

Model Detention Interview Form Draft

Midwest Juvenile Defender Center & Elizabeth Kooy

Introduction:

Hello, my name is _____, and I am your assigned lawyer to help you at what is called the detention hearing. The detention hearing is where a judge will decide where you will be staying while your court case is going on. We have a lot of work to do right now so that I can help you get to the right place to stay tonight. I know that you probably want to talk about your case and what happened and I will need to know all of that at some point later. Right now, I need to make sure that I get enough information to help get you to the right place to stay tonight. I don't want you to end up staying in the detention center because the judge didn't get to hear all the good things about you.

I am a lawyer and what that means is that I speak for you in court. Everything you tell me stays between you and me and I only tell the judge things about you that will help you. I cannot tell the judge things you say unless you give me your okay to tell him. The judge is going to decide where you stay while your case is going on and I want him to get good information about you so that he does not have to send you to the detention center.

I am a Public Defender (show picture ID) – it means that I am a lawyer with the same training as all lawyers. I just get paid differently than private lawyers. The state pays me to do my job and private lawyers have you pay them to do the same job. One is not better than the other, it just means that we get paid differently.

I need to ask you a bunch of questions but first I want to make sure I explained everything right to you. Tell me what you think we are going to talk about now? Tell me what you think my job is? (Assess level of understanding – don't ask yes or no questions and make sure that you act like you may not be explaining things correctly – not that the child does not understand.) Let me know if you have any questions about what I have said too.

Okay, I guess I did a good job explaining what we are going to do, so now I am going to ask you a lot of questions about you. Some of them may seem silly to you, but they are all really important for me to get to know you. I cannot speak for you in front of the judge unless I get a good idea of what you are all about. If you don't remember something- that is okay, just tell me that you do not remember. Don't make up an answer just because you think I want to hear an answer either.

Name _____

Alias (Have you ever gone by any other name?)

Case Number _____ Other Identifying Number _____

Did a probation officer speak with you before me? Yes/No

Would you recognize that person in court? Yes/No

Juvenile Court History

Have you ever been to court before? Yes/No

If yes, can you tell me when and why?

Have the police ever arrested you before? Yes/No

If yes, can you tell me when and why?

Have you ever had a probation officer before? Yes/No

If yes, do you remember who, when, why, and what they did for you?

Have you ever run away from home? Yes/No

If yes, how many times?_____

When was the last time you ran away?_____

How long did you stay away from home?_____

How long is the longest time you have stayed away from home?_____

Substance Abuse History

If someone tested you for drugs today, would you be clean or dirty?_____

If dirty, what kind of drugs?_____

When was the last time you used?_____

How often do you use? Per day/ week/ month _____
Have you ever been to drug treatment or drug counseling? Yes/No
If yes, when and where?

Do you smoke cigarettes? Yes/No

Educational Information

What school do you go to? _____

What grade are you in? _____

Are you in regular classes or are you in special classes? _____

What kind of special classes? (For kids who have trouble learning or for kids who have trouble concentrating in school?) _____

Do you go to school all the time? _____

How many days do you miss a week? _____

Have you ever been suspended? Yes/No

If yes, how many times and why?

When was the last time you were suspended? _____

Have you ever been expelled? Yes/No

If yes, why?

Any other information about school?

Mental Health History

Have you ever been in a hospital or placement? Yes/No

If yes, when, where and why?

Have you ever seen a counselor? Yes/No

If yes, when, where, and why?

Have you ever talked to a doctor? Yes/No

If yes, when, where, and why?

Release Information

What will your parents say about you in court today?

Will he/she be willing to take you home tonight? Yes/No

If you don't think so, why not?

Is there anyone else who might be able to take you home if the judge would release you?
Yes/No

If yes, who is it, how do you know that person, and how can I contact him/her?

Is there anything going on at home or at school that I should tell the judge?

What do you do really well? What are you good at?

Is there anything that you would like me to tell the judge?

Other Notes

Contact Information:

Mother

Name _____ Phone Number _____

Address _____

Work _____

Work Address _____

Work Telephone _____ Cell Phone _____

Father

Name _____ Phone Number _____

Address _____

Work _____

Work Address _____

Work Telephone _____ Cell Phone _____

StepMom or Girlfriend

Name _____ Phone Number _____

Address _____

Work _____

Work Address _____

Work Telephone _____ Cell Phone _____

StepDad or Boyfriend

Name _____ Phone Number _____

Address _____

Work _____

Work Address _____

Work Telephone _____ Cell Phone _____

Other Relative

Name _____ Phone Number _____

Address _____

Work _____

Work Address _____

Work Telephone _____ Cell Phone _____

Other Relative _____

Name _____ Phone Number _____

Address _____

Work _____

Work Address _____

Work Telephone _____ Cell Phone _____

Other _____

Name _____ Phone Number _____

Address _____

Work _____

Work Address _____

Work Telephone _____ Cell Phone _____

Probation Officer _____

Phone Number _____

DCFS Worker _____

Phone Number _____

Other Caseworker _____

Phone Number _____

Teacher _____

Phone Number _____

Other Contact _____

Phone Number _____

Sign Releases to speak with Mental Health Providers