

IN THE MATTER OF: _____ CASE NO. JU- _____

TO THE ABOVE CHILD: You are alleged to be DELINQUENT IN NEED OF SUPERVISION. You have the right to remain silent. Anything you say can be used against you. You have the right to have a lawyer and your Parent(s), Guardian(s), or Custodian(s) with you at all stages of these proceedings. If you cannot afford a lawyer, one will be appointed to represent you. If you do not wish to have a lawyer now, you can always request one at any time during these proceedings.

You may be detained if, after a hearing, the Court finds by clear and convincing evidence that your release would present a clear and substantial threat of a serious nature to the person or property of others or of substantial harm to you, or that you have a history of failing to appear for Court or you have no Parent, Guardian, Custodian, or other suitable person able to provide for your supervision and welfare.

You have the right to have a trial in this case. At a trial, you are presumed to be not guilty. The State will have to prove these allegations beyond a reasonable doubt. You will not have to prove anything. You may be present, be represented by a lawyer, confront and question witnesses against you, and subpoena and present witnesses and evidence on your behalf. You may also testify but no one can force you to. If you testify, the State can question you. If you do not, it cannot be held against you. If you admit these allegations, there will be no trial and you will be giving up all these rights. You will still have the right to an attorney, to appeal and to get a free transcript if you or your Parent(s), Guardian(s), or Custodian(s) cannot afford one.

If you admit these allegations or if they are found to be true, you can receive the following punishments:

1. You can be allowed to remain with your Parent(s), Guardian(s), or Custodian(s), or
2. Your custody may be transferred to an agency or facility authorized by law to provide for your care, or
3. Your custody may be transferred to a relative, or
4. Your custody may be transferred to another individual found qualified by the Court.
5. You can also be placed on probation.
6. You can be ordered to pay recoupment to the Fair Trial Tax Fund, restitution, Court costs, a fine, supervision fees, and an assessment to the Crime Victim's Compensation Fund.
7. If an illegal drug was involved, you must complete a drug treatment program (which may include the Juvenile Drug Court Program), undergo random drug screens and may have your driving privileges suspended for six months.
8. If alcohol was involved, you must complete a substance abuse treatment program; your driving privileges will be suspended depending on the offense, from one to three months, and pay a fine if assessed.
9. If a weapon was involved you may be detained in secure custody and your driving privileges will be suspended.

If you are found to be delinquent, your custody can be committed to the Department of Youth Services (DYS) for a minimum of one year if you are found to be a Serious Juvenile Offender (pursuant to Section 12-15-219); or to their general rehabilitation program where DYS determines what facility you will be placed in and when you are released; or to the DYS short-term Highly Intensive Training Program (boot camp). Such a commitment may be suspended with probation conditions ordered for you to follow.

If you are found to be in need of supervision, your custody can be committed to the Department of Human Resources (DHR) or you may be held in a secure detention facility if it is later shown that you have not been amenable to treatment and/ or rehabilitation. Such a commitment may be suspended with probation conditions ordered for you to follow.

TO THE PARENT(S), GUARDIAN(S), CUSTODIAN(S) OF THE ABOVE CHILD: Your Child's rights in this matter and the potential punishments are described above. In addition to the Explanation of Rights, you will receive copies of the Court Summons and Petition(s). Unless you object and show good cause otherwise, you will be made a PARTY to the case herein under Code Section 12-15-218 *Code of Alabama*, 1975 and Rule 31 of the Alabama Rules of Juvenile Procedures. Under Alabama Law, you are legally obligated to provide and pay for your Child's care, support, supervision, evaluation, and treatment. You must make your child's medication, if any, available in sufficient supply for the time your Child spends away from your home. You may be responsible for transporting your Child and from various facilities. You can also be ordered to perform other reasonable acts deemed necessary by the Court. As a PARTY, you can be ordered to pay restitution, attorney fees, fines, counseling and treatment fees, child support, and Court costs. Failure to comply with the Orders of this Court can subject you to civil and/or criminal contempt proceedings and can result in civil judgments against you or incarceration.

Initially Reviewed and Explained _____ Probation Officer _____

As the child, I swear or affirm that I have read all the foregoing, had it read to me and/or thoroughly explained to me. I understand all my rights, the charge(s) against me, the potential punishments involved, and the potential consequences of admitting these allegations or having a trial in this matter.

Date _____ Child _____ Date _____ Attorney _____

As the Parent(s), Guardian(s), or Custodian(s) of the above child, I swear or affirm that I read all of the foregoing, had it read to me and/or thoroughly explained to me. I understand all of my child's rights. I have received a copy of the Summons and Petition(s) in this matter and understand the charges against my child and the potential punishments if my child admits these allegations or they are otherwise found to be true. I also understand my rights and obligations under Alabama Law if made a PARTY to this case and do _____ do not _____ object to being named a Party.

Date _____ Parent/Guardian _____ Date _____ Parent/Guardian _____

Acknowledged by all Parties on: _____

JAMES R. KRAMER, PRESIDING JUVENILE COURT JUDGE