

**The Family Court of the State of Delaware
The Next Steps in Your Delinquency or Criminal Matter**

If the Respondent is a Juvenile:

It has been alleged that the respondent has committed a criminal offense which falls within the jurisdiction of the Family Court of the State of Delaware. He or she has been arrested and has appeared before a magistrate at a Justice of the Peace Court to determine the amount of bond and establish specific bond conditions, such as no contact with the alleged victim or obey a specified curfew.

If the respondent has been committed on a secured or cash bail, the next step is a BAIL REVIEW. A parent or guardian must participate in a BAIL REVIEW HEARING with a Department of Services for Children, Youth and their Families (DSCYF) Court Liaison staff member. BAIL REVIEW HEARINGS will begin at 1:00 p.m. A parent or guardian will be contacted to participate in the BAIL REVIEW HEARING remotely.

If the respondent has not been committed, the next step in the resolution of this matter will be an in-person ARRAIGNMENT HEARING.

Please provide your contact information immediately by visiting this webpage: <https://courts.delaware.gov/family/remotehearing> or call 302-255-0300 and press option 6.

IT IS REQUIRED THAT THE PARENT/GUARDIAN OF A JUVENILE RESPONDENT PARTICIPATE IN ALL HEARINGS SCHEDULED IN THE FAMILY COURT. YOU WILL BE SENT A NOTICE INDICATING THE DATE AND TIME AND IF THE HEARING IS REMOTE OR IN-PERON.

AS WITH ANY DELINQUENCY PROCEEDING BEFORE THE FAMILY COURT, A JUVENILE RESPONDENT HAS THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT NO COST. JUVENILES MAY ONLY WAIVE THEIR RIGHT TO COUNSEL IN VERY FEW EXTRAORDINARY CIRCUMSTANCES. IT IS IMPORTANT FOR JUVENILE RESPONDENTS TO CONTACT THE OFFICE OF DEFENSE SERVICES IMMEDIATELY TO AVOID DELAYS AND UNNECESSARY COURT APPEARANCES. To contact the Office of Defense Services in New Castle County dial (302) 255-0130, in Kent County dial (302) 739-4476, or in Sussex County dial (302) 856-5310.

For Juveniles & Adults:

An ARRAIGNMENT is a formal hearing at which a respondent/defendant accused of a crime is brought before the Court to plead to the charges against him/her. The respondent/defendant is made aware of the charges, his/her legal rights and, at this time, may enter a plea of guilty or not guilty before the Court.

All parties who must attend the arraignment are notified in writing with a subpoena or notice by the Court. If there are victims in the case, they are notified, but they are not required to attend the hearing unless otherwise noted on their subpoena/notice. Family Court has two types of hearing officers; Commissioners and Judges. Both can hear arraignments.

At the arraignment hearing, your legal rights will be explained to you. The charges against you will be explained either by the Deputy Attorney General or your lawyer. In the arraignment hearing, the hearing officer (Judge or Commissioner) will inform you of the charges filed against you, your right to plead guilty or not guilty, and your right to a speedy trial. The judicial officer will then ask if you wish to enter a plea of guilty or not guilty.

An arraignment is required in all criminal cases; however a respondent may enter a plea of not guilty prior to the arraignment by filing a Waiver of Arraignment (Rule 10) with the Court pursuant to Family Rule of Criminal Procedure 10(d). (This form is being provided to you for your convenience. If you wish to obtain another copy, see Form 301 at <https://courts.delaware.gov/forms>). Then, the arraignment stage would be bypassed, which will cause your case to be scheduled for a case review or a trial with a Judge or Commissioner. You will receive written notice of your next hearing date.

Requests for continuances of your arraignment must be made in writing prior to the arraignment date. The request must contain the reason for the continuance, defendant information, and the date and time of the hearings as well as the position of the opposing party (Department of Justice) and whether the case has been continued before. (See Form 196 at <https://courts.delaware.gov/forms>). It is up to the hearing officer to decide if your case will be continued or not. You must appear for your hearing, remotely or in person as directed, unless the Court grants your request for a continuance.

**For additional information, please refer to our website:
http://courts.delaware.gov/help/proceedings/fc_criminal.aspx**