

## County of Montgomery

### Commissioners

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Kenneth E. Lawrence, Jr., *Vice-Chair Commissioner*  
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**Honorable Risa Vetri Ferman**  
Juvenile Judge

**Michael S. Yoder**  
Chief Juvenile Probation Officer

**Catherine T. Zalenski**  
Deputy Chief Juvenile Probation Officer

**Kevin R. Steele**  
District Attorney

**Sharon Giamporcaro**  
Assistant District Attorney  
Chief of Juvenile Division



**Montgomery County Juvenile Probation**  
530 Port Indian Rd.  
Norristown, PA 19043  
610-630-2252

**Montgomery County Juvenile Court**  
540 Port Indian Rd.  
Norristown, PA 19403  
610-631-1893

# Victim Handbook



**Victim Services Program**  
Montgomery County  
Juvenile Court

### **A Message from the Chief Juvenile Probation Officer**

Our mission is dedicated to ensuring that citizens live in safety, that victims are restored to the fullest extent possible and that juvenile offenders are held accountable and develop competencies to become positive members of society. We are committed to carrying out this mission with dignity, respect and compassion for all.

Juvenile offenders must take responsibility for repairing the harm that they have caused. Your feelings about the crime can help determine how offenders make amends for their actions. I encourage you to participate in the juvenile justice system by providing a written and/or oral victim impact statement, documenting your financial losses, suggesting a community service site and attending court hearings.

This brochure will explain the juvenile justice system and the rights and services available to you. You may also request a copy of our video, "Victims' Rights in the Juvenile Justice System" which shows how cases proceed through the juvenile justice system. Please call our Victim Services Unit at 610-630-2252 with any questions you may have about the court or intake process, case status, court schedules, restitution claims, etc. You can also request accompaniment to court or assistance in completing forms. With your help, we will do our best to ensure that justice is served.

Michael S. Yoder  
Chief Juvenile Probation Officer

### **Guidelines for dealing with the Media**

You have the right :

- To say no to an interview.
- To select the spokesperson or advocate of your choice.
- To select the time and location and reporter for an interview.
- Refuse an interview with a reporter, even though you granted interviews with other reporters.
- To say no to an interview even though you have granted previous interviews.
- To release a statement through a spokesperson in lieu of an interview.
- To exclude children from interviews.
- To refrain from answering any questions which you feel are uncomfortable or inappropriate.
- To know in advance the direction of the story of your victimization
- Avoid a press conference atmosphere and speak to one reporter at a time.
- Demand a correction when inaccurate information is reported.
- Ask that offensive photographs or visuals are omitted from publication.
- Conduct a tv interview using a silhouette without having your photo taken.
- Refrain from answering reporters questions during trial.
- To grieve in private.
- To file a formal complaint against a journalist.

## **Directions**

### **From Eastern Montgomery County**

Take I-276 Pennsylvania Turnpike West towards Harrisburg. Exit at 333 Norristown. Stay to left after toll booth (Plymouth Rd). At traffic light, turn left. At next traffic light, turn right onto Germantown Pike. Go 4.5 miles. Turn left onto Whitehall Rd. Go 2 miles, turn right onto Main St. At second traffic light, turn slightly left onto Egypt Rd. for .6 miles. Turn left onto Port Indian Rd. Juvenile Court is one-quarter mile on left.

### **From Western Montgomery County**

Take route 422 East to Oaks exit. Turn right onto Egypt Rd. Proceed for 3.9 miles; turn right onto Port Indian Rd. Driveway to Juvenile Court is one-quarter mile on left.

### **From Norristown**

From the Courthouse, go west on Main St. for 4 miles to Egypt Road. Make a left turn onto Egypt Rd. follow for .06 miles. Turn left onto Port Indian Rd. Driveway to Juvenile Court is one-quarter mile on left.

### **From Northwest**

Take Route 29 East to Ridge Pike. Ridge Pike becomes Main St. Stay on Main St. until right turn onto Egypt Rd. Turn right onto Port Indian Rd. Driveway to Juvenile Court is one-quarter mile on left.

### **From Lansdale**

Take Route 363 South (Valley Forge Rd.) to Main St.. Turn left onto Main. Turn right on Egypt Rd. for .6 miles. Turn left onto Port Indian Rd. Driveway to Juvenile Court is one-quarter mile on left.

### **From Philadelphia and Main Line**

Take I-76 West towards Valley Forge. Follow signs for 202 South/West Chester. Exit at 328B. Stay on 202 South. 422 West and 202 South run together briefly. Follow 422 West Pottstown. Stay on 422 W until exit at 363 North/Trooper. Stay on 363 North(Trooper Rd.) for 1.5 miles to Egypt Rd. Turn right onto Egypt Rd. Turn right onto Port Indian Rd. Driveway to Juvenile Court is one-quarter mile on left.

## **Confidentiality**

The Victim Service Unit will hold confidential all communications and personal information pertaining to the victim, unless the victim gives prior consent to release information. Any communication brought out in open court by the victim is considered part of the court record.

## **Victim Intimidation**

Should a victim feel threatened, harassed, intimidated or fear for their safety, they should call their local Police Department and the Victim Services Unit to file a report.

## **Grievances**

Victims will be treated with fairness, dignity and respect. Should a victim feel that they were treated unjustly, they have the opportunity to file a complaint with The Victim Services Unit.

## Victims' Rights

Victims of juvenile offenders have the following rights:

- To receive basic information concerning the services available for victims of crime.
- To be notified of certain significant actions and proceedings within the juvenile justice system pertaining to their case, including the detention or release of a juvenile following arrest and whether a petition alleging delinquency has been filed.
- To be accompanied at all juvenile proceedings by a family member, victim advocate or other person providing assistance or support.
- To have the opportunity to offer prior comment on the disposition of a delinquent child and receive help in preparing the submission of written *and* oral victim impact statements detailing the physical, psychological and economic effects of the crime on the victim and the victim's family.
- To receive restitution and assistance with applying for crime victim compensation.
- To have property returned that was seized as evidence but is no longer needed for prosecution.
- To receive prior notice of delinquency hearings and notification of hearings about the transfer of a juvenile to and from Adult criminal proceedings.
- To receive notice of the details of the final disposition of a juvenile's case.

## Need Someone to talk to?

Being a victim of crime can be a life-altering experience. Victims may suffer physical injuries, emotional trauma and financial losses. You or a family member may benefit from counseling or support groups. Victim Services Center in Norristown provides free and confidential counseling and other services to victims of crime.

Victim Services Center 610-277-0932

Sexual Violence

24-Hour Hotline 610-277-5200

**Other Serious Crimes**

24-Hour Hotline 610-277-4781

## Restorative Practices

Besides making an oral or written impact statement, there are several restorative justice activities that can offer you an opportunity to suggest how a juvenile offender repairs the harm he or she caused you and your community.

**Victim/Offender Conferencing** is a face to face meeting between you and the offender facilitated by a trained mediator. The offender must accept responsibility for his/her actions to participate.

**Restorative Group Conferencing** is a structured meeting that brings together victims, offenders, and supporters of each with a trained facilitator to discuss how the harm can be repaired.

You may suggest a community service activity that is important to you or that you think "fits the crime." You can request a *letter of apology* or that the offender attend a *victim awareness class*.

For more information, contact the Victim Services Unit at 610-630-2252.

## Useful Information

The Montgomery County Juvenile Court is located at 540 Port Indian Road in Jeffersonville, about three miles west of Norristown. Public transportation is available within one-quarter mile. A private waiting room is available for victims and witnesses.

If you wish to attend a court hearing and do not have transportation or cannot pay for transportation, please call the Victim Services Unit so that a victim advocate can make arrangements for you. The Juvenile Probation Department is open from 8:00 AM until 4:30 PM Monday through Friday.

Free child care is available at One Montgomery Plaza in Norristown. The child care center is state-licensed and open from 8:00 AM to 4:30 PM. Children from six weeks to 12 years of age can be dropped off while their parents are in court. For more information on child care, please call 610-292-4956.

### Juvenile Probation Department

Main number	610-630-2252
Victim Services Unit	610-630-2252
Fax	610-630-1749
Willow Grove office	215-784-5406
Juvenile Court	610-631-1893

### District Attorney's Office

Juvenile Division	610-278-3121
Victim Advocate	610-278-3090

## Victims' Rights

***In cases involving personal injury crimes or burglary, victims have the additional right:*** to submit prior comment on the potential reduction or dropping of any charge or changing of a plea in a delinquency proceeding, or diversion of any case, including Informal Adjustments and Consent Decrees.

**Victims of Personal Injury Crimes have the additional right:**

- To receive notice of the arrest of a juvenile including notification in 24 hours of a complaint alleging delinquency.

**Upon request, victims of Personal Injury crimes have the additional right:**

- To submit written comment and present oral testimony at a disposition review hearing.
- To receive notice prior to the release of a juvenile from residential placement, a shelter facility, or a detention center including home-passes.
- To have the opportunity to submit a written objection prior to the transfer or release of a juvenile from a placement facility who has been adjudicated delinquent when such action is contrary to a previous court order or placement plan approved at a disposition review hearing.
- To be given immediate notice of a juvenile's escape from residential placement, a shelter facility or a detention center and subsequent apprehension.
- To receive notice of the termination of Juvenile Court jurisdiction.

For the complete Victims Bill of Rights:

[www.pccd.pa.state.us](http://www.pccd.pa.state.us)

## The Juvenile Justice System

### The Intake Process

When a crime occurs, the police conduct an investigation. If juveniles are involved, they are charged with acts of delinquency. The police record the charges on a signed and notarized document called a petition, which is forwarded to the Juvenile Probation Intake Department. The Intake Department can decide to:

- hold an informal interview
- schedule a formal court hearing or
- detain the juvenile pending court

This procedure is followed in almost every case. The Victim Services Unit will notify you about the way *your* case is proceeding and the date and outcome of all intake interviews and court hearings.

#### Intake Interview

During an Intake Interview, the intake officer will assess:

- the seriousness of the crime and the harm done to you,
- the juvenile's behavior at school, in the community and at home,
- prior criminal history
- your comments about the case.

This assessment determines whether to *informally adjust* the case or refer it to court for a formal hearing. *Informal Adjustments* are signed contracts with conditions that include school attendance, employment, curfew and ways the juvenile can actively repair the harm caused by the crime such as restitution and community service. Juveniles will be referred into court if they do not meet the criteria for an informal adjustment or if they violate the informal adjustment contract.

## Recovering Your Financial Losses

### Crime Victims Compensation Program

If you or a family member have been the victim of a violent crime, the *Crime Victims Compensation Fund* of the Commonwealth of Pennsylvania may reimburse you for unpaid medical expenses, counseling, loss of wages due to injuries and funeral expenses.

There are certain eligibility requirements (including reporting the crime to the police within 72 hours) to apply to this fund. You must utilize other sources before payment can be considered. A victim advocate can answer any questions, send you an application and help you prepare it. You can also contact the Crime Victims Compensation Program directly at 717-783-5153 or 800-233-2339.

### Civil Action

You have the option of suing the offender and his/her parents in district court. In doing so, you are proceeding in a civil rather than a criminal manner. The suit can be brought where the crime took place or where the juvenile lives. The Juvenile Probation Department cannot collect restitution if you choose to file a civil suit. Please be aware that under the Juvenile Act parents can be held liable for the willful act of a child up to \$1,000 for injuries or property damages suffered by any one person or a total of \$2,500 regardless of the number of persons.

## Recovering Your Financial Losses

### Restitution

All juvenile offenders must reimburse victims for their financial losses. If you have had monetary losses, it is important to return the *financial claim form* as soon as possible. *Restitution cannot be paid for pain and suffering.* Please include documentation of your losses and medical expenses. The staff of the Victim Services Unit reviews all claims to determine a restitution amount and to ensure that restitution is ordered in court or at an intake hearing.

It is the policy of the Juvenile Probation Department to have juveniles make restitution to their victims; they are not released from the jurisdiction of the court until they have paid their debt. However, because of the age of juvenile offenders, 10-18, it can take some time before restitution is paid in full. If you have suffered a loss that directly impacts your day-to-day functioning, special arrangements may be made. Please call the Victims Services Unit for help with any question regarding financial losses.

Infrequently, there is a disagreement over the amount of restitution. In these cases, a restitution hearing before the juvenile court judge may be scheduled.

### Insurance

The fastest way to be reimbursed for your financial losses is to file a claim with your insurance company. If you have insurance on the items stolen or damaged, or health insurance in cases of bodily injury, you must apply to your insurance company. The offender will be required to reimburse the amount of your deductible. *The Juvenile Court will not order restitution if your losses are covered by insurance.*

## The Juvenile Justice System

### The Court Process

#### Detention

In a small percentage of cases, the juvenile offender is securely detained or sheltered at the Montgomery County Youth Center following the commission of a crime. A Detention Hearing is held within 72 hours before the Juvenile Court Judge. The judge will determine if there is probable cause to hold the juvenile on the charges and whether he/she should remain in detention until the next hearing.

#### Adjudication/Plea Hearing

Juveniles referred to court from the Intake Department, juveniles released home at a Detention Hearing and probation violators are scheduled for an Adjudication/Plea Hearing. At this hearing, which is called a *Denial* Adjudication Hearing if the juvenile denies the charges, the judge will determine guilt or innocence. There are no jury trials in Juvenile Court.

You may choose to attend the Adjudication/Plea Hearing but are **required** to attend the Denial Adjudication if you receive a subpoena from the District Attorney's office. If the charges can be proven, the juvenile is *adjudicated a delinquent* and scheduled for a Disposition Hearing at a later date. (In some cases adjudication may be withheld.) If the charges cannot be proven, the charges against the juvenile will be dismissed. The victim's advocate from the District Attorney's office can explain the charges against the juvenile offender.

#### Disposition Hearing

At this hearing, the judge will decide the most appropriate sentence- *the disposition*- for the juvenile. Prior to the hearing, a probation officer interviews the police, juvenile, family, school officials and victims to prepare a social history, called a court summary. Psychological and psychiatric reports and drug alcohol evaluations may also be prepared. The judge may place the juvenile in some type of residential facility or on probation under the supervision of a juvenile probation officer. The judge can also order conditions such as restitution, community service, random urinalysis, school attendance, etc.

Your victim impact statement will be attached to the court summary. If you wish to make an oral impact statement at this hearing, please contact the Victim Services Unit to make arrangements and request accompaniment to court.

## Testifying in Court

At a Denial Adjudication Hearing, you will likely be called to testify. The assistant district attorney will ask you to relate the facts of the crime, as you know them. This is called direct examination. The juvenile's attorney will also ask you questions. This is called cross-examination. There is never a jury in juvenile court. The victim advocate in the District Attorney's Office can answer questions about the charges and/or reduction in the charges. **The following suggestion may help you prepare for testifying:**

- Before testifying, review the facts in your own mind. Always tell the truth.
- Listen carefully and answer only the question being asked. Do not volunteer information. If you do not understand a question, ask for clarification.
- Do not guess. Never make up an answer if you are not sure. Don't be afraid to say you can't remember something.
- An attorney may object to a question, wait until the judge rules on the objection before speaking.
- Conduct yourself in a courteous and respectful manner. Be yourself. Dress neatly and appropriately (no jeans, shorts, etc).
- Don't talk to other victims or witnesses about your testimony. In some cases the judge will order that victims and witnesses be sequestered. This means that they will not be allowed in the courtroom to hear other testimony.

## The Juvenile Justice System

