



Runaways

The Law

WHEN IS A CHILD CONSIDERED A RUNAWAY?

A child is a runaway if he or she leaves home and:

- Is not married
- Is under 18 years old
- Doesn't have permission from his or her parent or the court to be away from home

WHAT CAN HAPPEN IF A CHILD RUNS AWAY FROM HOME?

A parent of a runaway child can contact the police and fill out a "missing juvenile" form with the child's description. The police may use a great deal of personal judgment about whether to actively look for the runaway child. However, if a parent can give a specific address where they think their child is staying, the police will look for the child there.

IF THE POLICE FIND THE RUNAWAY CHILD, WHAT HAPPENS NEXT?

The police may give a runaway child a ticket (also called a citation). A citation will require the child to come to court. Or the police may simply give the child a warning. The police may also decide to return the child to his or her home, or to bring the child to a shelter facility. If the child refuses to go with the police, sometimes the police decide to do nothing and let the child stay where he or she is.

MUST THE CHILD APPEAR IN COURT IF HE OR SHE RECEIVES A RUNAWAY CITATION?

If the parents ask that the charges be dismissed, then the child may not have to appear. If the charges are not dismissed the child and parent must appear in court.

WHAT HAPPENS IN COURT?

Procedures vary from county to county. If the matter goes to court, several hearings may be held. The court will listen to the police and prosecutor, and to the child and family. The court will decide if the child is a runaway and what kind of help the child and family need.

WHAT KIND OF HELP WILL THE CHILD GET?

The court may order the child to stay home or the court may decide that the child is in need of protection or services. These services might include foster care, individual or family counseling, parenting classes, or chemical dependency treatment. Even if the court does not order services, families may decide to receive voluntary services. The court may also order the child to pay a fine or participate in a community service project. If the child is specifically ordered by the judge to stay home and violates the order, the



child can be placed away from home. Court involvement can sometimes help, but there is no guarantee that it will solve the problem.

DO I HAVE TO HIRE A LAWYER?

If you have a low income, the county may appoint a lawyer to represent you. You always have the right to hire your own lawyer in any court proceeding if you want to.

WHAT IF SOMEONE TAKES A CHILD WITHOUT PARENTAL PERMISSION?

That person may be guilty of harboring a runaway. It is a crime to deprive someone of his or her parental or custodial rights. Also, the person could be charged with contributing to the delinquency of a minor. It is a felony for an adult to let a child under age 16 live with him or her without the parent's permission. The police do not often charge people with harboring a runaway unless other criminal behavior is involved.

Adapted from "What Parents Should Know About Runaways" by Legal Aid Society of Minneapolis

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Activity: Role-play

Divide into pairs. One person will role-play a volunteer teen counselor at a drop in center and the other will be one of the following young people.

Counselors: Use the material in **Living Away from Home and Runaways** to help you give good advice.

TJ: TJ is 16 years old. His parents are divorced. He is living with his dad. Recently it has gotten awkward because his dad has a new girlfriend who is at the house almost all the time. TJ prefers to stay away. He owns his own car and has a job so that he can pay for the gas and insurance. He plans to work full-time during the summer. Sometimes TJ sleeps in his car overnight. It seems that every time he sees his dad, they get into a huge fight. His dad keeps treating him like he's a baby, telling him what to do. TJ is making plans to run away.

Alicia: Al (as she prefers to be called) is 15. She hasn't been home in a month. She claims that she is not living on the street but won't say where she is living. Al shows you scars she got when her father beat her for no reason at all. She says her mother is too scared to do anything about it. Al doesn't get to school very often.

Michael: Michael is 17 years old. His parents died in a car accident five months ago. He has been living with his grandfather since the accident. His grandfather is not much fun. He loves him, but they have trouble getting along. Michael is a good student and will be graduating in less than a year. He has a part-time job busing dishes at a restaurant. Michael is depressed. He feels trapped at his grandfathers. He wants to live on his own.

Shauna: Shauna is 13 years old. She doesn't get along with her parents. They always yell at her. She can't ever do enough to make them happy. She thinks that life will be easier if she gets away. She has found a new boyfriend who is 19. He wants her to pack a bag and drive with him to a friend's cabin.

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Activity: Matching

Place the letter of the definition that best defines the word. Use the following fact sheets: Guardian Ad Litem, Children in Foster Homes, Living Away From Home, and Runaways.

_____ GUARDIAN AD LITEM

_____ CHILD INTERMEDIARY

_____ RESIDENTIAL FACILITY

_____ CASE PLAN

_____ EMANCIPATION

_____ RUNAWAY

Definitions

- A. The written plan that is made 30 days after a child is placed in a residential facility. This plan outlines the action to be taken and the final goal of the placement.
- B. Any group home, family foster home or other publicly supported out-of-home facility.
- C. A person appointed by the court to protect the interests of a minor who is without a parent or guardian, or when the minor's parents are incompetent or hostile toward the minor.
- D. A child who leaves home and is not married, is under 18 years old, and doesn't have permission from his or her parent or the court to be away from home.
- E. When the parent or guardian surrenders the right to custody and control of the minor.
- F. A person appointed to the child by the court when a criminal charge of abuse is filed against the parent or caretaker of the child.