

JUVENILE LITIGATION PARALEGAL

Drafted by Maddie Vines, formerly the Division Manager and Paralegal, Office of the District Attorney for the 4th Judicial District Juvenile Prosecution Unit and Special Assignments to homicide felony cases, now of Ritsema & Lyon, P.C. Reviewed by Shannon Gerhart, Senior DA, Office of the District Attorney – 4th Judicial District of El Paso and Teller County.

ALL OF THE BELOW DUTIES ARE ASSUMED TO, AND MUST BE, UNDER THE DIRECTION AND SUPERVISION OF A LICENSED ATTORNEY.

A. INTAKE PROCESS

1. Coordinates locating reports for pending summons and defendants who are in-custody or in a juvenile detention facility.
2. Reviews police reports to determine if all the necessary elements are documented for filing of charges.
3. Screens potential filings on juvenile defendants for referrals to NJC, Diversion, or No-Files.
4. Discusses criminal cases with peace officers over the phone or in person to advise appropriate actions to be taken to develop criminal cases for filing.
5. Completes paperwork to prepare the charging documents to be filed in District Court and Juvenile Court.

B. FILING OF CHARGES/ADVISEMENT DATE

1. Prepare initial pleadings such as Amended Information and/or Juvenile Petitions to add or amend charges or charging information as requested by the attorney.
2. Prepare any pleadings regarding habitual charges or special sentencing enhancers to the case.
3. Prepare any juvenile transport orders for juveniles in custody in other counties.
4. Assist secretaries in typing petitions and prepare case file.

C. PRE-TRIAL MOTIONS

1. Acquire any copies of items in evidence or through the division investigator such as photos, 911 tapes, 911 call screens, surveillance CD or videotapes or any other evidentiary items.

2. Prepare any plea paperwork and or correspondence.
3. Prepare a motion for Good Faith List of Potential Witnesses for trial to be called at trial.
4. Amend to Add Additional Habitual Criminal Charges if needed on felony adult cases.
5. Amend to Add Aggravated Juvenile Offender charge if needed on juvenile cases.
6. Prepare Motion for Non-testimonial Identification for fingerprint comparisons, hand-writing analysis and/or for any DNA samples.
7. Prepare Motion for Similar Transactions to introduce prior similar acts of violence at trial.
8. Prepare Motion for Consumption of Evidence for permission to consume evidence for testing.
9. Prepare Motion for *Limine* requesting court to allow certain evidence or testimony be admitted at trial.
10. Prepare any Endorsement of Additional Witnesses to be called at trial.
11. Prepare Subpoena Duces Tecum for business, wireless and or phone records.
12. Prepare Motion for HIV testing in sexual assault cases.
13. Prepare Motion for *Limine* – Rape Shield in sexual assault cases.

D. TRIAL PREPARATION AND DISCOVERY

1. Prepare and organize criminal subpoenas.
2. Prepare witnesses for trials by explaining the judicial process and court expectations such as sequestration orders.
3. Explain the juvenile court system, juvenile trial and disposition to parents of juvenile victims.
4. Explain the possibility of community treatment for juvenile offenders to parents of juvenile victims.

5. Explain the purpose of detention hearings for respondents to parents of juvenile victims.
6. Interview juvenile victims of domestic violence and collect information regarding victim's wishes of bond recommendations for case file and attorney.
7. Route file to victim notification department to notify victims of any critical stages of the case such as sentencing or trial.
8. Make travel and lodging arrangements for out of state witnesses.
9. Prepare interstate subpoenas for uncooperative witnesses that are out of state.
10. Prepare a list of order of witnesses for attorneys.
11. Arrange appointments for attorneys to meet with witnesses.
12. Route case file to the division investigator to run criminal histories on victims and witnesses.
13. Send "Directive Concerning Compensation of Expert Witnesses in Criminal Cases" letter to expert and fill out expert excess form if needed.
14. Obtain any curriculum vitae for any experts endorsed in the case.
15. Release any expert packets regarding their testimony synopsis.
16. Send trial subpoena to expert or experts.
17. Prepare and submit laboratory requests for photo lab services, drug analysis, or any fingerprint/latent comparisons submitted into evidence.
18. Order any DMV (Department of Motor Vehicles) record on respondents.
19. Obtain laboratory reports and agent's notes from CBI (Central Bureau of Investigations).
20. Arrange to have investigator retrieve copies of photographs submitted into evidence.
21. Order medical records with authorization to release records by the victim or prepare subpoena duces tecum if applicable.
22. Release in discovery any and all discoverable documents pertaining to Rule 16 and redact all social security numbers.

23. Prepare any calendar reminders for outstanding requests for discovery.
24. Make trial witness notebooks or folders for attorneys to include witness statements, expert curriculum vitae and witness contact information.
25. Attend interviews with victims and witnesses and submit report.
26. Submit fingerprint comparison requests for latent prints from items in evidence.
27. Order any 911/dispatch tapes for each incident.
28. Submit any request to law enforcement agencies to preserve officer notes.
29. Order court packets and/or Department of Corrections prison packets to establish Habitual charges.
30. Prepare jury notebooks inserts to include a combined list of potential witnesses, list of exhibits and state of the case for the judge and jury.
31. Prepare any jury instructions.
32. Prepare any aerial diagrams.
33. Prepare for PowerPoint presentations for attorneys.
34. Scan any photos for photo presentations.
35. Type up a potential list of evidence items to introduce at trial.
36. Organize and label evidence with attorneys and investigators.
37. Notice and set motions hearing dates if needed.
38. Have investigator execute Non-Testimonial for Identification once ordered for DNA and sexual assault cases, fingerprint comparisons and/or hand-writing samples.
39. Research and shepardize cases for attorneys.
40. Keep track and enter all prosecution costs for compensation paid through mandated costs and maintain the costs database.
41. Check on the status of any outstanding out of state interstate subpoenas.
42. Keep track of preservation of evidence requests.

43. Check and order any x-rays if needed.
44. Reserve computer equipment for trial.
45. Provide input to attorneys regarding plea negotiations or trial actions that may be necessary; may testify in court.
46. Prepare case file for trial and organize documents in case file.

E. TRIAL PROCESS

1. Check in with attorneys daily for any trial preparation requests.
2. Confirm and coordinate the order of witnesses for trial.
3. Arrange police officer testimonies through law enforcement liaisons.
4. Arrange language interpreters for non English speaking and/or deaf victims or witnesses for trial.
5. Provide any victim advocate support for parents of juvenile victims and victims at trial.
6. Advise victims and witnesses of sequestration order.
7. Arrange and schedule experts and expert testimony for trial.
8. Manage and label all exhibits, diagrams and exhibit lists for attorneys.
9. Manage and label all photographs of evidentiary items for photo presentations and PowerPoint presentations.
10. Prepare any supplies needed for attorneys at trial.
11. Image documents to be used for trial onto the laptop.
12. Update list of exhibits whether the item was offered, admitted or denied.
13. Call off witnesses if trial is called off or rescheduled.
14. Take any trial notes of victims and witness's trial testimony as requested by the attorney.
15. Provide any feedback on credibility of victims and witnesses to attorneys.

16. Make any necessary copies for attorneys during trial and for the court.
17. Communicate with investigator the transport of evidence to and from court.

F. POST TRIAL

1. Notify all victims and witnesses of the status of trial and/or verdict.
2. Prepare motion and order for prosecution costs.
3. Assist in gathering documents for restitution payout orders.
4. Prepare motions to dismiss and forward file to be closed in the database.
5. Assist data entry clerk in closing out cases in the database.
6. Prepare evidence releases for attorney signature on closed cases then mail to corresponding law enforcement agency.
7. Assist secretaries in preparing final dispositions letters to victims, law enforcement and school administrators.

G. REVIEW OF COMPLIANCE

1. Determine on a monthly basis which cases are due for final review of end of deferred sentence or probation and prepare a case review form for submission to the division deputy.
2. Maintain file of cases for future review of completion of all requirements.
3. Review compliance of conditions for end of deferred adjudications or unsupervised probation cases such as proof of completion of useful public service and or if restitution and court costs have been paid.
4. Prepare motions to revoke unsupervised probation or deferred sentences if needed for non-compliance.
5. Set cases for revocation hearing and notify victims in cases according to the Victim's Right Act.

H. APPEALS

1. Order transcripts from trial proceedings.

2. Assist with the preparation of appellate briefs or juvenile petitions for review.
3. Conduct legal research and shepardize case law for attorney.
4. Enter transcript costs into database and submit for payment.

I. JUVENILE EXPUNGEMENTS

1. Verify if petition to expunge juvenile record is within the twelve months of case being dismissed by the court.
2. Check if Petitioner has been convicted of a misdemeanor since the termination of the Court's jurisdiction/release from parole supervision.
3. Check if Petitioner has been adjudicated a juvenile delinquent since the termination of the Court's jurisdiction/release from parole supervision.
4. Check if Petitioner has a proceeding concerning a felony, misdemeanor, or delinquency action is pending or being instituted against the petitioner.
5. Check and determine by the case file if Petitioner has not been rehabilitated.
6. Check and determine if the expungement is not in the best interests of the petitioner.
7. Check and determine if the expungement is not in the best interest of the community.
8. Check if Petitioner has not met statutory eligibility requirements due to the timing of the filing of the petition.
9. Check if Petitioner has been adjudicated an aggravated juvenile offender.
10. Check if Petitioner has been adjudicated a violent juvenile offender.
11. Check if Petitioner has been adjudicated for an offense that would constitute a crime of violence under C.R.S. 16-11-309.
12. Check if Petitioner has been subject to direct filing under C.R.S. 19-2-517.
13. Check if Petitioner has been adjudicated for an offense involving unlawful sexual behavior under C.R.S. 18-3-412.5.

14. Check if Petitioner has requested expungement during the previous 12 months.
15. Check case file and determine if expungement would violate an express terms of a plea agreement, deferred sentence, or deferred prosecution.
16. Prepare Objection to Petitioner's Petition to Expunge Juvenile Record if any of the above qualifies.
17. Route file to victim notification department to notify victim of the hearing according to the VRA (Victim Right's Act).
18. If case is ordered to be expunged submit case file to be sealed.

J. OTHER DUTIES

1. SRO (School Resources Officer) liaisons:
 - a. Assist school resource officers and school administrators in filing decisions on potential charges.
 - b. Explain the procedures after case is filed and what sentencing options are available.
 - c. Share juvenile offender information such as if juvenile is on probation and who is the probation officer.
 - d. Share or subpoena any information regarding school disciplinary actions.
 - e. Notify school administrators daily on juveniles currently charged and their dispositions.
2. School conflict resolutions:
 - a. Explain to parents the self-referral option for school mediations.
 - b. Explain to parents the possible sentencing options that are available.
3. Maintain community resources:
 - a. Provide list of resources for parents with juvenile displaying juvenile delinquent behaviors of juveniles not yet charged.

b. Explain some of the court procedures and juvenile programs and DA programs.