

Chapter 2 - The Court Process

Introduction

The structure of the Virginia courts provides for juvenile and domestic relations district courts separate from the general district courts. The juvenile and domestic relations district courts have jurisdiction over all cases, matters, and proceedings involving:

- Delinquent children.
- Children charged with traffic infractions and violations.
- Children who are status offenders.
- Children in need of services.
- Children in need of supervision.
- Children who have been subjected to abuse or neglect (including sexual exploitation) or are at risk of being abused or neglected by a parent or custodian previously adjudicated as having abused or neglected a child in his care.
- Adults accused of child abuse or neglect, or of offenses against any child, except for certain labor violations pursuant to [Va. Code § 40.1-113](#), or in which members of their families are victims.
- Violations of custody orders.
- Adults accused of abuse of a spouse, ex-spouse, person with whom they have a child in common, or family or household member.
- Disputes concerning the support, visitation or custody of a child (including appeals of administrative determinations by the [Division of Child Support Enforcement](#)).
- Abandonment of children.
- Foster care and entrustment agreements and the execution of consent in certain adoption cases.
- Court-ordered rehabilitative services.
- Court consent for certain medical treatments.
- Petitions by School Boards against a parent.
- Commitment of mentally ill children and certification of intellectual disability.
- Emancipation of minors.
- Parentage determinations.
- Petitions to enforce any request for information or subpoena that is not complied with or to review any refusal to issue a subpoena in an administrative appeal in a child abuse and neglect case.
- Petitions for judicial authorization of abortion without the consent of an authorized person.
- Petitions for approval of standby guardians.

- Work permit consents. [Va. Code § 16.1-278.13](#)

Under the Code of Virginia, a child, juvenile, or minor is defined as a person less than eighteen years of age. The general categories of children defined in the law include the abused or neglected child, the abandoned child, the child in need of services, the child in need of supervision and the delinquent child. Adults come within the jurisdiction of the juvenile and domestic relations district court because of their involvement in the case types listed above and because of charges of criminal acts against children or against family members.

Although other statutes apply in juvenile and domestic relations district court, especially criminal and support statutes, the statutes which are the principal governing procedural provisions are found in Chapter 11 of Title 16.1 of the Code of Virginia, [§§ 16.1-226](#) through [16.1-361](#), which is entitled “Juvenile and Domestic Relations District Court.” These provisions apply to both juvenile and adult cases. The purpose and intent of this statutory plan was set forth by the General Assembly in [Va. Code § 16.1-227](#).

To further implement these provisions, the General Assembly also provided that the specific provisions of Chapter 11 of the Virginia Code, [§§ 16.1-226](#) through -361 would prevail over conflicting statutes in Title 16.1. [Va. Code § 16.1-229](#).

Unique characteristics of the juvenile and domestic relations district court include:

- the intake and diversion process,
- the detention, disposition, and review progress hearings, and
- the security and ultimate destruction of case records involving juveniles.

Each juvenile and domestic relations district court has an attached court services and may proceed informally in certain cases or may initiate a court case through petition filed by a complaining party. The court service unit handles the intake function using intake officers whenever possible.

The court records for cases involving juveniles are to be kept secure from public scrutiny and expunged when the juvenile has reached age nineteen and five years have elapsed since a hearing was conducted in that case, or kept until age twenty-nine if found delinquent based on the commission of a misdemeanor offense or a traffic offense reportable to the [Department of Motor Vehicles](#). However, if a juvenile was found delinquent based on the commission of an offense that would be a felony if committed by an adult, the records shall be retained. See the appendix on “Record Retention and Destruction/Expungement” for detailed records retention and destruction requirements.

Support cases involve receiving of petitions, scheduling of cases, issuing process to bring the parties to court, trying cases, issuing orders, and, upon request, conducting post-trial proceedings to enforce orders. Important features of the statutes governing support include:

- A parallel administrative procedure for establishing and enforcing support obligations is provided by the [Division of Child Support Enforcement](#) of the [Department of Social Services](#). Individuals can use either the courts or the administrative agency.
- The [Division of Child Support Enforcement](#) is the only governmental entity providing assistance to support recipients in establishing, collecting, monitoring and enforcing support obligations.

Certain support matters are applicable to both circuit courts and district courts, including contents of orders and enforcement powers and registration of out-of-state support orders.

Venue

[Va. Code § 16.1-243](#)

The general venue provisions for cases involving juveniles are:

Original Venue

Cases involving children, other than support or where a family abuse protective order is sought. If delinquency is alleged, the proceeding shall be commenced in the city or county where the acts constituting the alleged delinquency occurred or they may, with the written consent of the child and the Commonwealth's attorney for both jurisdictions, be commenced in the city or county where the child resides.

In cases involving custody or visitation, the priority for determining the appropriate venue is as follows:

- The jurisdiction which is the home of the child at the time of the filing of the petition or had been the home of the child within six months before the filing of the petition and the child is absent from the city or county because of his removal or retention by a person claiming his custody or for other reasons, and a parent or person acting as a parent continues to live in the city or county;
- The jurisdiction which has a significant connection with the child and in which there is substantial evidence concerning the child's

present or future care, protection, training and personal relationships;

- The jurisdiction where the child is physically present and the child has been abandoned or it is necessary in an emergency to protect the child because he has been subjected to or threatened with mistreatment or abuse or is otherwise neglected or dependent; or
- It is in the best interest of the child for the particular court to assume jurisdiction because no other city or county is an appropriate venue under the preceding provisions of this subdivision.

Adoption

In parental placement adoption consent hearings, the proceeding shall be commenced (i) in the city or county where the child to be adopted was born, (ii) in the city or county where the birth parent(s) reside or (iii) in the city or county where the prospective adoptive parent(s) reside.

In all other proceedings involving children, the proceeding shall be commenced in the city or county where the child resides or in the city or county where the child is present when the proceedings are commenced.

Support

Proceedings that involve child or spousal support, exclusive of proceedings arising out of Chapter 5 of Title 20 ([Va. Code § 20-61](#) et seq.), shall be commenced in the city or county where either party resides or in the city or county where the respondent is present when the proceeding commences.

Family Abuse

Proceedings in which an order of protection is sought as a result of family abuse shall be commenced where (i) either party has his or her principal residence, (ii) the abuse occurred or (iii) a protective order was issued if at the time the proceeding is commenced the order is in effect to protect the petitioner or a family or household member of the petitioner.

Transfer of Venue

Generally

Except in custody, visitation and support cases, if the child resides in a city or county of the Commonwealth and the proceeding is commenced in a court of another city or county, that court may at any time, on its own motion or a motion of a party for good cause shown, transfer the proceeding to the city or county of the child's residence for such further action or proceedings as the court receiving the transfer may deem proper.

However, such transfer may occur only after adjudication in delinquency proceedings. The DC-616, ORDER OF TRANSFER should be utilized to document the transfer of venue. All of the cases being transferred should be noted on the transfer order.

Custody and Visitation

In custody and visitation cases, if venue lies in one of several cities or counties, the court in which the motion for transfer is made shall determine which such city or county is the most appropriate venue unless the parties mutually agree to the selection of venue. In the consideration of the motion, the best interests of the child shall determine the most appropriate forum.

Support

In support proceedings, exclusive of proceedings arising under Chapter 5 of Title 20 ([Va. Code § 20-61](#) *et seq.*), if the respondent resides in a city or county in the Commonwealth and the proceeding is commenced in a court of another city or county, that court may, at any time on its own motion or a motion of a party for good cause shown or by agreement of the parties, transfer the proceeding to the city or county of the respondent's residence for such further action or proceedings as the court receiving the transfer may deem proper. For the purposes of determining venue of cases involving support, the respondent's residence shall include any city or county in which the respondent has resided within the last six months prior to the commencement of the proceeding or in which the respondent is residing at the time that the motion for transfer of venue is made. If venue is transferable to one of several cities or counties, the court in which the motion for transfer is made shall determine which such city or county is the most appropriate venue unless the parties mutually agree to the selection of such venue.

When the support proceeding is a companion case to a child custody or visitation proceeding, the provisions governing venue in the proceeding involving the child's custody and visitation shall govern.

Enforcement of Orders for Support, Maintenance and Custody

Any juvenile and domestic relations district court to which a suit is transferred for enforcement of orders pertaining to support, maintenance, care or custody pursuant to [Va. Code § 20-79 \(c\)](#) may transfer the case as provided in this section.

Subsequent Transfers

Any court receiving a transferred proceeding as provided in this section may in its discretion transfer such proceeding to a court in an appropriate venue for good cause shown based either upon changes in circumstances or mistakes of fact or upon agreement of the parties. In any transfer of venue in cases involving children, the best interests of the child shall be considered in deciding if and to which court a transfer of venue would be appropriate.

Records

The transferor court should keep the first copy of the [DC-616 ORDER OF TRANSFER](#) as a replacement for the case file transferred in order to have record of the transfer of the case. Pursuant to [Va. Code § 16.1-243 \(C\)](#), originals of all legal and social records pertaining to the case shall accompany the transfer of venue. Records imaged from the original documents shall be considered original documents for purposes of the transfer of venue. The transfer court may, in its discretion, retain copies as it deems appropriate.

If the juvenile is detained, the transferor court completes the DC-538, PLACEMENT ORDER identifying the new detention facility and the DC-354, CUSTODIAL TRANSPORTATION ORDER to facilitate the juvenile transfer to the new detention facility.

In criminal and delinquency cases, only the particular case number and associated documents are transferred.

In custody, visitation and support cases the entire file is transferred and all documentation is forwarded to the court receiving the transfer. The court receiving the transfer would index only one issue unless there are pending matters.

The transferor court should ensure the entire file is in the proper order. The [DC-616, ORDER OF TRANSFER](#) should be placed on top following the most current filing, order and associated documents. Any other filings being included in the transfer should also be in the proper order, most recent to oldest filing, with no loose papers. The transferee court should not have to determine which documents apply to a particular filing/order.

Venue of Proceedings Arising out of Chapter 5 of Title 20 ([§ 20-61](#) et seq.)

Original Venue [Va. Code § 20-83](#)

Any offense under Chapter 5 of Title 20 shall be held to have been committed in any county or city in which such spouse, child or children may be at the time of desertion, or in which such child or children may be or remain, with the knowledge and acquiescence of the accused, in destitute or necessitous condition, or where the accused shall be found in this state.

Transfer of Venue between Courts in Certain Instances [Va. Code § 20-83.1](#)

In the event that a spouse or dependent child has left the jurisdiction of the court in which the original petition was filed, but is still within the state, and the accused is not within the jurisdiction embraced by such court, on motion of the spouse or child, or accused or the person having custody of such child, the court in which the original petition was filed may transfer the case to the court having original jurisdiction to hear such petitions in the county or city in which the spouse or child or accused resides. The court to which such case has been transferred shall have power to enforce such orders and decrees as may have been made in the court transferring the case as though the petition had been originally filed therein, and to make such other orders and decrees as may be necessary to enforce the provisions of this chapter.

In the event that an appeal is pending in a court of record in this state from the decision of any court having jurisdiction to hear such petitions, upon motion of the spouse or child, or the person having custody of the child, stating that such spouse or child no longer resides within the jurisdiction of such court of record, such court, upon reaching its decision, may transfer the case to the court having original jurisdiction to hear such petitions in the county or city in which the spouse or child resides in the same manner and to the same effect as provided in (a) hereof.

Appointment of Counsel and Guardians *Ad Litem*

[Virginia Code § 16.1-266](#) gives a judge of the juvenile and domestic relations district court the authority to appoint counsel and/or a guardian *ad litem* in certain proceedings before that court. Legislation passed in the 2003 session of the General Assembly provides that when the juvenile and domestic relations district court deems it necessary, the court may appoint both counsel and a guardian *ad litem* for a party. This law reflects what had been the practice in juvenile courts prior to the issuance of the Attorney General's opinion issued July 16, 2002 that concluded that when [Va. Code § 16.1-266](#) specifies that a party has a right to representation either by a guardian *ad litem* or by counsel in a particular category of case, the court is without

the discretionary authority to appoint either counsel or a guardian *ad litem* in addition to the specified type of appointment.

On September 1, 2003, the [Standards to Govern the Performance of Guardians Ad litem for Children](#) became effective. These standards apply to all guardians *ad litem* for children in proceedings before the juvenile and domestic relations district courts, circuit courts, Courts of Appeals of Virginia, and Supreme Court of Virginia. In any matter in which the court appoints a guardian ad litem to represent a child, such guardian ad litem shall conduct an investigation in accordance with the Standards to Govern the Performance of Guardians Ad Litem for Children established by the Judicial Council of Virginia. Prior to the commencement of the dispositional hearing of any such matter, the guardian ad litem shall file with the court, with a copy to all attorneys representing parties to such matter and all parties proceeding pro se in such matter, a certification of the guardian ad litem's compliance with the Standards to Govern the Performance of Guardians Ad Litem for Children, DC-540, GUARDIAN AD LITEM CERTIFICATION, established by the Judicial Council of Virginia, specifically addressing compliance with such standards requiring face-to-face contact with the child in such certification. The guardian ad litem shall document the hours spent satisfying such face-to-face contact requirements in such certification, which shall be compensated at the same rate as that for in-court service.

Pursuant to [Va. Code § 16.1-267](#), when a guardian *ad litem* is appointed for a child by the Commonwealth, the juvenile and domestic relations district court or circuit court, as the case may be, shall order the parent, parents, adoptive parent or adoptive parents of the child or another party with a legitimate interest therein who has filed a petition with the court, to reimburse the Commonwealth the costs of such services in an amount not to exceed the amount awarded the guardian *ad litem* by the court. If the court determines such party is unable to pay, the required reimbursement may be reduced or eliminated.

Except in jurisdictions having a public defender, counsel appointed by the court for representation of the accused shall be selected by a fair system of rotation among members of the bar practicing before the court whose names are on the list maintained by the [Virginia Indigent Defense Commission](#) pursuant to [Va. Code § 19.2-163.01](#). If no attorney who is on the list maintained by the Indigent Defense Commission is reasonably available, the court may appoint as counsel an attorney not on the list who has otherwise demonstrated to the court's satisfaction an appropriate level of training and experience. The court shall provide notice to the Commission of such appointment by sending a copy of the DC-513, ADVISEMENT AND REQUEST FOR APPOINTMENT OF COUNSEL or the DC-334, REQUEST FOR APPOINTMENT OF A LAWYER. There is no statutory requirement as to the frequency of mailing such notices, therefore: it is recommended to send in copies at least once a month. Copies may be mailed to:

Virginia Indigent Defense Commission Administration Office
1604 Santa Rosa Road, Suite 109
Richmond, VA 23229
Attn: ATTORNEY CERTIFICATION SECTION

Counsel appointed to represent an indigent accused in a delinquency case shall be compensated for his services upon written request made to the court within thirty days of trial or preliminary hearing.

Summary Description

Case Initiation

Juveniles

- For traffic, alcohol, game and fish, curfew, surfing or animal control offenses, by a petition issued through the court services unit or a
- VIRGINIA UNIFORM SUMMONS issued by the arresting officer. If the offense would be punishable as a class 3 or 4 misdemeanor if committed by an adult, a summons may be issued. [Va. Code § 16.1-260](#).
- For all other offenses, by a petition issued through the court services unit or filed by the Commonwealth's Attorney in the clerk's office; or, if the intake officer is unavailable, by a warrant issued by the magistrate or if the complainant appeals the decision of the intake officer not to issue a petition.
- For other juvenile matters, by a petition either issued through the court services unit or filed by an attorney in the clerk's office.

Adults

- For criminal cases, a case is initiated by a:
 - law enforcement officer issuing the accused a Summons, or
 - taking the accused to a magistrate for a probable cause hearing; if probable cause is found, a warrant or summons is issued, or
 - a citizen complaint directly to the magistrate.
- For support cases, by a petition issued through the court services unit or filed by the Commonwealth's Attorney or some other attorney or by the [Division of Child Support Enforcement](#) in the clerk's office, or by a motion to amend filed by any party involved.
- For protective orders, by a petition issued through the court services unit or filed by an attorney in the clerk's office, or by a motion to amend filed by any party involved.

Pre-Trial Processes

- After initiation of the case, the clerk's office performs several pre-trial processes to assure that each case is properly prepared for court. The following pre-trial processes are performed in the clerk's office:
 - Index cases in an automated system.
 - Prepare the case to include all case-related documents and attach the documents to the case papers.
 - Issue witness subpoenas and subpoenas *duces tecum*. In most civil matters, these may be issued by an attorney who is an active member of the Virginia Bar.
 - Generate a docket of cases to be heard on each court date through the automated Juvenile Case Management System.
 - Accept and account for prepayments prior to court for certain cases.
 - Respond to public inquiries concerning case status, court date, prepayment procedures, court procedures or other questions. With regard to a crime victim, the clerk must take care to assure that requests are honored for nondisclosure of residential address, telephone number, place of employment of victim and members of victim's family. [Va. Code § 19.2-11.2](#). A clerk must not disclose the residential address, telephone number, or place of employment of a person who is protected by a protective order issued for family abuse or acts of violence. [Va. Code §§ 16.1-253.1](#), [16.1-253.4](#), [16.1-279.1](#), [19.2-152.8](#), [19.2-152.9](#), and [19.2-152.10](#). In addition, the clerk must be careful to not disclose location or contact information of a party in a support case where a protective order has been issued or a court finds that there is reason to believe the party is at risk of physical or emotional harm from the other party.
 - Accept continuance requests, according to the court's policy.

- On the court date, the clerk's office will:
 - Assure that cases assigned to the respective court date are on the docket.
 - Verify that all of the case materials for cases on the docket are in order and ready for court on the court date.
 - Deliver the case materials for all cases on the docket to the court.

Judicial Disqualification

If a district court judge is disqualified for any reason from participating in a case, neither the judge nor the clerk of the court may participate, directly or indirectly, in the selection of the judge who will be designated to preside over that case.

When a district court judge is disqualified for any reason, the judge shall enter an appropriate order of disqualification and send it to the chief judge of the district who will: (i) designate herself or himself or another judge of that court or district to preside over the case; (ii) designate a judge from another district if one is available or a retired district judge, from the Supreme Court's list of retired judges subject to recall, to preside over the case; (iii) designate a retired circuit judge, from the Supreme Court's list of retired judges subject to recall and who consents to the designation, to preside over the case; or (iv) inform the Chief Justice of the Supreme Court of Virginia, who shall designate a judge to preside over the case. The chief judge may direct the clerk of the court to contact any judge or judges selected by the chief judge. If the chief judge is the judge who is disqualified or if all the judges in a district are disqualified because of a conflict of interest, the chief judge or the clerk of court shall forward a DC-91, [ORDER OF DISQUALIFICATION](#) along with the [JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT COVER SHEET REQUEST FOR DESIGNATION-RECUSAL CASE](#) to the Chief Justice of the Supreme Court of Virginia, who will designate a judge to preside over the case. Notwithstanding the foregoing, no substitute judge appointed pursuant to [Va. Code § 16.1-69.9:1](#) shall be designated to preside over any case where the regular judge is disqualified unless either the chief judge or the Chief Justice has determined that no active judge, or retired judge subject to recall, is reasonably available to serve. Pursuant to Va. Code § 16.1-69.21, while acting as judge, a substitute judge shall perform the same duties, exercise the same power and authority, and be subject to the same obligations as prescribed herein for the judge. A substitute judge shall retain the power to enter a final order in any case heard by such substitute judge for a period of 14 days after the date of a hearing of such case.

Cross-Designation

An order of cross-designation permits a general district judge to sit as a juvenile and domestic relations district judge in his district or permits a juvenile and domestic relations district judge to sit as a general district judge. These orders permit one type of judge to cover for the other type in districts where a judge might not be available in each type of court every day. They also permit judges of one type of court to assist the judges in the other in order to relieve docket congestion.

The chief general district court judge of a district may designate any juvenile and domestic relations district court judge of the district, with the judge's consent, for an individual case or to sit and hear cases for a period of not more than one year, in any of the general district courts within the district. The chief juvenile and domestic relations district court judge of a district may designate any general district court judge of the district, with the

judge's consent, for an individual case or to sit and hear cases for a period of not more than one year, in any of the juvenile and domestic relations district courts within the district. Every judge so designated shall have the same powers and jurisdiction and be authorized to perform the same duties as any judge of the district for which he is designated to assist, and, while so acting, his order or judgment shall be, for all purposes, the judgment of the court to which he is assigned. [Va. Code §16.1-69.35](#).

Case Hearing, Judgment

In court, a case may be continued to another date, tried, or dismissed. If the case is tried, the lawyers or the parties to the case plead their respective sides in the case. A general district court hearing may be tape recorded by a party or his lawyer. [Va. Code § 16.1-69.35:2](#). A case may not be heard on the trial date for a variety of reasons, including:

- Dismissal because of:
 - Request by Commonwealth's Attorney to enter a nolle prosequi (requesting the court to permit him to stop the prosecution of a criminal case in court); if this request is granted by the judge, a new prosecution may be brought on the same charges. [Va. Code § 19.2-265.3](#).
 - Accord and satisfaction or compliance with the terms of a "deferred disposition" which results in the dismissal of a criminal charge. These options are set forth in statute only with reference to certain charges. [Va. Code §§ 4.1-305, 19.2-151, and 19.2-303.2](#).
- Continuance of the trial to a later date at the discretion of the judge because of:
 - Request of parties.
 - Failure of a party or his attorney to appear at trial.
- Continuance of the trial to a later date required by statute because:
 - A party or attorney is a member, officer, or employee of the [General Assembly](#) or the [Division of Legislative Services](#), and, pursuant to [Va. Code § 30-5](#).
 - The hearing is to be held within the period beginning thirty days prior to the commencement of a regular or special session of the General Assembly and ending within thirty days of its adjournment, *or*
 - The hearing is to be held within the period beginning on the day before the meeting date of any reconvened or veto session of the General Assembly or of any legislative commission, council, committee or subcommittee which such party or attorney is scheduled to attend and ending within one day after its adjournment, *provided* that the continuance is requested in writing and filed with the court at least three days prior to the first date of the desired

continuance. The requesting party shall strive to notify all other parties of such a request.

- A party or attorney has been ordered to participate in annual training, active duty or temporary active duty in the armed forces reserves, the National Guard or naval militia and the hearing is to be held within the period of such duty not to exceed three weeks, provided that the continuance is requested at least four days prior to the first date of the desired continuance. [Va. Code § 44-97.1](#).

After the judge has heard the case, the judge decides the case based on the applicable law and the evidence presented. The decision will be either “guilty” or “not guilty” for most criminal and traffic cases. Under certain circumstances, the court may defer a finding dependent upon the defendant fulfilling certain conditions. For civil cases, the decision will be a judgment for the plaintiff, the defendant, or partially for plaintiff and partially for defendant. Following the decision, the court determines the punishment or award that should be granted by the court:

- Criminal and traffic cases
 - Fine
 - Incarceration
 - Restitution
 - Probation
 - Other punishment or remedial care
 - Costs
- Juvenile cases
 - Commitment to [Department of Juvenile Justice](#)
 - Transfer of custody
 - Performance of community service work
 - Ordering the providing of services by the locality
 - Other alternatives as provided for in [Va. Code §§ 16.1-278](#) through 16.1-290.
- Domestic relations cases
Determination of custody, visitation and support rights and obligation, plus (if allowed) attorney’s fees.

The decision of the court and award or punishment is recorded on the case papers or in a separate order. Court orders should be child specific-one child per court order. The judge

must sign the order in civil cases, and the clerk will update the case management system with the disposition information.

The judge may also enter judgment against either party for the filing of a motion or other pleading that is frivolous or is filed for an improper purpose. [Va. Code § 8.01-271.1](#).

Post-Trial Processes

The clerk's office also performs a number of post-trial functions including:

- Fine and court cost assessment and collection, where applicable.
- Bond forfeitures where bonded defendants fail to appear for trial.
- Notice and report generation to the other agencies regarding case status and disposition.
- Notice to parties involved, when applicable.
- Transferring appealed cases to circuit court.
- Filing CCRE reports in appropriate cases.
- Notifying [Board of Medicine](#) if health care practitioner or oral surgeon was convicted of certain crimes. [Va. Code §§ 54.1-2709.4, 54.1-2909](#).

Enforcement of Verdicts

Enforcement of guilty verdicts in criminal cases is the responsibility of the court. For example, where an accused is found guilty of a misdemeanor and is ordered to pay a fine but does not pay it as ordered, the court may issue a show cause summons or similar legal document to bring the accused back into court to obtain his compliance with the court order. Unpaid fines that are classified as "delinquent" are handled through the Set-Off Debt Collection Act and through the Commonwealth's Attorney or his contractor (who may be a lawyer, a collection agency, the [Department of Taxation's Court Debt Collection Office](#), the local Treasurer's Office or the local governing body).

Case Closing

When closing cases with final disposition, the Juvenile and Domestic Relations District Court clerk's office will file closed cases in the permanent or main file.

Uniform Docketing and Case Preparation

The indexing, docketing, and filing procedures provide a basic knowledge of the docketing system.

Assign Case Numbers

The case number establishes a common link between all the papers and records pertaining to any one court case. It ties these case papers, such as warrants and summonses, to the docket, index and the accounting system. Procedures for assigning case numbers include:

- Cases in juvenile and domestic relations district court receive a base number and a “charge” or “petition” case number.
- Show Causes and capiases against the same defendant are assigned a subsequent action suffix to the original case number.
- There should be only one defendant and one charge on a warrant, summons or petition.
- Record each case number on the original warrant, summons, or petition.
- Closed cases that are reopened should use the original case number. Formats for case numbers are:
 - J & DR (Juvenile) = JJ + Individual Base Number + Document Number + [Suffix]
 - J & DR (Adult) = JA + Individual Base Number + Document Number + [Suffix]

Index Cases

- Determine case division and case type.
- Assign case number.
- Entry of case in JCMS, including defendant name, case number, plaintiff name (civil), and hearing date.

File Case

Documents that come to the clerk’s office are assigned a case number and are indexed to help maintain control of the documents through the life of the case. Once the case papers have been indexed, the papers must be filed to await the court appearance date. To file case papers prior to court, the clerk’s office will file the case papers in a pending case file by court date.

Prepare Daily Docket Sheets

The docket sheet lists the cases scheduled to be tried on a given court date. The clerk’s office will:

- Retrieve the case files for cases to appear on a given court date and match them to the docket printed from JCMS.

- Order cases in the sequence in which they will appear on the docket.
- Distribute copies of the docket sheet as appropriate