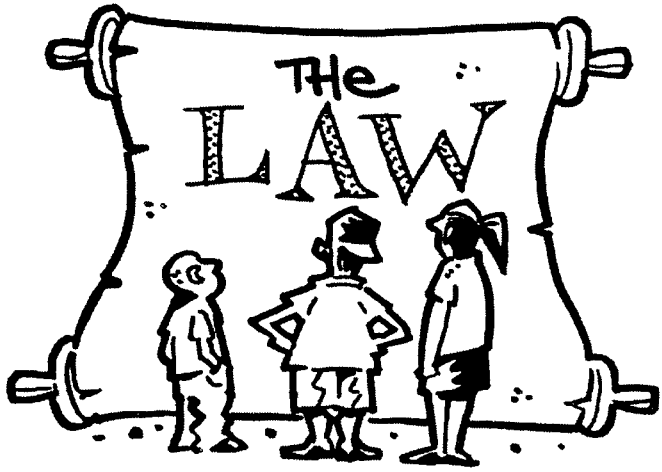

JUVENILE RIGHTS AND RESPONSIBILITIES

JUVENILE RIGHTS AND RESPONSIBILITIES

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This booklet provides general guidelines for minors regarding legal issues that impact their lives. It is not intended to be a detailed advisor. Laws often change because of actions taken by the Legislature and the Courts. For up-to-date information about laws discussed in this booklet, and other laws which affect minors, refer to your local law library, Juvenile Court or an attorney.

August 1990
Revised February 1998

YOU HAVE BASIC RIGHTS

guaranteed by the laws of Arizona and the *U.S. Constitution*

1) If you are a suspect in a crime and are detained, you may not be questioned by a police officer without being told of your right to have an attorney present.

2) Police officers may question you; however, you have the right to remain silent.

3) You have the right to have your parents notified of any hearings at which you may have to appear.

4) The Juvenile Court or Superior Court will provide an attorney for you upon request if you are charged with an offense in these courts and your parents cannot afford to hire one.

5) You have the right to an attorney in all court proceedings. (Your parents may be assessed attorney's fees.)

YOU HAVE BASIC RESPONSIBILITIES

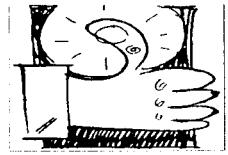
You are a citizen in this community, so you are responsible for acting in a manner that ***will not***:

endanger others; *or,*
endanger yourself; *or,*
violate any city, county, state or federal laws.

You can also be held responsible for *not* following the reasonable directions of your parents, teachers and other adults in positions of authority. Even though you may consider some things to be practical jokes, like soaping windows or putting shaving cream on someone's car, the "victim" can file a complaint and charges could be filed against you.

The best rule of thumb is:

***You* are responsible for what *you* DO and SAY.**



VICTIM'S RIGHTS IN ARIZONA

Arizona Constitution. Article 2 defines "victim" as: ***"A person against whom the criminal offense has been committed or, if the person is killed or incapacitated, the person's spouse, parent, child or other lawful representative, except if the person is in custody for an offense or is the accused."***

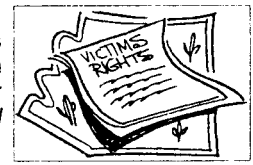
In the *Arizona Constitution* there is a "Victim's Bill of Rights" listing twelve specific rights. These rights were written to "preserve and protect victims' rights to justice and due process." Here are some of the rights that victims of crime have... ***Victims of crime have the right to:***

** request to be notified when the accused or convicted person escapes or is released from custody ** to be notified when all criminal proceedings are scheduled where the defendant has the right to be present ** to confer with the prosecution ** to be present and heard at various proceedings involving the defendant ** to refuse interviews, depositions, or other discovery requests by the defendant (or the defendant's agent or attorney) ** to make a statement to the judge about any damages they have sustained in lost wages, injury to property, and medical treatment for personal injury.

If you commit a crime and there is a victim, the judge may order you, or your custodial parents, to pay restitution (which means you must restore or repay to the rightful owners something that has been lost, taken away or damaged as a result of your behavior or action.) The Department of Juvenile Corrections must consider the recommendation of the victim before granting conditional liberty to a juvenile.

In Arizona, you and your parents could be sued for restitution of up to $10,000 regardless of your ability to pay.

Are victim's rights different when the victim is a juvenile or when the defendant is a juvenile?



The *Arizona Constitution* grants the same rights to victims of crime, regardless of their age and regardless of the age of the defendant. However, if the victim is a juvenile, the rights of a juvenile victim are exercised by the parent or another adult appointed by the court. *Victim's rights in Arizona are discussed in Art. 2 § 2.1, Arizona Constitution; and A.R.S. §§ 8-230, 8-241, 8-250, 8-251, 8-252, 8-283.01, 8-290.28, 8-418, 41-2818.*

SPECIAL LAWS FOR JUVENILES

There are juvenile laws written specifically for people under 18 years of age. These laws are listed below. If you violate any of them, you may be charged and/or arrested.

Alcohol: If you are under 21, it is unlawful to buy, consume, or be in possession of any alcoholic beverage. *(A.R.S. §4-244 (9))* Driving Under the Influence (DUI) cases may be heard in City Court, Justice Court, or Juvenile Court depending on the circumstances. If you are found guilty of a DUI offense, your driver's license will be suspended and you will be incarcerated. For the first DUI offense, you MUST be incarcerated for 24 consecutive hours.

For a second DUI within 60 months, you MUST be incarcerated for 30 consecutive days in a juvenile detention center or Department of Juvenile Corrections. The third or subsequent DUI within 60 months will get you a minimum sentence of 4 to 8 months incarceration. Also, you will be ordered to pay a fine of $100 to $500, plus surcharges, or ordered to perform a minimum of 80 hours of community service work. You will be required to complete the same alcohol and drug screening and treatment required of adult DUI offenders. *(A.R.S. §§ 8-249, 28-692, 28-697, 28-1383, 28-3320, 36-2005, 36-2006)*

If you are convicted of unlawful purchase, possession, or consumption of spirituous liquor, you may be fined up to $500. The Court may order you to pay money, or do the equivalent in community service.

Curfew: Each county may have its own curfew laws. Please check with your local County Attorney, or Juvenile Court. For example, in Pima County (*Pima County Code 9.20.20.), if you are under 16 years* of age you are not allowed to be on the streets between 10:00 p.m. and 5:00 a.m. unless: 1) you are married; or, 2) you are accompanied by a parent; or, 3) you are on an errand or specific business directed or permitted by your parent(s). *If you are under 18 years of age*, it is unlawful for you to cruise the streets in an automobile between midnight and 5:00 a.m.

Cigarettes: It is unlawful for anyone under 18 years of age to possess or smoke cigarettes. *(A.R.S. §13-3622)*

Drugs: It is unlawful to consume drugs at any age, unless prescribed by a physician, or available as a remedy without a prescription. *(A.R.S. §13-3407, 13-3411)*

Hitchhiking: Hitchhiking on interstate highways is illegal. Hitchhiking or picking someone up is extremely dangerous.

Incorrigibility: You may not be continually disobedient and beyond the control of your parents, or legal guardians. You are considered *incorrigible* if you refuse to obey reasonable and proper orders of your parents or other legal guardians. If you are arrested for runaway, curfew, truancy, incorrigibility or health, welfare and morals you will not be detained at the Juvenile Court. In some counties, you could be taken to the Center for Juvenile Alternatives, a facility which deals with status offenders.

(A status offense is an offense for which a juvenile may be arrested, but it would not be illegal if committed by an adult such as: runaway, hitchhiking, use of foul language, violation of curfew laws, truancy, etc.)

Language: The use of vile, obscene or indecent language in school is technically an offense in Arizona which can lead to expulsion from school and could result in a referral to Juvenile Court depending on the circumstances.

Running Away: In Arizona, it is unlawful to leave home without the consent of your parents, or legal guardians. Anyone who helps you in running away or conceals you can be charged with a crime.

Truancy: You must attend school in Arizona until the age of 16, or the eighth (8th) grade. Non-attendance without good reason is a status offense.

Weapons: It is unlawful for anyone under 18 years of age to carry or possess a firearm. *(A.R.S. §13-3111).* If you violate this law, you may be fined up to $500, lose your driver's license (or the right to have one issued until age 18), and have the firearm forfeited. You may also be prosecuted in Juvenile or Superior Court and can be convicted for other criminal conduct involving the use or exhibition of a deadly weapon. Your parents may be held jointly responsible for your violation of this law. *[There are exceptions for teens between the ages of 14 and 18, who are engaged in lawful hunting or shooting events.]*
If you are operating a motor vehicle in the course of breaking this law, the Court may suspend your license for a period of two years. The Court can also suspend your right to apply for a license for the same period of time.

LAWS MOST FREQUENTLY BROKEN

ACCOMPLICE LIABILITY - A.R.S.§ 13-301

You may be found guilty of an offense committed by another person if you are found to be an accomplice to the crime. You are an ***ACCOMPLICE*** if you:

a. solicit or command another person to commit an offense; or,
b. aid or counsel another person in planning or committing an offense; or,
c. provide the means or opportunity to another person to commit an offense.

ASSAULT - A.R.S.§ 13-1203

You commit ***ASSAULT*** by:

a. intentionally causing physical injury; or,
b. intentionally threatening another person with physical injury; or,
c. knowingly touching another person with the intent to injure, insult, or provoke.

SHOPLIFTING - A.R.S.§ 13-1805

You commit ***SHOPLIFTING*** if you knowingly obtain the goods of another while in an establishment in which merchandise is displayed for sale, *and* you ***intend to deprive*** him of such goods by:

a. removing these goods; or,
b. charging to another person without authority; or,
c. paying less by altering markings; or,
d. transferring goods to another container; or,
e. concealment of these goods.

You also commit shoplifting if you assist someone stealing these goods, or by acting as a lookout. Shoplifting is the most frequent reason minors are arrested.
You can be arrested inside the store or after you leave the store.

THREATENING OR INTIMIDATING - A.R.S. § 13-1202

You commit ***THREATENING AND INTIMIDATING*** if you *threaten by word or conduct to cause:*

a. physical injury to a person or serious damage to property; or,
b. public inconvenience; or,
c. physical injury or damage to property in order to promote, further, or assist or cause, induce or solicit another to participate in a criminal street gang, criminal syndicate or racketeering enterprise.

THEFT - A.R.S.§ 13-1802

You commit *THEFT* if, without lawful authority, you knowingly:

a. control someone else's property with the intent to deprive him or her of such property; or,

b. convert for an unauthorized term or use, services or property of another that have been entrusted to you or placed in your possession for a limited, authorized term or use,; or,

c. obtain property or services of another by misrepresentation with the intent to deprive him or her of that property or those services; or,

d. come into control of lost, mislaid or misdelivered property of another under circumstances in which you could inquire as to the true owner, and you take or make use of that property for yourself or another without reasonable efforts to notify the true owner; or,

e. control property of another, and you know, or have reason to know that the property was stolen; or,

f. obtain services you know are available only for compensation, and then you don't pay or agree to pay such compensation, or you divert another's services for your own or another's benefit without authority to do so.

IF YOU ARE ARRESTED... DON'T TRY TO RUN AWAY.

If you commit an unlawful offense, you can be arrested. You can also be arrested for violating special juvenile laws which apply only to people under 18 years of age, such as:

**** CURFEW VIOLATIONS ** RUNAWAY STATUS ** DRINKING LIQUOR ** FOUL LANGUAGE ****
**** TRUANCY ** HITCHHIKING ** SMOKING ****

If you are stopped by the police and arrested, do not resist. This can expose you to additional charges. The police officer can use force if needed to make the arrest. If asked, you should give the police your correct name, address and age. The police can stop your car and ask you to step out of the car when they believe an investigation is appropriate. The police can then question you. In certain situations they may search you, your car, or items in your possession.

When you are arrested, you may be released to your parents, or you may be transported to the Juvenile Court Detention Center if the investigating officer recommends it, because your charge is serious, or if you have had previous arrests. If you are physically referred to Juvenile Court, a probation officer will initially decide if you are to be released or detained. If the offense is not serious, the police may file an incident report with the Court and instruct your parents to call the Juvenile Court to schedule an appointment to discuss the offense. **If the offense is very serious, you could be transported to the County Jail and later tried in Adult Court.** YOU CAN BE ARRESTED AND/OR PROSECUTED FOR GIVING FALSE INFORMATION TO A POLICE OFFICER...*GIVE YOUR CORRECT NAME, ADDRESS AND BIRTH DATE.*

YOUR RIGHTS AFTER ARREST

MIRANDA RIGHTS

LAW ENFORCEMENT OFFICERS *MUST* READ THESE TO YOU IF YOU ARE ARRESTED...

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to the presence of an attorney to assist you prior to questioning and to be with you during questioning, if you so desire.
4. If you cannot afford an attorney, you have the right to have an attorney appointed for you prior to questioning.
5. (When advising juveniles and their parents, guardian, or attorney) There is the possibility that the juvenile court will waive its jurisdiction over you and you will be tried as an adult.
6. Do you understand these rights?
7. Now having been advised of these rights and understanding these rights will you answer my questions?

Sometimes the police may forget to tell you about your rights.

If you are arrested, you have the right to talk with a lawyer before you talk with anyone. Your right to remain silent and have a lawyer present relate only to situations where a crime is being investigated. Where a crime is concerned, whatever you may say can be used against you later.

If the charges are not too serious you may be released to your parents, if they promise to bring you back to Court. Otherwise you can be put in the Juvenile Court Detention Center and later, you could be transferred to the County Jail for certain serious or repetitive offenses.

PERSONAL HEALTH RIGHTS

Birth Control Information: If you are under 18, you have the right to receive birth control information and birth control services without your parents' knowledge or consent. Federally funded clinics that provide birth control information are bound by confidentiality laws, which means that your parents will *not* be contacted if you are treated there.

Contraceptives: If you are under 18, you may legally buy non-prescription contraceptives (condoms, foam) without showing proof of age or without your parents' knowledge or consent.

Pregnancy: At any age you have the right to carry a baby to full term, to place your baby up for adoption, or under certain circumstances, to have an abortion.

Responsibilities of Juvenile Fathers: In Arizona, the Court may order you to pay birth costs and child support. If you cannot pay, your parents can be responsible for up to $2500. ***If you are legally identified as the father, at any time between birth and the time your child is 18 years of age, you can be held responsible.***

Abortion: If you choose to have an abortion, you or your doctor must:

1) Have the consent of one of your parents or a legal guardian. (A.R.S. § 36-2152 A.B.)
2) Consent is not required if the decision is based on emergency medical problems.
3) You may go to Court and request that you be allowed to have an abortion without notification o your parents and without their consent.

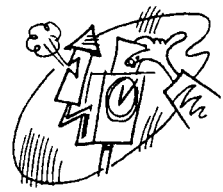
Venereal Disease: No matter what age you are, you may get information and treatment for venereal disease without your parents' knowledge or consent.

YOUTH EMPLOYMENT

There are special laws for juvenile employees.

If you are 14 or 15 YEARS OLD, YOU *CANNOT*:

* Work more than three (3) hours a day on school days, or more than a total of 18 hours during a schoo week.
* Work in or around a boiler or engine room.
* Do maintenance or repair work on machines and equipment.
* Work with ladders or similar equipment.
* Bake or cook except at soda fountains, lunch counters, snack bars or cafeteria servicing counters.
* Operate, set up, adjust, clean, oil, or repair power-driven food slicers and grinders, food choppers and cutters, and bakery-type mixers.
* Work in freezers or meat coolers.
* Load or unload goods to and from trucks, railroad cars or conveyors.
* Work before 7 a.m. or after 7 p.m., except from June 1 to Labor Day (you can work as late as 9 p.m during this time period).



If you are 16 or 17 YEARS OLD, YOU *CANNOT*:

* Operate power-driven shearing machines or bakery machinery, unless the equipment meets certain safety criteria.
* Operate circular saws, band saws or guillotine shears.

YOUR RIGHTS IF YOU HAVE TO GO THROUGH JUVENILE COURT

When you are physically referred or paper referred to the Juvenile Court, you have certain rights in regard to that referral:

* You have the right to remain silent.
* You have the right to be represented by a lawyer. Your parents may be Court-ordered to pay assessment fees.
* If you are physically detained, the County Attorney's Office must file a petition stating what your alleged offense(s) are. This petition must be filed with the Court Clerk within twenty-four (24) hours of the time you were detained.
* A Detention Hearing must be held within twenty-four (24) hours of the time the petition was filed. This hearing is to determine if you will be released or not.

PAPER REFERRALS and PHYSICAL REFERRALS

If you are arrested the police can make either a paper referral or a physical referral.

Paper Referral...means you are released into the custody of your parents.

If you commit a crime and receive a ***paper referral*** from the arresting officer, you will be released to your parent or guardian by the officer at the time of the arrest. This will occur after your parent/guardian agrees to sign the "Parents Promise to Appear" form. This is a real arrest. The paperwork the officer fills out is the arrest report.

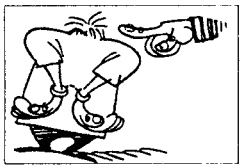
Next, the arrest report is filed at Juvenile Court. Your case will then be assigned to a juvenile probation officer (usually within 15 business days),
who will contact you to come in for an interview. This initial interview is not a Court hearing. A judge will not be present. In this interview, the next action to be taken will be determined. Remember, only the County Attorney can decide whether to divert your case or to prosecute you.

If the County Attorney decides to approve you for a Diversion Program or a community-based alternative program, you could be requested to complete one or more of the following:

1) Make restitution to the victim(s).
2) Participate in an educational program.
3) Participate in individual, group and/or family counseling.
4) Pay a monetary assessment.
5) Do community service work.

Depending on your crime, the County Attorney may file charges to prosecute you in either Juvenile or Adult Court.

Physical Referral...means you are taken directly to Juvenile Court.



If you commit a crime and are physically referred by the arresting officer, you will be transported to the Juvenile Intake Department. The booking process takes place at Juvenile Court. Your parents or guardian will be notified of your arrest by an Intake Probation Officer. In most cases, your parents will be requested to come to the Intake Unit at that time.

The Intake Officer's primary purpose is to decide whether to detain (lock up) or release you. The decision to detain you is based on one or more of the following issues :

1) You may not appear at a future hearing.
2) You are likely to injure yourself or others.
3) You need to be held for another jurisdiction (meaning you live in a different county).
4) You require "custodial protection".

So, at this point there are a number of things that could happen to you. You may be:

1) Released to the custody of your parents, pending further Court action.
2) Detained, pending further Court action.
3) Referred to the Diversion Program.
4) Referred for Family Counseling.
5) Referred to the County Attorney's Office.
6) Prosecuted by the County Attorney's Office in Juvenile or Adult Court.

SENTENCING OF JUVENILES IN JUVENILE COURT

If you are adjudicated DELINQUENT or INCORRIGIBLE...

If you are adjudicated *DELINQUENT* or *INCORRIGIBLE* it means that a judge ruled that you are a "delinquent" or "incorrigible" child at a hearing. If this happens, a probation officer will prepare a report for the judge. This report reviews your past Court history, your family, your educational experiences, and your social relationships, and contains one or more of the following recommendations to the judge:

1) **OFFICIAL PROBATION:** You are allowed to remain in your home under the supervision of a probation officer. The probation period usually lasts one year unless:

   * you commit another offense;
   * you violate your conditions of probation;
   * you fail to complete restitution; or,
   * the Court determines it's in your best interest, or that of the community, for you to remain on probation.

   If you are 14 years or older and are found guilty of a second felony offense, you may be place on Juvenile Intensive Probation (JIPS), or you may be transferred to Adult Court. On JIPS, yo could be confined to your home and placed on electronic monitoring, which involves wearing a metal band equipped with a computer chip. You could also be incarcerated in a juvenile detentio center or the Arizona Department of Juvenile Corrections (ADJC).

2) **COMMITMENT TO THE ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS (ADJC):** The ADJC operates many facilities for juvenile offenders. The judge may order that you remai in a secured (locked) facility for a specified period of time up until your 18th birthday. If there i no specified length of stay in a locked facility, ADJC will decide where you will stay and in wha programs you will participate.

3) **PLACEMENT:** Placement in a Residential Treatment Center group home or foster home is considered if the judge feels you need to be away from your home under supervision for specific therapeutic needs. You may receive supervision and treatment by a private agency and/or foster parents licensed by the state.

4) **RESTITUTION**: If you cause property loss, damage, or personal injury you must provide restitution to the victim(s), which means you have to pay them back for their loss. This could b in the form of money or community service. ***Your parents may be ordered to pay restitutio up to $10,000 regardless of their ability to pay.***

5) **FINES:** You may be fined up to a maximum of $500.00 for any offense that would be a criminal offense if it were committed by an adult. This fine may be in addition to any other action the Court may impose as required by specific laws.

6) **TEEN COURT:** If you are charged with a first or second offense misdemeanor such as shoplifting, possession of alcohol or marijuana, disorderly conduct or fighting, your Juvenile Court probation officer may refer you to Teen Court for sentencing by a jury of your peers. A teen attorney will be appointed to represent you in a hearing. To participate, you must admit responsibility for the offense with which you are charged.

ALL FELONY OFFENDERS WILL RECEIVE A WARNING: According to Arizona law, if you are adjudicated delinquent for a felony offense, the Court will provide you with written notice about the consequences of committing another felony. If you are 14, the consequences could include Juvenile Intensive Probation, incarceration and/or prosecution in Adult Court.

Warning!

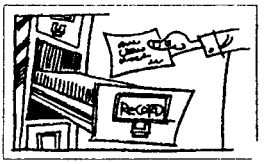
This is *not* a good time for kids to be bad in Arizona!

JUVENILES WILL BE TRANSFERRED TO ADULT COURT UNDER CERTAIN CIRCUMSTANCES...

You will automatically be prosecuted as an adult if...

- **you are age 15 or older and are charged with violent crimes.** *(Including: First or second degree murder, aggravated assault where there is serious physical injury or use of a deadly weapon, forcible sexual assault, armed robbery, or other violent offenses including drive-by shooting.* ARS§13-1211).
- **you are age 15 or older and are a chronic felony offender.**
- **you have been prosecuted in Adult Court before.**
- **you are age 14 or older, the County Attorney can decide to prosecute you if you are charged with certain serious offenses.** *(Including Class 1 or 2 felony; Class 3 felony in violation of Title 13, Chapters 10-17, 19 or 23; Class 3, 4, 5 or 6 dangerous felony.)*
- **you are age 14 or older and are a chronic felony offender, the County Attorney can decide to prosecute you.**
- **the County Attorney requests a transfer from the Juvenile Court, and the judge agrees that public safety would be served by transferring you to the Adult Court for criminal prosecution.** (A.R.S. §§ 8-239, 13-501, 13-608)

QUESTIONS AND ANSWERS ABOUT YOUR JUVENILE COURT RECORD



Where is my record kept?
If you have been arrested and referred to Juvenile Court, paper referral or physical referral, an official record of the episode will be kept at the Juvenile Court Center. This is your "referral history" and is kept by the Juvenile Probation Department.

Who may see my record?
A record at Juvenile Court may be made up of several different types of reports called "Files". These types of files are described on the next page...

1. ***"LEGAL FILE"*** The Legal File contains delinquency petitions filed by the County Attorney and minutes of Court proceedings in your case. Everything in the Legal File is public information, except for portions that the Court has sealed.

2. ***"DEPENDENCY FILE"*** The information contained in the Dependency File is available only to the staff and the attorneys assigned to your case.

3. ***"SOCIAL FILE"*** The Social File is confidential and its contents cannot be divulged to anyone unless ordered by the Court.

4. ***"ADOPTION AND SEVERANCE FILE"*** Information contained in the Adoption and Severance File is of the highest confidentiality. All documents are assigned to the Adoptions Clerk of the Clerk of the Court's office. No one has access to these files except the attorneys of record, and assigned staff.

5. ***"MENTAL HEALTH FILE"*** Information contained in the Mental Health File is also highly confidential. No one has access to this file except the attorneys involved in the matter and the assigned staff.

DESTRUCTION OF JUVENILE RECORDS IN ARIZONA

Can my juvenile criminal record be destroyed when I become an adult?

Recently, the Arizona Legislature repealed laws that used to allow the Court to order your Juvenile Court records destroyed, based on a finding that you had reached the age of 18, had no criminal actions pending and were rehabilitated to the Court's satisfaction. The following Juvenile Court records are now open to the public: (1) referrals for delinquent acts, (2) arrest records after a juvenile has been accused, (3) delinquency, disposition and revocation of probation hearings, (4) summaries of delinquency, disposition and transfer hearings, (5) diversion proceedings involving delinquent acts, and (6) appellate review.

Your Juvenile Court experience could be used against you. Even though a Juvenile Court disposition could not be considered to be a criminal conviction, it can reflect on you when you seek admittance to the Armed Forces or become involved in the Adult Criminal Justice System. Also some Juvenile Court records may be obtained by the Adult Court system for civil matters (law suits).

SCHOOL PROBLEMS

The information in this section is general and is included here to give you a basic understanding of the most common disciplinary actions schools may take. For complete accuracy, please check with your own school district's policies.

SHORT-TERM SUSPENSION

A short-term suspension is when you are excluded from school for a short period of time-- generally, from one to ten days. Before you may be suspended, you must be told what rule you have broken and you must be given a chance to deny the charge. If you deny violating a school regulation, you must be given a chance to explain what happened. The only time a school official does not have to follow this procedure is if you create a danger for others or you are continually threatening to disrupt the school. On a short-term suspension, you are usually excluded from school until the school officials can meet with you and your parents.

LONG-TERM SUSPENSION

If the principal or other school official believes that your conduct is serious enough to justify suspension from school for longer than ten days, then the principal or authorized representative must schedule a formal hearing for you and your parents. Before you are denied an education for a substantial period of time, you must be given the opportunity to disprove charges made by the school. Some of the typical procedures of this type of hearing are listed on the next page. Be sure to check with your own school disctict's policies and procedures.

* Notice of the hearing in writing.
* Notice of the hearing within a sufficient time for you to prepare for it.
* Charges must be specific enough for you to know how to respond.
* The hearing must be limited to the charges contained in the notice.
* The decision to suspend you must be made by an *impartial party.*
* You are allowed to present your defense and to cross-examine anyone testifying against you.
* You may be represented by an attorney.
* You are entitled to findings of fact on the charges brought by the school following the hearing.

If the School Board does not follow official procedures, you may request another hearing. If your request is not granted, you may appeal to the Superior Court for an order directing the School Board to hold another hearing including the procedural requirements.

Can I Make Up School Work If I Am Suspended?

In most schools, if you are suspended, you may keep up with your studies. Your teachers make the school work and assignments available to you at a designated place, but it is your responsibility to obtain the work and return it for grading.

Can I Visit School Property If I Am Suspended?

In most schools, you must stay away from all the schools in your district and all school activities while you are suspended. If you are on school property while suspended, you can be charged with trespassing.

EXPULSION

If you are expelled, you may not attend any other school in the district for the duration of the expulsion.

The following types of behavior are generally grounds for expulsion if they happen on school property or at school-sponsored activities:

1) continued open defiance of authority;
2) habitual profanity or vulgarity;
3) destruction of school property;
4) physical abuse or threats of harm to another person;
5) unlawful use, possession, distribution or sale of drugs, alcohol, or other illegal substances.

The power to expel pupils rests exclusively with the School Board under Arizona law. After the suspension hearings, your Principal may recommend to the Superintendent of your school district that the School Board should hold an expulsion hearing.

Then, your Principal may write a letter to the Superintendent recommending that you be expelled. It should contain a record of the date and length of your suspension and reasons that the principal is making a recommendation for expulsion. A copy of this letter must be sent to your parent or guardian.

If the recommendation for expulsion is approved by the Superintendent and forwarded to the School Board, you or your attorney will be allowed to present evidence at the hearing with all the procedural rights outlined above in steps #1 through #9 under "Long-Term Suspension." Any school staff who are involved will also present evidence, and the Board members may question both you and the school staff before they make a decision. Generally, these hearings are closed to the public, unless you and your parents request otherwise.

The information contained herein is designed to convey general information. It is not intended to cover all situations nor should it be considered legal advice. Persons needing such advice should seek legal counsel.

COMMUNITY RESOURCES
INFORMATION AND HELP

NATIONAL AIDS HOTLINE *1-800-342-AIDS*

CHILD PROTECTIVE SERVICES 1-888-767-2445

DRUGS/ALCOHOL/SUBSTANCE ABUSE
Alcohol Anonymous 1-800-835-1935
Narcotics Anonymous 1-800-470-7670

FAMILY PLANNING/
CRISIS PREGNANCY 1-800-759-9916

MEDICAL SERVICES/
AHCCS 1-800-654-8713

PARENTS ANONYMOUS FAMILY LIFELINE
Crisis intervention for prevention of child abuse 1-800-352-0520

SMOKERS HELP LINE 1-800-556-6222

WEB SITES FOR LAW-RELATED INFORMATION

www.Azjuvlaw.org
www.AZBar.org/foundation/index.htm.

JUVENILE COURT SERVICES

Apache	**(520) 337-4364**
Cochise	**(520) 432-5458**
Coconino	**(520) 779-6772**
Gila	**(520) 425-8281**
Graham	**(520) 428-3310**
Greenlee	**(520) 865-4184**
La Paz	**(520) 669-6188**
Maricopa	**(602) 506-4210**
Mohave	**(520)753-0741**
Navajo	**(520) 524-4197**
Pima	**(520) 740-2068**
Pinal	**(520) 868-6469**
Santa Cruz	**(520) 761-7854**
Yavapai	**(520) 771-3156**
Yuma	**(520) 329-2310**

Thanks!!! Special thanks to all the folks who assisted us. We will continue to update and add information in future editions. To that end, we welcome questions and/or comments :

Pima County Superior Court	740-3833
Pima County Juvenile Court	740-4762
Pima Prevention Partnership/Teen Court	791-2711
Pima County Teen Court	884-8799

Cartoons contributed by David Fitzsimmons, Editorial Cartoonist for the Arizona Daily Star.