officers/>. Accessed September 17, 2018.
4. Dawson, Robert, et. al., *Texas Juvenile Law* (Texas Juvenile Justice Department, 8th and 9th ed. 2018).
5. Eric-Institute of Education Sciences. *Seven Juvenile Delinquent-Case Studies*. <https://eric.ed.gov/?id=ED123520>. Accessed September 20, 2018.
6. Google. *Definition: Demeanor*. https://www.google.com/search?safe=strict&rls=com.microsoft%3Aen-US%3AIE-Address&ei=Fb2fW72ZKYLYtQXc7LxY&q=demeanor&oq=demeanor&gs_l=psy-ab..0i6712j0i131i6713j0i6712j0l2.5695201.5696375..5696656...0.0..0.443.2024.2-1j4j1....2..0....1..gws-wiz.....0i71j0i131.hSalwf_X9dc. Accessed September 17, 2018.
7. Legal Dictionary. *Probation*. <https://legaldictionary.net/probation/>. Accessed September 10, 2018.
8. PresentationGo. *The Free PowerPoint Library*. <https://www.presentationgo.com/>. Accessed September 18, 2018.
9. Texas Family Code. Title 3. *Juvenile Justice Code. Chapter 51*.

www.statutes.legis.state.tx.us/Docs/SDocs/FAMILYCODE.pdf. Accessed October 15, 2018.

10. Washington Courts. Lesson Plans. *Judges in the Classroom. Juvenile Justice-Disposition*.
<https://www.courts.wa.gov/content/lessonPlans/pdf/JuvenileJusticeDisposition.pdf>. Accessed September 21, 2018.

ACKNOWLEDGEMENTS

1. Reblin, Jenna, Attorney. Texas Juvenile Justice Department: Office of the General Counsel (OGC). Subject Matter Expert.
2. Texas Juvenile Justice Department. *Victim Services*.
https://www.tjjd.texas.gov/programs/victim_services.aspx. Accessed October 3, 2018.
3. Ibid. Juvenile Justice Training Academy. JPO Mandatory Course. *Courtroom Proceedings and Presentation*. August 2015.

EQUIPMENT AND SUPPLIES

- | | |
|---|--|
| <input checked="" type="checkbox"/> Projector | <input checked="" type="checkbox"/> Screen |
| <input checked="" type="checkbox"/> Laptop computer | <input type="checkbox"/> Marker(s): 1 pack |
| <input checked="" type="checkbox"/> External speakers | <input checked="" type="checkbox"/> Laser Remote |
| <input type="checkbox"/> Chart Pad(s): | <input checked="" type="checkbox"/> Batteries for Laser Remote |
| <input type="checkbox"/> Easel Stand(s): | <input type="checkbox"/> Other: |

SCHEDULE

Introduction	15:00
Judicial Blueprint.....	30:00
JPO Judicial Duties.....	30:00
Practical Application.....	90:00
Final Thoughts.....	15:00

LEGEND



For Your Eyes Only

This is information for the Trainer only – it is facilitator guidance (i.e. Activity Instructions)



Speaker Notes

This will indicate information to be shared with participants



Action

This will direct facilitator when to do something (i.e. click to activate bullets, start media if necessary, chart participant responses)



Activity

This will indicate activity (small or large; individual or collaborative) before continuing on with presentation

Note: Unless otherwise indicated in the lesson plan and based on class size, the trainer has the discretion to use a designated group activity as an individual activity. The trainer shall process the activity, whether as designated or individually in an effort to maximize the learning environment for the participants.

IMPORTANT TRAINER INFORMATION

1. Prepare a **Parking Lot**. If a particular training course lends itself to potentially lengthy discussions that compromise training time, trainers are encouraged to prepare and use a Parking Lot in an effort to manage questions and time constraints efficiently. The Parking Lot is a piece of blank chart paper, titled **Parking Lot**. Paper is placed on a wall at the beginning of the training session, easily accessible to everyone. If the Parking Lot is used, place several pads of post-it® notes on participant tables for use during the training session and provide participants instructions on how a Parking Lot is used during training.

The Parking Lot's purpose is to track questions asked by participants and allows trainer to either research an appropriate answer or respond to the question at the applicable time during the lesson plan. Prior to ending the training session, the trainer will review questions posted on the Parking Lot to determine if all have been answered or if additional research is needed. Trainer will either ask participants to confirm all posted questions have been answered satisfactorily or will acknowledge to participants the need to seek additional clarification from a subject matter expert (SME), the curriculum developer (CD), or other approved resource. A follow-up email should be provided to participants in the training session.

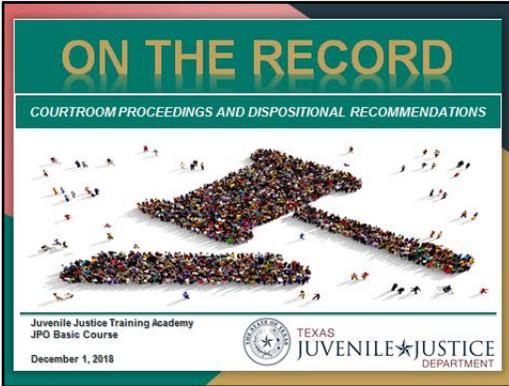
2. Cover all activities unless marked Optional.
3. Time noted for an activity represents the entire activity process: introducing the activity, performing the activity steps, and debriefing the activity. During assigned activities, participants should be informed they have a "few" minutes to complete an activity instead of a set number of minutes (example: 10 minutes). This allows the trainer to shorten or lengthen time as needed.
4. During question and answer sessions or activities:
 - a. Questions followed by the (*Elicit responses.*) statement – should be limited to 1 or 2 participant responses. These questions are used to gain audience acknowledgement and not meant to be a lengthy group discussion.

- b. Questions followed by an italicized (suggested) response – are to be covered by the trainer or participants. If participant responses do not cover the complete italicized response, the trainer will provide participants with the remaining information. The responses provided are suggested best answers as approved by the Technical Authority.

If participants suggest other responses, encourage them to explain their choices.

Disclaimer:

The following curriculum is based on Chapter 37 of the Texas Administrative Code, developed by the Texas Juvenile Justice Department in collaboration with the Regional Training Officer Group of the Sam Houston State University Correctional Management Institute of Texas. Approved curriculum is signed by both a Technical and Training Authority. The Certification exam is based on approved TJJD standardized curricula. TJJD is mindful some examples referenced in the lesson plan may not be applicable in particular counties. Deviations regarding the material are discouraged; however, enhancements explaining local policy and procedure without breaching the fidelity of the information are supported. If a participant requires additional information beyond the scope of this curriculum, refer the participant to his (or her) immediate supervisor.



Slide 1 – Introduction

Instructor's Corner:

PG: 5

Trainer Notes:



INTRODUCTION

(Welcome participants to the course and discuss the agenda including information on breaks, lunch time, and other pertinent information. If using the "Parking Lot," prior to class, prepare a chart to use later as noted in the Important Trainer Information section of the LP. Place Post-it® notes on the tables or next to the Parking Lot chart for participant use.)

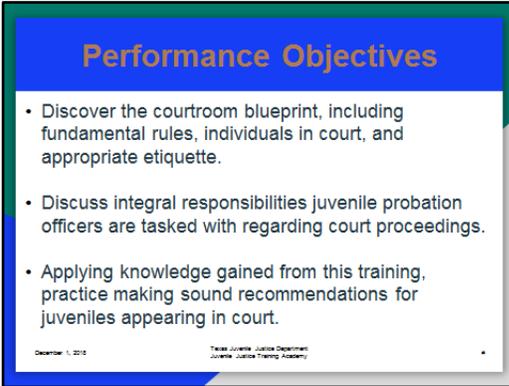
(The Texas Juvenile Justice Department is mindful some examples referenced in the lesson plan may not be applicable in certain counties or facilities. Deviations from this TJJD approved curriculum are discouraged; however, enhancements explaining local policy and procedure without breaching fidelity of the information are acceptable.)

Welcome to the *On the Record – Courtroom Proceedings and Dispositional Recommendations* course. One of the cornerstones of juvenile justice is the courtroom, where decisions are made about juveniles and families on a daily basis. These decisions determine consequences for certain behavior and in some cases decide if juveniles will be allowed to remain in their home while abiding by probation terms or whether they will have to serve all or part of their probation term in a residential facility. These determinations are not made lightly, judges, attorneys, parents, and you, the juvenile probation officer

(JPO), all work together to ensure the best outcomes are achieved for juveniles under supervision. As a JPO, your role is key when appearing with juveniles in the courtroom. You will often know a juvenile and family better than a judge or attorney and will be in the best position to advocate about what services are in the best interest of him (or her).

Today, we will talk about the importance of juvenile court, essential elements necessary in navigating the courtroom, and the role you will play regarding judicial proceedings.

Let's review the objectives for the course today.



Slide 2 – Performance Objectives

Instructor's Corner:

PG: 5

 This slide appears blank. Click for each objective to appear as it is mentioned.

Trainer Notes:



PERFORMANCE OBJECTIVES

(Click for each objective to appear as it is mentioned.)

At the end of the course today, you should be able to:

1. Discover the courtroom blueprint, including fundamental rules, individuals in court, and appropriate etiquette.
2. Discuss integral responsibilities juvenile probation officers are tasked with regarding court proceedings.
3. Applying knowledge gained from this training, practice making sound recommendations for juveniles appearing in court.

Q: What questions do you have before we begin? *(Answer questions, if any.)*



Slide 3 – Judicial Blueprint

Instructor's Corner:

PG: 5

Trainer Notes:



JUDICIAL BLUEPRINT

A juvenile appearing in court is a common occurrence in the juvenile justice system. Decisions made in the courtroom may, in many cases, alter the course of a juvenile's life. JPOs are at the center of the proceedings, oftentimes with the most knowledge of the juvenile, family, and their specific needs. We will talk about making dispositional recommendations for juveniles and other JPO court responsibilities later, but first; let's focus our attention on how you will navigate in the courtroom, a place of formality, dignity, and respect. Comprehension of the courtroom blueprint or guidelines will aid you in presenting yourself in an appropriate, professional manner. Being unprepared during court proceedings will likely lead to you losing credibility, embarrassment for you and families, in addition to colleagues doubting your capabilities. Some things to consider when appearing in court include:

- Individuals in court
- Court hacks
- Demeanor

Let's begin with identifying individuals you will be working with directly in the

courtroom.



Slide 4 – Who's Who?

Instructor's Corner:

PG: 5

 This slide appears with a picture. Click for the name of each individual to appear when mentioned.

Trainer Notes:



Who's Who?

Depending on the size of your local juvenile department, courtrooms may be a small room with relative order and quiet, while others may be large, with many people present, noise, and depending on the seriousness of a case, television camera crews. Despite all of these moving parts, as a JPO, you will need to know those you must work with and how to conduct yourself, particularly if meeting a family or attorney for the first time. Let me explain the role of individuals you will encounter in court.

(Click for names of individuals to appear as they are mentioned.)

- Juvenile | Respondent

When a juvenile (identified as the respondent during court proceedings and documents, such as the court summons) has to appear in court, you will have to interact with him (or her), their parent/guardian, and any other family members. Often, especially if a juvenile has been taken into custody for the first time, multiple family members may attend court proceedings. Remain professional with everyone, even when/if the family does not agree with your recommendations.

- Judge

Judges are the final decision makers regarding juvenile cases. During some court proceedings, the Judge will make a ruling on disposition and determine if a juvenile will be placed on probation, in or out of the home and for how long. During detention hearings, the Judge determines if a juvenile will remain detained in a juvenile detention center or be released until the date the case is scheduled on the docket. Judges demand the highest level of respect and should be addressed formally, such as saying, “Your Honor” when addressing him (or her).

- Prosecutor | Attorney for the state

A prosecutor is an attorney who acts on behalf of the state. You will collaborate with the prosecutor, who may have a different title, such as Assistant District Attorney (ADA), Assistant State Attorney (ASA), District Attorney (DA), or simply County Attorney depending on the local jurisdiction. Typically, the prosecutor will agree with your recommendation, however they are not required to and there may be times when they disagree, depending on the nature of a case.

- Defense Attorney | Attorney for juvenile (respondent)

A defense attorney is an attorney who represents the juvenile in his (or her) case. This attorney advocates on behalf of the juvenile and may not always agree with your recommendations. Later, we will talk about how you will need to communicate with a defense attorney, especially if you disagree.

- Court Coordinator

A court coordinator performs court-related business and maintains records and

other documents during court proceedings. He (or she) may or may not be in the courtroom while court is in session. If you are to appear in a court for the first time, need a hearing scheduled early, or need to speak with the judge, be sure to know pertinent information about the court coordinator, including who they are and where they are located as they will be the person to help you with these matters.

- Bailiff

The bailiff maintains order in the court and protects individuals in the courtroom, particularly the presiding judge. In additions, they escort juveniles who are detained, in and out of the courtroom.

- Court Reporter

The court reporter records testimony or verbal statements during a court hearing. He (or she) maintains the official account of court proceedings and sometimes, if there is a challenge regarding something said in a hearing, the court reporter must read the recorded information in open court.

- Jury

In juvenile cases, a jury is a group of people sworn in by a judge to determine if it is true a juvenile has engaged in delinquent conduct. There are various circumstances in which a jury convenes during a juvenile case, as outlined in the *Texas Juvenile Law Book (9th Edition)*. The most common is during adjudication. It is important to note the judge, not a jury, determines disposition for a juvenile, except in special circumstances, such as with determinate sentence cases, the jury may be tasked to do so.

- Witnesses

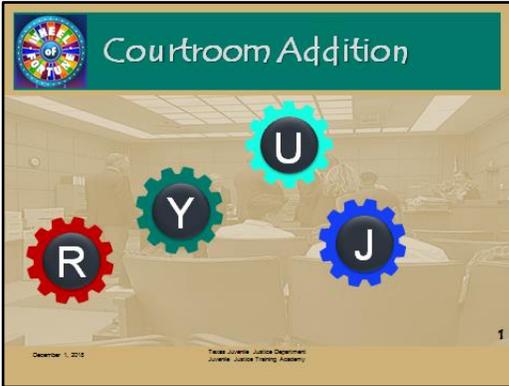
Individuals who furnish evidence by delivering testimony at a court hearing. Witnesses may be questioned by the prosecutor, defense attorney, or judge.

- Victim

A victim is a person who, as the result of the delinquent conduct of a juvenile, suffers a financial loss or personal injury or harm. Victims have the right to be informed of relevant court hearings and are able to provide the court with additional information through testimony or by completing a victim impact statement during disposition hearings. Be sure to follow your local policy and procedure regarding your responsibilities regarding victims. More information about victim rights may be found in the *Texas Family Code, Chapter 57*.

Q: What questions do you have about the individuals in court? (*Answer questions, if any.*)

Let's put your knowledge to the test by doing a quick activity.



Slide 5-26 – Activity: Wheel of Fortune | Courtroom Addition

Instructor's Corner:

PG: N/A

👁️ This slide appears blank. Click for first letter to appear. Subsequent letters will appear automatically until all letters are revealed, or until trainer clicks to reveal answer.

Trainer Notes:



For Your Eyes Only – Activity: Wheel of Fortune | Courtroom Addition

1. Individually, participants will guess the correct word or phrase on the slide, from letters which are scrambled and appear one at a time.
2. As letters appear on the slide, participants will attempt to guess the word or phrase. Trainer should click for first letter of the scrambled letters to appear. Subsequent letters will appear automatically until all letters are revealed, or until trainer clicks to reveal the answer. The last letter of each scrambled word will be the color of the ribbon at the top of the slide.
3. Trainer may have participants raise their hand when they believe they know the answer or may have them call out the word as the letters are revealed.
4. When a participant has guessed the correct word, trainer should advance the letters until the word is displayed correctly on the next slide.
5. The participant who guesses the correct word will then need to define the word on the slide. Trainer will provide the correct answer if the participant relays incorrect information, or if more clarifying information is needed about the word.
6. The participant with the most correct answers will benefit during the last activity, by being able to pick whether they go first or last. Do not let the participant know *how* they will benefit, only that they will during the last activity of the day.

7. If multiple participants have the same number of correct answers, the trainer may decide which participant will benefit during the last activity, whether it be by them picking a correct number, or having the most work experience.
8. Debrief as outlined in the lesson plan.

Activity Point: To reinforce knowledge about individuals who have a role in the courtroom.



Activity – Wheel of Fortune | Courtroom Addition Time: 15 Minutes

You may put your participant guide away for this activity. We are going to play *Wheel of Fortune | Courtroom Addition*. I am going to reveal letters on the slide, which when unscrambled, spells one of the individuals in court we just talked about. When you think you know the correct word, call out the word and if correct, provide the word definition. The person with the most points at the end of the game will benefit later in the course. When finished, we will discuss the activity as a large group.

Correct answers (slide has corresponding answer number in the right bottom corner)

- | | |
|-----------------------------|---------------------------|
| 1. <i>Jury</i> | 7. <i>Bailiff</i> |
| 2. <i>Judge</i> | 8. <i>Juvenile</i> |
| 3. <i>Victim</i> | 9. <i>Witnesses</i> |
| 4. <i>Respondent</i> | 10. <i>Court Reporter</i> |
| 5. <i>Court Coordinator</i> | 11. <i>Prosecutor</i> |
| 6. <i>Defense Attorney</i> | |

Debrief

(Determine which participant had the most points and inform him (or her) they will benefit during the last activity.)

Q: What questions do you have about who is who in court? *(Answer questions, if any.)*

The list of individuals in court we talked about is not exhaustive. There may be others in the courtroom, such as bystanders, interpreters, or the juvenile's peers. Be mindful of who you engage with and make sure they are entitled to receive information about a juvenile and his (or her) case.

Now that we know who will likely be present in court, let me give you some tips to make your court experience a smooth one.



Slide 27 – Court Hacks

Instructor's Corner:

PG: 6

 This slide appears blank. Click for each life hack to appear and then for court hacks to appear as they are mentioned.

Trainer Notes:



Court Hacks

(Click for each life hack to appear as it is mentioned.)

Court is unpredictable you will not always know what is going to happen from one moment to the next; however, there are some court hacks or tips which will ensure you are prepared and able to deal with most situations. Just as life hacks provide ways in which life is made simpler, like:

- using a straw through the tab on the can to keep the straw from rising;
- taping a fork with tape if you do not have a spoon;
- using a binder clip to keep pesky earbud wires in place; or
- using a post-it to clean a keyboard.

The following court hacks or unspoken rules to abide by will provide you with guidelines to make certain you, juveniles, and their families are able to navigate in court without any major challenges.

(Click for each court hack to appear as it is mentioned.)

- Be sure to know the courtroom location and rules

Be sure you know where the local courtroom is located, particularly when informing families of where they need to appear. Also, be aware of the layout of the courtroom, where you and the family will be situated in the courtroom, along with where the judge will be seated. Further, be familiar with specific court rules, such as starting times for detention hearings, adjudication hearings, or jury trials. You will need to explain all of this to the juvenile and family.

Regarding rules, if a juvenile elects to go to trial to decide the outcome of his (or her) case, there may be times when the court invokes “the rule,” which means you are bound by certain limitations as a potential witness. When you are bound by “the rule,” you may not:

- discuss the case with anyone, with the exception of attorneys;
- read or listen to outside influences regarding a case, like news reports or articles; or
- comment on any testimony you hear in court, until you are released by the presiding judge.

- Arrive early

There is nothing more unprofessional than not being in the courtroom after a judge has called your case. It is pertinent you arrive early before court proceedings, to ensure you have everything you will need, like the pre-disposition report (PDR), pens, the juvenile’s file, and other important documents.

- Know the location of juvenile and family

Although you do not have to sit with the family when in a large courtroom, you do need to know where they are at all times. You must be able to account for the juvenile, family, and their location, particularly when court is set to begin.

Typically, the first order of business during courtroom proceedings is the court docket call, in which the judge calls out names listed on their documents and includes everyone with a court matter that day. You must know if the family is there and if not, you are responsible for announcing this information to the court. Later, we will talk about tips you may give to a juvenile on how to announce their presence in court, but for now remember because court proceedings are not quick, family members may become anxious and leave the courtroom. You must know the location of the juvenile and their family at all times; not knowing may cause unforeseen delays, particularly if a judge has limited time. Sometimes, a juvenile's defense attorney may assist in this process; however, it is important to know the juvenile and their family's location anyway.

- Consider confidentiality

You will be discussing your dispositional recommendations with juveniles, their family, a defense attorney, and prosecutor. When doing so, be mindful of others around you and try to find a quiet place to confer with these individuals.

Remember, the PDR, which contains your recommendation, is a confidential document and should only be shared with pertinent parties. The law regarding confidentiality and sharing of court and probation records may be found in the *Texas Family Code (58.007)*. Be sure you become familiar with this statute along with local policy and procedure before sharing court or probation information. Lastly, be sure to have a copy of your PDR for yourself, to take notes regarding the case during adjudication and subsequent disposition hearing.

- Be flexible

There will be things that may happen in court you do not agree with. You may recommend one thing and the prosecutor or judge, who is the final decision maker, recommends others. You may spend an entire day in court and have a case reset at 4:30 PM on a Friday. There are so many unknowns with court; you will need to be flexible and realize these things are not only happening to you, they are likely happening to other JPOs around you, as well as all other individuals involved with the juvenile case.

Q: What other hacks would be useful to know in a court setting? (*Elicit responses.*)

Another hack which you will find useful is knowing what is considered distracting in court and should be avoided. Let me share those with you now.



Slide 28 – Distractions

Instructor's Corner:

PG: 6

 This slide appears with three pictures. Click for video to play and then for each distraction to appear as it is mentioned.

Trainer Notes:



Distractions

Appearing in court requires you to carry yourself with the utmost professionalism and respect. With that, you must avoid creating distractions which may disrupt court proceedings, like being singled out for talking in court by a judge.

Q: What might be some distractions in the courtroom? (*Elicit responses.*)

There are several ways people may cause distractions in court. As an officer of the court, you are expected to set the example for others in the courtroom, particularly for people appearing in court for the first time. Talking must be kept at a low level, so as not to distract from on-going proceedings, especially when a judge is on the bench and court is in session.



Let me show you a quick video which highlights several distractions and inappropriate behavior in the courtroom. As you watch, think about the behavior you will display in court.

(Click to play video, titled Madea as a Foster Mother. Length of video is 2 minutes and 16 seconds.)

Q: What were some inappropriate behaviors you saw in the video? *(Elicit responses.)*

Both the juvenile and Madea, the defendant in this, case were inappropriate. Anytime a person is testifying in front of a judge, they must show respect and answer questions in an appropriate manner. In the video, the juvenile was rude to the judge and was not appropriately dressed for a court appearance. Madea was loud and challenging, behavior rarely tolerated in a courtroom setting.

(Click for each distraction to appear as it is mentioned.)

Other distractions in the courtroom may include the following:

- Food | Drinks

Snacks, food, or beverages are prohibited in a courtroom. Besides the mess these items may make, it is inappropriate to eat or drink during court proceedings.

- Gum | Tobacco Products

Chewing gum or having anything in your mouth while court is in session is not only distracting, but rude.

- Reading materials

The only thing you should be reading is a juvenile's case file. Other things, like office paperwork or magazines must be left outside of the courtroom.

- Unnecessary communication

Any talking you need to do should be done outside of the courtroom. If you must talk, do so in hushed tones and keep it brief.

- Movement

Frequent getting up or leaving will interrupt court proceedings. Once you are seated, wait patiently until your case is called. If you do need to leave, do so quietly and as discreetly as possible.

- Inappropriate gestures | interactions

Avoid profusely greeting individuals you have not seen in some time, particularly when court is in session. When the judge is not on the bench, you may talk in the courtroom, but keep it professional. Your personal life should not be discussed during court proceedings; personal conversations should happen outside of the courtroom. Further, talking to any individual, especially the judge, as though you are friends, while court is in session is never acceptable.

- Illness

Try your best not to appear in court when you are not at your best. Doing so is not only distracting, but may pose a risk to others in the courtroom.

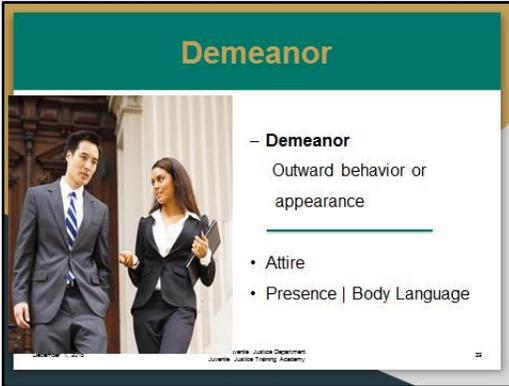
Q: What is another huge distraction that may cause problems in the courtroom? (*Elicit responses.*)

- Electronic devices

Be mindful using your cell phone or other electronic devices while in the courtroom. Your phone must be on silent; check and double check this before you enter the courtroom and if you are able to leave it somewhere safe outside of the courtroom, do so. Playing games or texting while court is in session is a sign of disrespect and must be avoided. In addition, even if you have access to a laptop and are inclined to complete other work while waiting, don't. Court requires patience and if you are inclined to complete other work related paperwork while waiting, do so outside of the courtroom, making sure you are in the vicinity when your case is called.

Q: What questions do you have about courtroom distractions? *(Answer questions, if any.)*

The last thing JPOs must consider when understanding the courtroom blueprint is personal demeanor. Let's talk about that now.



Slide 29 – Demeanor

Instructor's Corner:

PG: 6

 This slide appears with a picture. Click for definition to appear and then for each of the tips to appear as they are mentioned in the LP.

Trainer Notes:



Demeanor

(Click for definition of demeanor to appear.)

Suitable demeanor or outward behavior and/or appearance is another element you must be mindful of when taking part in court proceedings.

Q: Why is appropriate demeanor critical when appearing in a court of law? (Elicit responses.)

The way you present yourself, if done in the right way, conveys dignity and professionalism, particularly to the presiding judge. There are a few things to keep in mind when presenting proper demeanor in the courtroom.

(Click for tips on demeanor to appear as they are mentioned.)

- Attire

Your outward appearance is expected to be appropriate and professional in

nature at all times, even when you are not expected to be in court. When you do have to appear in court you must wear proper attire, typically dictated by local policy. Be sure your hair is properly manicured and follow departmental rules with respect to facial hair, jewelry, piercings, and tattoos.

Also, because you are not able to predict when you will have to appear in court, it is a good idea to keep courtroom attire on-hand, whether in your office, vehicle, or other safe place in the event you are called into court unexpectedly.



Let me show you a video which highlights what may happen if you do appear in court with improper attire.

(Click for video to play, titled My Cousin Vinny Courtrooms Scene: Funny Suit 1. Length of video is 2 minutes and 1 second.)

This of course is a movie, but remember the courtroom is a place of high respectability and bringing undue attention to yourself because of a wardrobe choice is unacceptable. The courtroom is not a nightclub or a casual hangout; keep this in mind when preparing yourself for court.

Let's continue our discussion on proper demeanor in court.

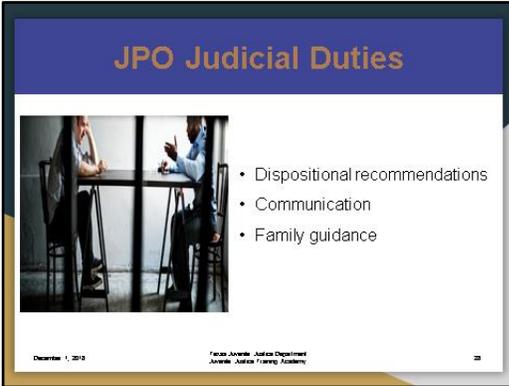
- Presence | Body Language

You must exude competence in the courtroom by appearing calm, confident, and non-threatening. Be sure to speak loud enough so all parties may hear you and avoid joking or being silly in the courtroom. Be aware of your body language in court, particularly if you are on the stand. Maintain eye contact with whomever

you are speaking with and avoid rolling your eyes or looking from side to side. If you are testifying, be mindful of nervous behavior, such as fidgeting or playing with a pen. Officer presence is discussed extensively in the *Officer Safety and Mechanical Restraints* course.

Q: What questions do you have about expected demeanor you must maintain in the courtroom? (*Answer questions, if any.*)

Besides the typical blueprint of juvenile courtrooms, you will also need to know what expectations you have in court, specifically your duties and some guidelines to follow when making court recommendations. Let's shift our focus and talk about that now.



Slide 30 – JPO Judicial Duties

Instructor's Corner:

PG: 7

Trainer Notes:



JPO JUDICIAL DUTIES

During court proceedings, you will be tasked with several duties, including making dispositional recommendations outlining what services or conditions a juvenile should be required to complete, if placed on probation. Although you are not an attorney and may not offer legal advice, your professional opinion on what those conditions should be are highly valued and typically, the judge, prosecutor, juvenile, family, and defense attorney will agree with your recommendations. There may be times, however, when parties do not agree with you, and ways to handle that are discussed in the *Foundations of Law* course.

Today, we are going to discuss specific duties you will be tasked with in court, for example, having to determine if a juvenile is a danger to himself or others and recommending whether he (or she) be detained during a detention hearing. As a JPO, you will have to consider various factors when making decisions about juveniles, oftentimes with little time to ponder, such as when you are assigned a case at 8:30 AM and court proceedings begin at 9:00 AM.



Let me show you a video about decisions JPOs are expected to make and the importance of having a complete picture when making recommendations.

(Click to play video, titled Punishment-Juvenile Probation Officer. Length of video is 1 minute and 54 seconds.)

Q: What are your thoughts on the video? *(Elicit responses.)*

As the JPO described, you will need to consider several things when making recommendations regarding juveniles, whether during a detention, adjudication, or disposition hearing. When in court, you will be expected to:

- make dispositional recommendations;
- communicate with others; and
- offer juveniles and family guidance regarding court matters.

Let's begin our discussion with how to make sound court recommendations.



Slide 31 – Dispositional Recommendations

Instructor's Corner:

PG: 7

 This slide appears with a picture. Click for definition to appear and then for PDR elements to appear as they are mentioned.

Trainer Notes:



Dispositional Recommendations

(Click for definition of pre-disposition report to appear as it is mentioned and then for elements of PDR to appear when they are mentioned.)

Different from when you appear in court for a detention hearing, where you simply recommend whether a juvenile should be released or detained, when making recommendations in court after a juvenile pleads true to an allegation(s), a prepared pre-disposition report (PDR) must be written by you, regarding the juvenile's social history. This report provides pertinent information to the court about juveniles, their specific needs, and family background. To get this information, you will conduct an interview(s) with juveniles, their family, and other credible sources of information. There may be times when you conduct this interview before a court hearing, at other times, you may know the family for months before they are scheduled to appear in court. The PDR must include detailed information on the following:

- Offense summary

A brief summary of the events of an alleged offense. Although in most cases, the police report is provided to the court, or judge, the offense(s) must still be

summarized. Avoid personal opinions and stick to the alleged facts.

- Prior juvenile history

All prior referrals and dispositions should be provided to the court. In addition, any information regarding allegations made to the Texas Department of Family and Protective Services, or Child Protective Services (CPS) should be included.

- Peer relationships

General overview of the type of peers a juvenile has, especially if they are delinquent, on probation, or involved in gang activity.

- Family background

Information regarding a juvenile's household, including all parties residing in the home, employment status, income, criminal history, and any other pertinent details the court should know. As a JPO, if you have been to the home and had concerns about it, include your concerns in the report as well.

- Medical | Mental health needs

Specific needs of a juvenile must be included, specifically information regarding a diagnosis on a psychological report, if there is one, and medications taken by the juvenile. The medical or mental health condition of the parent/guardian(s) should be mentioned as well.

- Substance use

Information about what illicit drugs, if any, a juvenile has used or experimented with must be included in the report. If drug tests were administered before court, include those results as well. Further, if the parent/guardian(s) has a history of

drug use, include this pertinent information as well.

- Academic performance

School attendance, behavior, and grades must be reported to the court. Include any suspensions, detentions, or accolades.

- Criminogenic needs | Pro-social skills

Risk factors must be considered and indicated in the report, along with positive factors related to the juvenile's resilience. This information is typically found on an initial assessment juveniles are asked to complete, like the positive achievement change tool or PACT.

This list is not exhaustive. If your department uses the Juvenile Case Management System (JCMS), much of the above information will be found there and will assist you when preparing your recommendations. Any information you believe the court should know, such as cultural, gender, or sexuality considerations must be included in the court report. Departments and judges may differ in what specific information must be included in the report; be sure to consult local policy and procedure with regard to what you need in court reports and how it should be organized. The report must also include a recommendation regarding the length of a probation term, counseling programs, community service, or restitution if needed. If you decide a juvenile is in need of a placement outside of his (or her) home, be sure to provide information supporting your recommendations, such as additional assessments and staffing considerations from more tenured staff.

Be sure to consider what the family is capable of, in terms of their financial situations, parental skills, and transportation when deciding what you will recommend. Examples of

probation conditions you may consider for juveniles such as individual and/or family counseling and anger management class and options to consider during detention hearings are discussed extensively in the *Foundations of Juvenile Law* course.

Q: What questions do you have about the PDR and recommendations? (*Elicit responses.*)

The courtroom demands a certain way in which parties communicate, with reverence and esteem and you need to know how to do it effectively. Let me give you some advice on ways to properly communicate while in court.



Slide 32 – The Art of Courtroom Communication

Instructor's Corner:

PG: 7

 This slide appears with a picture. Click for the suggestions to appear as they are mentioned in the LP.

Trainer Notes:



The Art of Courtroom Communication

Whether talking with juveniles, family members, attorneys, or testifying in court, as a JPO you are expected to do so with certainty and authority. Several parties will need to speak with you, sometimes all at the same time. You must know how to communicate efficiently, during sometimes challenging situations, in part to avoid becoming flustered and ultimately ineffective.

(Click for each consideration to appear as it is mentioned.)

Considerations to be mindful of when communicating in court include:

- Maintaining respectful, professional attitude
Your disposition, tone of voice, and nonverbal cues should be consistent with anyone you come in contact with. You must convey confidence and professionalism with everyone, even when they are yelling at you or making disparaging remarks regarding your abilities.

- Do not take things personally

There may be times when a juvenile or their family informs the court of something you have said or done, which may not be true. Even though you may be upset about these fabrications, you must maintain your composure and avoid becoming argumentative. Your only task in court is to tell the truth. There is no use arguing with anyone in court, especially when in front of a judge. You will always have an opportunity to respond to disparaging remarks; this is the time to be patient. Being a JPO requires a thick skin; taking things personally and internalizing them may cause you problems, like health issues, in the long run.

- Avoid wavering from your professional opinion

Your recommendations are not meant to be changed by anyone, except a judge. Be able to argue why you are recommending certain conditions for a juvenile and do not allow anyone to intimidate you into changing your mind. Remain firm and confidently provide explanations for specific recommendations.

- Answer only questions asked of you

Provide answers to only questions you are asked about, particularly when testifying and take your time when providing answers to questions. Also, it is inappropriate to offer personal opinions about a juvenile or their family; all information you wish to convey must be included in your PDR and based on factual information.

- Do not be afraid to say no

You may be asked questions for which you do not know the answer. If you do not know an answer, do not be afraid to say that, but convey your willingness to find an answer.

- Remain fair and impartial

Not only should you report a juvenile's risks, you should also highlight their strengths, good behavior, and accomplishments. The court will need a complete picture of a juvenile when ordering probation conditions. Because you are tasked with recommending conditions which are in a juvenile's best interest, you must not allow unconscious biases, which may lead to decisions based on faulty information or judgments to cloud your outlook. More information about unconscious bias may be found in the *Cultural Equity* course.

- Be prepared

It is important you are prepared when you walk into a courtroom, whether testifying or simply making recommendations to the judge. If you are aware you will be testifying, take some time and confer with the prosecutor. Determine what you may be asked about, what the state is trying to prove, and what the opposing counsel may ask. Remember, nervousness is normal; however, you must be able to effectively relay your intended message.

- Collaborate

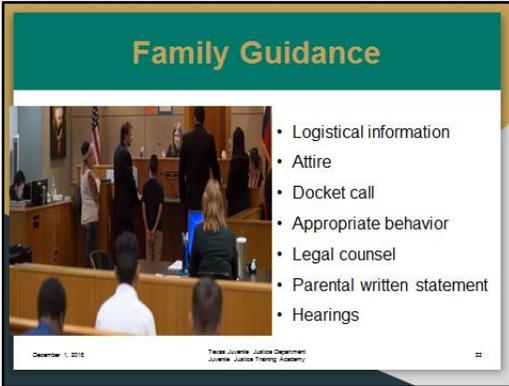
Working with other individuals in the courtroom will require collaboration, or teamwork. Be sure to provide a copy of your PDR, if applicable in your department, to the prosecutor with your recommended conditions. Even if the prosecutor does not agree with you, remain respectful and discuss your disagreement as professionals. In addition, be sure to connect with the defense attorney and inform him (or her) of your recommendations. He (or she) may want to see a copy of your PDR and while they may review the report, they should not make a copy of it. Follow your local policy and procedure with regard to sharing

this information.

Lastly, a juvenile and family appearing in court should already be aware of your recommendations, but if they are not, carefully explain to them what conditions are being recommended, so they know what to expect.

Q: What questions do you have about courtroom communication? (*Answer questions, if any.*)

As a JPO, you are also responsible for informing juveniles and families about certain guidelines or rules they will need to abide by when appearing in court.



Slide 33 – Family Guidance

Instructor's Corner:

PG: 7

 This slide appears with a picture. Click for each tip to appear as they are mentioned.

Trainer Notes:



Family Guidance

(Click for each tip to appear as it is mentioned.)

Although some families may be accustomed with what happens in the courtroom, others may have no idea what may happen and will benefit from your guidance. Some advice you may share with families include:

- Logistical information

When a family receives a summons for court, they should be informed of the court address and other pertinent information they need to get there on time. Explain the importance of their timeliness and the consequence of being late. Be sure to stress to a family that court proceedings may last all day, depending on factors like the number of court cases on the docket, when the defense attorney shows up, and any other unforeseen circumstances. Further, explain to the family they should always be in the courtroom or near its vicinity, so they are present when their case is called.

If a family does not have transportation, identify other ways for them to appear in

court on time, whether it is another family member giving them a ride, public transportation, or if you are permitted by local policy, them up and transport them to court. Also, oftentimes, parents/guardian(s) have to miss work due to court appearances. Provide a work excuse as needed and if necessary, and if the parent/guardian would like you to, call their place of employment and explain the circumstances about the time in court.

- Attire

The family must be informed of what is considered acceptable attire in the courtroom. Revealing, torn, or baggy clothes are unacceptable. Point out to the family that the courtroom is a place of respect and their attire must reflect this. If a juvenile has excessive jewelry or visible tattoos, advise them to remove or cover as they are able. Oftentimes, if a juvenile appears in court with improper attire, their case may be reset for another day or the court may provide a juvenile detention uniform for him (or her) to wear. Stress to parents/guardians that the rules of attire also apply to them and if they are improperly dressed, they may be stopped from entering the courtroom, subsequently causing the case to be rescheduled or missing their child's hearing.

- Docket call

The family must be told about docket call, its promptness, and what they should do when their name is called. Inform them the judge will enter the courtroom and the bailiff will indicate to stand and when it is acceptable to sit down. Explain the judge will read juvenile names on a docket call sheet and when the juvenile's name is called, he (or she) must stand and say either, "present," "here," or "here, Your Honor" in a voice loud enough for the judge to hear. Typically, if a juvenile is not present during docket call, a warrant will be issued for him (or her) to be taken

into custody.

- Appropriate behavior

Juveniles and their family are expected to act in a befitting manner when in the courtroom. This means no excessive talking, no audible cell phones, nor negative body language. Inform a juvenile he (or she) must speak to the judge with the utmost respect.

- Legal counsel

Every juvenile is entitled to an attorney. The family may hire an attorney, but if they are not able to financially do so, they may apply for a court-appointed one. Every department will have a process on how to do this; be sure you are aware of the process and inform a parent/guardian of this as soon as a juvenile is notified of a hearing, typically before a court hearing is scheduled. As a JPO, you must not provide legal counsel or attempt to interpret the law to juveniles and families. If they do ask for your legal opinion, inform juveniles and families you are not a lawyer and any legal concerns or questions they have must be directed to the attorney of record.

- Parental written statement

Parents or guardians are allowed to provide the court with a written statement regarding their child. Oftentimes, parents/guardians are unwilling or unable to verbalize their thoughts in court, because they may be trying to protect their child or because of nervousness. Explain to the family if they want their voice to be heard by the judge and are afraid to speak in open court, they can complete a parental written statement, which you should provide to them at the initial meeting. If a parent does complete the written statement, be sure to review it

before the hearing and provide it to the prosecutor along with your PDR. If your department uses the JCMS, this information may be uploaded in the system.

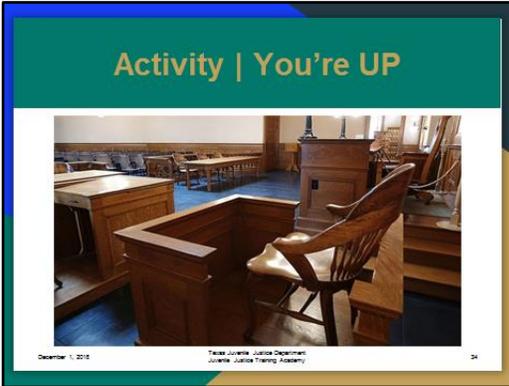
- Hearings

Provide the family with an overview of the court process, like the difference between detention hearings and docket settings, probation and what this means, along with the possible conditions the judge may order. In most departments, when a juvenile is adjudicated, they are fingerprinted, which is secured to the probation conditions. Families should be aware of this, so they are not caught off-guard when it happens at the end of a disposition hearing. Most importantly, the family must be aware a judge may follow the JPO recommendation or may decide on other, different conditions.

Q: What questions do you have about guidance you may provide to juveniles and families appearing in court? *(Answer questions, if any.)*

This list is also not exhaustive; there may be information which differs from each department regarding court proceedings. Be aware of your local policies and procedures and relay this information as needed.

Now, we will use the information discussed today to do one last activity.



Slide 34 – Activity | You're UP

Instructor's Corner:

PG: 8

Trainer Notes:



For Your Eyes Only – You're UP

1. Before training, cut scenarios and place them in a container. Participants will pick one for the activity.
2. Individually, participants will read their scenario and develop dispositional recommendations, based solely on the information provided.
3. Participants will present their recommendation to the "court" at the front of the training room or courtroom, if available. Trainer will play the "judge" and will ask for the recommendation and ask follow up questions outlined in the lesson plan.
4. Each participant will have 15 minutes to prepare their disposition recommendations and 5-7 minutes to present and defend it in court. If necessary, time each participant during their presentation. Participants should use appropriate language in court, including saying, "Your Honor" and "yes or no ma'am."
5. The "judge" may ask questions the participant may not know the answer to. The participant should be able to relay to the court the information is not available, however, they will look into it. Trainer may decide not to ask questions of the participant; participants should not know what to expect while presenting.

6. Trainer may ask questions listed in the LP from other scenarios, if they relate more to the presented recommendation. The questions provided in the LP are meant as a guide and are written in the LP for consistency; however, any question listed in the LP may be asked for any scenario. Further, the trainer may ask questions not listed in the LP, particularly if the questions do not align with the recommendation the participant provides.
7. Trainer may keep a notepad at the “bench” in order to write down notes regarding the participant’s recommendation. These notes may be used when asking follow-up questions.
8. If able, conduct the activity in a courtroom. If there is no access to a courtroom environment, set up a chair for the judge and a podium or other area for the JPO to present. Be sure other participants have a clear view of both the judge and JPO during presentations. Regardless of environment, participants should present in attire appropriate for a court appearance.

Activity Point: To provide participants an opportunity to apply what they know about courtroom proceedings and dispositional recommendations, learned in this course, to hypothetical scenarios involving juveniles appearing in court. Depending on the size of the training class, some participants may have the same juvenile scenario; however, they will be working individually.



Activity – You’re UP

Time: 90 Minutes

In your participant guide, turn to the activity titled *You’re UP*. Individually, read your chosen scenario and determine what your recommendation will be, including whether the juvenile should be supervised in the community, the length of the probation term, and conditions of probation, such as anger management classes or community service.

You may decide the juvenile may need to be placed in a residential treatment facility or the Texas Juvenile Justice Department, and if so, be prepared to defend your recommendation.

You must base your recommendation solely on the information you have been given and keep in mind; this is the first offense for all juveniles referenced in the scenarios. I will not have any additional information on the juvenile you have chosen. You will need to present your recommendation to the judge and be prepared to answer any additional questions he (or she) may have. If you are able, you may reference the *Foundations of Juvenile Law* participant guide for specific conditions you may consider for the juvenile you are working with. Once everyone has presented their recommendations to the court, we will discuss the activity as a large group.

(Allow the participant who won the last activity to pick whether he (or she) will present first or last.)

| SCENARIOS

– Devin Collins | 1

Devin Collins, a 16-year-old boy recently stole two cases of beer from Walmart and then drove some friends around in his father's pickup. After speeding on a dark road, Devin struck a stalled vehicle, causing irreparable damage and sending his two friends to the hospital with minor injuries. Upon his arrest, Devin had a blood-alcohol content of .24, well above the legal limit.

Devin resides with his parents and two siblings in an affluent neighborhood. This is his

first offense. He has a history of alcohol use and although arrested once before, the case was dropped by the district attorney's office. He is a good student and his family was devastated by this latest incident.

Suggested follow-up questions

Q: Why should Devin be granted an opportunity to serve his probation at home? He could have killed someone.

A: Your Honor, Devin has not had an opportunity on probation. The juvenile probation department has not had an opportunity to provide services designed for his rehabilitation. We would like to give Devin an opportunity to learn from this incident and grow from it.

Q: Why should I send Devin to TJJD? Doesn't the probation department have services to rehabilitate him?

A: Your Honor, Devin was drinking and may have caused serious bodily injury or death to himself or others. Despite Devin's parent support and non-existent juvenile record, his carelessness and lack of forethought deems him more appropriate for a residential placement setting.

For this scenario, it should be noted, because this is Devin's first referral to the juvenile probation department, he will *likely* be placed on probation in the home, however, there is no guarantee. The judge will make the final decision, despite your recommendations. If your department has a staffing committee, be sure to review the details of the case and provide their recommendation as well. A staffing committee is a group of tenured staff, who may have more additional insight into what recommendation to present to the

court. In addition, you should be prepared for either decision, including having all pertinent paperwork and preparing the family for each possibility.

– Josh Taylor | 2

Josh Taylor, a 14-year-old boy was recently arrested for burglarizing a motor vehicle. He has been in juvenile detention for a few weeks; his detention and court hearings are scheduled for next Monday.

Josh lives with his mother, step-father, and younger siblings. He does not have a relationship with his biological father and he and his step-father do not see eye-to-eye. Josh has trouble following the rules in school and has been suspended two times since the school year began. Josh reports he has many friends, many of whom get high and often experiment with other drugs. Josh denied gang involvement.

Suggested follow-up questions

Q: Why has Josh been suspended from school? He is clearly associating with the wrong crowd; did he meet them at school?

A: Your Honor, I am not aware of Josh's specific behavior at school, however I will certainly get the information you need during a recess or now if you prefer.

During the debrief-remind participants it is okay to not know an answer, just offer to find an answer for the court as soon as possible.

Q: Why shouldn't I just dismiss this case and place Josh on deferred prosecution? Why create a juvenile record for him if we can help him without placing him on

probation?

A: Your Honor, Josh seems to need more supervision than deferred prosecution will provide, with the standard being one visit per month. He is having trouble in school, associates with the wrong crowd, and may be using drugs.

During the debrief, explain to participants the benefits of deferred prosecution. Under the *Texas Family Code 53.03*, there are only certain offenses the probation department may recommend deferred prosecution for; otherwise the prosecutor or the court may place the child on deferred prosecution.

– Bryant Williams | 3

Bryant Williams, a 15-year-old boy is pending court for two counts of theft. In each case, he stole money out of a parking lot payment box while an adult stood by as a lookout. The adult, later identified as Bryant's father was also charged with theft.

Bryant habitually engages in this type of conduct, according to school officials and uses money he steals to support his drug and alcohol habits. Bryant denies he has a drug problem, but his mother reports the contrary. She has taken him to be drug tested and on two occasions, Bryant failed the test. She is not able to control her son and although she does not want Bryant associating with his father, when she works, she has no control over their relationship.

Suggested follow-up questions

Q: Is the Department of Family and Protective Services providing services to this

family?

A: Your Honor, I am not aware of whether a case has been assigned by TDFPS for the family, however, I will certainly get the information you need during a recess or now if you prefer.

During the debrief, inform participants that when a parent is a party in the commission of an alleged crime a juvenile has committed, TDFPS must be contacted, with a report submitted regarding the incident. The agency will determine whether they will open an investigation. Even if they do, the probation department will still have to provide a recommendation to the court.

Q: Is this the least restrictive consequence for Bryant? Why placement, if he has not been on probation before?

A: Your Honor, Bryant does not seem to have adequate supervision at home. His mother seems to lack the appropriate skills needed to supervise him effectively in the home. Bryant's father has his own set of issues and will likely be charged in the theft case, as an adult. It seems Bryant would benefit from a more confined setting, which residential placement will provide.

– Bethany Works | 4

Bethany, a 13-year-old girl, is pending court on two allegations, possession of marijuana and assault bodily injury. Bethany has a history of running away from home and her mother believes she is associating with older adults, particularly a 32-year-old man, who is a bad influence.

Bethany's mom has reported this behavior to the police, but according to her, they have

not done anything to her daughter. At school, an in-home counseling program was assigned to Bethany; however, Bethany is never home when the counselor visits. Bethany's mom has asked you to "lock" Bethany up because she "can't go through this anymore."

Suggested follow-up questions

Q: Why wouldn't you recommend placement for Bethany? She is in danger of being potentially raped, killed, or the victim of human trafficking.

A: Your Honor, Bethany has not had an opportunity to participate in services provided by the probation department. She has been assigned to an in-home counselor, however she has not benefited from those services. With the help of the probation department, we will be able to help Bethany's mother with gaining skills to supervise her daughter successfully.

Q: This juvenile is 13-years-old. Why not provide her an opportunity to prove herself on probation in the home?

A: Your Honor, Bethany's mother does not have adequate parenting skills to supervise her daughter in the home. Bethany is associating with older people, specifically older men, putting herself at risk for dangerous situations, such as human trafficking or worse. We believe a residential placement facility will keep Bethany safe and provide her with skills to re-integrate into the community successfully.

– Dana Maxwell | 5

Dana, a 13-year-old boy is pending on a charge of possession with intent to deliver

cocaine, based upon his participation in a sale of cocaine to an undercover officer. Several test results suggest Dana may have suffered brain damage as an infant and a prior psychological evaluation indicates his full scale I.Q. is 76, considered to be mentally challenged. Dana has been diagnosed with Attention Deficit Disorder, is described as hyperactive, and often experiences “uncontrollable rages.”

Dana currently resides with his 70-year-old grandmother. His biological parents, both of whom suffer from drug addiction, are currently incarcerated. His grandmother is on several medications and has reported she allows Dana to do what he wants because she does not have the energy to chase behind him.

Suggested follow-up questions

Q: Are there other family members with whom Dana could reside? I am reluctant in expecting his grandmother to supervise him.

A: Your Honor, I am not aware of any other family members who are willing to supervise Dana in the home. With the probation department providing services, we will be able to aid Dana’s grandmother by expecting Dana to abide by conditions of probation, which will include a curfew, attending school, and other conditions the court orders.

Q: Dana has a documented diagnosis of ADD and a low I.Q. How will he be rehabilitated at a residential facility?

A: Your Honor, any residential facility Dana is placed at will have the ability to supervise him adequately. Dana will be evaluated by medical professionals, who will ensure he has the correct medication, if necessary and mental health professionals will assist with the ADD diagnosis. Further, all residential facilities implement a behavioral intervention program, designed to help

Dana with his coping abilities.

– Anthony Baker | 6

Anthony Baker, a 12-year-old transgender boy is pending court on a charge of burglary. He resides with his father, who works at night and an older sister. You have had a difficult time making contact with Anthony's father and have not been able to serve him for court. After speaking to him on the phone, he tells you he has no time to worry about Anthony, is tired of "her dressing like a boy," and plans to send him to live with his mother in California.

School records, which included a psychological report, noted Anthony does not care about hurting others because they constantly hurt him, due to him being transgender. Anthony's assigned counselor believes any intervention would likely be in vain and is certain Anthony will re-offend.

Suggested follow-up questions

Q: Who will supervise Anthony at night, when his father is at work?

A: Your Honor, Anthony's sister is 19-years-old and will be at the home during overnight hours. She will ensure Anthony is home and abiding by his curfew. Anthony's father is not able to change his schedule at work.

Q: I agree with your recommendations; how long will it take for Anthony to be transported to TJJD/placement?

A: Your Honor, I am not aware of how long it will take for Anthony to be transported to TJJD/placement, but I will check with juvenile detention and the TJJD/placement to see if they can provide an estimated time frame.

– Melissa York | 7

Melissa York, a 13-year-old girl is pending court allegedly for making a bomb threat, while at school. According to the police report, Melissa wrote a note on a stall in the girls' bathroom which stated a bomb would go off in 20 minutes and everyone in the school was going to die. Another student found the note, told school officials, and the school was evacuated. When the bomb squad arrived, they were unable to find evidence of a bomb.

The next day, Melissa, growing anxious because of what she had done, told her mother she was the one who planted the note. Melissa said she was angry because her boyfriend was seeing another girl at school and only wrote the note to get her boyfriend and the girl out of their class together. Her mother called the police.

Suggested follow-up questions

Q: I disagree with your recommendation. Melissa put herself and other students at risk of injury. I am ordering her into residential placement and would like her transported there today. Are you able to make that happen?

A: Your Honor, I am not able to transport Melissa to placement. The probation department has a process it follows in terms of placing juveniles in residential facilities. Melissa will need to be assessed, which will determine what placement will be the best for her. I can assure you, if

Melissa is ordered into placement, she will receive a variety of services designed for her rehabilitation.

Q: Why shouldn't Melissa have an opportunity on probation? Isn't the juvenile probation department able to provide services for her?

A: Your Honor, yes, the probation department would have services to aid in Melissa's rehabilitation, however due to seriousness of the offense, in which she put herself and other student's at risk, it is believed she would be more adequately supervised in a residential placement facility.

– Marvin Harding | 8

Marvin Harding, a 16-year-old boy is scheduled to appear in court for a charge of cruelty to animals. Allegedly, he was caught shooting a BB gun at stray cats in the neighborhood, which someone later reported to police. Marvin is currently in detention, awaiting a court date.

Marvin resides with his older sister; both of their parents died in a car accident when Marvin was 6-years-old. His sister, who is 22-years-old, was recently married and is pregnant with her third child. She informs you Marvin has got to get out of her house; he does not listen to her, is a bad influence on her kids, and her husband wants him out. When asked if she was aware of Marvin trying to injure cats in the neighborhood, she tells you she is not surprised; he has always been a little off.

Suggested follow-up questions

Q: Why would you recommend probation with Marvin's sister having custody of him? She does not seem equipped to handle him and her three children.

A: Your Honor, this is Marvin's first offense. We believe the probation department will be able to provide services to aid Marvin's sister, creating stability and other family benefits. Being able to hold Marvin accountable for his behavior is the first step in the rehabilitation process.

Q: Despite this being Marvin's first offense, you are recommending placement/TJJD?

A: Your Honor, due to the seriousness of the offense, the probation department believes placement in a residential facility/TJJD is the best option for Marvin at this time. His sister is not able to provide adequate supervision for Marvin and we are not aware of any other family members willing to care for him at this time.

During the debrief, explain statutory requirements for a juvenile to be committed to the Texas Juvenile Justice Department, outlined in the *Texas Family Code*. This is talked about extensively in the *Foundations of Juvenile Law* course.

– Grace Littlejohn | 9

Grace Littlejohn, a 14-year-old girl is pending court on a charge of possession of marijuana and hydrocodone, which she allegedly was selling at school. Further, because she resisted with the officer who arrested her, she will have to answer to this charge as well.

Grace lives with her mother and five siblings. The family currently has an open investigation with Child Protective Services, due to allegations of neglect and physical

abuse. Grace denies being abused by her mom and refuses to say where she got the hydrocodone. She is rude, has an attitude, and school officials have warned if her behavior continues, she will be expelled.

Suggested follow-up questions

Q: It does not seem Grace will be successful on probation in her home. Why can't she be placed by Child Protective Services? Can you drug test her mother?

A: Your Honor, I am aware CPS has an open investigation, however at this time, I am not aware of what the outcome of their case will be. I will be in contact with the CPS Caseworker and if the decision is to place Grace and her siblings, the probation department will continue to provide services coupled with CPS. Regarding the drug test, I can contact the CPS Caseworker and see if he (or she) will be able to administer the test on Grace's mother.

Q: I agree with your recommendation. I'd like all of the children removed from this home and placed in a residential facility. Will you be able to take care of this?

A: Your Honor, I am not able to ensure all of the children be removed from the home, as our department does not have jurisdiction over the younger siblings. I will certainly contact the CPS Caseworker and let her know of your concerns.

– Eli Stevens | 10

Eli Stevens, a 16-year-old is pending court for a charge of aggravated sexual assault of a child. He allegedly fondled his 5-year-old niece when visiting his sister.

Eli lives with both his parents, who report they have never had any problems with him at home. He is a good student, plays in the band, and follows the rules at home. School officials note the same, reporting Eli has always been a good student and report no major issues with him.

Suggested follow-up questions

Q: Are you able to guarantee Eli will not assault any other children?

A: Your Honor, although I am not able to guarantee Eli will not assault other children, I believe the services the probation department will provide will aid in his rehabilitation. This along with stringent conditions the court orders will likely reduce the risk of Eli re-offending.

Q: Have you talked with the victim's mother about how this has affected her?

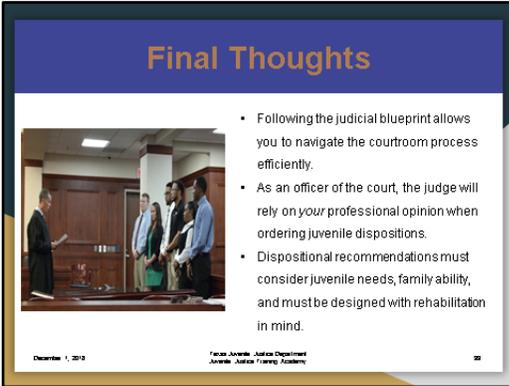
A: Your Honor, I have not had an opportunity to speak with the mother of the victim. I am sure the victim is receiving counseling services due to this incident and if you would like, I will find out this information as quickly as possible.

Debrief

As you can see from this activity, there is not a list of standard questions that may be asked of you in court. You must be prepared for any question the court may ask of you and do not be afraid to say you do not know an answer. In the long run, it is better to admit lack of knowledge, instead of lying in a courtroom. This will only later lead to undesirable consequences.

Q: What questions do you have about this activity or any of the information we talked about today? *(Answer questions, if any.)*

We have come to the end of the course. Let me leave you with some final thoughts.



Slide 35 – Final Thoughts

Instructor's Corner:

PG: 9

 This slide appears with a picture. Click for each final thought to appear as it is mentioned.

Trainer Notes:



Final Thoughts

The courtroom is one of high respectability, where decisions are made daily about juveniles and at the center of it all is you, the JPO. You have an intricate, vital role in the courtroom process, often knowing the most information about a juvenile and family. Your ability to provide individualized recommendations contributes directly to a juvenile's ability to be rehabilitated. Although the process may be slow going at times, the end result more often than not leads juveniles away from delinquency and toward pro-social behavior.

(Click for each final thought to appear as it is mentioned.)

Remember:

- Following the judicial blueprint allows you to navigate the courtroom process efficiently.
- As an officer of the court, the judge will rely on *your* professional opinion when ordering juvenile dispositions.
- Dispositional recommendations must consider juvenile needs, family ability, and

must be designed with rehabilitation in mind.

Thank you for your participation in *On the Record – Courtroom Proceedings and Dispositional Recommendations* course today.