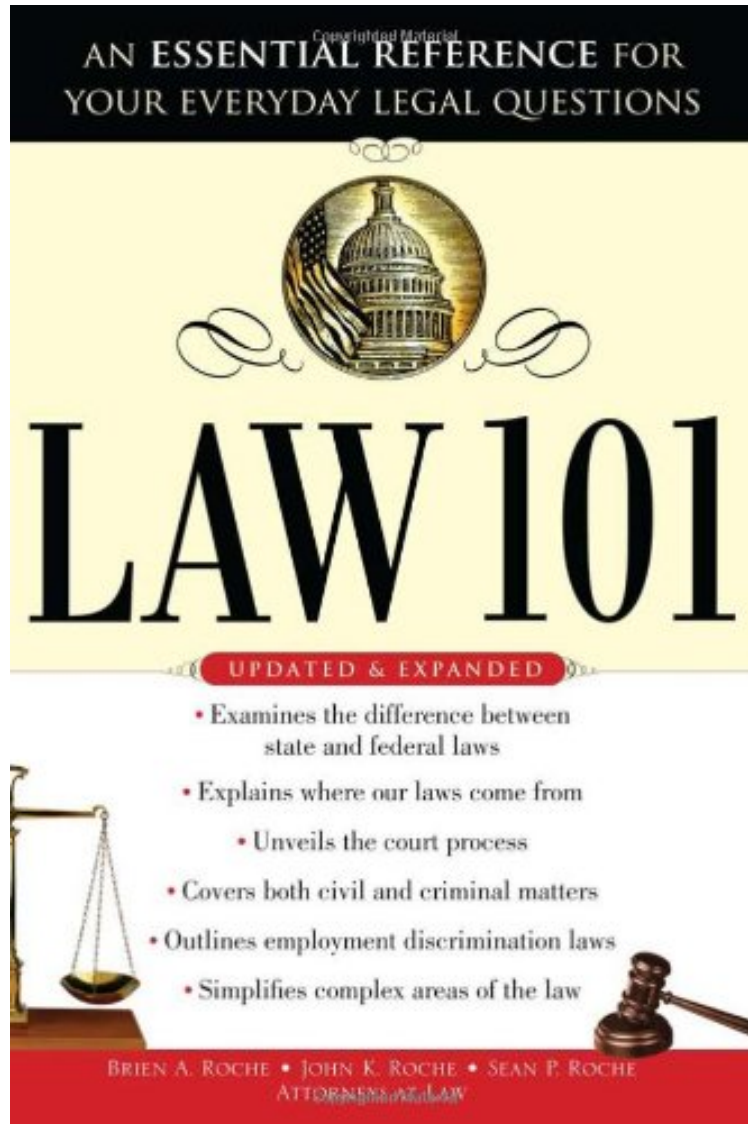


# Law 101, 2E: An Essential Reference for Your Everyday Legal Questions

*Brien Roche, Sean Roche, John Roche*  
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About the AuthorBrien A. Roche is a practicing attorney in Virginia, Maryland, and Washington, D.C. He has been practicing law since 1976. He is a graduate of Georgetown University and a graduate of the George Washington University Law School. After college, he served in the United States Marine Corps, and thereafter served as a patrol officer with the Washington, D.C. police department (known as the Metropolitan Police Department of Washington, D.C.). Since 1976, Mr. Roche has been engaged in the general practice of law in the tri-state area surrounding Washington, D.C. Licensed in Virginia, Maryland, and the District of Columbia, his litigation practice incorporates all facets of the law. He is the author of two professional legal texts that are published by Lexis Publishing Company. The Virginia Tort Case Finder, is a title well-recognized by Virginia lawyers and judges. The second book, The Virginia Domestic Relations Case Finder, is a must-have reference for all family law practitioners in the state of Virginia. In addition, Mr. Roche has also authored several articles in legal publications and has lectured at numerous continuing legal education seminars around the state of Virginia. Excerpt. Reprinted by permission. All rights reserved. Inside the Juvenile Justice System Excerpted from Law 101 by Brien A. Roche, Attorney at Law 2004 Juvenile Court is sometimes referred to by lawyers and law enforcement officers as Kiddie Court. The Juvenile Court in some jurisdictions, however, can be more than simply what the name may imply. In some jurisdictions, it may actually be a type of Family Court wherein all different types of family disputes may be resolved. This chapter will not deal with family law issues, but rather simply deal with issues of juvenile justice. The logic behind the juvenile court system in the United States is that because juveniles are underage, they should be dealt with in a different fashion than adults. In many jurisdictions, juvenile offenses are not even referred to as criminal offenses. Juvenile records in most jurisdictions are strictly confidential and are not subject to public access either by means of subpoena or other inquiry. As such, a juvenile arrested and processed through the Juvenile Court does not have to report that offense on a job application or other type of inquiry unless directly asked about it since the inquiry itself is not going to be subject to any public confirmation. Proceedings in Juvenile Court are all conducted by a judge with no jury present. For certain types of offenses, however, a juvenile may be transferred to the adult system and may be tried as an adult with all the consequences that might apply to an adult. (That type of treatment is generally reserved for more serious offenses.) An offense in Juvenile Court is generally handled in a somewhat informal fashion. There may be a prosecutor present in Juvenile Court. That prosecutor represents the interest of the government or the victim. The prosecutor may present evidence in front of the judge who then hears from the defense and renders a decision. That decision normally consists of a finding of whether the juvenile is involved and if so there may be some punishment imposed. That punishment may consist simply of a monetary fine, performing some community service, or for more extreme circumstances, confinement to a juvenile home for a period of time. The thrust of the juvenile court system is to be instructive and rehabilitative-to instruct the juvenile as to the error of his or her ways and to assist him or her with rehabilitation. That is dramatically different from the thrust of the adult court system, which may have an element of rehabilitation about it, but is more oriented toward a finding of guilt or innocence and then punishing the guilty.