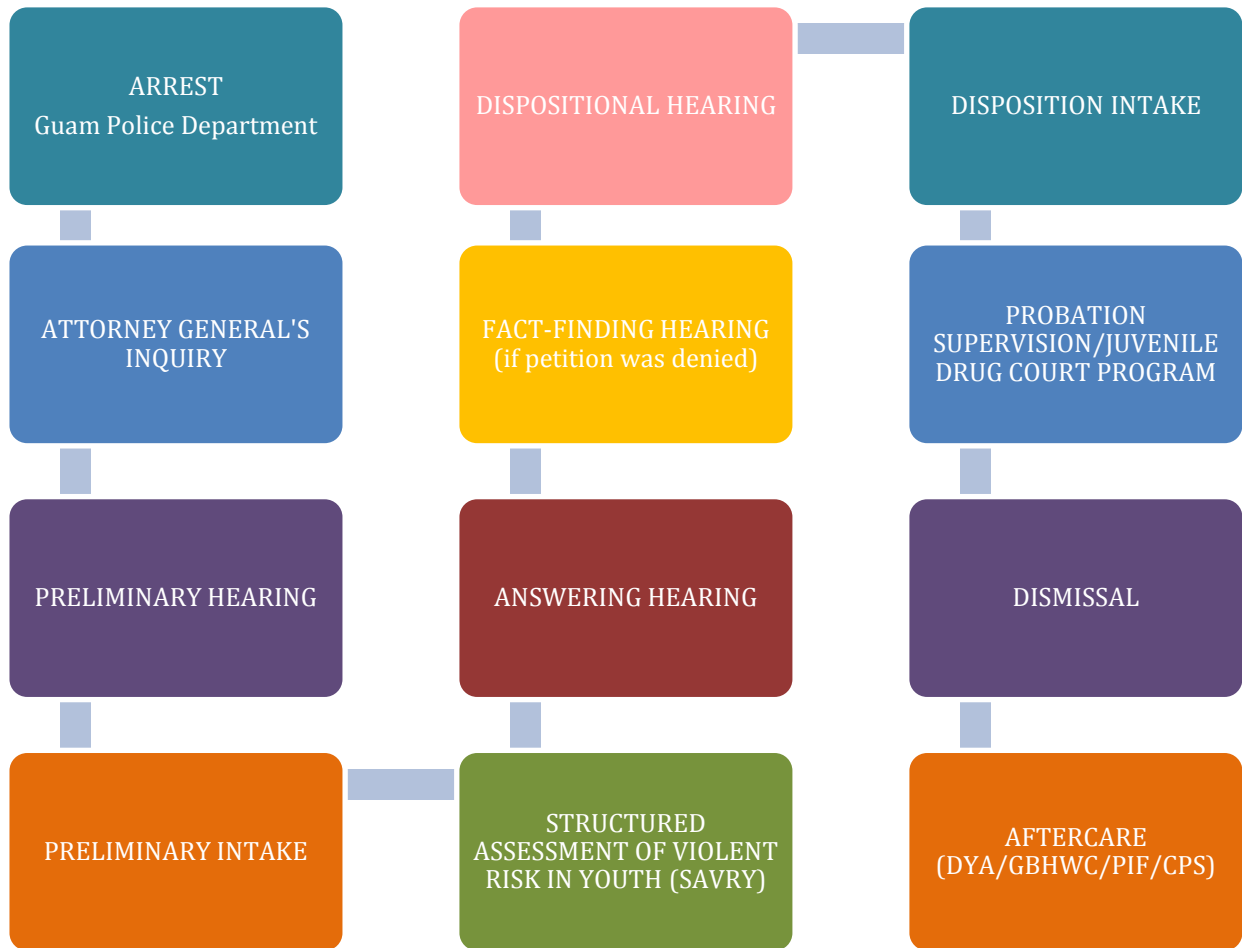


JUVENILE PROCESS MAP



1. Arrest

- The Guam Police Department responds to a complaint and may detain the minor at the Department of Youth Affairs until his/her Preliminary Hearing, or release the minor to their parent/guardian and give them a Notice to Appear at a scheduled Preliminary Hearing.
- The Guam Police Department forwards their police report to the Attorney General's Office, and the Attorney General has the discretion to charge out the crime.
- If they proceed to charge out the crime, a petition is filed with the court. That petition provides the minor's name, age, address, their parents or guardians, the charges filed against them, and a description of the alleged crime.
- Juvenile Probation researches the minor and parent/guardian legal history to assist the judge in release or placement issues at the Preliminary Hearing.

2. Attorney General's Inquiry

- The Attorney General's Office consults with the Juvenile Probation Office to verify juvenile information including demographics, criminal history, and recommendations regarding release conditions.

3. Preliminary Hearing

- The Preliminary Hearing is heard by the Magistrate Judge with Probation and the Attorney General present.
- If the minor was detained at the time of the arrest, the Preliminary Hearing must be heard within 48 hours (excluding weekends and holidays).
- If the minor was given a notice to appear at the time of arrest. The Preliminary Hearing must be set within one year.
- At the Preliminary Hearing, the charges brought against the minor are read, jurisdiction is established, a defense attorney is either identified or assigned, and the minor is released or detained.
- The minor is given a set of conditions by the judge that he/she must adhere to until disposition. These conditions are outlined on the Juvenile Probation referral form that is completed during the hearing and given to the minor and parents after the hearing.

4. Preliminary Intake (pre-screen assessment/SASSI)

- The Preliminary Intake process occurs at the Juvenile Probation Office.
- If the minor is released, the minor is instructed to appear at the Probation Office. If remanded, the minor and parent/guardian are instructed to report to the Probation Office upon release.
- At that meeting, the minor's parent/guardian provides Probation with the minor's birth certificate, passport, driver's license, social security card, demographics, socio-economic and family background, medical details, authorization for release of school information, authorization for release of medical information, and a map to the minor's residence.
- The Preliminary conditions, which are indicated on the Juvenile Probation Referral Form, are explained to the minor and parent/guardian, and the assigned probation officer is introduced to the minor and family.
- Every minor will complete a pre-screen assessment. The assessment score will determine two things:
 - Case assignment for JPO Supervisor
 - Supervision level

- Moderate to High Risk ratings indicate a need for risk and needs assessment.
- If the minor was petitioned on a drug charge, the minor will complete the Substance Abuse Subtle Screening Inventory (SASSI) to determine if the minor is dependent on the particular drug/drugs. Those classified as dependent will enter the Juvenile Drug Court Program.

5. Risk and Needs Assessment Tool

- Minors who rate moderate to high on the pre-screen assessment will undergo a risk and needs assessment.
- A Case Management Plan will be created to guide the minor's treatment and supervision.
- A Disposition recommendation form will be completed for the assigned judge to review prior to the Answering Hearing.

6. Answering Hearing

- The Answering Hearing is the hearing at which the minor admits or denies the charges brought against him.
- If the minor admits, a Dispositional Hearing will be set. A Dispositional Report may be requested by the Judge at this time. A Home Assessment report may also be requested at this time, or any
- If the minor denies, a fact finding (adjudicatory) hearing would be set. The same Dispositional or Home Assessment reports may be ordered at this time.

7. Fact-Finding Hearing

- The Fact Finding Hearing is a juvenile trial.
- If the minor is found guilty, a Dispositional Hearing will be set, or Disposition can be rendered at the same hearing.
- If the minor is found not guilty, the case is dismissed, and all charges expunged.

8. Dispositional Hearing

- The Dispositional Hearing is the hearing at which disposition is rendered, probation conditions are briefly explained by the judge, followed by a thorough explanation at The Juvenile Probation Office.
- If the minor is ordered to be remanded, the minor is transported to the Department of Youth Affairs by Juvenile Probation, and intake will be performed upon the minor's release.
- If the minor is ordered to be released to his/her parent/guardian, they are instructed to report to the Juvenile Probation Office for intake.
- During the Dispositional Hearing, Juvenile Probation completes a Juvenile Probation Referral Form. This form outlines the minor's conditions of Probation. It is given to the minor and his/her parents after the hearing.

9. Disposition Intake

- The Dispositional Hearing is the hearing at which disposition is rendered, probation conditions are briefly explained by the judge, followed by a thorough explanation at The Juvenile Probation Office.
- If the minor is ordered to be remanded, the minor is transported to the Department of Youth Affairs by Juvenile Probation, and intake will be performed upon the minor's release.

- If the minor is ordered to be released to his/her parent/guardian, they are instructed to report to the Juvenile Probation Office for intake.
- During the Dispositional Hearing, Juvenile Probation completes a Juvenile Probation Referral Form. This form outlines the minor's conditions of Probation. It is given to the minor and his/her parents after the hearing.

10. Probation Supervision

- During the minor's probationary term, academics, behavior, counseling progress, program progress, health, and general progress will be monitored.
- If the minor fails to obey and complete his/her terms of probation, depending on the severity of the circumstance, it is the discretion of the probation officer to either:
 - Counsel the minor, and get him/her back on track.
 - File a violation and a summons for the minor and schedule a hearing to address the violation in court.
 - File a violation and request a pick up order from the assigned judge to apprehend the minor and schedule a hearing to address the matter.
- Communication between client and Probation Officer during this period is paramount in identifying and addressing various issues that may be unresolved, or may have arisen after disposition was rendered.
- The Probation Officer keeps in constant communication between the minor, various counselors, program agencies, the school, parents, and others involved with the minor to determine the progress of the minor.
- Drug testing is performed at the Juvenile Probation Office if ordered by the court.
- Random home searches will be performed at the discretion of the Juvenile Probation Office if ordered in court.

11. Dismissal

Upon successful completion of all terms of probation, and at the recommendation of Probation and the discretion of the Court, the minor's case may be dismissed.

- At the end of the minor's Probation term, if all conditions of probation are complete, and there are no unresolved issues, a closure letter will be filed by the Probation Office. This letter will indicate to the court that the minor has satisfied all conditions of probation, and that closure is recommended.

12. Aftercare (DYA, CPS, GBHWC, PIF)

Aftercare services typically run concurrent with the minor's Probationary term.

- The Probation Office communicates with the various aftercare programs to address any issues that may arise and to monitor the progress of the minor in those services.
- Oftentimes, aftercare services may run beyond the length of the probationary term and case closure. At this point, the Probation Services will be relieved, and the minor will continue with aftercare services unsupervised.

13. Other Types of Cases Supervised by the Juvenile Probation Office

There are three additional types of cases that the Juvenile Probation Office supervises:

- The Pre-Adjudication Diversion Program (PADP) is a program initiated by the Attorney General's Office. A minor is booked with a crime, and a police report is given to the

Attorney General's Office. Based on the discretion of the Attorney General, a minor who is a first time offender, has committed a non-violent crime, and has been cooperative and agreed to the terms of the program, may be referred to the juvenile probation office for supervision under the PADP. An agreement is made between the minor, his/her family, and the Attorney General's Office that the program be completed successfully or else the minor's case will be charged out in court. Typical conditions may include community service, curfew, apologizing to victims, better performance and attendance in school, counseling, and classes offered by the Alternative Sentencing Office.

- Courtesy Supervision Cases are cases referred to the Juvenile Probation Office from other jurisdictions in the US. Juveniles who relocate to Guam are instructed to report to the Juvenile Probation Office to complete court ordered conditions from their respective jurisdiction. Juveniles are enrolled in classes and counseling equivalent to those ordered in the previous jurisdiction.
- Juveniles involved in Person in Need of Services (PINS) cases are sometimes assigned a Probation Officer to assist the court in ensuring that those juveniles are abiding by court ordered conditions. These conditions may involve curfew, school attendance and performance, counseling, classes, etc.