
Navigating the Juvenile Justice System in Missouri For Parents and Families of Youth with Disabilities

**A Resource for Parents of Youth at Risk and Youth
Involved in the Juvenile Justice System**



RISE

REACH, INSPIRE, SUPPORT, EMPOWER

Going through the juvenile justice system can feel scary and confusing, especially if your child has a disability. This guide explains what to expect and how you can support your child. You'll also learn about services and supports that are available for you and your child.

This guide was developed by MPACT, Missouri's Parent Training and Information Center (PTI). We help families of children with disabilities understand their rights and get the support they need. You are not alone—we're here to help every step of the way.

Understanding the Juvenile Justice System in Missouri

Steps in the Juvenile Justice Process:

- **Referral:** The Juvenile Office receives a referral that a young person has broken a rule or law. (Referrals can come from School personnel, Law Enforcement, legal guardians or from members of the community)
- **Intake:** A juvenile officer reviews the referral and decides how to proceed.
- **Diversion:** Services and Programs tailored to meet the specific needs of the youth, without formal court involvement.
- **Court Process:** If the decision is made that a referral needs formal court involvement, a judge will hear the case.
- **Adjudication:** If a case is adjudicated, this means the judge has decided that the referral was valid and the youth was found to have committed a rule or law violation.
- **Disposition:** The judge will impose a resolution to the case, which may include probation or a program.

Words You Might Hear:

- **Status Offense:** Something that is not a law violation, but rather an offense that can only be committed by a youth, such as truancy or a curfew violation.
- **Delinquent Act:** An offense that is a law violation, regardless of the age of the individual.
- **Probation:** The youth remains at home within the community and is expected to follow the rules of the Court.
- **Placement:** The youth lives somewhere else, like a group home or facility.
- **Circuit Court:** Typically located in the County Seat, this is where court cases begin and Juvenile and Family Court is held.

Your Rights and Your Child's Rights

If your child has a disability, they have rights. These rights stay with them no matter where they are—at home, in school, or in a juvenile facility. These rights come from laws that protect children with disabilities like IDEA, Section 504, and the ADA.

What the Laws Say and What That Means for You

Special Education Must Continue – Even in Juvenile Detention

If your child has an IEP (Individualized Education Program), they still have the right to get their special education services—even if they are in a juvenile detention center.

This includes: Help with learning and behavior, therapy and counseling, support for emotional or physical needs. These services are protected by the Individuals with Disabilities Education Act (IDEA). In Missouri, the Department of Elementary and Secondary Education (DESE) makes sure this law is followed.

Protection from Discrimination

If your child has a disability, they cannot be treated unfairly because of it. Section 504 of the Rehabilitation Act says your child must get the help they need to learn, behave, and participate, such as: Extra time on schoolwork, breaks or quiet spaces, behavior support or mental health help. Missouri schools and juvenile justice programs must follow this law.

Equal Access in All Settings

The Americans with Disabilities Act (ADA) says your child must have access to services and support in all places—even in court or detention. This means: Programs must be adjusted if needed. Safety and communication needs must be met. No matter where they are, your child should be treated fairly and get the help they need.

School Rights While in Custody

Being in custody does not mean your child loses their right to an education. They still have the right to: Go to school. Have qualified teachers. Keep getting services from their IEP or 504 Plan. Missouri law and federal law both say that these rights stay in place, even when your child is not at their regular school.

Behavior and Discipline – Know About “MDR”

A Manifestation Determination Review (MDR) is a special meeting the school must hold if they want to suspend or expel a student with an IEP or 504 Plan for more than 10 school days in a row—or if there is a pattern of removals that adds up to more than 10 days.

What to Do if Your Child is Taken into Custody

Tell the police or officers right away that your child has a disability.

Give them a copy of your child's IEP (Individualized Education Program).

Ask how your child will keep getting special education services.

By law, your child should still get help with learning and behavior needs.

This is part of IDEA and Section 504.

You have the right to be notified immediately (or as soon as possible if it is an emergency situation if your child has been taken into custody.

No Law Enforcement or Juvenile Officer may question your child in a delinquent case without the juvenile's legal guardian being present.

If Your Child is Taken into Custody at School

Ask school staff what happened and if your child was arrested.

Right away, tell the officers and school staff that your child has a disability.

Ask the school to give the police a copy of your child's IEP.

Remind everyone that your child has a right to stay safe, calm, and get help for their disability needs.

If your child has a Behavior Intervention Plan (BIP), make sure it is followed.

You can ask to talk to your child and have a lawyer present.

School officials or Law Enforcement officials must notify you that your child has been taken into custody.

Attorney: Your child has the right to be represented by an attorney in a court hearing. The Court will provide an attorney for your child, or you can seek the assistance of a private attorney.

Be Involved

When parents are involved in their child's education and support services, children do better. This is true at home, at school, and even if your child is involved in the juvenile justice system.

You have the right to:

- **Be part of every decision about your child's education or services**
- **Ask for more support if something isn't working**
- **Disagree respectfully and ask for mediation or a hearing**
- **Speak up if your child is not being treated fairly**
- **When families and professionals work together, kids are more likely to succeed— no matter the challenges.**

Tips for Speaking Up for Your Child:

- **Let staff know what your child needs and what helps them.**
- **Ask for new special education evaluation if your child is struggling.**
- **Keep copies of all papers and notes.**
- **Attend all meetings scheduled for your child.**
- **Contact your PTI for help understanding rights, preparing for meetings, or speaking up for your child.**

You Know Your Child Best

- **As a parent or caregiver, you are the expert on your child. You understand:**
- **What helps your child learn**
- **What causes stress or behavior problems**
- **What goals and dreams your child has**
- **When you share what you know with schools or service providers, your child gets the right help.**
- **Better Results for Your Child**
- **Research shows that when parents stay involved:**
- **Grades go up**
- **Behavior improves**
- **Fewer suspensions and expulsions happen**
- **Children are more likely to graduate**
- **Youth are less likely to get into legal trouble**

Ways to Be Involved

- **You don't have to be perfect—you just have to stay connected. You can:**
- **Attend IEP or 504 Plan meetings and speak up for your child**
- **Help your child prepare for meetings or court hearings**
- **Ask questions if you don't understand something**
- **Share how your child acts at home or in the community**
- **Call or email the school, probation officer, or caseworker to check in**
- **Help your child set goals for school, work, and the future**
- **Even small actions make a big difference.**
- **Your Voice Makes Change**

Available Resources:

Department of Social Services: <http://dss.mo.gov>

Division of Youth Services: <http://dss.mo.gov/dys/>

Department of Mental Health: <http://dmh.mo.gov>

Suicide & Crisis Lifeline

Call or text: 988

Chat: 988lifeline.org

Need Legal Help?

Missouri Bar Lawyer Referral: 573-636-3635

Legal Aid of Western Missouri: www.lawmo.org

How to Stay Involved

Go to all court dates and meetings.

Ask questions. Ask for things to be explained in simple words.

Talk to other parents or groups who can help and support you.



Contact Us

Missouri Parents Act (MPACT)

Website: missouriparentsact.org

Phone: 800-743-7634

Email: infor@missouriparentsact.org

We are here to help and support you and your child

