



## Wayne County Prosecutor Kym L. Worthy Overview of the Juvenile Justice System

(313) 833-3105

[www.waynecounty.com/prosecutor/juvenile.htm](http://www.waynecounty.com/prosecutor/juvenile.htm)

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### **INVESTIGATIVE PROCESS**

1. A juvenile commits a crime and police are notified.
2. Investigation begins and witnesses are identified.
3. When police investigation is complete, the police bring a petition (facts of the case) to the Prosecutor and request a petition review.

### **PROSECUTOR EVALUATION**

Prosecutor evaluates case and decides whether or not it is appropriate to authorize a petition charging the juvenile with a crime. For serious cases, the juvenile may be detained and admitted to the Juvenile Detention Facility.

### **COURT PROCESS**

#### ***Preliminary Hearing***

1. A Preliminary Hearing must be held within twenty-four hours of arrest for all detained juvenile suspects.
2. At a Preliminary Hearing, a referee of the court will determine if probable cause exists to authorize a petition against the juvenile suspect.
3. If the petition is authorized, the court will set a bond for the juvenile and schedule a Pre-Trial date.

#### ***Pre-Trial***

At the Pre-Trial stage, the juvenile can either plead guilty or ask for a trial. If the juvenile pleads guilty, the court will accept the juvenile's plea and proceed to disposition (sentencing). If the juvenile pleads not guilty, the court will schedule a trial for a future date.

#### ***Trial***

Trial may be before a jury or the court (bench trial). The parts of a trial include:

- **Opening Statements:** At the beginning of the trial, the Prosecutor makes an Opening Statement that outlines the case against the juvenile. The defense may elect to make a statement.

- **Case in Chief:** The Prosecutor will present its evidence. The defense attorney will have the opportunity to cross-examine the Prosecutor's witnesses.
- **Defense Case:** The juvenile is not required to testify, to present any witnesses, or to present any evidence. If witnesses are called, the Prosecutor may cross-examine each witness.
  1. **Rebuttal:** The Prosecutor may present witnesses or evidence to rebut information presented by the defense.
  2. **Closing Argument:** The Prosecutor delivers a summation, at which time the evidence is reviewed and arguments supporting a guilty verdict are offered. The defense presents its closing argument after the Prosecutor.
  3. **Deliberation:** The court or jury may find the juvenile guilty or not guilty. A jury may not be able to agree on a verdict (hung). If there is a hung jury, the case, with court approval, may be tried again.
  - 4.

If the juvenile is found responsible, the case moves to disposition.

### ***Disposition***

The court renders Disposition after either a guilty plea or a conviction at trial. The court has three options:

1. The Court can warn and dismiss the petition. The juvenile will have a juvenile record with no further intervention.
2. The Court can place the juvenile on probation. Probation can consist of counseling, tutoring, community service, and other services.
3. The Court can commit the juvenile to the Wayne County Department of Children and Family Services for placement outside the family home. The juvenile will receive services and schooling where placed.

At the Disposition hearing, the prosecutor, juvenile, juvenile's attorney, and the victim may speak to the court as to what they believe should happen with the juvenile.