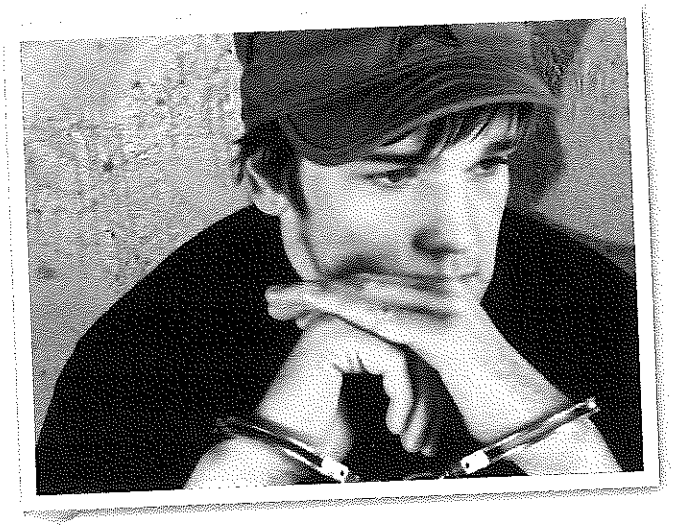


If you think your child's juvenile record is confidential and won't follow them to college and beyond, THINK AGAIN...

By Guy Fronstin,
Criminal Defense Attorney

Remember Dylan Klebold and Eric Harris, two seniors at Columbine High School in 1999? When those two students went on a shooting rampage at Columbine High School, they not only killed 13 people and injured 21 others, but they also changed the landscape of Juvenile law 180 degrees. Before Columbine, the confidentiality of a juvenile record was sacrosanct and minors had due process rights and privacy rights at school. However, since Columbine, those rights have been completely eroded.

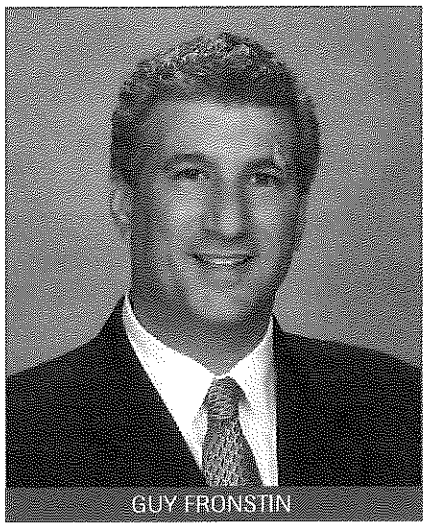
Thanks to Klebold and Harris, courts have consistently ruled since Columbine that, in a school environment, the safety of students and teachers as a whole trumps the constitutional rights of an individual student. We can all agree that it is a school's responsibility to keep order on campus and to promote a safe and conducive environment for learning. However, in balancing the constitutional rights of individuals versus the overall student body, have the courts gone too far in permitting schools to act like a parent and to stand in the shoes of the student's parents?

Post Columbine, most schools have police officers stationed on campus and courts have upheld that students have no right to privacy in their lockers and school officials or officers have the authority to enter and search student lockers without probably cause or search warrants. The shrinking rights of minors include interrogating and arresting students before notifying the student's parents. Prior to Columbine, a school would notify a parent before searching, interrogating or arresting a child. And although the law requires an officer to "try" to reach a minor's parents prior to booking a minor, typically the first call a parent gets is from the jail cell (AKA Juvenile Assessment Center).

Colleges have also adopted the philosophy that the safety of the student body as a whole is more important than an individual's rights. Therefore, today virtually every college admissions application either asks if the applicant has a juvenile record or requires the applicant to authorize the juvenile court to release their juvenile record to the schools they are applying to. College admission officials tell me they draw a negative inference from an applicant's failure to answer the question or to sign the authorization. In fact, question 15 on the standardized State University System of Florida Undergraduate Admission Application asks about juvenile history and in bold letters states that "Failure to answer these questions will delay processing of your application."

In the past, most parents have not hired lawyers to defend their child in juvenile court since the juvenile arrest record would remain confidential. However, now due to the horrific actions of Klebold and Harris the rules have changed and it is well advised for parents to hire an attorney no matter what the arrest is for, from misdemeanors like possession of marijuana and petit theft to felonies like aggravated battery, burglary and sexting. By hiring a competent criminal defense attorney, with juvenile court experience, you give your child the greatest chance of not having their juvenile record follow them into their future and preventing them from being accepted to their dream college or closing the door to other opportunities. Ultimately, when eligible, an attorney can assist you in moving to seal and or expunge your child's juvenile record.

—Guy Fronstin, a criminal defense attorney, is a contributing writer to Simply The Best and began his legal career in 1992 as a Prosecutor and in 1996 established The Law Offices of Guy Fronstin which focuses exclusively on criminal law. www.fronstinlaw.com



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