

Juvenile Delinquency System Word Bank

Important Laws & Terms in the Juvenile Delinquency System

Juvenile Term	Equivalent/Comparable Adult Term	Definition
Welfare and Institutions Code (“WIC”)	N/A	Laws that govern how many things work in juvenile courts, including types of probation and what the courts should consider when making decisions at different types of hearings.
Penal Code (“PC”)	Penal Code (“PC”)	Laws which define criminal offenses and govern most areas of criminal law (note: while many of the <i>offenses</i> young people are charged with come from laws in the Penal Code, many <i>processes</i> in juvenile court are governed by a different set of laws called the Welfare and Institutions Code (“WIC”)).
Juvenile Delinquency Case/System (also called “600 case/system”)	Adult Criminal System	Terminology for juvenile criminal system and cases. “600” refers to WIC §§ 602 and 601, which are the laws governing which youth the juvenile criminal courts have jurisdiction (power/authority) over. <i>Compare with 300/Dependency.</i>
Offense	Crime	The illegal action the youth is charged with having done. Most offenses would be considered crimes if committed by an adult, but some offenses, like truancy, are only enforceable against minors.

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Felony	Felony	A class of more serious offenses which may be more likely to result in disposition to more formal levels of probation or in placement. Examples include: murder, kidnapping, and robbery.
"707(b)" Offense(s)	N/A	Refers to WIC § 707(b), which lists approximately 20 offenses considered to be the most serious in juvenile court; examples include murder, robbery, certain kidnapping offenses, and assault with a firearm. 707(b) offenses generally trigger exceptions to what otherwise might "normally" happen in juvenile court (i.e., juvenile strikes, transfer to adult court, more difficulty sealing records).
Strike/Juvenile Strike	Strike	"Juvenile strikes" are offenses committed on or after a youth's 16 th birthday which are listed in WIC § 707(b) and would qualify as a strike if charged in adult criminal court (serious or violent felonies). Juvenile strikes count as strikes if a person is later charged in criminal court. People with three strikes on their record face worse outcomes at disposition/adult sentencing.
Misdemeanor	Misdemeanor	A class of less serious offenses (compared to felonies) which are more likely to result in dispositions (equivalent to sentencing) to less formal forms of probation or pre-trial disposition. Examples include shoplifting and DUIs.
Juvenile Dependency Case/System (aka "300 case/system")	N/A	Refers to WIC § 300. Sometimes called the "child welfare," "foster care," or "family policing" system. Youth who become wards of the court (removing parental authority over and sometimes physical care of the youth) because of abuse/neglect (versus youth who become wards of the court because of committing an offense: "600 cases").

Types of Hearings & Common Court Terms

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<i>Important Terms During Arrest Through First Hearing</i>		
Miranda Warnings	Miranda Warnings	Warnings people are entitled to when “in custody” and being questioned by police or a prosecutor. Since the passage of SB 203, with some limited exceptions, youth under 18 in California MUST be permitted to speak to a lawyer (usually a public defender) before questioning begins to explain these warnings. Youth 18 and older must then “invoke” the rights the warnings describe (right to a lawyer and to remain silent) by (1) asking for a lawyer; (2) saying they would like to remain silent; AND (3) not answering law enforcement questions.
Petition	Charging Document: Complaint/Information/Indictment	The document that says what penal code law(s) the youth allegedly broke and what the youth did to break it. Prosecutors can change (amend) petitions to add, delete, or modify charges and can file additional petitions for new charges while the youth is on probation or in detention.
<i>The First Hearing</i>		
Detention Hearing	Arraignment (In Custody)	First court appearance for youth who have been arrested and taken to Juvenile Hall. The DA (prosecutor) must file a petition and the detention hearing must happen within 2-3 court days of arrest to determine whether the youth will remain at Juvenile Hall or be permitted to return home. Typically when a lawyer is appointed to represent the youth if they do not hire one.

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First Appearance/Initial Appearance	Arraignment (out-of-custody)	First court appearance for out-of-custody youth. May, but rarely will result in remand (putting youth in detention) and/or placement on GPS. Typically when lawyer is appointed to represent the youth if they do not hire one. A significant amount of time may elapse between the arrest and the initial appearance.
<i>Hearings Before Deciding Whether a Youth Committed an Offense</i>		
Pretrial Hearing	Pretrial Hearing	Any court hearing held before the adjudication (aka trial or admission). May address different issues, including to request informal probation.
Transfer Hearing	N/A	Hearing sometimes held to determine whether youth charged with offenses listed in WIC § 707(b) can be tried in adult criminal court for alleged offenses committed before age 18. The prosecutor must request this hearing; formerly known as a “fitness hearing.”
<i>Hearings & Events to Decide Whether a Youth Committed an Offense</i>		
Admit/Admission	Plead Guilty/Plea Bargain	If a youth admits committing an offense, they are under the jurisdiction of the juvenile court, which must determine the appropriate disposition (sentence). By making an admission, a youth is waiving their right to a jurisdictional hearing (trial) where they could argue they did not commit the offense. Like in criminal court, most delinquency cases are resolved through an admission.
Deny/Denial	Plead Not Guilty/Not Guilty Plea	Saying the youth did not commit the charged offense.

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Jurisdictional Hearing/Adjudication	Trial	A hearing where both sides present their case. The DA will present witnesses and evidence to try to prove the youth committed the charged offense. Youth have the right to be represented by counsel, to confront and cross-examine witnesses, to remain silent, and to call their own witnesses and introduce their own evidence. Any charged offenses must be proven beyond a reasonable doubt by the DA. There is no right to jury trial in juvenile court; jurisdictional hearings in juvenile court are always in front of a judge.
"True Finding" and/or "Finding"	Conviction/Found Guilty	A finding after an admission or trial that one of the underlying charges was true (i.e. the youth was found "guilty" of an offense). Note that juvenile findings are not legally the same as a criminal conviction.
<i>Hearing to Decide a What Will Happen to a Youth Found to Have Committed an Offense</i>		
Dispositional Hearing	Sentencing Hearing	When the judge decides whether the youth can remain at/go home or go to a different placement and/or what level of probation they should be on. Options include non-wardship probation (WIC § 725), formal probation ("4C"), and out-of-home placement ("3C"). In theory, the only considerations are supposed to be rehabilitation and public safety, while punishment is not supposed to be a factor.

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<i>Hearings While a Youth is on Probation or in Placement</i>		
Collaborative Court	Behavioral Health Court/Mental Health Court	A special court for youth who have mental disabilities. Admission to Collaborative Court is discretionary and requires that youth meet certain criteria (including a mental health diagnosis). Collaborative court involves receiving wrap around support (usually from Seneca Family of Agencies) for mental health services and case management.
Progress Report	N/A	Hearing for which the probation officer writes a report on the progress or non-compliance of the youth on probation or in placement. The youth’s attorney may also file or share evidence to show the youth’s progress. The court may change terms of probation based on the youth’s needs, progress, or conduct. Generally, every 30-60 days while on probation.
Restitution Hearing	N/A	In every case, if a complaining witness (victim) asked for restitution from the youth, the youth’s attorney may argue about the accuracy of the amount with the DA. The court will determine the amount the youth is required to pay if anything. <i>See</i> “Restitution” definition under Probation Conditions.
<i>The End of a Delinquency Case</i>		
Consideration of Dismissal Hearing	Dismissal Hearing	When the court considers whether a youth has completed sufficient probation terms for their case to end or if there is another legal reason their case must end (for example, if they “age out” of the juvenile system). Dismissal hearings can be requested by a youth’s attorney at any time. In non-wardship and informal probation a dismissal hearing date is usually set when probation is ordered. Note: probation being terminated may or may not mean the young person’s records are sealed/that the underlying charge is dismissed.

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Record Sealing	Record Sealing	Juvenile record sealing (done under WIC § 781 or § 786) can allow records of juvenile arrests and/or adjudications (conviction equivalent) to be completely removed from a person’s record (also called a RAP sheet).
<i>Terms Used In Court</i>		
Waive Irregularities/Waiver of Irregularities	Waive Irregularities/Waiver of Irregularities	A waiver of any objection to potential error that in processes required by law. Generally, lawyers are asked to “waive irregularities” in a circumstance where all parties are otherwise in agreement about what should happen. One common circumstance where this comes up is where a youth admits to a probation violation and asks to have their disposition decided at the same hearing.

Placement and Related Terms: Where the Youth Will Live

Juvenile Term	Equivalent/Comparable Adult Term	Definition
Placement/Out-of-Home Placement	N/A	When youth are taken from the legal and physical custody of their parents. Generally, youth are sent to live in a group home or other program (“placement”) on a “3C” order.
“3C” order	N/A	A term used almost exclusively in Alameda County. The court orders that a youth’s “care, custody and control” are vested with the probation department (the 3 C’s) and terminates the youth’s parental custody to place the youth in an out-of-home placement. <i>Compare</i> “4C” order under Probation.
Home Supervision	N/A	Forms of probation where youth can continue living at home without GPS monitoring. Probation Officers (“POs”) will conduct random checks at home and at school to make sure youth are where they are supposed to be, when they are supposed to be and may be able to search youth and their homes/belongings and drug test youth based on court orders about the terms of probation. Youth should speak to their attorneys to understand the scope of what their Probation Officers legally may do while supervising them.
FPU (Family Preservation Unit)	N/A	Used almost exclusively only in Alameda County. When a youth is given a last chance to remain at home before being sent to placement -- because a youth on FPU is already on a “3C” order, they can be immediately placed in a group home even if a probation officer has not filed a “777” (probation violation).
Group Home	Residential Treatment Program	Also known as out-of-home placement, it is generally the result of a “3C order” imposed at disposition.

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Camp Sweeney	N/A	A county-run facility that traditionally housed youth adjudicated of more serious offenses and/or who have violated probation repeatedly and is now commonly used as a step down from SYTF/Firm Roots. Located at JJC in an unlocked “in custody” facility with a “boot camp”-like program. In Alameda County, youth are not committed to camp for any specific amount of time; rather, they must stay at camp until they complete all the requirements for “graduation,” which usually takes around 6 to 8 months.
Detention/Juvenile Hall (“The Hall”)/JJC	Prison/Jail	A facility intended to hold incarcerated youth. Has a juvenile court school attached (Butler Academy in Alameda County). In Alameda County, located in the same building as juvenile court. Also where youth who are arrested and kept in custody awaiting a detention hearing are held.
SYTF (statewide term)/ Firm Roots (Alameda County term)/ Secure Track (old term)	N/A	A track for more serious felony adjudications within juvenile hall. Generally for longer-term placements in juvenile hall. Replaced the Division of Juvenile Justice or “DJJ,” which was a state-run facility for young people adjudicated of certain serious offenses .

Probation, Pre-Trial Supervision, & Related Terms: What Youth are Required to Do

Juvenile Term	Equivalent/Comparable Adult Term	Definition
Probation	Probation	At disposition, the judge will impose terms of probation. Probation terms can include the payment of victim restitution, curfew, orders to attend school, to stay away from certain people or places, to participate in certain programs, among others. Youth typically remain on probation until the court orders dismissal (based on successful completion of probation) or when the court’s jurisdiction ends based on aging out, whichever happens first. Some young people may be unsuccessfully terminated from probation before they age out.
“777” (Probation Violation)	Probation Violation	Refers to WIC § 777. Both DAs and probation officers can charge violations in subsequent petitions anytime a youth violates a term of their probation. This may restart the juvenile court process from the beginning. Common violations: staying away from home overnight/violating GPS or committing a new offense, but ANY violation of the court’s orders for probation can be charged as a 777.
<i>Types of Pre-Adjudication Supervision</i>		
Deferred Entry of Judgement (WIC § 790; “DEJ”)	Post-guilty plea diversion	A program for certain first-time felony offenses for youth over age 14. Rarely pursued in Alameda County. Youth complete requirements over 12-36 months to receive dismissal of charge(s). Allows the court to automatically find the youth committed a charged felony offense if the youth fails to comply with terms or rules (rather than allowing for a jurisdictional hearing or admission to a lesser charge).

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Informal Probation/ "654.2 Probation"	Pre-plea diversion	Under WIC § 654.2. Negotiated placement on probation before a jurisdictional hearing or any admission is made. If the youth successfully completes 6 months of probation (no probation violations, does most of what probation tells them to do), their petition (case) is dismissed without a finding or admission (conviction or plea equivalents). If not, the youth still retains their right to a jurisdictional hearing/to make an admission.
<i>Types of Post-Adjudication Probation</i>		
GPS Monitoring	Ankle Monitor	Youth can be ordered to be "placed on GPS" which involves them wearing a GPS device on their ankle that reports their location back to probation. Youth and their families must keep the device charged and regularly check-in with a GPS officer. When youth are on GPS, they are entitled to court hearings at least every 30 days to determine if less restrictive options will work for them (often based on whether they receive a positive report from probation about following GPS rules).
Probation Without Wardship/Non-Wardship Probation (WIC § 725)	N/A	Under WIC § 725. Imposed for a specified term of 6 months, instead of an unspecified term. Follows a finding or admission that a youth committed an offense, which distinguishes this type of probation from informal probation (WIC § 654.2).
"4C" Order/Formal Probation/Wardship Probation	N/A	The term 4C Order is used almost exclusively in Alameda County. A judge placing a youth on formal probation makes them a "ward of the court" and probation must supervise the youth's "care, custody, control and conduct" (the 4 C's). No definite ending/dismissal date. <i>Compare "3C" order under Placement.</i>

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<i>Probation Conditions (Things Youth Must Do)</i>		
Probation Conditions/Terms	Probation Conditions/Terms	Rules a youth on probation must comply with and tasks they must complete. Outlined in a court order and can be altered over the course of probation. Youth should speak to their attorney to understand their conditions. The youth’s attorney can request changes if there are barriers to prevent the youth from being successful and probation and the DA may request changes or additions--typically if the youth is not complying/ violating terms (for example, if a youth has multiple positive drug tests, they may request an order that the youth attend a substance use program).
Restitution/Victim Restitution	Restitution/Victim Restitution	Youth in juvenile delinquency court may be ordered to pay restitution in any case where the alleged illegal conduct results in economic loss based on the amount of the loss. Restitution is not generally ordered unless specifically requested by the complaining witness(es)/victim(s) in a case and a restitution hearing will be held to determine if the amount the complaining witness is claiming they lost is accurate. There are special rules for shared responsibility for payment with parents and with other youth involved in the same incident which a youth should discuss with their attorney.
Restitution Fine	Restitution Fine	A fine which a juvenile court may require a youth to pay into a state restitution fund. If a youth is adjudicated to have committed a felony then the statute requires the fine to be \$100-\$1000, or up to \$100 for a misdemeanor. Ability to pay is considered as one of the factors to determine the amount of the fine. Defense attorneys may ask the court to dismiss fines in some cases.

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Community Service	Community Service	Common probation term with a specified number of required hours to complete. Youth must submit a written record from the place where they completed hours documenting the number of hours to the court through their Probation Officer or attorney. Alameda juvenile courts often accept volunteering, pro-social activities (extra-curriculars, sports, jobs), or meeting with certain types of providers (mentors or case managers). Youth can ask their attorneys to confirm whether a certain activity can count for these hours.
Therapy/Counseling	Therapy/Counseling	The juvenile court may order participation in certain types of programming including therapy or counseling services. If youth are already working with or have a preferred provider who is a counselor or therapist, they may ask their attorney to see if the court will allow them to use that provider instead of one selected by probation.
Stay Away Order	Stay Away Order	The juvenile court may order youth to stay away from a certain location (often one associated with the offense) as a condition of probation. To comply, they must not go to that location.
No Contact Order	No Contact Order	The juvenile court may order a youth not to have contact with a certain person or people, often a complaining witness (victim) or others involved in the offense. To comply with this, the youth must avoid seeing, talking to, electronically communicating with (texting, emailing, reaching over social media) or indirectly contacting the person specified. If the person attends their school or another place they must be, the youth should talk to their attorney to clarify how to manage this with the judge.

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Curfew Order	Curfew Order	The juvenile court may order that the youth be at home every day by a certain time. If there are activities (like sports, community or school activities, or other things the youth would like to participate in) that conflict with the ordered curfew, the youth should talk to their attorney to ask the court if they may attend.

Important People, Providers, and Groups in the Alameda County Delinquency System

Juvenile Term	Equivalent/Comparable Adult Term	Definition
Guidance Clinic	N/A	Part of Alameda County Behavioral Health Care Services (BHCS) that provides mental health counseling and treatment to minors in juvenile hall and psychological evaluations to the court.
Petitioner/District Attorney (“DA”)	Prosecutor/District Attorney (“DA”)	The government agency that petitions the court to bring a youth into juvenile court and argues the young person committed an offense and should be in detention/on probation. Also the name for the person in court hearings who presents the case against the youth. While delinquency/600 petitions are filed by the district attorney (prosecutor), dependency/300 petitions are filed by County Counsel, on behalf of Social Services.
Probation Officer (“PO”)	Probation Officer (“PO”)	The probation officer is the person responsible for writing reports to the court about youth and monitoring the youth’s compliance with the court’s probation orders. They may have the authority to search or drug test the youth and may do surprise visits to the youth’s home or school. The youth should discuss with their attorney the scope of the probation officer’s authority based on the probation order in their case. See the “Probation” section.
Defense Attorney/Public Defender	Defense Attorney/Public Defender	A defense attorney or public defender is the youth’s attorney. They work for the youth and it is their job to keep the youth informed of what is happening during their case.