

Diversion & Assessment Center

The Hamilton County Juvenile Court Assessment Center opened in 2020. Assessment Center staff meet with kids and their families at the point of crisis. Together, they identify what is going on and what changes need to be made to divert the child from becoming entrenched in the juvenile justice system.

Adjudication: The equivalent of being found guilty in adult court. To be adjudicated means that the judge or magistrate has submitted a judgment, decree, or order based on the evidence presented.

Co-Defendants: More than one person arrested and charged for the same offense.

Complaint: The formal written document filed in a court that includes the names of the parties, the allegations, and the official charge.

Defendant: In a criminal case, the person accused of the crime.

Delinquent: The finding made in a juvenile case that a child has violated a law or ordinance. The term is used instead of “guilty,” which applies to proceedings involving adults.

Diversion: Redirecting a youth away from official involvement with the court system. Young people who come before the Court on a first-time traffic, low-level delinquency, or unruly charge may be able to complete a diversion program. If the requirements of a diversion program are successfully completed, charges may be dismissed, without a Court record of the incident.

Dismissal: An order or judgment ending a case without a final decision.

- **Dismissed With Prejudice:** Defendant may not be charged again with the same crime.
- **Dismissed Without Prejudice:** Defendant’s actions may result in charges for the same crime.

Emancipation: The age a person is no longer considered a minor (child) under government laws.

Entry: The filing of a written, dated, and signed decision by a court. An entry is issued after every hearing held on a case.

Expungement: Officially eliminating a court record or of part of a court record. In some circumstances, a record may still be viewed by authorized people.

Felony: A serious crime.

Finding: A formal determination that has legal standing.

Hearing: A formal proceeding where parties and witnesses testify and evidence is offered to the judge or magistrate presiding over the case.

Incorrigible/Unruly: Behaviors that are not criminal, but could be addressed and tracked through the juvenile court system. Disobedient, dangerous and disruptive behaviors fall into this category.

Indigent: The inability to pay fees and costs related to a case.

Judgment: The official decision or finding in a case. A judgment is also known as a decree or order.

Jurisdiction: The geographic area over which the court has legal authority to hear and decide cases.

Juvenile: A person who was under 18 at the time of their offense. Once in the juvenile system, a person is considered a “child” until they turn 21.

Magistrate:

An attorney appointed by the Judge to hear certain cases. A magistrate hears evidence and makes rulings in a case.

Magistrate Orders:

Written orders that regulate proceedings in a case. Magistrate orders are effective without a judge’s approval.

Magistrate’s Decision: The written decision on a case, issued by a magistrate. A Judge can accept, deny or modify a magistrate's decision.

Mediation: An alternative process to prevent a contested hearing among parties that includes a neutral, third party to help identify areas of agreement.

Misdemeanor: An offense considered to be minor.

Pre-Screen Risk Assessment (PSRA): A short assessment used to determine a youth's likelihood of committing another delinquent act in the near future without formal intervention, used to guide the decisions of probation.

Pre-Sentence Investigation (PSI): A background investigation of a defendant, usually by the probation department, to assist the judge in sentencing an adjudicated youth. Both the prosecution and the defense will receive a copy of the pre-sentence investigation and may use for sentencing arguments. The PSI must be returned to the Court after sentencing.

Probable Cause: Evidence required before a person or property may be searched or seized by law enforcement and before a search or arrest warrant may be issued. It requires a reasonable belief that a person is currently committing a crime, or that evidence of a crime will be found in a particular location.

- **No Probable Cause:** Insufficient reason or evidence to hold a person who was arrested.

Protective and Risk Assessment (PRA): An in-depth risk and needs assessment used for disposition and case planning purposes

Restitution: Financial reimbursement to the victim or community service, required of the youth, imposed by the court.

Risk Assessment Instrument (RAI): A data-driven process used to assess the likelihood that a youth will reoffend or unable to comply with Court requirements and identify ways to intervene on the child's behalf.

Seal/Under Seal: To stop a court record from being publicly available. A sealed record can be accessed only by certain people for specific and limited reasons.

Status Offense: Non-criminal misbehavior, which would not be criminal if committed by an adult such as truancy and runaway charges. The behavior is an offense only because the youth is a minor.

Statute: Law

Unofficial: Allows some, first-time juvenile offender a one-time opportunity to avoid a permanent record with the Court. Unofficial does not mean the charges go away. The child must admit to the charge and tell the Court, in their own words, what happened. If they do not admit to the charge, or the victim objects to moving the case, the case is not eligible for the unofficial docket.