

Adjudication Hearing?

This hearing is comparable to a trial in adult court. At this stage you can decide if you want to fight your case or if you want to accept an offer/plea (see section on *Plea Bargains*). Adjudication hearings are held to determine whether or not the allegations are true. Unlike in adult court, there will not be a jury.¹ Only the judge will hear the case and decide innocence or guilt--called "true" or "not true" in juvenile court. Your lawyer may subpoena witnesses to come to the trial to testify if necessary (meaning that the witness is legally required to appear at your trial) and present evidence on your behalf. You have the right to testify and you should talk to your lawyer about whether that will be helpful to your case. The most common type of witness is one who can talk about the facts of the case (what happened, when did it happen, what did they see, etc.). Sometimes witnesses can also talk about your "character" (if you are a good person, what personality traits you have, your past, etc.).

In most cases, the D.A. must prove the petition against you beyond a reasonable doubt.² Proof beyond a reasonable doubt means that if a judge has a doubt about your guilt, and that doubt is reasonable, then the judge cannot find you guilty.

After hearing all of the evidence, the judge will decide whether or not you are guilty (whether or not the "petition" is true or untrue). If the petition is found true, the court sets a dispositional hearing (see section on *Disposition*).

When is my Adjudication Hearing?

The court must hold an adjudication hearing 15 court days after the detention hearing if you are in juvenile hall. This hearing must be held within 30 days of the arrest unless all parties agree to more time if you are not in juvenile hall.³ Your lawyer might want to request additional time to prepare the case. Understanding your needs, arranging for expert testimony, obtaining reports from probation, investigating the scene of the alleged offense, and assessing your mental health needs can take time, but they are necessary steps for effective representation.

Last updated on November 22, 2022

¹ *In re Hector R.*, 152 Cal. App. 3d 1146, 1148 (Ct. App. 1984).

² Cal. Welf. & Inst. Code § 701.

³ Cal. Welf. & Inst. Code § 657.