

# RHODE ISLAND FAMILY COURT

## Administrative Order 2002-01

### Establishment of the Rhode Island Family Court Truancy Court

#### Purpose:

The purpose of the Rhode Island Family Court Truancy Court will be to identify the causes of truancy and provide solutions to combat its occurrence. The main interest of the court lies in the advancement of education for children. The Truancy Court will work closely with both, the school departments, law enforcement and mental health providers in an effort to help young people and the families succeed.

#### Organization:

The Chief Judge of the Family Court, as administrative judge, will have primary responsibility for the court.

The Family Court Magistrate(s) will hear truancy cases in the local school districts, provide judicial supervision for the court and serve as a leader in the Truancy Court. He/she has the authority to do whatever is necessary to successfully effectuate the purpose of the Court.

#### Eligibility Guidelines:

1. Children involved in the program must be school aged.
2. Children participating in the Truancy Court will be petitioned by the individual school district.
3. Children involved with the Truancy Court are not being seen by any other Family Court Judge for a violent offense.

If a child meets the criteria, as listed above, under the eligibility guidelines, the Intake Department will place a prequalified notice in the juvenile file and will inform the Juvenile Clerk's Office to place said petition on the Truancy Court Calendar. The Juvenile Clerk's Office will then issue a summons to the child and his or her parents or guardian for arraignment.

At the arraignment the truant child will come before the Truancy Court Magistrate where he or she will be advised of the requirements of the Truancy Court Program.

Upon completion of the child's arraignment, if a truant is not accepted by the magistrate or does not want to participate, he or she will be given a arraignment date on the formal delinquency calendar.

Children participating in the Truancy Court will not be eligible for a court appointed attorney or public defender since incarceration is not a possible sanction for the Truancy Court participants while they are before the Truancy Court Magistrate.

In order to review the child's progress, the Truancy Court will convene as needed. The child and his or her parents or guardian will have to attend Truancy Court sessions mandated by the Truancy Court Magistrate. At this time, the Truancy Court Magistrate may offer incentives or

may sanction the child for non-compliance if applicable. One possible sanction could be the use of the services of the Department for Children, Youth & Families.

The length of the Truancy Court Program will be determined on a case-by-case basis. Successful completion of the program can result in dismissal of the underlying petition.

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Date

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Jeremiah S. Jeremiah, Jr.  
Chief Judge