

**The Family Court of the State of Delaware**

In and For  New Castle County  Kent County  Sussex County

## RIGHTS OF JUVENILES

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| I, |  | , fully understand that: |

(1) I have the **RIGHT TO BE REPRESENTED BY A LAWYER** in all hearings in Family Court. I also have the right to ask the Court to appoint a Public Defender to represent me.

(2) I have the **RIGHT TO REMAIN SILENT** and cannot be forced to testify against myself.

(3) I have the **RIGHT TO A SPEEDY TRIAL**.

(4) I also have the **RIGHT TO QUESTION**, myself or through my lawyer, **ANY WITNESS WHO TESTIFIES AGAINST ME.**

(5) I have the **RIGHT TO HAVE WITNESSES TESTIFY FOR ME**.

(6) I am **PRESUMED INNOCENT** until either:

(a) I plead delinquent to the charge(s) or,

(b) I plead not delinquent and am found delinquent beyond a reasonable doubt

of the charge(s) based on admissible evidence.

(7) If I plead delinquent to or am found delinquent of the charge(s), I understand that the Judge/ Commissioner will impose a sentence within the limits set forth by law.

**I HAVE READ AND UNDERSTAND MY RIGHTS AS STATED ABOVE.**

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| Parent or Custodian |  | Juvenile Respondent |
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| Court Staff  Witness as to Signatures |  | Date |

### MANDATORY COMMITMENT

The Mandatory Commitment Statute is intended to warn the first offender of the consequences of a second delinquency adjudication. A delinquency adjudication refers to an offense that would have been a felony had the juvenile been an adult when the act was committed.

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| I, |  | , fully understand that: |

1. The Court must and will commit a juvenile to the Division of Youth Rehabilitation Services for at least six months if he or she has been adjudicated delinquent of a felony by this Court and subsequently within the twelve months commits one or more felonies and is thereafter adjudicated delinquent of said offense(s).
2. A juvenile committed to the Division of Youth Rehabilitation services under the Mandatory Commitment Act will not be released on pass, leave, or aftercare during the first six months unless the Director of Youth Rehabilitation Services, in his discretion, determines that it is in the best interests of the juvenile’s treatment to participate in the programs which may require the juvenile to leave the institution. Upon filing of a petition, the juvenile must appear before the original Trial Judge or a Judge designated by the Chief Judge before such a release will be considered.
3. An amenability hearing will be conducted for the juveniles who are charged with felony offense(s) after having been committed under the Mandatory Commitment act; that is, a hearing will automatically be conducted to determine if the juvenile should be heard in Family Court (as a juvenile) or in Superior Court.

We have read or had read to us the above explanation and understand the implication of the Mandatory Commitment Act.

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| Date |  | Juvenile Respondent |
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| Witness |  | Parent/Guardian |