

A Guide to **COLLATERAL CONSEQUENCES** of a **JUVENILE ADJUDICATION**



How will a juvenile record affect:

Primary and secondary education?

Police officers must tell school officials about any student felony arrests and some misdemeanor including, but not limited to: possession of unlawful weapons or controlled substances; assault; or indecent exposure.

Schools may also remove students from regular classes and place them in alternative classes if the student is adjudicated delinquent because of a felony.

College, university, and trades school applications and admittance?

If a school application asks for convictions, the student can say "no" because an adjudication is different from a conviction.

However, the Common App (used by over 800 colleges and universities) specifically asks for the adjudication history. Unless the records were sealed, the student must answer "yes" to this question.

Enlisting in the military?

A delinquency adjudication can be detrimental to enlistment in the armed forces. Even if the record was sealed, the military can request to see copies of documents related to the adjudication.

It is critical that you speak to your client about the possibility of enlistment during the process and through record sealing.

Employment?

A delinquency adjudication can prohibit employment in fields requiring licensing, registration, or certification including, but not limited to: nursing, teaching, accounting, law, trade services.

Voting and Jury Duty?

Juvenile adjudications will not affect the right to vote or the right to sit on a jury.

How will a juvenile record affect:

Sex Offender registry?

Texas requires juvenile sex offenders to register until the 10th anniversary of their final disposition, or 10 years after they have completed the term of that disposition, whichever date is later.

Important for advocates, children may have the option of using a private registry.

Immigration?

Certain adjudications such as drug or sex offenses can derail a legal immigration process.

If the child is undocumented, even a single arrest or detainment can jeopardize the child's status.

Advocates should visit the Immigrant Legal Resource Center (www.ilrc.org) to understand the "Special Immigrant Juvenile Status."

Public benefits?

Families can be evicted from Section 8 housing if a family member does drugs or commits a violent act— even absent a hearing. Dispositions that include registering as a sex offender can also affect housing.

Medicaid benefits are suspended during any detention period and SSI benefits might also be halted.

Adult sentencing?

Courts are permitted to review juvenile records— even sealed ones— to determine adult sentencing.

How I speak with my client?

Advocates should begin speaking to their clients as soon as the discussion of pleas vs trials begins. The conversation should continue throughout the process, including the disposition, post-disposition phase, and at the sealing of records.

Additional Resources

National Juvenile Defense Center

www.njdc.info

Immigrant Legal Resource Center

www.ilrc.org

Center for Children, Law & Policy

www.law.uh.edu/center4clp

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