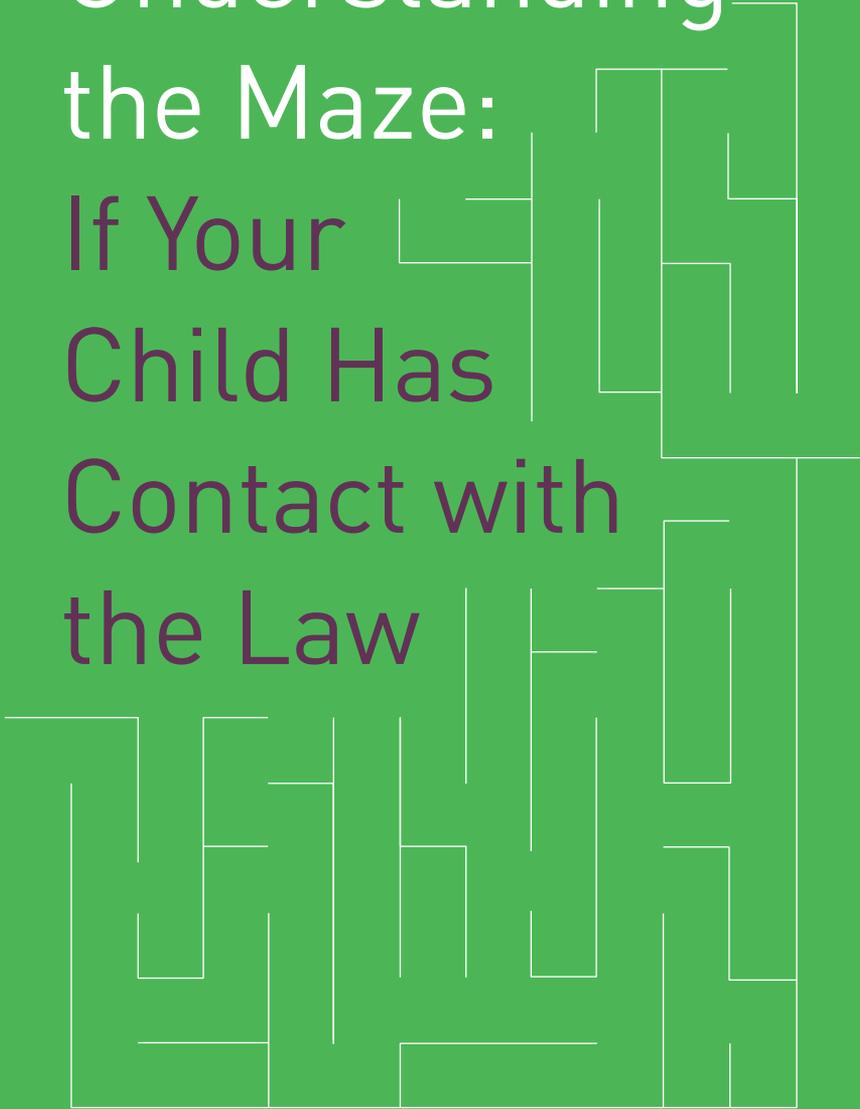


A Parent's Resource Guide

Understanding the Maze: If Your Child Has Contact with the Law



This guide was made possible through the collaboration of the Interagency Coordinating Council on Youth (ICC) Court Involved Work Group and the Parent Assistance Sub-Work Group, including:

New York City Administration for Children's Services
New York City Department of Correction
New York City Department of Homeless Services
New York City Department of Juvenile Justice
New York City Department of Probation
New York City Department of Youth and Community Development
New York City Mayor's Office of Immigrant Affairs
New York City Office of the Criminal Justice Coordinator
Kings County District Attorney, Youth and Congregations in Partnership Program
The Legal Aid Society
Midtown Community Court, Times Square Youth Program
New York City Family Court
Vera Institute of Justice
New York State Office of Children and Family Services



We also recognize these organizations for hosting focus groups and thank the parents and youth for their participation:

Children's Arts & Science Workshops, Inc.
Create Young, Inc.
Garden of Hope

The information in this brochure does not necessarily reflect the advice or opinions of any of the agencies/organizations listed above.

What can I do to support my child?

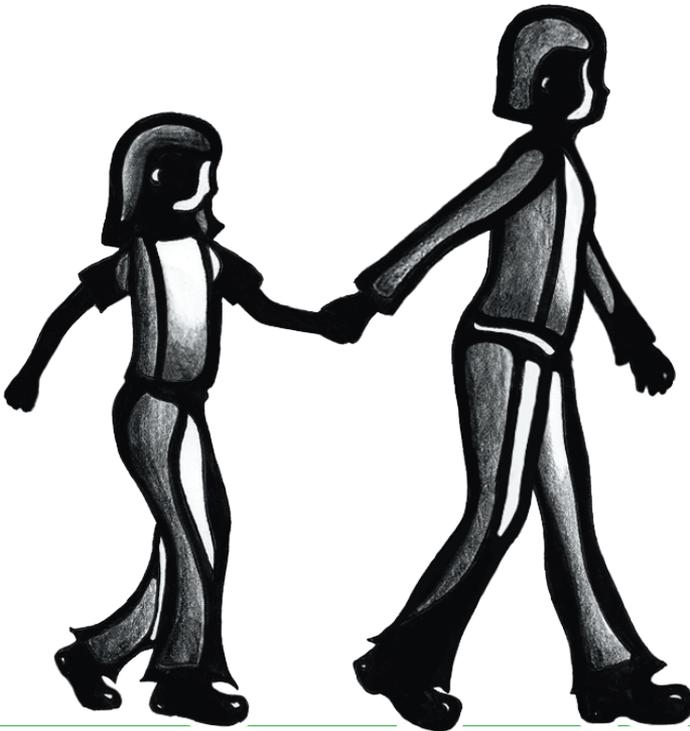
Did you know that participating in your child's case can help your child? For example, your child may be allowed to come home or be put on probation instead of going to jail!

This brochure will help you understand New York City's criminal and juvenile justice systems. But it does not cover everything that is important.

- If you have questions, please talk to a lawyer.

Remember: you have a right to participate in the criminal justice system even if you or your child is not a citizen or a legal resident of the United States.

If you have questions, please talk to a lawyer.



What if I do not speak English?

The fact that you do not speak English should not stop you.

You can ask for an interpreter or language assistance services when you are in court or when you are talking with your lawyer.

- These services are free.

What does an interpreter do?

- An interpreter is a messenger of what is said. S/he must communicate, word for word, what you say and what someone says to you.
- An interpreter is not an advocate for you or your child.
- In court, there is an official court-certified interpreter available for people who speak directly with the judge.
- People in the audience do not receive interpretation services.
- Sometimes, if an interpreter is not available, a bilingual person who works for the court may interpret for you. A telephonic interpreter may also be used. Telephonic interpreters work for private companies that provide language assistance services to the court.

If you do not understand the interpreter, you should stop the meeting immediately. Tell the court clerk or your lawyer that you do not understand.

You may bring an adult who speaks your language to court or meetings with your child's lawyer, but this person should not be your interpreter. Only people who are trained to interpret should be interpreters.

Language services are free.

If you do not understand the interpreter, you should stop the meeting immediately. Tell the court clerk or your lawyer that you do not understand.

What if my child has contact with the police?

If your child is a victim of a crime, the police can help you and your child.

If the police believe your child committed a crime, they may want to speak to your child. If a police officer believes that there is “probable cause” for arresting your child, your child may be arrested.

- Whether or not your child is suspected of committing a crime or being involved in a crime, the police may have the right to ask your child some basic questions such as his/her name and other basic information such as address and date of birth. The police may also ask to contact a responsible adult.
- Your child can ask if s/he is under arrest or free to leave.
- Your child can ask for a lawyer and the police must stop asking questions.
- Your child always has the right not to answer any questions.
- If your child is suspected of committing a crime, s/he should be respectful, calm, and polite. Your child should not make the situation worse by talking back or arguing with the police officer. If you are there, you should also be respectful.

What happens after my child is arrested?

Will the police call me if my child is arrested?

- This depends on the age of your child. If your child is 15 years or younger, the police should try to call you. If your child is 16 years or older, the police do not have to call you. Your child may not be able to call you as soon as they are arrested.
 - However, the police may let your child make a call. Tell your child to call you.

What should I do if my child is arrested?

- If you find out your child is arrested, you should call 311 or the precinct where you think s/he was arrested or where the crime might have happened. When you speak with the police ask if your child is being prosecuted in Family Court or Criminal Court.

What court will my child go to?

- Criminal Court
 - 16 years or older
 - 13 to 15 years (depending on the crime)
- Family Court
 - 13 to 15 years (depending on the crime)
 - 7 to 12 years
- If your child is being prosecuted in **Criminal Court**, your child will appear before the court within approximately 24 hours of his/her arrest. You or a responsible adult should go to the court to hear the charges against your child. You should also meet with your child's lawyer.
- If your child is being prosecuted in **Family Court**, you or a responsible adult should go to the precinct where your child is being held because the police may release your child to you.



If your child goes to Family Court, you will be interviewed by a probation officer.

- The probation officer will ask you for information about your child, such as home and school activities.
- This information will be used to make a recommendation to the judge that may affect whether your child is allowed to go home, put on probation, or sent to jail.
- This is the time for you to offer positive information—for example, if your child has good grades, is involved in community organizations or church, or has good attendance in school.
 - Letters of recommendations or support from local community members are a great way to offer good information about your child. You should begin collecting them as soon as you know your child will go to court.
- You should give honest answers. Do not get angry. This is not a good time to argue the facts of your child’s case. Negative things you say about your child may hurt his/her case later.

In court, it is important to offer positive information about your child.

Where will my child be held after arrest? That depends on his/her age at the time of the incident:

- Rikers Island Jail
 - 16 years or older
- Department of Juvenile Justice (DJJ) facility
 - 15 years or younger
- You can call Rikers at 212-266-1500 or the DJJ at 212-442-8000. When you call, ask for an interpreter who speaks your language.

Can I visit my child while s/he is in jail or a juvenile detention center?

- Yes, each jail and detention center has official visiting times. You should call the jail or detention center directly to ask about their visiting rules and procedures.

How do I work with my child's lawyer?

Your child has the right to a lawyer.

Who is a lawyer?

- In New York, a lawyer is a professional who is admitted to the New York State Bar and licensed to practice law in New York.
- Lawyers must keep anything a client says to them confidential.
- Lawyers should return a client's calls.

Does my child have the right to a lawyer?

- Yes, if your child is charged with a crime and you cannot afford a lawyer, the court will assign a lawyer free of charge. The lawyer may work for The Legal Aid Society, an organization that provides free legal representation to New Yorkers who cannot afford to hire a lawyer. However, other public defender organizations or an "18(B) panel" lawyer may also provide you with free legal representation.
- If you have general questions about the criminal or juvenile justice systems, call The Legal Aid Society at 212-577-3300 or go to their website at: www.legal-aid.org. However, once your child is appointed a lawyer, you should ask that lawyer all questions about your child's case.
- If the judge decides that you can pay for a lawyer for your child, the court will give you time to hire one.
 - A private lawyer is not necessarily any better than an appointed lawyer. If you hire a lawyer, make sure they specialize in the type of case your child has.
- The lawyer works for the client, who is **your child**. This means that although you are important to the case, your child has the final say.

What if I have immigration concerns?

- You should ask your child's lawyer if the case will affect you or your child's immigration status and any pending immigration applications.

What should I do at my child's court hearings?

If your child is being prosecuted in Criminal Court, you or a responsible adult should go to the court and hear the charges against your child. You will generally not be asked to take part in the hearing.

If your child is being prosecuted in Family Court, your participation is very important.

- If you attend the hearing, a judge may allow your child to return home. If you cannot attend the hearing, you should tell your child's lawyer.

How should I act in Family Court?

- Be prepared to wait in the waiting area for long periods of time.
- Come early. Call your child's lawyer if you are going to be late.
- Be respectful.
- Dress appropriately. For example, do not wear shorts, tank tops, or party clothes.
- Remember, discuss anything that you might want to tell the judge with your child's lawyer first. Anything you say in court can affect your child's case later.
 - Again, you should offer positive information—for example, if your child has good grades, is involved in community organizations or church, or has good attendance in school. This is also a good time to share letters of recommendations or support that you have from local community members.



How do I file a complaint?

Where can I file a complaint against a police officer?

- If you believe that your child was treated wrongfully by the police, tell your child's lawyer. You can also complain about a police officer by
 - Taking down the officer's name and badge number so that you can use this information to file a complaint,
 - Calling 311 and asking for the Civilian Complaint Review Board,
 - In person at the police officer's precinct, or
 - Contacting a local elected official, such as a city council member.

Where can I file a complaint against a lawyer?

- If you are unhappy with your child's lawyer, ask to speak with the lawyer's supervisor. You may also inform the judge that you are having problems working with your child's lawyer.
- You can file a complaint against a lawyer through the New York State Bar Departmental Disciplinary Committee.
 - If you live in the Bronx or Manhattan, call 212-401-0800.
 - If you live in Brooklyn, Queens, or Staten Island, call 718-923-6300.
 - Please have someone who speaks English help you make the call.

Where can I file a complaint against a court interpreter?

- If you believe that a court interpreter did not interpret properly, you should tell your child's lawyer. You should also e-mail your complaint to the Office of Court Interpreting Service at: InterpreterComplaints@courts.state.ny.us. Your e-mail can be written in your language.

Where can I find more resources?

If your child is being held in jail or a detention center, you can find directions, visiting times, and other information on the internet.

- If your child is being held at Rikers Island, go to the Department of Correction website at: www.nyc.gov/doc.
- If your child is being held in a Department of Juvenile Justice facility, go to the Department of Juvenile Justice website at: www.nyc.gov/djj.

You can find the address of your local courthouse in New York City by going to the New York State Unified Court system website at: www.courts.state.ny.us.

- Select a language that you read to look up the information.

Sometimes parents think that their children will benefit from jail time because their children will receive services in jail. However, parents can also find youth services within the community.

- Call 311 for government information and services. For additional information on youth services including after school, employment, education, and training opportunities go to the Department of Youth and Community Development website at: www.nyc.gov/dycd or call Youth Connect at 800-246-4646.   

**Support
your child!**

