



**UNITED STATES MARINE CORPS**  
MARINE CORPS RECRUIT DEPOT/EASTERN RECRUITING REGION  
P O BOX 19001  
PARRIS ISLAND SOUTH CAROLINA 29905-9001

DepO 5800.23  
SJA/REV/W  
**8 AUG 1986**

DEPOT ORDER 5800.23

From: Commanding General  
To: Distribution List

Subj: JUVENILE COURT

Encl: (1) Standing Operating Procedure for MCRD, PISC Juvenile Court  
(2) Sample Notification to Appear at Juvenile Court  
(3) Sample Receipt of Notification to Appear at Juvenile Court  
(4) Sample Notification of Disposition of Juvenile Court  
(5) Sample Gratuitous Community Service Agreement  
(6) Sample Indemnification and Release of Liability Statement  
(7) Community Service Project Log

1. Purpose. To establish procedures for MCRD, PISC Juvenile Court as a medium through which we may assist juveniles who have demonstrated anti-social behavior to develop a sense of responsibility to their community and respect for the persons and property of others. The spirit in which this is written is one of providing assistance to parents--not one of usurping parental authority or relieving parents of their normal responsibility.

2. Information. The Commanding General, Marine Corps Recruit Depot, Parris Island has administrative authority over all personnel aboard the Depot. Juvenile dependents, when residing in government quarters or otherwise present aboard the Depot, are subject to regulations of the Juvenile Court.

3. Definition. Juvenile Court is a local, nonjudicial process which responds to incidents of juvenile dependent misconduct that are contrary to good order and discipline aboard the Depot.

4. Action

a. Command Inspector. Preside over the Juvenile Court as the Hearing Officer in all cases involving juvenile dependents and comply with the instructions and guidelines in enclosures (1) through (7).

b. Staff Judge Advocate. Appoint a Juvenile Affairs Records Clerk who will assist the Juvenile Court Hearing Officer in notification of and conduct of Juvenile Court. Ensure that the juvenile files are maintained within the Staff Judge Advocate's Office.

6 AUG 1996

c. Provost Marshal, MCRD, PISC. Investigate allegations of juvenile dependent misconduct in accordance with standard investigative procedures and guidelines contained in enclosure (1).

d. Commanding Officers, Department Heads/Officers-in-Charge, MCRD, PISC. Upon request, provide suggestions for volunteer community service to the AC/S, Installation and Logistics. Recommendations need not be limited to respective areas under direct command/staff authority.

e. AC/S, Installation and Logistics. Compile and maintain a listing of appropriate community service projects for possible assignment by the Juvenile Court Hearing Officer.

f. Command Duty Officer/Staff Duty NCO, MCRD, PISC. Check sponsors and dependents performing community service projects in/out and make appropriate entries in the Community Service Project Log, enclosure (7). Notify the PMO, Desk Sergeant of work in progress. Inspect and evaluate the area of assigned community service and submit the Community Service Project Log to the Staff Secretary in the morning when relieved.

g. Staff Secretary. Hand deliver the Community Service Project Log to the Command Inspector each day as applicable.

5. Concurrence. The Commanding Officer of Beaufort Naval Hospital and the Navy Dental Center concur with this Order insofar as it pertains to Navy personnel and units stationed at MCRD, PISC.



F. J. BUSAM  
Chief of Staff

DISTRIBUTION: A

STANDING OPERATING PROCEDURE FOR MCRD, PISC JUVENILE COURT

1. The Juvenile Court Process

a. The Juvenile Court is an administrative proceeding which is closed to the public. It is not a criminal hearing. The Juvenile Court is without authority to convict or to punish in the criminal sense. The Juvenile Court Hearing Officer is authorized to recommend to the Commanding General that the following action be taken for infractions considered to be of a minor nature:

(1) No action be taken.

(2) A Letter of Warning be issued to the sponsor.

(3) Suspend part or all Depot privileges of the juvenile, except for medical, dental, religious, and school for a period not to exceed one year, or until the sponsor executes PCS orders from the Beaufort, SC, area.

(4) Evict the dependent and family from government housing.

(5) Any combination of the above.

b. In lieu of part or all of the alternatives listed above, the dependent juvenile, with the permission of his/her parent, may elect to volunteer for up to 20 hours of weekend community service if the Juvenile Court Hearing Officer, in his/her discretion, offers it. This option, providing gratuitous service, must be voluntarily accepted by both the parent and juvenile in an attempt to avoid undesirable alternatives. In order to exercise this option, a Gratuitous Community Service Agreement, enclosure (5), along with an Indemnification and Release of Liability Statement, enclosure (6), must be executed by each juvenile and supervising parent. Community service may include, but is not restricted to, trash and litter police of playground, recreational, and public areas, weeding public areas and litter patrol of the Depot. Should the sponsor decline to have his/her dependent participate in the Juvenile Court process, it is within the power of the Commanding General to evict the sponsor and family from base housing and/or to serve a letter of reprimand on the juvenile for all except medical, dental, religious, and school purposes. This is the means by which the Commanding General ensures the safety and protection of all base residents and on-station property.

2. Reporting and Investigation. Anyone having knowledge of vandalism, theft, disorderly conduct or other misconduct by juvenile dependents on the Depot will report such act or acts without delay to the Military Police. The Provost Marshal shall initiate an investigation of the reported incident. The

ENCLOSURE (1)

6 AUG 1996

investigative report will include circumstances surrounding the incident, a record of prior misconduct, and any other facts deemed appropriate for disposition of the case. The Provost Marshal's Office will forward one copy of the investigative report to the Juvenile Affairs Records Clerk in the Staff Judge Advocate's Office, and one copy to the Commanding Officer of the sponsor.

a. Minor Incidents. Upon review by the Staff Judge Advocate - SAUSA, incidents of a minor nature will be referred to the Juvenile Court Hearing Officer for an informal hearing (date and time at the convenience of the Juvenile Court Hearing Officer).

b. Serious Incidents. Serious incidents (e.g., burglary, assault/battery, etc.) may warrant corrective action of greater severity. It may become apparent that criminal proceedings warranting corrective action under the provision of Title 18, United States Code are necessary. Where the need for criminal proceedings is apparent during the initial review by the Staff Judge Advocate - SAUSA, the case will not be referred to the Juvenile Court. Where the need for criminal proceedings becomes apparent during the Juvenile Court Hearing, the Juvenile Court Hearing Officer will refer the matter back to the Staff Judge Advocate - SAUSA for appropriate action.

3. Notification of Sponsor. The Juvenile Affairs Records Clerk will type the Letter of Notification, enclosure (2) and the Receipt of Notice to Appear at Juvenile Court, enclosure (3). The Juvenile Affairs Records Clerk will then provide these documents to the Command Inspector. The Command Inspector will orally notify the military sponsor of the Juvenile Court Hearing via the sponsor's Battalion Sergeant Major or senior enlisted member in the case of enlisted sponsors or Battalion Executive Officer in the case of officer sponsors. In cases involving deployed military sponsors, the dependent spouse will be notified directly by the Command Inspector. All sponsors will be instructed to report to the Command Inspector's Office, Building 154, to receive a Letter of Notification, enclosure (2). The Command Inspector will complete the Letter of Notification by indicating the date and time of the hearing the sponsor and juvenile must appear. The sponsor will sign the attached Receipt of Notice to Appear at Juvenile Court, enclosure (3), and it will be returned to the Juvenile Affairs Records Clerk for later inclusion in the hearing record.

4. Conduct of the Juvenile Court Hearing. The atmosphere of the hearing will be similar in dignity and seriousness to that of a military board or court and proper decorum will be observed. The Juvenile Affairs Records Clerk will arrange with the Depot Law Center for use of the courtroom and any other legal help required. At a minimum, the following personnel are required to be at the hearing: Juvenile Court Hearing Officer, juvenile and military sponsor or other parent if the military sponsor is deemed

ENCLOSURE (1)

unavailable due to official military duties), and any necessary witnesses. The Juvenile Court Hearing Officer has the discretion to exclude all other personnel from the hearing. The Juvenile Court Hearing Officer shall, in each case, inform the military sponsor or other parent and the juvenile of the law concerning jurisdiction of the United States Magistrate Court or United States District Court over civilians on military reservations. He/she shall also inform them of the Commanding General's authority to evict military personnel from quarters or government controlled housing and that such eviction may be for a dependent's violation of orders and regulations. They shall also be informed that they can present evidence and witnesses on their own behalf, and can inspect evidence and cross-examine witnesses offered against them. They shall also be informed that since this is not a criminal proceeding there is no right to have counsel appointed and that the Government's burden of proof is by a preponderance of the evidence. The Military and Federal Rules of Evidence do not apply.

5. Disposition of the Case. Once the hearing has been convened, and evidence and testimony received, the Juvenile Court Hearing Officer will announce his/her findings to the sponsor and juvenile. The Juvenile Court Hearing Officer will then fill out a Notification of Disposition of Juvenile Court, enclosure (4), and provide to the sponsor to sign as acknowledgment of notification. The original Notification of Disposition of Juvenile Court will be retained by the Juvenile Affairs Records Clerk to become a part of the record of the hearing. The sponsor/juvenile will be provided a copy. If the juvenile opts for an offered community service project in lieu of part or all administrative action, a Gratuitous Community Service Agreement, enclosure (5), and an Indemnification and Release Of Liability Statement, enclosure (6), will be filled out at that time. The originals will be retained by the Juvenile Affairs Records Clerk for later inclusion in the hearing record. Copies will be provided to the sponsor/juvenile.

6. Post-Hearing. Following the conclusion of the hearing, the Juvenile Affairs Records Clerk will prepare any letters of warning, eviction, or suspension of privileges for the Commanding General's signature as required. Additionally, the Juvenile Court Hearing Officer will gather and turn over to the Juvenile Affairs Records Clerk all evidence considered, the original Notification of Disposition of Juvenile Court form, a list of witnesses called, and any other pertinent documents. The Juvenile Affairs Records Clerk will prepare a record of the hearing and will then forward the completed record of the hearing to the Juvenile Court Hearing Officer for certification. The record will then be filed in the Juvenile Affairs Records Clerk's Office.

7. Records Disposition. All investigative reports and material relating to incidents involving dependent juveniles shall be considered to be of a confidential nature in the same manner as

ENCLOSURE (1)

6 AUG 1986

records of juvenile courts, and, except for the records of the juvenile court hearings, shall be retained at the Juvenile Affairs Records Clerk's Office for three years from the date of the last offense.

8. Objections to the Hearing Officer's Recommendation. Any objection by the military sponsor to the administrative action recommended by the juvenile court will be submitted in writing with pertinent details via the Staff Judge Advocate to the Chief of Staff, Marine Corps Recruit Depot, Parris Island, within five days of the hearing date.

9. Community Service Projects. The Juvenile Court Hearing Officer will announce in the hearing any optional community service project(s) available in lieu of other administrative action. All community service work will be assigned to be performed on weekends and will be supervised by the sponsor. The sponsor must be present at all times during the course of community service work by the dependent. If a dependent is offered and accepts community service work, the sponsor will report to the Staff Duty Officer (in the case of enlisted sponsors) or Command Duty Officer (in the case of officer sponsors) on the day(s) of assigned community service, in person. Upon reporting, the CDO/SDNCO will check the dependent and sponsor in by initialing the Community Service Project Log enclosure (7), with the appropriate time. At this time, the sponsor and dependent will depart to perform the assigned community service. The CDO/SDNCO will then telephone PMO and inform the Desk Sergeant of the location where the juvenile and sponsor will be performing community service. During normally conducted patrols, PMO will check on the welfare and safety of the juvenile and sponsor in addition to monitoring the progress of the assigned community service. The role of the PMO patrols is not to enforce performance of the community service, but to make observations regarding juvenile and sponsor attendance, duration of work, adverse weather/heat conditions, and safety. All non-routine PMO observations regarding the above listed items will be immediately reported by the PMO Desk Sergeant to the CDO/SDNCO, who will determine, in the interest of safety, if that day's community service should be discontinued. The CDO/SDNCO will make an entry in the Community Service Project Log as to any non-routine PMO observations or discontinuation of that day's community service. Entries are not to be made in the CDO/SDNCO Duty Logbook concerning any aspect of community service due to the confidential nature of the proceedings in which the community service was awarded. Following completion of that day's community service, the sponsor will check out with the CDO/SDNCO, in person. The CDO/SDNCO will initial and mark the time of completion on the Community Service Project Log. Following this, the CDO/SDNCO will physically inspect the area of assigned community service and make a written evaluation using the Community Service Project Log. When relieved of duty, the CDO/SDNCO will submit the Community Service Project

ENCLOSURE: (1)

6 AUG 1968

Log to the Staff Secretary. The Community Service Project Log will then be hand carried to the Command Inspector's Office by the Staff Secretary.

10. Juvenile Case Follow-up Procedures. A record will be kept by the Command Inspector of the progress and participation of juveniles assigned to perform a community service project. Community service participants' progress will be monitored by the Command Inspector, as appropriate. If there is a lack of participation or progress, the Juvenile Court Hearing Officer may opt to reopen the case. If a case is to be reopened, formal notification procedures as outlined in paragraph 3 above must be utilized. In a reopened case, the range of sanctions available to the Juvenile Court Hearing Officer include all of those previously available in addition to assigning further counseling or community service, recommending that the juvenile (and family) be removed from government housing, and/or that the juvenile be barred from the installation.

ENCLOSURE (1)

DepO 5800.23  
6 AUG 1988

SAMPLE NOTIFICATION TO APPEAR AT JUVENILE COURT

From: Commanding General, Marine Corps Recruit Depot/Eastern  
Recruiting Region, P.O. Box 19001, Parris Island (Juvenile  
Court Hearing Officer)  
To: (Sponsor)

Subj: NOTICE TO APPEAR AT JUVENILE COURT

Ref: (z) DepO 5800.23

Encl: (1) Receipt of Notice to Appear at Juvenile Court

1. You are hereby informed that an administrative hearing in accordance with the reference will be conducted by the Juvenile Court Hearing Officer, \_\_\_\_\_, at \_\_\_\_\_, on \_\_\_\_\_ in the Courtroom, Building 293, Marine Corps Recruit Depot, Parris Island. The purpose of this hearing is to inquire into the alleged misconduct of your dependent(s) \_\_\_\_\_, who is/are suspected of \_\_\_\_\_.

2. Both you and your dependent(s) shall appear at the hearing at the time indicated. If you are an active duty military sponsor or loco-parentis appearing with \_\_\_\_\_, you shall be attired in the appropriate Service "C" uniform.

3. You are required to acknowledge this appearance notice by signing and returning the enclosure to the Command Inspectors' Office.

4. For further assistance, contact the Juvenile Court Hearing Officer at 525-2732.

Command Inspector

ENCLOSURE (2)



SAMPLE RECEIPT OF NOTIFICATION TO APPEAR AT JUVENILE COURT

From: (Sponsor)  
To: Commanding General, Marine Corps Recruit Depot/Eastern  
Recruiting Region, P.O. Box 19001, Parris Island (Juvenile  
Court Hearing Officer)

Subj: NOTICE TO APPEAR IN JUVENILE COURT

Ref: (S) CG, MCRD PISC ltr 5370 SJA/REV/W of \_\_\_\_\_

1. I acknowledge receipt of the reference and the requirement that I appear with my dependent(s), \_\_\_\_\_, at the specified time and place. I understand that:

a. The hearing will be conducted at \_\_\_\_\_, on \_\_\_\_\_, by the Juvenile Court Hearing Officer in the courtroom, Building 293, Marine Corps Recruit Depot, Parris Island.

b. Failure to appear at the designated time constitutes full waiver of hearing opportunity.

2. Additionally, I am aware of the authority and responsibility of the Commanding General, Marine Corps Recruit Depot, Parris Island, to take appropriate action in cases of alleged misconduct and that administrative sanctions may include any combination of the following:

a. No action be taken.

b. Letter of Warning.

c. Suspension of selected Depot privileges of the dependent(s) for a period not to exceed one year.

d. Revocation of all Depot privileges of the dependent(s), except for medical, religious, and school purposes, until the sponsor receives PCS orders from the Beaufort, SC, area.

e. Eviction of dependent(s) and family from Government housing.

f. Optional voluntary Community Service for up to 20 hours, if offered by the Hearing Officer in lieu of part or all other administrative sanctions.

g. Or any combination of the above.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

ENCLOSURE (3)

SAMPLE NOTIFICATION OF DISPOSITION OF JUVENILE COURT

From: Juvenile Court Hearing Officer, Marine Corps Recruit  
Depot, Parris Island  
To: Sponsor  
Subj: NOTIFICATION OF DISPOSITION OF JUVENILE COURT  
Ref: (a) DepO 5800.23  
(b) CG, MCRD PISC ltr 5370 SJA/REV/W of \_\_\_\_\_

1. In accordance with references (a) and (b), an administrative hearing was conducted by the Juvenile Court Hearing Officer on \_\_\_\_\_ at \_\_\_\_\_ to inquire into the alleged misconduct by your dependent(s).

2. After careful review of all facts attendant to this case, I have determined the following course of action to be taken as being in the best interest of all concerned.

- No action to be taken.
- Recommend you be issued a Letter of Warning.
- Recommend you and your dependents be evicted from Government housing.
- Suspension of the below listed Depot privileges of your dependent for a period of \_\_\_\_\_:
- Revocation of the below listed Depot privileges of your dependent until you execute PCS Orders from the Beaufort area:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ hours of voluntary community service instead of the following administrative action: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Community Service Projects: \_\_\_\_\_  
\_\_\_\_\_

\*Dates: \_\_\_\_\_

\*You will directly supervise your child while he/she performs his/her community service. If you are unavailable because of

ENCLOSURE (4)

6 AUG 1981

official military duties, your dependent spouse shall provide the supervision. Further, you (or your spouse, whoever is supervising) will, in person, prior to beginning work and upon completion of that days work, log the community service project with the MCRD Command Duty Officer or Staff Duty NCO, who will evaluate and make a report of such service. The number for the MCRD Command Duty Officer or Staff Duty NCO is 525-3712.

\_\_\_\_\_  
(Juvenile Court Officer)  
(Rank), U.S. Marine Corps

-----  
1. I acknowledge receipt of the foregoing and understand its contents.

\_\_\_\_\_  
Signature and Date

ENCLOSURE: (4)

SAMPLE GRATUITOUS COMMUNITY SERVICE AGREEMENT

GRATUITOUS COMMUNITY SERVICE AGREEMENT BETWEEN MARINE CORPS  
RECRUIT DEPOT PARRIS ISLAND, SOUTH CAROLINA, AND

PERSON PROVIDING  
GRATUITOUS COMMUNITY  
SERVICE AND PARENT

STATEMENT OF UNDERSTANDING: This is a service agreement made for the purpose of providing gratuitous community service to Marine Corps Recruit Depot Parris Island.

The following conditions apply:

1. The gratuitous community service on the part of \_\_\_\_\_ is completely voluntary and under no compulsion or requirement to perform such service.
2. Gratuitous community service is entirely without paid compensation.
3. Persons who provide gratuitous community service are not considered federal employees for any purpose, except as otherwise provided by law.
4. Gratuitous community service confers neither civil service status nor any entitlement to future employment with any federal organization or agency.
5. Gratuitous community service may be terminated at any time at the discretion of Marine Corps Recruit Depot Parris Island.
6. Gratuitous community service may not be used as an alternative to paid employment for the person providing the service or any other person.
7. The gratuitous community service will be performed at \_\_\_\_\_ and will involve gratuitous service as follows: \_\_\_\_\_ Service is expected to comprise \_\_\_\_\_ hours per \_\_\_\_\_ and is expected to last for the period \_\_\_\_\_.

\_\_\_\_\_  
(Person providing gratuitous community service and parent)

\_\_\_\_\_  
(MCRD PISC Representative)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

ENCLOSURE (5)

SAMPLE INDEMNIFICATION AND RELEASE OF LIABILITY STATEMENT

In consideration of (my child and I), \_\_\_\_\_,  
(NAMES)

receiving the opportunity to perform gratuitous community service for the Marine Corps Recruit Depot Parris Island, and receiving such other benefits as may be incident thereto, I hereby indemnify and release the United States Government, including all its subdivisions, officers, military personnel, employees, and agents from all liability for any injuries or death, or loss, damage or destruction that may result to either my child or me, or both, from the gratuitous community service, whether caused by negligence or otherwise. I understand that the United States Government is not acting as a common carrier for hire and does not bear the liabilities attaching to that status. I acknowledge that I agree to allow my child, \_\_\_\_\_, the opportunity to perform gratuitous community service and such benefits as may be incident thereto, and that performing gratuitous community service is completely voluntary and that neither my child, \_\_\_\_\_, nor I, are under compulsion to do so. I understand that by performing such gratuitous community service and by accepting such transportation and other benefits that may be incident to performing the gratuitous community service for my child and I, I obtain no benefit from the United States Government except as set forth by this release. I agree that this agreement to indemnify and release the United States Government, including all its subdivisions, officers, military personnel, employees, and agents not only binds my child, \_\_\_\_\_, but also myself, each of our families, each of our heirs, each of our assigns, each of our administrators, and each of our executors. Accordingly, I indemnify and hold harmless the United States Marine Corps, all its subdivisions, officers, military personnel, employees, damage, injury, death, and loss to all persons incident to this gratuitous community service.

\_\_\_\_\_  
(Signature of Parent or Guardian)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

## COMMUNITY SERVICE PROJECT LOG

Dependent Name: \_\_\_\_\_ Sponsor Name/Grade: \_\_\_\_\_

Total Hours Assigned: \_\_\_\_\_ DATE: From: \_\_\_\_\_ To: \_\_\_\_\_

Area Assigned: Sat: \_\_\_\_\_ Sun: \_\_\_\_\_

Date:	Check-In Time	Check-Out Time	SNCO Insp Area time	SDNCO	Eval

Total Hours Assigned: \_\_\_\_\_ DATE: From: \_\_\_\_\_ To: \_\_\_\_\_

Area Assigned: Sat: \_\_\_\_\_ Sun: \_\_\_\_\_

Date:	Check-In Time	Check-Out Time	SNCO Insp Area time	SDNCO	Eval

1. Unsatisfactory
2. Below Average
3. Average
4. Above Average
5. Outstanding