

COURT PROCEEDINGS – General Guidelines for Juveniles

Hays County Juvenile Probation

REFERRAL TO COURT

These guidelines are to assist and instruct the juvenile and his family to prepare for court proceedings on cases that are referred to the Hays County District Attorney's Office for prosecution.

Juvenile Probation shall refer at a minimum the following offenses:

- Felony
- Misdemeanor offense involving violence to a person
- Weapons
- Repeat offenders

Recommendations for disposition will be made by Juvenile Probation. These are examples of orders to expect in the disposition or sentencing phase as they may apply:

- One year supervised probation
- Two years supervised probation if sex offender
- Sex offender treatment
- Counseling
- Probation fees up to \$15.00 a month
- Community Service Restitution-25-50 hours
- Monetary Restitution
- Driver License suspension if drug related
- Chemical Dependency Treatment Program
- Placement in a secure correctional facility
- Placement in a non-secure facility
- Commitment to Texas Juvenile Justice Department

The juvenile must dress appropriately for his/her court appearance. The juvenile will not be allowed to enter the Courtroom wearing a tank top, halter top, shorts, a T-shirt with any kind of obscene, vulgar, drug or alcohol related picture, promotion or wording, or with a shirt which is unbuttoned past the second button from the neck, and a shirt is to be tucked into pants and pants pulled up around the waist. If wearing a hat, cap and/or bandanna, it must be removed from the head.

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PROCEDURE

Action	Responsible Person
1. Prepare and deliver referral to the District Attorney. Referral information shall include prior offense history and current offense(s) report.	Probation Officer
2. Prosecutor reviews case and files petition or declines.	Prosecutor
3. If petition is filed, the case is set for court with the County Court at Law, Judge David Glickler. This procedure will take at least 2 months, usually more. If the juvenile is in custody, court will be executed promptly.	Prosecutor
4. The juvenile will request a Court appointed attorney from the Juvenile Court to represent the juvenile if one is not employed by the parent.	Juvenile Court
5. The lawyer may contact the juvenile prior to court or possibly wait until the day of court to meet the juvenile. If the juvenile wishes to contact the lawyer they may obtain the name and number of the lawyer appointed by calling the Juvenile Court. This information will not be available until court is set.	Lawyer/Juvenile
6. The Prosecutor will prepare a summons for the juvenile at the time court is set. The summons will contain the information detailing the court date, time, and place (Hays County Government Center).	Prosecutor
7. The summons will be signed and issued by the Juvenile Judge. The summons will normally be served to the juvenile and parent(s) or guardian by a constable at the juvenile's residence at least 2 working days prior to court.	Juvenile Judge
8. The juvenile and a parent or guardian should arrive 15 minutes prior to court unless instructed otherwise by the lawyer assigned to the case. If the juvenile is in custody, the juvenile will be transported to court by a probation officer. The parent will meet their child at court. The parent or guardian must bring <u>\$20.00 cash</u> (no checks accepted) for court cost.	Juvenile/Parent or Guardian
9. A probation officer will be available at court to provide information regarding previous referrals, hear and/or provide testimony, and provide recommendations.	Probation Officer

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Action	Responsible Person
<p>10. Court will consist of an adjudication hearing and a disposition hearing. The disposition hearing will normally follow the adjudication hearing. The adjudication hearing is the guilt or innocence phase, and the disposition is the sentencing phase.</p>	<p>Juvenile Court</p>
<p>11. If the juvenile pleads not true or request a trial, the court date will be reset to a later date. Jury trial request may delay court several months. If the juvenile is in custody the probation department will recommend the juvenile remain in custody pending court.</p>	<p>Lawyer</p>
<p>12. If the juvenile pleads true to the case, after completion of court the juvenile and parent or guardian will be instructed to meet the probation officer at the Juvenile Probation Department to:</p> <ul style="list-style-type: none"> ▪ complete the necessary paperwork; ▪ receipt the \$20.00 court cost; ▪ prepare a case plan ▪ review the probation orders and conditions with the family; ▪ refer the family to programs ordered; ▪ take a picture of the juvenile for the file; ▪ give copies of paperwork to juvenile and parent; and ▪ set a date and time for the next appointment. 	<p>Probation Officer/ Juvenile and Parent or Guardian</p>
<p>13. After meeting with the probation officer, the juvenile and parent or guardian will meet with the Community Service Restitution Coordinator at the Probation Department to:</p> <ul style="list-style-type: none"> ▪ process orientation packet which includes the rules, purpose, release of liability, site planning, time sheet, medical history report, and verifying completion. ▪ review the evaluation process; ▪ give copies of paperwork to juvenile and parent. <p>This process along with step 12 will take approximately 1 hour.</p>	<p>Community Service Coordinator/ Juvenile and Parent or Guardian</p>

MAYSI QUESTIONNAIRE

Name _____

Male

Female

Date of Birth _____

Today's Date _____

These are some questions about things that sometime happen to people. For each question, please circle YES or NO to answer whether that question has been true for you IN THE PAST FEW MONTHS.

Please answer these questions as well as you can.

Circle Y (yes) or N (no)

1	Have you had a lot of trouble falling asleep or staying asleep?	Y	N
2	Have you lost your temper easily, or had a "short fuse?"	Y	N
3	Have nervous or worried feelings kept you from doing things you want to do?	Y	N
4	Have you had a lot of problems concentrating or paying attention?	Y	N
5	Have you enjoyed fighting, or been "turned on" by fighting?	Y	N
6	Have you been easily upset?	Y	N
7	Have you thought a lot about getting back at someone you have been angry at?	Y	N
8	Have you been really jumpy or hyper?	Y	N
9	Have you seen things other people say are not really there?	Y	N
10	Have you done anything you wish you hadn't, when you were drunk or high?	Y	N
11	Have you wished you were dead?	Y	N
12	Have you been daydreaming too much in school?	Y	N
13	Have you had too many bad moods?	Y	N
14	Have you had nightmares that are bad enough to make you afraid to go to sleep?	Y	N
15	Have you felt too tired to have a good time?	Y	N
16	Have you felt like life was not worth living?	Y	N
17	Have you felt lonely too much of the time?	Y	N
18	Have you felt like hurting yourself?	Y	N
19	Have your parents or friends thought you drink too much?	Y	N
20	Have you heard voices other people can't hear?	Y	N
21	Has it seemed like some part of your body always hurts you?	Y	N
22	Have you felt like killing yourself?	Y	N
23	Have you gotten in trouble when you've been high or have been drinking?	Y	N
24	If yes, is this fighting?	Y	N

NAME: _____

DATE: _____

Circle Y (yes) or N (no)

25. Have other people been able to control your brain or your thoughts?	Y	N	25
26. Have you had a had feeling that things don't seem real, like you're in a dream?	Y	N	26
When you have felt nervous or anxious:			
27. have you felt shaky?	Y	N	27
28. has your heart beat very fast?	Y	N	28
29. have you felt short of breath?	Y	N	29
30. have your hands felt clammy?	Y	N	30
31. has your stomach been upset?	Y	N	31
32. Have you been able to make other people do things just by thinking about it?	Y	N	32
33. Have you used alcohol or drugs to help you feel better?	Y	N	33
34. Have you felt that you don't have fun with your friends anymore?	Y	N	34
35. Have you felt angry a lot?	Y	N	35
36. Have you felt like you don't want to go to school anymore?	Y	N	36
37. Have you been drunk or high at school?	Y	N	37
38. Have you felt that you can't do anything right?	Y	N	38
39. Have you gotten frustrated a lot?	Y	N	39
40. Have you used alcohol and drugs at the same time?	Y	N	40
41. Has it been hard for you to feel close to people outside your family?	Y	N	41
42. When you have been mad, have you stayed mad for a long time?	Y	N	42
43. Have you had bad headaches?	Y	N	43
44. Have you hurt or broken something on purpose, just because you were mad?	Y	N	44
45. Have you been so drunk or high that you couldn't remember what happened?	Y	N	45
46. Have people talked about you a lot when you're not there?	Y	N	46
47. Have you given up hope for your life?	Y	N	47
48. Have you EVER (IN YOUR WHOLE LIFE) had something very bad or terrifying happen to you?	Y	N	48
49. Have you ever been badly hurt, or been in danger of getting badly hurt or killed?	Y	N	49
50. Have you ever been raped, or been in danger of getting raped?	Y	N	50
51. Have you had a lot of bad thoughts or dreams about a bad or scary event that happened to you?	Y	N	51
52. Have you ever seen someone severely injured or killed (in person - not in movies or on TV)?	Y	N	52

PLEASE COMPLETE AND RETURN THIS FORM TO THE JUVENILE PROBATION DEPARTMENT ON OR BEFORE _____, 201__.

CAUSE NO. _____

IN THE INTEREST OF:

IN THE COUNTY COURT AT LAW

_____ A JUVENILE

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HAYS COUNTY, TEXAS
SITTING AS A JUVENILE COURT

PARENTAL WRITTEN STATEMENT

I, _____, a parent or other person responsible for the above named juvenile, submit this written statement as authorized under Texas Family Code Section 61.104. I would like to provide the following information so that the court can have my input for a better understanding of the needs and strengths of my child, our family and any other information important to the disposition of this case:

- 1. Background. The court should know the following information about my child's background. (Use this space to describe information such as important events, drug problems or hardships that you believe have contributed to the circumstances your child is currently facing.)

Horizontal lines for writing background information.

- 2. Medical and Psychological. The court should know the following medical and psychological history about my child. (Use this space to describe any medical conditions, illnesses, physical disabilities, medication needs, psychological history, psychological treatment or counseling, suicidal history, etc.)

Horizontal lines for writing medical and psychological history.

3. **Education.** The court should know the following information about my child's school history. *(Use this space to describe information such as any achievements or problems your child may have experienced in school including attendance, grades, special education, disciplinary problems, conflicts, extra-curricular activities, awards, sports, special skills and work, etc.)*

4. **Home Environment.** My child's home environment and family situation can best be described as: *(Use this space to tell the court about your child's home life and environment such as information about how your child gets along with you, his or her brothers and sisters or any other person living at home, your child's willingness to perform chores and other work around the house, behavior and discipline issues, whether your child has a job that adds to the household income, positive or negative neighborhood influences, etc.)*

5. **Supervision.** If the court places my child under my supervision, I plan to help my child stay out of trouble while on probation by: *(Use this space to tell the court information such as your ability to supervise your child, any additional supportive adults who are available to assist you, problems you may have providing supervision, your plan to assist the probation department in making sure that your child will attend school and do everything the probation office requires, etc.)*

6. **Child's Positive Traits.** The court should know the following good things about my child. *(Use this space to tell the judge information such as any special achievements, character traits, volunteer work, past jobs, clubs, organizations, community or church activities in which your child participates.)*

7. **Recommended Outcome.** When the court considers the final outcome of my child's case, I recommend that the judge order the following: *(Use this space to tell the judge what you think should happen to your child in this case. What you feel your child's needs are. You may also want to discuss what will happen to your family if your child is removed from your custody and placed outside your home.)*

8. **Additional Information.** The court should know the following important information that would be helpful to the court in making a final decision. *(Use this space to provide the judge with any information that you feel may influence the judge when making a final decision.)*

All the information I have provided to the court in this Parental Written Statement is true and correct to the best of my knowledge and belief.

Signature of Parent or Other Person

Date Signed: _____

Printed Name of Parent or Other Person

VERIFICATION RECEIPT FORM

JUVENILE: _____

PARENT/GUARDIAN: _____

- | | |
|---|--|
| <input type="checkbox"/> Parental Written Statement | <input type="checkbox"/> Juvenile's Right to Sealing of Files & Records |
| <input type="checkbox"/> Authorization for Release of Information | <input type="checkbox"/> Request copy of Birth Certificate and Social Security Card |
| <input type="checkbox"/> Court Proceedings | |
| <input type="checkbox"/> TX Juvenile Justice System Files & Records | Referral to: |
| <input type="checkbox"/> Declaration of Financial Inability to Employ Counsel | <input type="checkbox"/> Scheib - MHMR |
| <input type="checkbox"/> Progressive Sanctions Guidelines | <input type="checkbox"/> G.S.M.Y.C. |
| <input type="checkbox"/> Level One Progressive Sanction Agreement | <input type="checkbox"/> H.C.C.A.D.A |
| <input type="checkbox"/> Level Two Progressive Sanctions Agreement Deferred Prosecution | <input type="checkbox"/> Special Needs Diversionary Program |
| <input type="checkbox"/> Fentanyl Information | <input type="checkbox"/> Picture |
| | <input type="checkbox"/> Final Notice of Sealing & Restricted Access of Juvenile Records |
| | <input type="checkbox"/> A Guide to Recognizing and Reporting Abuse, Neglect & Exploitation of Children in Texas Juvenile Justice Programs and Facilities. |

We, the undersigned juvenile and parent/guardian referenced above received the documents indicated above.

JUVENILE

PARENT/GUARDIAN

PROBATION STAFF DATE

REFERRAL # _____

PROGRESSIVE SANCTIONS MODEL

Offense		Recommended Sanctions
<p>Conduct Indicating a Need For Supervision, <i>excluding</i> expulsion from DAEP for serious or persistent misbehavior or a Class A or Class B Misdemeanor</p>	1	<p>Require counseling; Inform child of progressive sanctions for future offenses; Inform parent(s) of responsibility to impose restrictions on child; Provide information to child & family on needed social services; Require child or parent(s) to participate in services from STAR (if program is available); Refer child to citizen intervention program; Release child to parent(s) or guardian(s).</p>
<p>Expulsion from DAEP for serious or persistent misbehavior under 37.007(c), Education Code</p> <p>Contempt of JP, Municipal, or Fine Only County Court</p> <p>Violation of Court Ordered Probation</p> <p>Class A or B Misdemeanor, <i>excluding</i> a misdemeanor involving the use or possession of a firearm</p>	2	<p>Deferred Prosecution for 3-6 months*; Inform child of progressive sanctions for future offenses; Inform parent(s) of responsibility to impose restrictions on child; Require restitution to victim or community service restitution (CSR); Require parent(s) or guardian(s) to identify restrictions to be imposed on child; Provide information to child & family on needed social services; Require child or parent(s) to participate in services from STAR (if program is available); Refer child to citizen intervention program; Additional conditions of probation as appropriate.</p> <p><i>*As of 9/1/2003, Section 53.03(j) authorizes two consecutive terms of deferred prosecution not to exceed one (1) year.</i></p>
<p>Misdemeanor involving use or possession of a firearm</p> <p>State Jail Felony</p> <p>Third Degree Felony</p>	3	<p>Court ordered probation for not less than 6 months; Require restitution to victim or community service restitution (CSR); Impose specific restrictions and requirements for child's behavior; Require probation officer to closely monitor child's activities and behavior; Require child or parent(s) to participate in programs or services as appropriate; Additional conditions of probation as appropriate (including placement in a non-secure residential treatment facilities).</p>
<p>Second Degree Felony</p>	4	<p>3-12 months intensive and regimented program PLUS Court ordered probation; Require restitution to victim or community service restitution (CSR); Impose highly structured restrictions and requirements on child's behavior; Require probation officer to closely monitor child; Require child or parent(s) to participate in programs or services, as appropriate; Additional sanctions, if appropriate.</p>
<p>First Degree Felony, <i>excluding</i> a felony involving the use of a deadly weapon or causing serious bodily injury</p>	5	<p>6-12 months court ordered placement in a post-adjudication secure correctional facility PLUS Court ordered probation; Require restitution to victim or community service restitution (CSR); Impose highly structured restrictions and requirements on child's behavior; Require probation officer to closely monitor child; Require child or parent(s) to participate in programs or services as appropriate; Additional sanctions, if appropriate.</p>
<p>First Degree Felony involving the use of a deadly weapon or causing serious bodily injury</p> <p>Aggravated Controlled Substance Felony</p> <p>Capital Felony</p>	6	<p>Commitment to Texas Youth Commission where Commission may impose the following: 9-24 months highly structured residential program; Require restitution to victim or community service restitution (CSR); Require child or parent(s) to participate in programs or services as appropriate; Additional sanctions, if appropriate; Parole with highly structured restrictions and requirements on child; Parole supervision for not less than 6 months; Other parole supervision conditions, as appropriate.</p>
<p>First Degree Felony involving the use of a deadly weapon or causing serious bodily injury</p> <p>Aggravated Controlled Substance Felony</p> <p>Capital Felony</p>	7	<p>Discretionary Certification and Transfer to Criminal Court or Determinate Sentence to the Texas Youth Commission where Commission may impose the following: 12 months to 10 years highly structured residential program; Require restitution to victim or community service restitution (CSR); Require child or parent(s) to participate in programs or services as appropriate; Additional sanctions, if appropriate; Parole with highly structured restrictions and requirements on child; Parole supervision for not less than 12 months; Other parole supervision conditions, as appropriate.</p>

* Primary sanction shown in red.

Frequently Asked Questions



Q: Can my supervisor make a report to the Commission and law enforcement for me?

NO! In accordance with Texas Family Code Chapter 261.101 the responsibility to report an allegation or incident of abuse, neglect or exploitation cannot be delegated. It is the sole responsibility of the first person that learns of the allegation or suspects that abuse, neglect or exploitation has occurred to make the report.

Q: What happens when I call to report the allegation or incident to law enforcement and they refuse to take a report?

If law enforcement chooses not to take action there is nothing you can do. Your responsibility is to make the report regardless of what action law enforcement may or may not take. You will not be held accountable for the actions or lack of action taken by law enforcement as long as you can verify through written documentation that you made the report within 24 hours.

Q: Can I make an anonymous report of abuse, neglect or exploitation?

Yes, a person may make a report and remain anonymous. It should be noted however, that the identity of the person who made the report is not public information and is therefore, never revealed. In accordance with Texas Administrative Code 349.60, the reporter's name is redacted from all documents that may be released as a result of a written request.

Q: Why does the alleged perpetrator have to be suspended or reassigned to a position of no contact with juveniles during the internal investigation?

In order to help ensure the protection of the alleged victim and other juveniles in the department, facility or program.

Q: What actions are taken if the investigation is disposed of as Reason-to-Believe?

Upon receipt of written notice of the disposition the Designated Perpetrator has 45 calendar days to request an Administrative Review of the Commission's findings (Note: Only a designated perpetrator may request an Administrative Review). If a written request is not received by the end of the 45th calendar day, the Commission will request that the disciplinary hearing process be initiated.

Q: What happens if the disciplinary hearing process is initiated?

If you are a certified probation or detention officer, the disciplinary hearing process provides the Commission the opportunity to take action on your certification. The disciplinary hearing process can be initiated if you were designated as a perpetrator in a case of abuse, neglect or exploitation or if it was determined that you violated the Code of Ethics. The disciplinary process may result in a letter of reprimand, suspension of your certification for a specific period of time or revocation of your certification, which if appropriate, may include a lifetime revocation.

Q: Who has access to the information contained in an abuse, neglect or exploitation investigation?

In accordance with Texas Administrative Code Chapter 349 Subchapter G, to the extent deemed necessary for the protection and care of juveniles after a case is disposed of, the Commission may release certain case record information to particular individuals or entities upon formal request. Upon written request, the Commission is required to release case record information to the alleged or designated perpetrator.

Q: Where do I report if the alleged abuse, neglect or exploitation occurred outside of the juvenile justice setting (i.e., in a home or school that is not a JJAEP)?

- Department of Family and Protective Services
(800) 252-5400 or (800) 832-9626
- Department of State Health Services
(888) 973-0022
- Texas Youth Commission
(512) 424-6235

To Report Allegations or Incidents of Abuse, Neglect and Exploitation or For General Information



Toll Free Hotline1-877-786-7263
(1-877- STOP ANE)

Telephone (512) 424-6700

Facsimile (512) 424-6716

E-mail Address.....abuseneglect@tjpc.state.tx.us

Physical Address4900 North Lamar, 5th Floor
Austin, Texas 78751

Mailing Address.....Post Office Box 13547
Austin, Texas 78711

TJPC-ANE-11-05

A Guide for Juvenile Justice Professionals to Recognizing, Reporting and Investigating Abuse, Neglect & Exploitation in the Texas Juvenile Probation System



A Publication By The

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December 2005

This brochure has been prepared to describe the process for filing a report of abuse, neglect or exploitation and to offer guidance to juvenile justice professionals about their statutory duties and responsibilities. A separate informational brochure has been designed for distribution to parents and members of the public.

The Texas Juvenile Probation Commission (the Commission) conducts investigations of all allegations of abuse, neglect and exploitation in juvenile probation departments, juvenile justice programs, secure juvenile pre-adjudication detention facilities (including short-term facilities), secure juvenile post-adjudication correctional facilities and juvenile justice alternative education programs. Specially trained investigators work closely with the Commission's Legal Division and Field Services Division to conduct investigations. The investigatory process is governed by statutes and administrative law standards contained in Texas Administrative Code Title 37 Part II Chapter 349 and the Texas Family Code Chapter 261. The Commission's administrative law standards should be strictly followed since these are more specific than the broader statutory provisions. If, during the course of an investigation a violation of Texas Administrative Code Title 37 Part II is identified, investigators may issue a Non-Compliance Citation Report (NCCR) or a Notice of Risk.

In accordance with Texas Family Code 261.405(e), as soon as practical after a child is taken into custody or placed in a juvenile justice facility or program, the facility or program shall provide the child's parents with information regarding reporting of suspected abuse, neglect or exploitation to the Commission. The facility/program shall also provide the Commission's toll free number to the child's parents.

What Gets Reported?

Any allegation or suspected incident of abuse, neglect or exploitation of a juvenile that occurs in a department, program or facility under the jurisdiction of the juvenile board shall be reported to the Commission and local law enforcement within 24 hours of the allegation being made or discovery of the incident, including weekends and holidays.

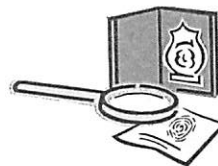
Who Reports?

Any person including any employee, intern or volunteer of a juvenile probation department, juvenile justice program, secure juvenile pre-adjudication detention facility, secure post-adjudication correctional facility or juvenile justice alternative education program shall report to the Commission and local law enforcement any allegation or incident of abuse, neglect or exploitation. Although most allegations are made by the juvenile who feels he or she has been abused, neglected or exploited, any person who witnesses, learns of or suspects abuse, neglect or exploitation is legally required to report. This includes professionals whose communications would ordinarily be privileged (i.e., doctors, counselors, therapists, etc.). Family members of juveniles, private citizens or law enforcement may also make reports.

How To Report?

Reports may be made by phone, fax or e-mail. If the report is made by phone a TJPC Incident Report Form must be completed and submitted to the Commission within 24 hours of the initial phone call.

What Happens After a Report is Made?



- The allegation is assessed and assigned a priority level by a Commission investigator.
- In accordance with Texas Family Code Chapter 261, the Commission must notify local law enforcement in the event an allegation of criminal activity has occurred.
- Three separate and distinct investigations are conducted on all allegations of abuse, neglect and exploitation. The department, program or facility in which the allegation originates conducts an internal investigation to determine if the allegation can be substantiated, if policies and procedures were followed and if any Code of Ethics violations occurred. The Commission investigation also focuses on if the allegation can be substantiated; however, its primary purpose is to ensure the health and safety of the staff and juveniles and to determine compliance with the provisions in the Texas Administrative Code and Texas Family Code. The primary purpose of the law enforcement investigation is to determine if criminal activity occurred.
- The department, facility or program where the incident is alleged to have occurred is contacted by a Commission investigator, and contingent upon the elements of the case, either an on-site investigation is scheduled or a copy of the internal investigation report is requested. Departments, facilities and programs are required to conduct an internal investigation to determine if local policies and procedures were violated.
- After all of the information is collected and reviewed, the Commission investigator assigns a disposition based on the preponderance of the evidence standard.
- Disposition notices are distributed based on the type of disposition assigned to a particular case. In general, disposition notices are distributed to the chairman of the juvenile board of the placing county, the juvenile board of the county in which the alleged incident occurred and the chief administrator or facility administrator. If applicable, the designated victim and the designated perpetrator will also receive a disposition notice.

Serious Incidents

In addition to reporting allegations and incidents of abuse, neglect and exploitation, juvenile probation departments, juvenile justice programs, secure juvenile pre-adjudication detention facilities, secure juvenile post-adjudication correctional facilities and juvenile justice alternative education programs are required to report incidents of attempted suicide, death, escape, serious injury and youth-on-youth assaults. Reports must be made to the Commission within 24 hours of the incident using the TJPC Incident Report Form.

Although all escapes and attempted suicides (i.e., any action a resident takes that could result in taking his or her own life voluntarily and intentionally while detained or placed in a secure facility) must be reported to the Commission, it is important to keep in mind that not all injuries or physical altercations must be reported to the Commission.

Only injuries that are considered "serious" must be reported. Serious injuries are defined by the degree of medical intervention that is necessary to treat an injury. Only an injury that requires treatment by a physician or physician assistant must be reported to the Commission. If a nurse provides medical attention without the involvement of a physician or physician assistant, the injury should not be reported. For example, if a juvenile is playing basketball, falls down and sustains an abrasion and the nurse administers antibiotic ointment or an ice pack, a report to the Commission should not be made. However, if the juvenile is playing basketball, falls down, sustains a wound and stitches are required, the injury is considered serious and must be reported to the Commission.

In addition, not all physical altercations between juveniles must be reported. Youth-on-youth assaults are also defined by the degree of medical treatment, if any, which is administered. If two or more juveniles engage in a physical altercation and no injuries are sustained or if two or more juveniles engage in a physical altercation and a nurse provides medical attention, such as an ice pack or a Band-Aid, the altercation should not be reported. However, if two or more juveniles engage in a physical altercation and the injuries sustained require stitches or a type of treatment only a physician or a physician assistant can provide, the youth-on-youth assault must be reported to the Commission.

