

# JUVENILES. COLLATERAL CONSEQUENCES RESULTING FROM JUVENILE CONVICTIONS AND WITHHOLD-OF-ADJUDICATIONS

The purpose of this bench card is to highlight major collateral consequences, which may impose unexpected but substantial additional punishments, enduring long after the court-imposed sentence is completed.

## TERMS

**Respondent.** This is the juvenile defendant charged with a crime.

**Petition.** The charging document: In a felony case, this is called the information.

**Department of Juvenile Justice (DJJ).** This is the corrections department in juvenile court

**Plea to the petition (PtP).** Pleading guilty to the crimes as charged: This guilty plea leaves the respondent open to any penalty the judge imposes permissible under the law.

**Civil citation.** Instead of arresting a child, a police officer issues a civil citation when the officer determines the respondent qualifies. The child goes into a program, and if successfully completed, the case gets dismissed. This does not appear as an arrest on the juvenile's record.

**Juvenile Alternative Services Sanctions (JASS).** Straight JASS is a diversionary program that removes a case from the court system: The respondent does not enter a plea. The program monitors the juvenile, and upon completion, the case gets dismissed. This appears only as an arrest on the juvenile's record.

**PtP JASS.** The respondent pleads guilty and enters a program run by the state attorney's office. If completed successfully, the plea is vacated, and the case is dismissed.

**PtP Successful Completion of Probation (SCOP).** A probationary program that keeps a case in the juvenile court system: DJJ and the court system monitor the juvenile. Upon successful completion, the case is dismissed, and the plea is vacated.

## GENERAL

A withhold-of-adjudication may serve as a conviction for federal purposes, under specific Florida statutes, and in other states. Examples:

**Sentencing.** A withhold is counted in calculating federal sentencing guidelines.

**Immigration.** A withhold is treated as a conviction for immigration purposes.

A juvenile's arrest record *does not* go away when he or she turns 18 and *is not* confidential. Anyone who wants to see it can.

## LIVING

Consequences when children are adjudicated delinquent of misdemeanors and felonies:

**Subsidized housing.** Defendants may not qualify to live with someone in affordable or subsidized housing.

**Private housing.** Defendants may be unable to obtain rental housing from private landlords.

**Eviction.** Defendants and their entire families may be evicted from rental housing, especially affordable or subsidized housing.

**Driving.** Defendants may have their driving privileges suspended.

**Immigration.** Defendants may be unable to adjust their immigration status and may face deportation.

## EMPLOYMENT

Consequences when children are adjudicated delinquent of misdemeanors and felonies:

**General.** Defendants may be required to report adjudications on applications and may be unable to obtain private or public employment.

**Military.** Defendants may be unable to serve in the military, depending on the type and number of adjudications, and cannot serve if adjudicated delinquent or convicted of a domestic violence misdemeanor or felony.

**Law enforcement.** Defendants cannot work in law enforcement if adjudicated delinquent or convicted of a domestic violence misdemeanor or felony.

**Government.** Defendants may be unable to work for a state or municipal agency if convicted of a first-degree misdemeanor directly related to the job.

**Public safety.** Defendants may be unable to work for a county, a municipality, a seaport, or an airport if the job is critical to security or public safety.

**Children, elderly.** Defendants may be unable to work in law enforcement, corrections, public schools, or another agency that works with children or the elderly.

**Licenses.** Defendants may lose or be unable to obtain professional licenses, even when unrelated to charges.

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**Associations.** Defendants may be barred from memberships necessary for employment, such as the Florida Bar, real estate associations, and medical boards.

**Business.** Defendants may be unable to obtain business loans from the Small Business Administration.

## EDUCATION

Consequences when children are adjudicated delinquent of misdemeanors and felonies:

**Admission.** Defendants may be denied or delayed admittance into private or public universities or colleges.

**Financial aid.** Defendants may not qualify for financial aid for a period of time if a conviction is for possession of a controlled substance while receiving financial aid.

**Scholarships.** Defendants may lose existing scholarships for a qualifying offense.

**Housing.** Defendants may be denied or removed from student housing.

**Discipline.** Defendants may be suspended, expelled, or subjected to academic discipline.

To learn more about collateral consequences, visit [pdmiami.com](http://pdmiami.com).

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