

## WHAT TO DO — EMERGENCY REFERENCE

# What to Do If Your Child Is Arrested in Texas

Texas juvenile proceedings are civil but the stakes are real — detention, TJJD commitment, school consequences, and possible certification to adult court. Act within hours, not days.

### CALL AN ATTORNEY IMMEDIATELY — (214) 466-1398

A licensed attorney answers 24/7. Do NOT discuss your case with anyone except your lawyer. Statements to police, cellmates, friends, or family can be used against you.

### Do This Now

1. Immediately invoke the child's Fifth Amendment rights — "My child will not speak to police without a lawyer present."
2. Do NOT allow school resource officers or detectives to question the child alone.
3. Request the detention hearing date (must occur within 2 business days under Family Code § 54.01).
4. Obtain the child's school records, IEP, and mental health records for use at detention hearing.
5. Identify potential alternatives to detention — stable home, willing parent supervision, community ties.
6. Do not discipline the child in a way that appears as confession corroboration.
7. Gather character references from teachers, coaches, and community members.
8. Contact L and L Law Group at (214) 466-1398 for juvenile representation.

### Avoid These Common Mistakes

- Do NOT allow the child to talk to detectives without a lawyer — the "tell them what happened" instinct is dangerous.
- Do NOT sign anything at the school or police station without counsel.
- Do NOT assume this is "just a school matter" — TEA reporting may escalate to criminal.
- Do NOT skip the detention hearing — appearance dramatically improves outcomes.
- Do NOT discuss the case in front of the child — they may be interviewed about it.

### Key Texas Law You Should Know

#### Texas Family Code § 54.01 — Detention Hearing

Must occur within 2 business days of detention (1 business day if detained Friday/Saturday).

#### Texas Family Code § 54.02 — Certification to Adult Court

Juvenile courts can transfer children 14+ (for capital/drug/1st-degree felonies) or 15+ (any felony).

#### Texas Family Code § 58.253 — Automatic Record Sealing

Most juvenile records seal automatically when the child turns 18 or 19.

#### Texas Family Code § 51.09 — Right to Counsel

A child may not waive counsel without a court finding the waiver was knowing and voluntary.

## Possible Outcomes

- Release to parent at detention hearing
- Informal adjustment / deferred prosecution
- Probation without adjudication
- Placement in alternative programs (not TJJD)
- Dismissal through evidence challenges
- Successful opposition to certification (keep case in juvenile court)

### CRITICAL DEADLINES

2 business days to detention hearing | 1 business day if detained Friday or Saturday | Certification hearings: complex and time-sensitive

## Questions to Bring to Your Consultation

- Can my child be released at the detention hearing?
- Is certification to adult court likely?
- What alternatives to TJJD are available?
- How will this affect my child's school placement?
- When can the record be sealed?
- Will this be public or confidential?

### FREE CONSULTATION — AVAILABLE 24/7

Call (214) 466-1398 or visit [friscocriminalattorneys.com/contact.html](https://friscocriminalattorneys.com/contact.html). A licensed attorney answers day or night. Flat-fee pricing with payment plans available.