

## Mission

The mission of the Juvenile Prosecution Unit is to protect the public from future victimization by repeat juvenile offenders. At the same time, the course of prosecution must provide opportunities for rehabilitation for the youthful offender who is receptive to reform.

## What We Do

The Juvenile Prosecution Unit prosecutes all levels of offenses ranging from traffic offenses to homicides. The primary focus of the Unit is to protect the public safety and to promote justice. To that end, we prosecute violent juvenile offenders aggressively while also emphasizing crime prevention and early intervention efforts.

Our prosecutors and staff work closely with other law enforcement to protect and serve the citizens of Montgomery County.

## Juvenile Mental Health Court

The Juvenile Court is instrumental in addressing mental health issues and associated behaviors which could, if not addressed, ultimately lead to further contacts with the Juvenile Court. More specifically, the Mental Health Court addresses these type issues through early detection and high level court supervision.



**Daryl D. Bailey, District Attorney**  
Fifteenth Judicial Circuit of Alabama

Montgomery County Courthouse

251 South Lawrence Street

P.O. Box 1667

Montgomery, AL 36102-1667

Phone (334)832-2550

*Area Code (334)*

Child Support	832-1299
Drug Court	832-7198
Grand Jury	832-7199
Helping Montgomery Families Initiative	832-1666
Investigations	832-2550
Juvenile Prosecution	832-2138
One Place Family Justice Center	262-7378
Pre-Trial Diversion	832-2503
Restitution	832-2544
Victim Services	832-2550
Worthless Checks	832-1630

Montgomery County  
District Attorney

# Juvenile Prosecution Unit



Montgomery County Youth Facility  
1111 Airbase Boulevard  
P.O. Box 1667  
Montgomery, AL 36102-1667

---

**Tel: (334)240-2138**

## History of the Juvenile Court

The first separate Juvenile Court was established by the Illinois Legislature in 1899. Early in the 19<sup>th</sup> century, juveniles were tried with adults in criminal court. Under common law, children under the age of 7 were conclusively presumed incapable of forming the required criminal intent. Children between the ages of 7 and 14 were presumed not to be criminally responsible. Prosecutors had to prove that the juvenile was culpable. Juveniles 14 and older were deemed to be responsible for their crimes as adults. With the establishment of a separate juvenile court system there was no longer a need to follow the old common law.

In 1967 the U.S. Supreme Court, in the case of *In re Gault*, 387 U.S. 1 (1967), ruled that juveniles were entitled to certain due process protections afforded to adults. These protections included adequate notice of the precise nature of the charges being brought; the right to counsel and, if indigent, the right to have counsel appointed; the right to confront witnesses and have them cross-examined; and the privilege against self-incrimination.

In Montgomery County, the original Juvenile Detention Facility was housed on the third floor of the old courthouse which is now Courthouse Annex I. On September 24, 1969 the operation was moved to its present location at 1111 Airbase Blvd.

The Juvenile Justice System is a relatively new creation in the criminal justice system. It is ever evolving and continues to be one of the most important components of the system.

## Questions and Answers

### What type cases do we handle?

The Juvenile Prosecution Unit of the District Attorney's Office prosecutes delinquent acts, children in need of supervision, and contributing to the delinquency or dependency of children.

### What is a delinquent act?

In essence, delinquent acts are crimes committed by juveniles that include violations, misdemeanors or felony offenses pursuant to the law of the municipality, county, state or federal law.

### What is a child in need of supervision?

Children in need of supervision (CHINS) are those children who are habitually truant from school; who are beyond the control of the parent, legal guardian/custodian; who are runaways; or who have committed an offense that is not considered criminal.

### What is contributing to the delinquency, dependency or need of supervision of children?

These are cases filed against the parent, legal guardian/custodian or other person having control over a child for aiding, causing or encouraging a child to become delinquent, dependent or in need of supervision. Examples include situations where alcohol or tobacco is provided to a juvenile; where a child is left unattended in a vehicle or in the home; and where a child is not properly being cared for. Violations of this law also include situations where the parent, legal guardian/custodian or other person having control over the child allows the child to work in violation of the child labor laws or causes a child to fail to

attend school as required by the compulsory attendance law.

### At what age does the Juvenile Court lose jurisdiction over a juvenile?

Generally speaking, the Juvenile Court has jurisdiction over juveniles charged with committing delinquent acts before the juvenile's 18<sup>th</sup> birthday. There are instances where a juvenile's case may be transferred to the adult division for prosecution at age 14. In some cases where the juvenile is 16 years old or older at the time of the offense, the juvenile's case may automatically bypass the Juvenile Court and the juvenile will be arrested, charged and tried as an adult. Juveniles convicted of committing a delinquent act may be ordered to the custody of the Department of Youth Services until their 21<sup>st</sup> birthday. Where restitution has been ordered to a crime victim, the Juvenile Court maintains jurisdiction over the case until the court-ordered money has been paid in full.

### How can a victim assist the Court in ordering restitution?

As a victim, you will be asked to complete a restitution affidavit which lists your losses including travel, missed work, property, medical, and other expenses resulting from the crime. To assist our office in requesting restitution, keep your receipts, estimates, and bills for damages or injuries suffered in connection with the crime. If you do not complete the affidavit, restitution cannot be ordered. If you change your address or telephone number, contact the Victim Service/Restitution Officer immediately to update your information.