

How Are Crime Victims Compensated for Their Loss?

Restitution for actual out-of-pocket costs you incur as a result of the offense may be reimbursed if ordered by the Judge as a condition of the juvenile's probation. Your request for restitution must be in writing. The Rice County Attorney's Office will provide a form and can assist you in preparing your restitution request.

If restitution is ordered, please understand that you may not receive payments for some time. The juvenile(s) will have to obtain employment to earn the money to pay restitution. Payments are made to Court Administration, who will periodically forward a check to you for the amounts collected to that date.

If restitution is ordered, you may also obtain a civil judgment against the juvenile. For further information, please contact the County Attorney's Office or Court Administration.

Some crime victims are also eligible for compensation for some of your economic losses from the **Minnesota Crime Victims Reparations Board**. Further information is available through the Rice County Attorney's Office or through the MN Crime Victims Reparations Board, 445 Minnesota Street, Suite 2300, St. Paul, MN, 55101-1515, Phone: 651/201-7300 - OR 888/622-8799, Fax: 651/296-5787 <http://www.ojp.state.mn.us>

As a victim of crime, Minnesota law provides you with specific rights. These rights can be found in Minnesota Statute 611A or you can visit www.ojp.state.mn.us. You may also call the Victims Services Coordinator for these rights.

Confidentiality Notice:

You are requested to provide certain information about yourself to the Rice County Attorney's Office and its Victim/ Witness Assistance Program. Some of this information may be classified as private data under the Minnesota Government Data Practices Act. Information gathered through telephone contacts or written correspondence with Victim/ Witness Assistance Program staff may be used by the Rice County Attorney's Office in responding to your rights and obligations as a crime victim and/or witness. **The information may be shared with Rice County Community Corrections, law enforcement or criminal justice system agencies, and other officials authorized by court order or statute who are entitled to such information.**

Complaint Process:

If your complaint is about another County department or law enforcement agency, you can voice your concern to the Victim/Witness Coordinator, the prosecutor or the County Attorney. We may be able to help you direct your complaint to the right person or agency. If your complaint is about our Victim/Witness Coordinator or the prosecutor who is handling your case, please talk to the County Attorney. If the County Attorney is not immediately available, our Office Manager can help you make an appointment. If your complaint is about our office in general, or if you think we have not responded to your needs, we invite you to direct your complaint to the Crime Victims Justice Unit at 888-622-8799.

Important Phone Numbers

Rice County Attorney's Office -
507/332-6103

Rice County Court Administration-
507/332-6107

Rice County Community Corrections-
507/332-6106

Rice County Social Services-
507/332-6115
TDD-507/332-6248

Mothers Against Drunk Driving -
800/ITS-MADD
800/487-6233

HOPE Center-
507/332-0882
800/607-2330

24-Hour Crisis Referral Services - Dial 211
OR 651/297-2100

If you believe your rights as a crime victim or witness have been violated, you may contact the Crime Victim Justice Unit, 651/201-7300 or 888/622-8799.

Important Information About My Case:

Court file Number(s): _____

Prosecuting Attorney: _____

Notes:

Juvenile Court Prosecution

Information for Crime Victims

The Rice County Attorney's Office Victim Services Program is designed to serve the needs of crime victims. This program was developed to help ease the physical, emotional and financial hardship caused by crime, and to reduce confusion and inconvenience that may be caused by involvement in the justice system.

This brochure explains how the Court system works when a juvenile is charged with an offense. It is intended to help you understand your rights and the legal process.

For further information, contact the Rice County Attorney's Office, at 507/332-6103. Office hours are 8:00 a.m. - 4:30 p.m. Monday through Friday.



Rice County Attorney
John L. Fossum

General Information

A juvenile has committed an offense against you, your family and/or your property. You may have questions about what happens after a charge is filed. This brochure is designed to answer many of these questions for you. Please read it carefully.

How Juvenile Cases are Handled

In Minnesota, a victim does not bring charges against an accused. A crime is considered a wrong against all people of the State. The County Attorney represents the State and is responsible for filing charges against an accused.

When charges are filed against a juvenile offender, the legal process is different than the process used for adults. The juvenile justice system is designed to rehabilitate juvenile offenders, rather than to focus on punishment. Thus, juveniles cannot be held in jail or prison. Most juvenile Dispositions include probation, community service work, restitution (if applicable), and many include some form of treatment, counseling and/or educational programming. Juvenile proceedings are usually confidential and closed to the general public.

Investigation, Diversion and Charging

An offense committed by a juvenile is investigated like any other crime. After the incident is reported, the officer conducts an investigation to decide if there is enough evidence to prove that the juvenile committed the offense. If there is enough evidence, the officer forwards the reports the County Attorney's Office for review.

Under Minnesota law, every county must have a Juvenile Diversion Program. Diversion allows the juvenile offender to receive consequences without going to Court. In Rice County, Diversion is usually reserved for first-time offenders, very young offenders and/or those who are accused of less serious offenses. Through the Diversion Program, the juvenile may be required to complete community service, pay restitution (if applicable), attend educational programming, and/or meet with the victim to apologize.

If the juvenile does not qualify for Diversion and if the County Attorney believes the offense can be proved beyond a reasonable doubt at trial, she/he will file charges – either a formal petition or a citation prepared by the officer. If, however, there is not enough evidence, the case may be declined or returned to the officer for additional investigation.

Detention

In limited circumstances, a juvenile may be taken into custody and held in detention awaiting a court hearing – either during the case or if the juvenile is alleged to have violated a condition of probation. This may be done if there is proof that the juvenile will not appear for court, would not remain in the care and control of his/her parents, or if the juvenile presents an immediate danger to self or others. Most juvenile offenders are not detained. They are mailed a notice to appear in court.

Juvenile Court Hearings

After charges are filed, the juvenile offender is scheduled for an **Arraignment** in Court. At the Arraignment, the juvenile is advised of his/her rights and of the charge(s). In more serious cases, the juvenile is appointed a Public Defender. Juvenile cases are often resolved at the Arraignment when the juvenile admits the offense (pleads guilty), and sometimes the Judge will proceed to Disposition (sentencing) at the Arraignment hearing, and no further hearings will be needed. If you want to be advised of plea offers and have input, you should contact the prosecutor before the scheduled Arraignment.

If the juvenile does not admit the offense at the Arraignment Hearing, an **Adjudicatory Hearing** (court trial) is scheduled. At the trial, there would be no jury; the Judge would decide if the case has been proved and if the juvenile is guilty or not guilty. The prosecutor may meet with you if you need to testify at a trial.

If the juvenile pleads guilty, or is found guilty after a trial, the Judge may order a Social History (pre-disposition investigation), which may include a Victim Impact Statement and information on restitution. In these cases, there is then a **Disposition Hearing** (sentencing), when the Judge imposes the sentence.

Terms Used in Juvenile Cases

DETENTION: A juvenile may be detained in foster care; a shelter care facility; a secure detention facility; a detoxification, chemical dependency or psychiatric facility; or in the juvenile's home subject to electronic home monitoring or other conditions. Most juveniles must be brought before a Judge within a set period of time after being taken into custody to allow a Judge to decide if the juvenile may return home or must stay in detention.

ARRAIGNMENT: At the Arraignment Hearing, the juvenile will appear in Court and be asked to plead guilty or not guilty to the charges. Juveniles are entitled to be represented by an attorney; and in some cases they are entitled to a court-appointed attorney. A plea of guilty leads to a Disposition (sentencing) hearing. If a juvenile pleads not guilty, there will be a trial.

TRIAL: A juvenile has the same legal protections during trial as an adult charged with a crime. Most juvenile trials are held before a Judge (not a jury) and the Judge decides whether the juvenile is guilty or not guilty. If the allegations have been proved, there will be a Disposition Hearing, either immediately or after the preparation of a Social History (pre-disposition investigation).

DISPOSITION: Depending on the offense, the Disposition may include probation, fines, community service, out-of-home placement, restitution, counseling or other treatment, and/or victim-offender mediation. The Court will consider the seriousness of the offense, the juvenile's prior history of offenses (if any), and available programs and services. The goal is to rehabilitate the juvenile so he/she does not commit more offenses.