



State of Nevada 5<sup>th</sup> Judicial District Court  
**JUVENILE PROBATION DEPARTMENT**

Nye County and Esmeralda County

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# **Family Engagement Policy and Family Resource Guide**

## **in Accordance with NRS 62B.645**

**Established November 20, 2024**

**NRS 62B.645** Development and implementation of family engagement plan. The Division of Child and Family Services and each department of juvenile services shall develop and implement a family engagement plan to enhance family engagement in the juvenile justice system. The plan must include strategies for:

1. Increasing the family's contact with a child subject to the jurisdiction of the juvenile court;
2. Engaging family members in the case plan of a child and in planning meetings for the release of the child from the jurisdiction of the juvenile court;
3. Involving family members in the child's treatment; and
4. Soliciting the feedback of family members relating to improvements to the services rendered to children subject to the jurisdiction of the juvenile court.

(Added to NRS by [2017, 4383](#))

In collaboration with the Nevada Division of Child and Family Services, the Nye County Juvenile Probation Department and Juvenile Court strive to strengthen family engagement within the juvenile court system. Our office serves the youth and families of Nye County and Esmeralda County by coordinating juvenile court and offering juvenile probationary services.

This guide is designed to advise juveniles and families of our family engagement policies; our office and court procedures; and the legal rights and procedures of the juvenile court system.

Our goal is to assist the youth in our community navigate through the juvenile court system, probation, therapy, and treatment programs in order for them to develop successful life skills and to reduce community recidivism rates. This goal can only be achieved by engaging and working with the support of families.

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# **Family Engagement Policy**

In accordance with NRS 62B.645, the Nye County Juvenile Probation Department encourages family engagement in all capacities of the juvenile court system including case planning, treatment programs, and general feedback.

## **1. Juvenile Justice Services and Family Engagement**

The Juvenile Probation Department has full transparency regarding policy, procedure, and juvenile law per Nevada Revised Statutes. All office informational guides and handouts are available in English or Spanish in our office and on our online website at <https://www.nyecountynv.gov/>.

Most interactions with juveniles are with a parent/guardian present unless the juvenile is being detained per the law or placed on probation. Families are noticed for court hearings, given copies of charging documents, advised of their rights and court procedures, and for some offenses, given opportunities to participate in diversionary measures and/or have a public defender assigned to their juvenile. Emergency transportation to a court hearing or a program of treatment may be available upon the availability of our officers. Family engagement is coordinated with juveniles during detention, court hearings, probation meetings, programs, and family visits during placement at youth camps.

## **2. Juvenile Case Planning and Family Engagement**

The juvenile probation office utilizes state approved evidence-based tools such as the Youth Level of Services/Case Management Inventory (YLS/CMI 2.0) assessment and court approved counselors/therapists for mental health, substance abuse, and other evaluations. Court recommendations are created for the best interest of the juvenile and family. Case planning for educational treatment, programs, and professional counseling is collaborated with all parties to provide direction and support for the individual risks and needs of the juvenile.

## **3. Juvenile Treatment Programs and Family Engagement**

The juvenile probation office collaborates with families, caseworkers, and therapists as juveniles are enrolled in treatment programs or placed in rehabilitation treatment facilities. Families are invited to Child and Family Team meetings when a child has been placed in foster care, and case plans are explained and discussed with all parties. When a juvenile is committed to the State of Nevada for correctional care, a manual is available for an explanation of the state program. Both English and Spanish versions of court handouts, evaluations, programs and treatments are available to families.

## **4. Community Feedback and Family Engagement**

The juvenile probation office welcomes family and community feedback. The opinions and suggestions from families are integral for open discussion and communication. Office surveys are available at the front desk of the office, online on our website, and at the end of this guide.

# **Family Engagement Guide**

The Nevada Legislature has ruled that juveniles from the age of ten to eighteen, or in some instances up to the age of twenty-one, are subject to the juvenile court jurisdiction. Juvenile court is a civil court, and juveniles are not held responsible for adult “criminal acts”. Juveniles are considered to “violate” the law, and are only held to adult consequences if they are over the age of thirteen and adult certified for a heinous crime. Juvenile courts are designed to evaluate the risks and needs of the individual juvenile, rehabilitate, and offer diversionary options and fair consequences. All juvenile matters are confidential to the public, and parents/guardians are informed and involved in all aspects.

Juvenile Probation Officers are **not** first responders for juvenile violators or to juvenile crime scenes. Their duties entail detaining a juvenile or transporting them to the Clark County Juvenile Detention Center; recommending a fine or community service consequence for a citation; submitting recommendations to the District Attorney’s Office for a petition (a charging document from the District Attorney’s Office); recommending statutory consequences, a diversionary consequence and/or probation during court hearings; facilitating assessments and programs; supervising electronic monitoring; and supervising juveniles after they have been placed on probation by a District Court judge or a Juvenile Court Hearing Master.

## **Parent/Guardian Involvement**

When a juvenile is involved with the Juvenile Probation Department, the parents/guardians are immediately notified and encouraged to engage in all aspects of the court system. Parents/Guardians are encouraged to contact the juvenile probation office with questions or concerns.

## **Juvenile Detention**

If a juvenile is deemed to be a danger to his family or the community, or they commit a crime that would be rated a felony offense if committed by an adult, they may be detained by a juvenile probation officer. An officer may detain a child for a short period of time at the local office, or they may detain them for a longer period of time at the Clark County Juvenile Detention Center. When a juvenile is detained in Clark County, the family is immediately notified of policy and procedure by a juvenile probation officer. A Detention Hearing will be held within seventy-two business hours for a judge to find probable cause for the arrest and make a decision if the juvenile should be released to their parents or remanded into custody. Once a Law Enforcement Agency Report is received from the Nye County Sheriff’s Office, the District Attorney has four days to file a petition, or the juvenile is automatically released from custody. A petition may be filed at a later date.

## **Law Enforcement Agency (LEA) Report**

If a juvenile breaks a law, a Nye County sheriff's deputy or a Nevada Highway Patrol officer is called to the scene. A Law Enforcement Agency Report is created and shared with our office and the District Attorney's Office. The report is reviewed with the District Attorney's Office, and the family is contacted to meet with an officer to voluntarily enter into an Informal Probation Agreement, or a petition is filed with the Nye County Court Clerk for the violation(s). If a petition is filed, the juvenile and their family will be noticed via mail to appear at a juvenile court hearing.

### **Citation**

Citations from the Nye County Sheriff's Office or Nevada Highway Patrol Office are usually submitted for traffic infractions, traffic violations, truancy, or other status offenses or misdemeanor violations. Citations are reviewed by the Chief Juvenile Probation Officer and the juvenile and family are usually offered the opportunity to pay a fine, complete a class, or complete community service hours. If a juvenile is not compliant, or if the violation is serious, the juvenile and family will be noticed via mail to appear at a juvenile court hearing.

### **Petition**

A petition is a charging document from the District Attorney's Office after a Law Enforcement Agency Report has been received. It is similar in nature to an adult Criminal Complaint in Justice Court or an Information in District Court. If a petition is filed for a juvenile, the juvenile and their family will be automatically noticed for a juvenile court hearing.

### **Juvenile Court Hearings**

Juvenile Court Hearings are held in Pahrump, Nevada, with the District Court Judge Robert Lane; in Beatty, Nevada, with Justice of the Peace Gus Sullivan; and in Tonopah, Nevada, with Justice of the Peace Jennifer Klapper. When a juvenile and their family are noticed for a court hearing, they are given a copy of the citation or petition and a copy of their legal rights and court procedures. An adult parent or guardian **must** attend the hearing with the juvenile.

The first juvenile court hearing is called an Initial Hearing, and the court will ask the juvenile to admit or deny the violation(s). If the juvenile admits, there may be a court order for the juvenile to obtain an evaluation(s) before returning to court for a Dispositional Hearing. At a Dispositional Hearing, the juvenile will be given a sentence from the judge. The case may be held in abeyance for dismissal, the juvenile may be ordered to pay a fine or complete community service hours, or the juvenile may be adjudicated delinquent and placed on formal probation, etc. If a juvenile denies the violation(s) at the Initial Hearing, the Court will schedule a Pretrial Hearing to give the juvenile and their family time to confer with the District Attorney for a possible resolution. If there is no resolution, the Court will schedule an Evidentiary Hearing.

If a juvenile fails to appear at a hearing, a Show Cause Hearing will be scheduled for the juvenile to appear and give good reason why he/she missed their first hearing. If a juvenile fails to appear a second time, a Bench Warrant may be issued. Status Hearings are often scheduled for the

juveniles to appear in court and state how they are progressing. If a child violates probation, a Probation Hearing will be scheduled. If a child commits a heinous crime, an Adult Certification Hearing may be scheduled. All other hearings are scheduled under the discrepancy of the courts.

### **Legal Counsel**

Juveniles have the right to be represented by legal counsel for all court proceedings. The Juvenile Probation Department will not recommend a juvenile needs legal counsel unless the final dispositional consequence (sentencing) includes possible detainment, commitment to a facility, or placement to DCFS for correctional care. If a family cannot afford counsel, the Court will canvass a family for their financial status, and a free public defender may be appointed.

### **Evaluations**

After a juvenile admits to a violation(s), they may receive a court order to complete a mental health, substance abuse, or other evaluation by a court approved counselor or therapist. They may also receive a court order to complete a Youth Level of Services/Case Management Inventory (YLS/CMI 2.0) assessment with the Juvenile Probation Department. This is a tool that identifies risk and needs of juveniles. The YLS assessment and professional evaluations help aid officers to make informed and individualize recommendations for the juvenile.

### **Probation**

There are three types of probation, and a juvenile probation officer is assigned to a juvenile and their case for any type of probation. During the probationary period, the juvenile may need to attend a class, participate in urinalysis testing, attend counseling, or complete a program that is designed for the individual needs of that juvenile, and the officer will meet regularly with the juvenile to ensure success. Informal probation is a signed agreement between the juvenile, family, and the juvenile probation department. Supervision and Consent Decree is a type of informal probation that is court ordered and set for six months. If the juvenile is successful at the end of the probationary term, the violation is dismissed. Formal Probation is a court ordered probation, and it can be set for one to three years depending on the type of violation(s).

### **Case Closure and Sealings**

Juvenile Law Enforcement Reports and citations are closed when a juvenile meets all court mandates. If a juvenile has a petition, the case will be closed when the juvenile meets all court mandates, and then it will be sealed when they are eighteen years old or three years after they are adjudicated delinquent. If a juvenile has committed a sexual offense or a violent act with force, the case will remain open until they are thirty years old. At that time, they may petition the court for the case to be sealed.

## **Juvenile Rights and Court Procedures**

**To: Juveniles, Parents and Guardians**

**From: Judge Robert W. Lane, District Court and Juvenile Court Judge**

**Regarding: Juvenile Rights and Court Procedure**

Juveniles have special rights during court proceedings. By reading the following document you are being advised of your rights, court rules and procedures. Please feel free to ask questions during court if you don't fully understand your rights, court rules or procedures.

### **Court Rules**

The Court expects everyone to dress appropriately. You may not wear hats, sunglasses, tank tops or shorts. Dress in respectful attire. Do not put your hands in your pockets. Your phone must be turned off, and you cannot have chewing gum, drinks or food in the courtroom. Do not bring large bags into the courtroom, and all bags and persons are subject to be searched. These rules will be enforced by the court bailiff.

### **Rights and Procedures**

You must be accompanied by a parent or legal guardian during all court proceedings. The judge is a neutral party and will make sure that you are treated fair and proper. When your name is called, approach the table and have a seat with your family and attorney if applicable. You have the right to be represented by an attorney. A public defender may be appointed to you only if there is a possibility of being taken into custody and if you cannot afford an attorney. If you would like to hire a private attorney, the hearing will be continued until your attorney submits proof of counsel.

At an initial hearing you will be asked to admit or deny the violation(s) on a petition or citation. If you admit the violation(s) you are waiving your rights to an attorney, an evidentiary hearing, the right to testify and confront witnesses. The Court may incur a disposition (sentence) for you at that time or schedule a dispositional hearing. The judge may order you to attend counseling/courses, participate in drug testing and/or work with the juvenile probation officers until the next hearing date. You have the right to explain your side of the story and state what an appropriate sanction would be. The judge will then give you a sanction, and there will be no more hearings. All fines are due on the day of the hearing. You may ask the judge for more time to pay a fine or to perform community service in lieu of a fine.

If you deny the violation(s), the matter will be scheduled for an evidentiary hearing. You have the right to make pretrial motions for discovery (evidence against you), dismissal, suppression and continuances. The State has the burden of proving each and every element of each violation beyond a reason of a doubt. At an evidentiary hearing, the State will call witnesses. You have the right to cross-examine each witness. The judge will make sure that the State's questions and witnesses are fair. You have the right to subpoena your own witnesses to

testify and the right to testify on your own behalf. You may remain silent, and the State cannot use your silence against you. If you testify, the State has the right to cross-examine you and ask questions.

If you fail to obey court sanctions, you and/or your parent or guardian can be held in contempt of court and put into custody. Examples of contempt of court are failing to appear in court after proper notice; failure to obey court sanctions such as writing essays, attending counseling, etc.; being disrespectful to court, staff and other parties; and dressing inappropriately.

We live in a nation that is governed by a Constitutional Republic which includes the people, their representatives and a president. There are three branches of government that work together to check and balance each level so one branch doesn't become too powerful. The three levels of government are the legislative, judicial and executive branches. The legislative branch includes the representatives in Congress who create laws such as elected senators and representatives. At the local level, it is our county commissioners and town board members. The judicial branch includes the courts at every level. Judges are fair and neutral between the government and the people to make sure that the laws and Constitution are upheld. The executive branch is the federal level and included the President, Attorney General, FBI and other agencies. At the county level it includes the District Attorney, Police, Juvenile Probation Officers and other agencies that enforce the law.

### **REVIEW OF RIGHTS:**

1. You have the right to a private hearing.
2. You have the right to be represented by an attorney at all stages of hearings. If you cannot afford an attorney, the Court will appoint a public defender if deemed necessary or if there is a possibility you may be taken into custody.
3. You may admit or deny the violation(s) on the petition and/or citation.
4. You have the right to an evidentiary hearing for the State of Nevada (District Attorney's Office) to prove you committed said acts beyond a reasonable doubt or by a preponderance of the evidence.
5. You have the right to testify on your own behalf at an evidentiary hearing, remain silent and not be compelled to be a witness against oneself.
6. You have the right to subpoena witnesses to testify on your behalf at an evidentiary hearing.
7. If you admit to the violation(s) in a petition and/or citation, you are waiving your rights to an evidentiary hearing, to be confronted by the witnesses against you, and against self-incrimination.
8. Fines are payable on day of court unless otherwise ordered.



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## **Nye County Juvenile Probation Department Survey**

Please answer the confidential survey questions below and return this form to our office.

Thank you for your support and participation.

1. Do you feel that you and your juvenile were treated fairly in the juvenile court system? If not, please explain.	
2. Do you feel that the office and court staff were responsive and helpful? If not, please explain.	
3. Do you feel that the documents, information and handouts given to you adequately explained what was expected? If not, please explain.	
4. Please list any comments or concerns that you have.	
5. Please list any suggestions that you have for our office.	