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ADMINISTRATIVE OFFICE OF THE COURTS
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Report

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee
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DATE: April 10, 2008

SUBJECT: *Juvenile Delinquency Court Assessment 2008* Report (Action Required)

Issue Statement

The Family and Juvenile Law Advisory Committee recently directed the Administrative Office of the Courts' (AOC) first comprehensive research study of how the superior courts of California handle delinquency matters. This study represents nearly two years of research on California's delinquency courts. The report details the scope of the examination, analyzes the data, and makes recommendations focused on enhancing the juvenile justice system.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective April 25, 2008:

1. Receive and accept the *Juvenile Delinquency Court Assessment 2008* report.

2. Direct the AOC Center for Families Children & the Courts (CFCC) to:
   (a) Convene a resource group composed of members of the Family and Juvenile Law Advisory Committee and other interested experts to assist CFCC staff to develop an implementation plan for the *Juvenile Delinquency Court Assessment 2008* report; and prioritize the Juvenile Delinquency Court Assessment recommendations; and
   (b) Work with appropriate AOC divisions for review and preparation of proposed legislation, rules, forms, educational materials or other proposed changes to be considered through normal judicial branch processes.

(c) Collaborate with other justice system professionals, as appropriate, to improve efforts to serve the interest of justice.
(d) Undertake a study to determine the additional resources that courts may require to ensure implementation of the recommendations.
(e) Report progress to the council on implementation of the recommendations by June 2010.

Rationale for Recommendation

The Juvenile Delinquency Court Assessment (JDCA) is the judicial branch's first comprehensive research study of how the superior courts of California handle delinquency matters. This project's goal is to help improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system by setting an agenda for system improvements over the coming years. There were eight areas of inquiry:

- Hearings and other court processes;
- Court facilities;
- Court collaboration with justice system partners;
- Service and sanction options for youth;
- Perspectives of court users, including youth, parents, victims, and community members;
- Education and training;
- Accountability; and
- Professional background and experience.

The methods of inquiry included statewide surveys of judicial officers and justice partners (judges, commissioners, referees, probation officers, juvenile prosecutors, and juvenile defense attorneys), and focus groups and interviews in select counties with youth, parents, victims, community members, juvenile probation officers, and juvenile attorneys. The assessment collected data at both the statewide and local jurisdiction levels. Statewide surveys were sent to all delinquency court judicial officers, court administrators, prosecutors, public defenders, alternate defenders, and contract panel attorneys who were identified as working in juvenile delinquency courts, as well as to a random 20 percent sample of juvenile probation officers.

At the local level, the study focused on six specific counties. The counties chosen for study were Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. Though research in these specific jurisdictions provided more thorough and nuanced information than the statewide surveys, the unique and diverse nature of the counties and of delinquency court itself means that individual county-level findings cannot be generalized to other California jurisdictions. However, these counties represent a mix of county attributes: small, medium, and large; north, central, and south; and urban, suburban, and rural, as well as counties with diverse populations, ones experiencing rapid growth, and ones with relatively stable population sizes. Within these study counties, more in-depth interviews and focus groups were conducted with judges, court staff,

prosecutors, defense attorneys, probation officers, youth on probation, parents of youth, victims of juvenile crime, and diverse groups of community members.

The committee found that certain fundamental principles are core for an effective system that meets the varied purposes of the juvenile court. Key was the belief that the juvenile court presiding judge must work with justice partners to ensure that the following fundamental principles are achieved:

- The delinquency system must adhere to practices and procedures that comply with the law.
- The delinquency system must be adequately staffed by judicial officers, attorneys, probation officers, court staff, and other professionals who have the tenure, dedication, education, training, and resources necessary to meet the needs of court users and the public.
- The delinquency system must recognize that juvenile offenders are different than adult offenders and, while ensuring due process and accountability, also must address the developmental and social factors that contribute to delinquent behavior.
- The delinquency system must recognize and respect the rights and role of victims.
- The delinquency system must encourage and value community involvement.
- The delinquency system must improve its effectiveness and accountability by adopting a practice of continual self-improvement that relies on goals, outcomes, measures, and reporting.

From this study the Family and Juvenile Law Advisory Committee developed 58 specific recommendations on the following topics:

Case-Level Performance

- Individual Rights
- Court Participation
- Comprehensible Hearings

Sanctions and Services

- Individualized Services
- Meeting Diverse Needs

Court Management

- Accountability
- Facilities
- Collaboration
- Management

Professionals and Court Users

- Commitment
- Education
- Resources

For the complete list of the recommendations, please see the attached report which is organized in two volumes. Volume 1 contains the executive summary and a comprehensive final report that brings together the research findings with recommendations. Volume 2 contains briefing documents on the various research efforts that informed this work. These documents focus on the methodology of the study; detailed results of the judicial officer, attorneys, and probation officers surveys and focus groups; a review of juvenile court facilities; and focus groups with court users (i.e., youth, parents, victims, and community members). In addition, volume 2 contains the survey instruments and facilities checklist.

Alternative Actions Considered

Given the current state and national interest in this area and the corresponding reforms, the committee decided a baseline is needed now so that the committee can develop a plan to address areas that need improvement. The Family and Juvenile Law Advisory Committee did not consider alternative actions.

Comments From Interested Parties

This assessment and its recommendations were not circulated for comment, but the assessment does include information gathered from focus groups of court users and professionals. In addition, to guide the assessment, the committee convened a working group composed of members of the advisory committee, experts drawn from state entities and the major participants in the juvenile delinquency court: judges, court staff, probation officers, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross-section of the state in terms of geographic location and county size.

Implementation Requirements and Costs

No costs are associated with accepting the report and limited costs are associated with recommending that CFCC convene a group of experts to assist efforts to implement report recommendations. Many of the recommendations in the report can be implemented with existing resources. Implementing some of the recommendations would require additional funding. The committee requests that the AOC Center for Families, Children & the Courts undertake a study to determine the additional resources that courts may require to implement the recommendations.

Attachment

APRIL 25, 2008, DRAFT

JUVENILE DELINQUENCY COURT ASSESSMENT 2008

VOLUME 1

ADMINISTRATIVE OFFICE OF THE COURTS

CENTER FOR FAMILIES, CHILDREN & THE COURTS

Juvenile Delinquency Court Assessment 2008

Volume 1

April 2008

ADMINISTRATIVE OFFICE OF THE COURTS

CENTER FOR FAMILIES, CHILDREN & THE COURTS

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This report is also available on the California Courts Web site:
www.courtinfo.ca.gov/programs/cfcc/programs/description/delproj.htm.

For additional copies or more information about this report, please call the Center for Families, Children & the Courts at 415-865-7739 or write to:

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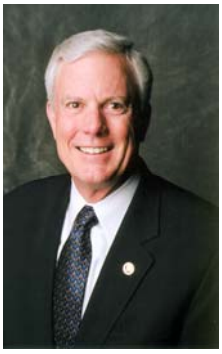
Foreword



I am pleased to present you with the findings and recommendations of the Juvenile Delinquency Court Assessment. The assessment represents the most thorough examination of the state's delinquency court system ever conducted.

This project's intention is to help improve both the administration of justice and the lives of youth, victims, and other community members affected by juvenile crime by helping to establish the baseline that should guide efforts over the coming years as we work to ensure the very best in the service of justice.

The areas of inquiry included hearings and other court processes; court collaboration with justice system partners; placement, treatment, and supervision options for youth; the perspectives of parties and interested groups; education and training; and court accountability. The methods of inquiry included statewide surveys of judicial officers and justice partners (judges, commissioners, referees, probation officers, juvenile prosecutors, and juvenile defense attorneys) and focus groups and interviews in select counties with youth, parents, victims, community members, juvenile probation officers, juvenile prosecutors and defense attorneys.

I invite the Governor, the Legislature, the judicial branch, state and local policymakers, and all interested parties to study this assessment's findings and recommendations and implement improved practices in the service of quality justice for the people of California.

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We extend our thanks to all who contributed to the production of this report and assisted in this assessment.

- First, we are exceedingly grateful to the presiding judges of the juvenile courts in the six study counties, who graciously agreed to participate in our assessment: Judge Michael Nash, Superior Court of Los Angeles County; Judge Colleen M. Nichols, Superior Court of Placer County; Judge Christian F. Thierbach and Judge Becky Lynn Dugan, current and former presiding juvenile court judges of the Superior Court of Riverside County; Judge Donna J. Hitchens, Superior Court of San Francisco County; Judge John W. Parker (Ret.), Superior Court of San Joaquin County; and Judge William J. Davis, Superior Court of Siskiyou County.

- We are thankful for the assistance of the liaisons in each of our study counties, who arranged site visits, identified key justice partners to interview, helped coordinate focus groups, provided courthouse space for our use, took their valuable time to give tours of court and detention facilities, secured access to court users, and more. This study would not have been possible without their help. Although to preserve the confidentiality of focus group participants we cannot thank each person individually, we are especially thankful for their assistance.

- We would like to express our deep appreciation to all of the judicial officers, court staff, probation officers, prosecutors, and defense attorneys who participated in interviews, surveys, and focus groups for this study. Their insight, expertise, and opinions will be a valuable resource to others who may want to improve their delinquency court systems.

- It is with particularly heartfelt thanks that we acknowledge the probation youth, parents, victims, and community members who participated in our focus groups. Their personal stories, opinions, and suggestions helped shape this report and its recommendations in important ways.

- We extend our warmest thanks to Mr. John Greacen and the court administrators who provided information that informed the *Developing Effective Practices in Juvenile Delinquency Caseflow Management* manual. Our thanks also extend to the members of the 28 counties who attended the caseflow management workshops.

- We are grateful to Mr. Jon Kidde, who organized and conducted focus groups with youth, parents, victims, and community members in the six study counties.

- We are sincerely appreciative of the assistance and support provided by our juvenile justice partners, specifically the California State Association of Counties, the Chief Probation Officers of California, the California District Attorneys Association, and the California Public Defenders Association.

- We wish to express our gratitude to the dedicated staff at the Administrative Office of the Courts who assisted with this endeavor. In addition, we are exceptionally grateful to Ms. Rebecca Pepper for her expert copyediting.

- Finally, we are truly grateful to the working group members who guided the assessment. The working group provided both subject matter expertise and perspectives from a cross-section of the state in terms of geographic location and county size.

Without the dedication and participation of each of these individuals and organizations, we would not have been able to gather all of the data and make meaningful recommendations for improvements to the California juvenile justice system.

— Family and Juvenile Law Advisory Committee

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EXECUTIVE SUMMARY

On behalf of the Family and Juvenile Law Advisory Committee of the Judicial Council of California, the Center for Families, Children & the Courts (CFCC), a staff division of the Administrative Office of the Courts (AOC), conducted the AOC's first comprehensive research study of how the superior courts of California handle delinquency matters. With the guidance of a working group convened by the Family and Juvenile Law Advisory Committee, the Juvenile Delinquency Court Assessment (JDCA) conducted nearly two years of research on California's delinquency courts.

The intention of the JDCA is to help improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system by helping set an agenda for system improvements over the coming years. The areas of inquiry included hearings and other court processes; court collaboration with justice system partners; placement, treatment, and supervision options for youth; perspectives of parties and interested groups; education and training; and court accountability. The methods of inquiry included statewide surveys of judicial officers and justice partners (judges, commissioners, referees, probation officers, juvenile prosecutors, and juvenile defense attorneys), and focus groups and interviews in selected counties with youth, parents, victims, community members, juvenile probation officers, and juvenile attorneys.

A. Fundamental Principles

As the working group developed its recommendations, it became clear that the members shared certain core beliefs about the juvenile justice system. These fundamental principles serve as core considerations for an effective system that meets the varied purposes of the juvenile delinquency court. Key was the belief that the juvenile court presiding judge must work with justice partners to ensure that the following fundamental principles are achieved:

1. The delinquency system must adhere to practices and procedures that comply with the law.

2. The delinquency system must be adequately staffed by judicial officers, attorneys, probation officers, court staff, and other professionals who have the tenure, dedication, education, training, and resources necessary to meet the needs of court users and the public.

3. The delinquency system must recognize that juvenile offenders are different from adult offenders and, while ensuring due process and accountability, must also address the developmental and social factors that contribute to delinquent behavior.

4. The delinquency system must recognize and respect the rights and role of victims.

5. The delinquency system must encourage and value community involvement.

6. The delinquency system must improve its effectiveness and accountability by adopting a practice of continual self-improvement that relies on goals, outcomes, measures, and reporting.

B. Summary of Findings

- Additional resources are needed to maintain caseloads at a reasonable level for judicial officers, attorneys, and probation officers. Both probation officers and defense attorneys expressed a need for more resources to enable them to implement court-ordered dispositions and case plans, including accessing services in the community for the youth they work with.

- Judicial officers, attorneys, and probation officers who were surveyed expressed a general dissatisfaction with the sufficiency of information about, and the availability of, services for youth, most notably drug rehabilitation, mental health services, gender-specific services, and services for transitional-age youth. They also indicated that they are not satisfied with the sanction options available to the court for high-risk youth.

- Judicial officers, attorneys, and probation officers who were surveyed expressed frustration concerning the availability of information to them at various points in the delinquency court process, including mental health assessments, information on youth's educational status, and interviews with youth, parents, and victims, both predisposition and postdisposition.

- For youthful offenders, parents, victims, and witnesses, court proceedings are often difficult to follow and understand. These groups find the court experience to be rushed and without opportunities for them to participate. Court facilities often do not have the space or the personnel to address the questions of court users.

- There is a need to measure the effectiveness of system responses to youthful offenders. The juvenile delinquency system needs better ways to measure outcomes and increase accountability.

- Courts frequently collaborate with justice partners to work on policies and procedures, and to respond to problems as they arise. Judicial officers expressed the need to be better informed about the availability and effectiveness of dispositional options for youth, and to meet with the community.

- Many juvenile detention facilities and juvenile court facilities are in need of improvement or replacement. The nature of the environment in which cases are heard, and where youth are confined, has a significant impact on the efficiency and effectiveness of court processes.

- Juvenile delinquency courts need to be staffed with judicial officers, court staff, probation officers, and attorneys who are educated in juvenile law issues and are experienced in and committed to the juvenile delinquency assignment. Longevity in juvenile assignments should be encouraged.

C. Recommendations

The Family and Juvenile Law Advisory Committee sets forth the following recommendations to the California juvenile justice community.

CASE-LEVEL PERFORMANCE

INDIVIDUAL RIGHTS

1. Courts should protect the rights and interests of youth, parents, victims, and the community.

2. Judicial officers should ensure the welfare of youth by inquiring about their health, safety, and education; the effectiveness of court-ordered services, restitution, and community service; and other matters regarding their general welfare and the terms of their probation.

3. Judicial officers should ensure that hearings are completed within statutory deadlines, granting continuances only for good cause while recognizing that continuances may be necessary to protect the right to due process and the opportunity to fully defend against the allegations in a petition.

4. Judicial officers, court staff, attorneys, and probation officers should monitor their practices and procedures to ensure that they meet statutory requirements regarding confidentiality and open public hearings.

5. Courts should support victims by ordering restitution in a specific amount, making restitution payment a priority, and encouraging other methods of victim restoration as appropriate.

6. Probation officers, defense counsel, and judicial officers should ensure that youth understand their rights regarding record sealing and should provide them with the information necessary to exercise those rights.

7. The AOC, in conjunction with local courts, should ensure that delinquency court facilities appropriately protect confidentiality and include private meeting spaces for court users and juvenile justice partners.

COURT PARTICIPATION

8. Judicial officers should consider calendar structures and hearing schedules that enable parents and extended family, victims, and witnesses to provide input.

9. Judicial officers should set the day's calendar by prioritizing hearings at which victims or witnesses are present and cases that are short cause matters.

10. When delays are unavoidable, the judicial officer and the attorneys should explain the reasons for them to the parties involved, so as to maintain transparency and confidence in the process.

COMPREHENSIBLE HEARINGS

11. Judicial officers should encourage the use of simple yet legally accurate language so that all parties present for hearings can understand the proceedings.

12. Judicial officers, attorneys, and probation officers should take the time necessary to help youth, parents, and victims understand the court process, the outcomes of court hearings, and the orders of the court.

13. The AOC, in conjunction with the courts, should develop educational materials such as videos and brochures that orient youth and parents to the delinquency court.

SERVICES AND SANCTIONS

INDIVIDUALIZED SERVICES

14. Local jurisdictions should establish a graduated continuum of evidence-based services and sanctions to respond to the needs of each offender.

15. Courts, to improve the delivery of services, should develop adequate court-based resources and make them readily and regularly available to court users.

16. Judicial officers should ensure that youth receive appropriate sanctions as well as the services, guidance, and support that are in the best interest of the youth while meeting the goals of public safety and victim restoration.

17. Court and counsel should ensure that treatment plans and terms of probation are complied with by monitoring the progress of youth on probation, regardless of whether the youth is at home, in out-of-home placement, or committed to a local or state facility.

18. Courts and probation should ensure that dispositional case plans include adequate reentry services.

19. Judicial officers should encourage collaborative, problem-solving practices that provide for the development and implementation of individualized case plans.

20. The courts and probation should encourage the identification and involvement of positive extended family members in a youth's rehabilitation.

21. Courts should collaborate with probation departments to ensure that judicial officers and attorneys understand probation assessment tools and the local sanction and service options that are available.

22. The courts, probation officers, and other juvenile justice partners should continue to collaborate in an effort to develop effective practices and methods for improving the delivery of services.

MEETING DIVERSE NEEDS

23. Juvenile justice agencies should continually seek out culturally appropriate resources in their communities and ensure that youth, families, and victims who do not speak English receive necessary interpreter and translation services.

24. Probation officers should continually seek out accessible and effective services, paying particular attention when emerging service gaps are discovered.

25. Probation officers who supervise youth in placement facilities should be trained to ensure that the needs of those youth are met and that their probation complies with title IV-E requirements.

26. The courts and probation should comprehensively examine and address all aspects of the needs of youth with mental health issues who are involved in the delinquency system.

27. The AOC should support legislation to address ways to more adequately and effectively deal with competency issues that come before the courts.

28. The AOC should continue to work with probation and social services to assist them in working with those youth who appear to come within the jurisdiction of both the delinquency and dependency systems.

COURT MANAGEMENT

ACCOUNTABILITY

29. Judicial officers should educate the community and the media about the purpose of the juvenile court, specifically its purpose and role in meeting the complex needs of youth, their families, victims, and the community.

30. Judicial officers should maintain open communication with the public, provide avenues for receiving public feedback, and provide information about court performance or improvements.

31. Local juvenile justice partners should identify the outcomes they hope to achieve and develop performance measures to monitor their progress.

FACILITIES

32. State and local court administrations should ensure that facilities are designed, maintained, and operated so as to provide both the effective and efficient administration of justice and the respect and dignity that victims, court users, professionals, and judicial officers deserve.

33. The AOC, in conjunction with local courts, should design and construct new facilities, in consultation and cooperation with the other juvenile justice partners.

34. Court facilities in which delinquency matters are heard should have separate waiting rooms for victims and witnesses to ensure their safety and encourage their participation in court.

35. State and local court administrators should ensure that court operations, modifications to facilities, and AOC design standards protect the confidentiality of parties and victims while enabling the public to have access to nonconfidential delinquency hearings when appropriate.

COLLABORATION

36. Judicial officers should exercise leadership in strengthening the relationships among justice partners and community organizations and in ensuring that local jurisdictions utilize all available resources to create appropriate outcomes within the juvenile justice system.

37. The courts and probation should engage schools, mental health, and other community systems to support the rehabilitation of youth.

38. The AOC and the courts should assess the court's role in minority disproportionality within the juvenile justice system and work collaboratively with state and county-level justice providers to address racial and ethnic disparities.

39. The AOC should continue to support the courts and other agencies in developing ways to assist youth whose circumstances potentially bring them before both the dependency and delinquency courts.

CASE MANAGEMENT

40. Courts and juvenile justice partners should develop case management systems (including the California Case Management System [CCMS]) that promote coordinated data collection and data exchange between the court and other justice partners.

41. Courts and juvenile justice partners should develop case management systems (including CCMS) to permit juvenile delinquency courts to access information about youth's and families' participation in other court cases.

42. The AOC should support courts in their efforts to develop protocols and procedures to address local issues and challenges involving case management.

43. The AOC should develop tools to help the courts assess their case management practices and should assist the courts in instituting a process of continual improvement.

PROFESSIONALS AND COURT USERS

COMMITMENT

44. Superior court presiding judges should recognize the importance of the juvenile delinquency system and the need for recruiting and retaining high-quality judicial officers in juvenile assignments.

45. Court administrators should ensure that courts have adequate numbers of qualified court staff.

46. District attorneys' and public defenders' offices should be encouraged to seek out and promote attorneys who are committed to serving the delinquency court and developing expertise in this complex and significant field.

47. Judicial officers should seek out panel and contract attorneys who are committed to serving youth in the delinquency court and who are willing to develop expertise in the field.

48. Probation departments should seek out, encourage, promote, and retain staff who are committed to working with juveniles and developing expertise in this important area.

EDUCATION

49. The courts should ensure continuity of policy and practice during leadership transitions by instituting best practices and by supporting the transfer of knowledge.

50. Probation and social services staff should be adequately trained and should communicate and coordinate services so as to deal appropriately with those youth who appear to come within the jurisdiction of both the delinquency and dependency systems.

51. Judicial officers, attorneys, and probation should be adequately trained and educated to understand the myriad issues in delinquency court and the importance of the work.

52. Courts should develop or clarify local protocols that set forth their expectations of defense counsel in the postdispositional period regarding status reports, hearings, child visits, legal advocacy, and other activities.

53. The AOC should work with law schools and the State Bar to educate, encourage, and support attorneys seeking careers in juvenile justice.

RESOURCES

54. Courts and juvenile justice agencies should continually monitor and adjust their caseload guidelines to respond to evolving standards of practice and should seek additional resources as necessary.

55. Courts hearing delinquency matters should have adequate funding to fulfill their purpose of guaranteeing public safety, victim restoration, and offender rehabilitation.

56. The judicial branch should encourage federal, state, and local government officials to provide probation departments with stable and adequate funding to protect the public and the rights of victims, to ensure offender accountability and rehabilitation, and to support the court with the information necessary to make appropriate findings and orders.

57. Local government officials should fund public defenders' offices, district attorneys' offices, and contract-based defenders at a level that allows them to adequately fulfill their professional obligations.

58. The Judicial Council should support the improvement of resource allocation in the courts by conducting a judicial workload study of judicial officers who hear juvenile delinquency cases and a needs assessment of the court staffing that supports the court's management and review of juvenile delinquency cases.

CHAPTER 1

Introduction

A. Background and Charge of the Juvenile Delinquency Court Assessment

The Family and Juvenile Law Advisory Committee of the Judicial Council of California is charged with advising the Judicial Council on issues related to children and families. The advisory committee identifies issues and concerns confronting judicial administration regarding family and juvenile procedure, practice, and case management and makes recommendations to the Judicial Council for appropriate solutions and responses. On an ongoing basis the advisory committee (1) reviews pending legislation and makes recommendations as to whether the Judicial Council should support or oppose it, (2) reviews suggestions from the public for improving the administration of family and juvenile cases and recommends appropriate action to the Judicial Council or one of its committees, and (3) proposes to the Judicial Council changes in rules, forms, and standards for family and juvenile cases. In the delinquency arena, the advisory committee works to improve the quality of justice and services available to meet the needs of youth and families who appear in delinquency court, the victims of juvenile offenders, and the larger community.

The Juvenile Delinquency Court Assessment (JDCA) is the court's first comprehensive research study of how the superior courts of California handle delinquency matters.[1] Previous efforts related to delinquency in which the Family and Juvenile Law Advisory Committee and the AOC have assisted involved only limited research focused primarily on probation. In 2002, CFCC surveyed California's probation departments in an effort to document the prevalence of balanced and restorative justice practices throughout the state.[2] In 2000 through 2003, the Probation Services Task Force conducted a study of California's probation structure, governance, and funding sources. This effort necessitated retaining consultants to assess key probation measures, both nationally and in select study counties; surveying court and county leaders, chief

The Juvenile Delinquency Court Assessment is the AOC's first comprehensive research study of how the superior courts of California handle delinquency matters.

[1] This report refers to superior courts handling juvenile delinquency matters as "juvenile delinquency courts."

[2] The results of this survey are cataloged, and information about available practices provided, in *Balanced and Restorative Justice: An Information Manual for California* (2006), *http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/BARJManual3.pdf*.

probation officers, district attorneys, and public defenders on the governance of and services provided by probation; and convening informal focus groups of juvenile and adult probationers.[3] As a follow-up, CFCC conducted a survey of chief probation officers, the first of a series of research projects proposed in the *Probation Services Task Force Final Report*. The study quantifies the array of juvenile and adult probation services available across counties, including information on how probation services are staffed and funded, and uses the task force recommendations to identify gaps in services.[4]

In addition, the Family and Juvenile Law Advisory Committee has taken a leadership role in working with local superior courts to improve the handling of dependency cases. These efforts include a major research project that culminated in the 2005 *California Juvenile Dependency Court Improvement Program Reassessment* (CIP Reassessment).[5] The federal government required this assessment from all states that receive Court Improvement Program funding from the U.S. Department of Health and Human Services. The assessment is a statewide, comprehensive examination of the juvenile dependency court, with recommendations for system reforms that have been guiding the work of the Family and Juvenile Law Advisory Committee, AOC projects, and juvenile dependency courts since its publication.

The Family and Juvenile Law Advisory Committee recognized the value of conducting an in-depth, research-based assessment and requested a similar study of the delinquency court that would identify the areas that are working well and those issues that pose challenges for the courts and court users. The goal was to collect statewide empirical research to establish a baseline of information for court improvement and develop recommendations for systemic improvements.

This assessment examined the courts' handling of juvenile delinquency cases in a comprehensive manner. To guide the assessment, the Family and Juvenile Law Advisory Committee convened a working group composed of members of the advisory committee, experts drawn from state entities, and the major participants in the juvenile delinquency court: judges, court staff, probation officers, prosecutors, and defense attorneys.[6] Working group members were selected both for their subject matter expertise and to

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[3] The AOC, in partnership with the California State Association of Counties, created the Probation Services Task Force in 2000 to study California's probation system. A copy of the final report is available at *http://www2.courtinfo.ca.gov/probation/report.htm*.

[4] The study quantifies the array of juvenile and adult probation services available across counties, including information on how probation services are staffed and funded, and uses the task force recommendations to identify gaps in services. The report is available at *http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/PSTFSurvey2006.pdf*.

[5] This assessment is available at *http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/CIPReassessmentRpt.pdf*.

[6] A roster of working group members is located on page viii.

ensure representation from a cross-section of the state in terms of geographic location and county size. The working group developed the study plan, guided the research, and interpreted the findings. The committee is grateful for the time and commitment dedicated by working group members in conducting this assessment.

B. Report Overview

This report is divided into two parts. Volume 1 contains the executive summary and a comprehensive final report that brings together the research findings with recommendations. In this volume, chapter 1, the current chapter, provides an introduction to the assessment and the report. Chapter 2 addresses the quality of court hearings and other issues at the court case level. Chapter 3 discusses the availability and quality of services and sanctions available to the court and probation. In chapter 4, managerial and leadership issues central to the functioning of a well-run court are presented, including court accountability, collaboration, and facilities. Chapter 5 describes the background of the key professionals who work in the court system. That chapter also describes how youth, parents, communities, judicial officers, and justice partners[7] view the juvenile justice system. Chapter 6 summarizes the report and discusses possible next steps in implementing the recommendations.

The final recommendations are presented in chapter 7, and they also appear at the end of the chapter that they best match with. Some recommendations are supported by preexisting AOC or outside research, as noted in the text. Other recommendations are in alignment with existing recommended practices, in particular standard 5.40 of the California Standards of Judicial Administration and the key principles of model juvenile delinquency courts published in *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases*.

Volume 2 contains briefing documents on the various research efforts that informed this work. These documents focus on the methodology of the study; detailed results of the judicial officer, prosecutor, defense attorney, and probation officer surveys and focus groups; a review of juvenile court facilities; and focus groups with court users (youth, parents, victims, and community members). These data sources served as the foundation for the findings and recommendations contained in volume 1, and readers are encouraged to consult these briefing documents for detailed tables and a more in-depth discussion of the findings. In addition, volume 2 contains the survey instruments and facilities checklist.

[7] Justice partners refers to all professional groups who are involved in the juvenile delinquency system. In this report, it often refers only to the justice partners whom we surveyed or interviewed.

C. Unique Nature of Juvenile Court

> *Minors under the jurisdiction of the juvenile court as a consequence of delinquent conduct shall, in conformity with the interests of public safety and protection, receive care, treatment, and guidance that is consistent with their best interest, that holds them accountable for their behavior, and that is appropriate for their circumstances. This guidance may include punishment that is consistent with the rehabilitative objectives of this chapter. . . . When the minor is no longer a ward of the juvenile court, the guidance he or she received should enable him or her to be a law-abiding and productive member of his or her family and the community.*[8]

Courts handling juvenile matters within the superior court system, related to either dependency or delinquency, are unique in a variety of ways. Juvenile courts handle cases involving those under age 18, either as alleged victims of abuse or neglect or as alleged offenders, and proceedings are generally confidential.[9] Juvenile court is the only division of the superior court that is statutorily required to have a presiding judge oversee administrative matters.[10] Importantly, judges hearing juvenile matters are guided by standard 5.40 of the California Standards of Judicial Administration. This standard asks judges to sit in juvenile court for at least three years, both to allow them to gain expertise in this ever-changing and complex area of the law and to strive for continuity as a child or youth's case proceeds through the system. Further, this standard encourages judges to actively engage with the local community to ensure that the purpose of juvenile court is met. Specifically, subsection (e) states that

> Judges of the juvenile court, in consultation with the presiding judge of the juvenile court and the presiding judge of the superior court, to the extent that it does not interfere with the adjudication process, are encouraged to
>
> 1. Provide active leadership within the community in determining the needs of and obtaining and developing resources and services for at-risk children and families. At-risk children include delinquents, dependents, and status offenders.

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[8] Cal. Welf. & Inst. Code § 202(b). This statute sets forth the purpose of juvenile court.
[9] Although most juvenile proceedings are confidential, Cal. Welf. & Inst. Code § 676 opens to the public hearings concerning petitions related to specifically enumerated offenses (such as murder, armed robbery, and kidnapping).
[10] Cal. Welf. & Inst. Code § 246.

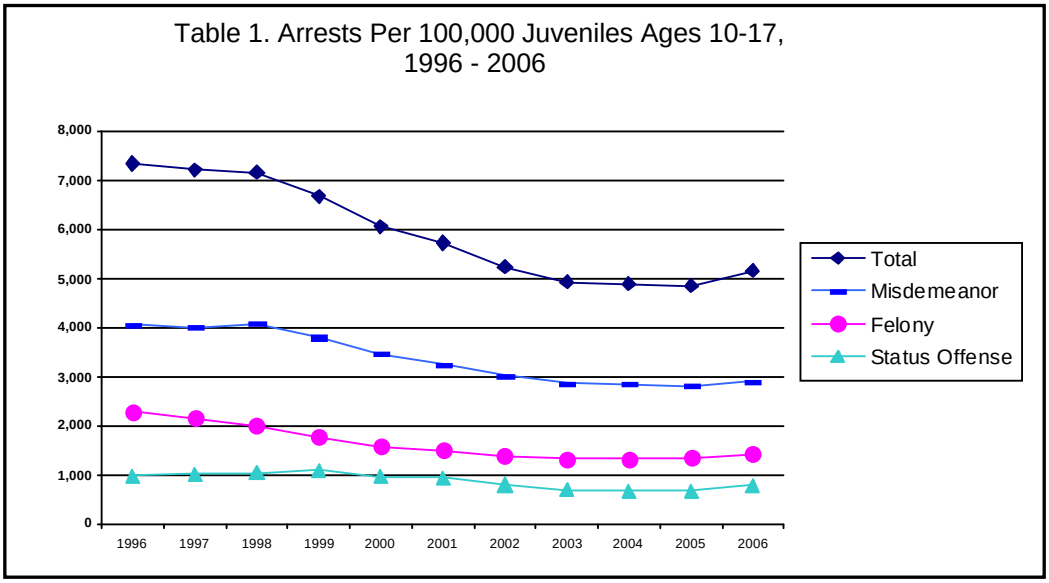
2. Investigate and determine the availability of specific prevention, intervention, and treatment services in the community for at-risk children and their families.
3. Exercise their authority by statute or rule to review, order, and enforce the delivery of specific services and treatment for at-risk children and their families.
4. Exercise a leadership role in the development and maintenance of permanent programs of interagency cooperation and coordination among the court and the various public agencies that serve at-risk children and their families.
5. Take an active part in the formation of a communitywide network to promote and unify private and public sector efforts to focus attention and resources for at-risk children and their families.
6. Maintain close liaison with school authorities and encourage coordination of policies and programs.
7. Educate the community and its institutions through every available means, including the media, concerning the role of the juvenile court in meeting the complex needs of at-risk children and their families.
8. Evaluate the criteria established by child protection agencies for initial removal and reunification decisions and communicate the court's expectations of what constitutes "reasonable efforts" to prevent removal or hasten return of the child.
9. Encourage the development of community services and resources to assist homeless, truant, runaway, and incorrigible children.
10. Be familiar with all detention facilities, placements, and institutions used by the court.
11. Act in all instances consistent with the public safety and welfare.

D. Juvenile Justice in California and National Trends

In order to understand California's delinquency system, one must understand both the statewide and national context in which this system operates. This section sets forth a statistical overview of the system, along with current and national trends.

1. Statistical Overview

There were 232,849 juvenile arrests in 2006, or 5,168 per 100,000 youth ages 10–17.[11] Twenty-eight percent of arrest charges were felonies, 56 percent were misdemeanors, and 16 percent were status offenses.[12] Girls comprised 26 percent of the juvenile arrestee population in 2006. Fifty percent of arrestees were Hispanic, 27 percent were white, 17 percent were black, and 6 percent were other racial and ethnic groups. Seventy percent were ages 15–17, 28 percent were 12–14, and 2 percent were under 12.



In 1996, there were 7,234 juvenile arrests per 100,000 youth ages 10–17. That population-adjusted arrest rate declined steadily over the decade and ultimately fell by one-third by 2005 (to a rate of 4,869) before reversing itself in 2006. The felony arrest rate declined more sharply over the decade, and its rise in 2006 was somewhat steeper as well. Status offense arrest rates fluctuated slightly over the decade but did not exhibit the same pattern as felony and misdemeanor arrest rate patterns, suggesting that policy decisions, rather than juvenile actions only, affect that rate.

Eighty-nine percent of 2006 juvenile arrest were referred to the probation department (the rest were counseled and released). About three-quarters of the arrests were new for referrals and the rest were for subsequent referrals.[13] The probation department diverts

[11] California Department of Justice, Criminal Justice Statistics Center. *Crime in California, 2006; available at* http://ag.ca.gov/cjsc/publications/candd/cd06/preface.pdf (accessed Apr. 9, 2008).
[12] *Ibid.* Status offenses were defined as truancy, incorrigibility, running away, and curfew violations.
[13] California Department of Justice, Criminal Justice Statistics Center. Data from forthcoming *Juvenile Justice in California, 2006.*

some cases and refers others to the district attorney's office. Of the 232,849 arrests in 2006, 104,059 cases were filed with juvenile court.[14]

In juvenile court, if a petition is found to be true, dispositions include having the youth return home under some form of probation supervision; home detention; commitment to a juvenile hall, camp, or other placement options;[15] or commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities.[16] In 2006, 721 youth[17] were committed to the Division of Juvenile Facilities. The institution's overall population of 2,962 in 2006 marks a steady decrease since 1997, for a total reduction of two-thirds.[18]

In 2005, 654 youth had their cases directly filed in (adult) criminal court. Another 374 youth underwent "fitness hearings" and 263 of those were found unfit to have their cases heard in juvenile court and were remanded to criminal court.[19]

2. Current Juvenile Justice Efforts, Nationally and in California

Recent events, nationally and in California, highlight the varied efforts to improve the juvenile justice landscape.

In 2005 the National Council of Juvenile and Family Court Judges released *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases* (Delinquency Guidelines).[20] This publication is a comprehensive discussion of court procedures and various policy issues and contains recommendations for courts around the country to aspire toward. In fall 2005 it was released to the California courts, in

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[14] Delinquency court filings have seen a similar pattern to arrests, with the number decreasing from 1997 until 2003, then reversing to increase by 12 percent from 2003–2006. Status offense filings followed a more volatile pattern, but they account for only about 1–3 percent of the juvenile filings each year.

[15] California Corrections Standards Authority. *Juvenile Detention Profile Survey* (4th Quarter, 2006). On an average day in 2006, 13,804 juveniles were in a secure local detention placement, with 50 percent in juvenile halls, 32 percent in camps, and 18 percent in other placements.

[16] Effective July 1, 2005, Senate Bill 737 (Romero; Stats. 2005, ch. 10) abolished the Youth and Adult Correctional Agency, which consisted, in part, of the Department of Corrections and the Department of the Youth Authority, and created the Department of Corrections and Rehabilitation, which consists, in part, of the Division of Juvenile Facilities, the Division of Juvenile Programs, and the Division of Juvenile Parole. In this report, this entity is referred to as DJJ.

[17] State of California Department of Corrections and Rehabilitation, Juvenile Justice Division. *First Commitment Characteristics: Calendar Year 2006* (n.d.).

[18] *A Comparison of the Division of Juvenile Justice's Institution and Parole Populations: June 30 Each Year, 1997–2006.* (n.d.)

[19] California Department of Justice, Criminal Justice Statistics Center. Data from forthcoming *Juvenile Justice in California, 2006.*

[20] National Council of Juvenile and Family Court Judges, *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases* (2005), *http://www.ncjfcj.org/content/view/411/411/* (accessed Apr. 9, 2008).

conjunction with a meeting that all juvenile court presiding judges were invited to attend and a presentation at the annual Beyond the Bench conference.[21]

In 2006, the American Prosecutors Research Institute, in collaboration with the National Center for Juvenile Justice, published the results of a demonstration project designed to show the value of measuring the performance of juvenile justice systems. The *Guide to Developing and Implementing Performance Measures for the Juvenile Justice System* highlights the results obtained by four jurisdictions that collected data across 10 performance measures.[22] The project has shown that it is possible and desirable to measure the performance of juvenile justice systems and that doing so is important, not only to report progress to justice partners and the broader community but also to evaluate programs, inform funding decisions, and assist in resource allocation. As an example of this reporting, the probation agency in one jurisdiction publishes an annual report in its local newspaper identifying the percentage of restitution collected from and community service hours completed by youth on probation. Many jurisdictions, including some in California, have looked to this guide as a tool to help improve their local system. Several of the findings and recommendations in this report address the desire by probation and other justice partners to incorporate outcome measures and increased accountability to the public into their systemic improvement efforts.

In addition, the last few years have seen marked changes in the structure of the state-level youth correctional system. As part of the *Farrell v. Hickman*[23] lawsuit, in January 2005 the state entered into a stipulated agreement in which it agreed to remedy serious, ongoing problems with conditions in juvenile facilities operated by the California Department of Corrections and Rehabilitation (DJJ) that have been well documented in the media. The consent decree requires DJJ to provide wards with adequate and effective care, treatment, and rehabilitation services, including efforts aimed at reducing violence and the use of force, improving medical and mental health care, reducing the use of lockdown, and providing better education programs. On March 31, 2006, a team of national experts released the first in a series of comprehensive reports describing the

The last few years have seen marked changes in the structure of the state-level youth correctional system.

[21] Beyond the Bench is a conference addressing issues related to both juvenile delinquency and dependency. Typical attendees include judicial officers, court administrators, attorneys, probation officers, social workers, and other professionals and court-related volunteers.

[22] American Prosecutors Research Institute, *Guide to Developing and Implementing Performance Measures for the Juvenile Justice System* (2006); available at http://www.ndaa.org/pdf/performance_measures_jj_system_06.pdf (accessed Apr. 9, 2008). Some of those measures include process measures, such as youth participation in probation programs; intermediate outcomes, such as restitution payment, recidivism, and meeting other terms of probation; and long-term impacts, such as employment outcomes for youth and community crime rates.

[23] *Farrell v. Hickman,* no. RG 03079344 (Alameda County Sup. Ct., filed Jan. 16, 2003).

problems in California's DJJ facilities and portraying the system as both overly expensive and ineffective. The report recommended various reforms, including a new management structure, and urged the state to focus its efforts on reducing the level of violence in youth facilities.[24]

In 2007 Governor Schwarzenegger signed Senate Bill 81 and Assembly Bill 191, a major juvenile justice reform package that shifts nonviolent juvenile offenders out of secure facilities operated by DJJ and into county facilities and programs.[25] Courts can now send juveniles to DJJ facilities only if they have committed an offense listed in section 707(b) of the California Welfare and Institutions Code (such as murder or robbery) or a specified sex offense (such as forcible rape), and paroled youth who were sent to DJJ facilities for something other than a section 707(b) offense or specified sex offense will return to the community under the supervision of local probation rather than DJJ parole. Further, youth currently in a DJJ facility who were committed for an offense other than a section 707(b) offense or specified sex offense can be recalled by the committing court and returned to a local program under probation supervision. This legislation will likely reduce the population in DJJ facilities, leaving primarily offenders who committed serious offenses and returning many difficult-to-manage youth with challenging issues to local officials for treatment and supervision. Because of Board of Corrections money made available in the late 1990s to build and remodel juvenile halls, some counties now have expanded or newly built detention facilities with more bed space that can accommodate some of the offenders who cannot be sent to DJJ and will remain under local jurisdiction.

As part of ongoing efforts to reform DJJ and examine youth corrections on a statewide basis, DJJ conducted a study in collaboration with the University of Southern California and the Chief Probation Officers of California. The project included a statewide survey of probation departments to gather information about the juvenile populations they serve, the risk and needs assessment tools being used around the state, and the continuum of services and sanctions available at the local level. The goal of the undertaking was to understand who is currently being served by the juvenile justice system, what services and sanctions they are receiving locally, what gaps in services exist, what populations cannot be served by local probation with current resources, and what the needs are of the youth being committed to state facilities. The final report is being released in phases, and relevant results and information from already published portions are included in this report.[26]

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[24] C. Murray, et al., *Safety and Welfare Plan: Implementing Reform in California,*(2006); available at *http://www.cdcr.ca.gov/News/docs/DJJ_Safety_and_Welfare%20Plan.pdf* (accessed Apr. 9, 2008).
[25] See Assem. Bill 81 and Sen. Bill 191, which can be accessed at *http://www.leginfo.ca.gov*.
[26] K. Hennigan, et al., *Juvenile Justice Data Project, Phase I: Survey of Interventions and Programs* (2007); available at *http://www.cdcr.ca.gov/Reports_Research/docs/JJDPSurveyFinalReport.pdf* (accessed Apr. 9, 2008).

At this time of great transition in California, when so much attention is focused on juvenile justice, it is important to take advantage of the opportunity to make recommendations for practical, significant, positive change. The Family and Juvenile Law Advisory Committee was mindful of these efforts and considered state and national reports and materials as appropriate while assessing California's delinquency system. Together, the courts, probation, and other juvenile justice partners can utilize all the various sources of information and research to develop and improve the processes, practices, and resources necessary to serve youth, families, and victims involved in the delinquency system, as well as the larger community.

E. Project Overview

The JDCA marks the first major assessment of California's delinquency courts. The ultimate goal of the project was to improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system. This report and its recommendations are the culmination of nearly two years of research focusing on California's delinquency courts. The assessment was designed to gather and provide information to help improve the juvenile delinquency system by making recommendations for changes in laws and rules of court; improvements in hearing management, judicial oversight, court facilities, and other aspects of court operations; caseload changes; and improvements in court services for all court users. The areas of inquiry included hearings and other court processes; court facilities; court collaboration with justice system partners; sanction and service options for youth; perspectives of involved parties and interested groups (youth, parents, victims, community); education and training; court accountability; and professional background and experience of judicial officers and court professionals.

Areas of Inquiry

- ***Hearings and court processes***
- ***Court facilities***
- ***Court collaboration with justice partners***
- ***Sanction and service options for youth***
- ***Perspectives of court users***
- ***Education and training***
- ***Court accountability***
- ***Professional background and experience***

The assessment collected data at both the statewide and local jurisdiction levels. Statewide surveys were sent to all delinquency court judicial officers,[27] court administrators, prosecutors, public defenders, alternate defenders, and contract panel

[27] The term "judicial officers" refers to judges, commissioners, and referees.

attorneys[28] who were identified as working in juvenile delinquency courts, and to a random 20 percent sample of juvenile probation officers.[29]

At the local level, the study focused on six study counties. These study counties were Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. Although research in these specific jurisdictions provided more thorough and nuanced information than the statewide surveys, the unique and diverse nature of the counties and of delinquency court itself means that individual county-level findings cannot be generalized to other California jurisdictions. However, these counties represent a mix of small, medium, and large; north, central, and south; and urban, suburban, and rural, as well as counties with diverse populations, ones experiencing rapid growth, and ones with relatively stable population sizes. Within these study counties, more in-depth interviews and focus groups were conducted with judges, court staff, prosecutors, defense attorneys, probation officers, youth on probation, parents of youth, victims of juvenile crime, and diverse groups of community members.[30]

One of the first efforts was an examination of caseflow practices. This effort, which began in 2006, was modeled after the successful Criminal and Family Caseflow Management projects. The Delinquency Court Caseflow Management project compiled a manual of effective caseflow practices and workshops on court caseflow management. The manual served as the curriculum for the workshops as well as a resource for all courts. Part of its content was gathered from a survey that was sent to all 58 courts. Twenty-eight courts provided detailed information about how they manage caseflow, with an emphasis on describing practices that have been especially effective in their courts. Forty-seven courts responded to the second half of the survey, a series of multiple-choice questions that describe a variety of court features, such as services (interpreters, for example), access to information (via, for example, case management systems), facilities, and calendar structure. The caseflow workshops presented court teams consisting of judicial officers, court staff, probation officers, prosecutors, and defense attorneys from all over the state with the opportunity to learn from one another and evaluate their own processes for managing delinquency cases and court calendars.

The goal of the project was to provide the participants from each county with an opportunity to develop an action plan to take back to their county to help improve their juvenile delinquency caseflow management. To assist with this effort, the workshops

[28] Attorneys working in public defenders' offices and alternate public defenders' offices are salaried county employees. Contract panel attorneys are either salaried employees of law offices that have contracts with the county to provide these services or are solo practitioners with contracts.
[29] A few counties did not submit a list of defense attorneys or juvenile probation officers.
[30] Although multiple focus groups were conducted with each group, within each study county only a select number of focus groups were conducted.

aimed to provide participants with an understanding of the principles of caseflow management and a knowledge of practices being used in counties of various sizes, as well as to offer an opportunity for participants performing the same role (judges, prosecutors, defenders, probation officers, and court staff) a forum to discuss common problems and identify areas in need of improvement. The caseflow project uncovered many promising practices for managing court cases and calendars that are contained throughout this report as well as in the final report, titled *Developing Effective Practices in Juvenile Delinquency Caseflow Management.*[31]

F. Fundamental Principles

Certain beliefs about the juvenile justice system served as the foundation for this project and its recommendations. These fundamental principles serve as core considerations for an effective system that meets the varied purposes of the juvenile court. Key was the belief that the juvenile court presiding judge must work with justice partners to ensure that the following fundamental principles are achieved:

1. The delinquency system must adhere to practices and procedures that comply with the law.

2. The delinquency system must be adequately staffed by judicial officers, attorneys, probation officers, court staff, and other professionals who have the tenure, dedication, education, training, and resources necessary to meet the needs of court users and the public.

3. The delinquency system must recognize that juvenile offenders are different from adult offenders and, while ensuring due process and accountability, must also address the developmental and social factors that contribute to delinquent behavior.

4. The delinquency system must recognize and respect the rights and role of victims.

5. The delinquency system must encourage and value community involvement.

6. The delinquency system must improve its effectiveness and accountability by adopting a practice of continual self-improvement that relies on goals, outcomes, measures, and reporting.

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[31] Greacen Associates, LLC, *Developing Effective Practices in Juvenile Delinquency Caseflow Management* (2006); available at *http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/Delinq/DevelopingEffective--JDCM.pdf.*

CHAPTER 2

Court Hearings

A. Introduction

This chapter focuses on the essential components of courtroom proceedings. Indispensable to the fair and appropriate treatment of juvenile delinquency matters are court hearings that are informed by timely, complete, and high-quality probation and assessment reports; are strengthened by knowledgeable and zealous legal advocates; take into account the perspectives of youth, families, and victims; and have sufficient time and staff to allow judicial officers to make informed and effective findings and orders. The data in this chapter come primarily from the survey of judicial officers, with some additional information from focus groups with justice partners and court users.

B. Hearing Management

Hearing continuances and delays can pose problems for the court and court users. They can cause cases to exceed statutory timelines; lead to unnecessary detention; delay accountability, rehabilitation, and victim restoration; waste resources such as the time of paid professionals; and cause youth, parents, and victims to forgo other obligations, such as school and work, while they wait in court, often for one-half or full days. Delays have the advantage, however, of allowing late-arriving information to be considered and enabling required parties to appear in court, thus ensuring that court hearings and orders are based upon full information and that cases are processed fairly. No empirical guidance exists for determining when the number of hearing delays becomes excessive, and assessing whether delays are warranted is a difficult exercise. There is a sense that too many delays may signify justice denied and too few may signify due process denied, but there is no precision to those values that can easily guide an assessment.

The survey data suggest that a minority of judicial officers and attorneys consider hearing delays to be a major problem in the courtroom, although only about one-half of judicial officers reported that they routinely get through their delinquency calendar to their satisfaction. Attorneys concurred, in closed-ended survey questions, that hearing delays are not a major problem in the courts. In focus groups and open-ended survey questions, however, it became clear that delays, continuances, and simply long waits are problematic for attorneys, probation officers, and court users.

Among justice partners, prosecutors expressed the most dissatisfaction with hearing delays. Prosecutors are generally dissatisfied with the number of hours they wait for court hearings in a day and with the number of hearing continuances. When asked to list the

top three ways in which the juvenile delinquency court could help the district attorney's office be more effective, a number of respondents commented that they would like the court to ensure that hearings start on time. Prosecutors also stated that the court should be more cognizant of the amount of wait time and the number of repeat trips to the courthouse experienced by victims and witnesses. Defense attorneys were less likely to indicate that hearing delays are a problem, although they are somewhat dissatisfied with the number of hours spent waiting for court hearings. Most judicial officers think hearing delays, per se, are either not a problem or are only a minor problem; however, there is often not enough time to get through a day's calendar. Probation officers are split in their feelings about continuances and other hearing delays. Forty-five percent think that delays and continuances are not particularly problematic; a similar percentage thinks they are a moderate or major problem.

There are similarities and differences in how judicial officers and justice partners evaluate the reasons for hearing continuances. All agree that delays in receiving information about the youth or case are the primary reason for delay. When asked to choose from a list the top reasons for continuances in uncontested hearings, judicial officers most frequently reported, in descending order, that the attorney is not ready; that other reports, persons, or information is not available; that the youth is not present at the hearing; and that probation reports are not available or filed in a timely way. The reason cited most frequently by prosecutors was that the defense attorney is not ready, followed by reports and other information not being available, other persons or information not being available, and the youth not being present in court. Defense attorneys reported that the most frequent causes of hearing delays and continuances are, in descending order, probation reports not being available, evaluation reports not being available, and other reports or information not being available. Given these responses, it is possible that a failure to receive reports on time may affect judicial officers' and prosecutors' perceptions of defense attorney readiness. Responses to open-ended questions on the surveys tended to indicate that prosecutors are the most disturbed by continuances, which are often granted at the request of defense counsel.

These survey data and the difficulty of appraising delays and continuance at the statewide level suggest that local courts should monitor trends in the frequency of, and stated reasons for, hearing delays and should monitor both how expeditiously hearings are completed and whether either efficiency or fairness is compromised by resource limitations. Judicial officers should also grant continuances only when good cause exists to do so.[32] As will be explained later in this chapter and elaborated upon in chapter 5, courts also need to consider how they communicate with court users about hearing

[32] Cal. Welf. & Inst. Code § 682.

continuances and delays, since court users often view continuances and poorly explained reasons for delays as a significant affront.

C. Quality of Legal Work

Because attorney advocacy is such an important component of fairness and justice, judicial officers were asked to assess it in their surveys. Attorneys reported on some circumstances that make providing high-quality attorney representation a challenge.

1. General Legal Work

Judicial officers rated their satisfaction with attorney performance on a large number of activities. Overall, judicial officers are satisfied with the performance of prosecutors and defense attorneys, and they do not consistently appraise one type of attorney more highly than another. At least 70 percent were satisfied with attorneys' pre- and postdispositional advocacy, appearance for scheduled hearings, knowledge of the facts of the case, and knowledge of the law. Among the activities that received lower satisfaction ratings, two are worth special mention: Judicial officers are relatively less satisfied with attorneys' knowledge about community resources and with the frequency with which defense attorneys visit with the youth.

Certain constraints make the work of attorneys difficult and could compromise the quality of their work. Although the assessment did not aim to enumerate all such constraints, it did ask attorneys some questions about challenges to the efficient processing of cases.[33] The findings suggest that the working conditions are important to attorneys, as their most frequent responses involved time, space, and caseload. When asked to list the top measures the court could take to improve their working lives, many defense attorneys cited the need to reduce large caseloads. Juvenile prosecutors are dissatisfied with the number of hearing continuances and the number of hours they wait in court every day for court hearings to commence. About one-third are dissatisfied with the timeliness with which cases are referred by probation and with the amount of time they have to prepare cases. In contrast, relatively few defense attorneys are dissatisfied with the number of hearing continuances; they do, however, share prosecutors' dissatisfaction with wait times in court. One-third of defense attorneys are dissatisfied with the timeliness with which they receive reviews and reports from probation. One-third are also dissatisfied with the adequacy of meeting rooms available for meeting with clients.

[33] The attorney surveys did ask respondents to list ways in which the juvenile court could help them do a better job. However, most respondents chose to focus their answers on what the courts could do to improve the juvenile justice system in general.

2. Postdispositional Defense Attorney Representation

The JDCA gathered data about issues involving postdispositional representation by defense attorneys, to determine how rule 5.663 is affecting postdispositional activities. Effective July 1, 2004, rule 5.663 clarified existing rules governing the responsibilities of delinquency defense attorneys, including during a case's postdispositional period.[34] These responsibilities include defending against allegations in all petitions filed in delinquency proceedings; representing youth at every stage of the proceedings; and advocating during hearings and after disposition that youth receive care, treatment, and guidance consistent with his or her best interest. Because the Family and Juvenile Law Advisory Committee was interested in whether this rule encourages increased postdispositional attorney representation, the assessment gathered data about these issues via the judicial officer survey, defense attorney survey, interviews with juvenile court presiding judges, and defense attorney focus groups. The aggregate data are somewhat inconsistent, suggesting that there are issues that affect only some jurisdictions or only some attorneys' offices.

Judicial officers expressed moderate satisfaction with the work of attorneys and probation officers during the postdispositional period. More than one-half are satisfied with the postdispositional review hearing process for nonplacement youth and with probation review reports. Fewer are satisfied with defense attorney visits and their requests to modify probation terms during the postdispositional period.

Defense attorneys were asked how frequently they engage in various postdispositional activities. A majority indicated that they always or often appear at review hearings and represent clients at violation of probation hearings. A majority also reported that they represent clients on new petitions.[35] Although nearly all attorneys reported that they provide clients with their contact information, only about one-half reported frequently maintaining client contact, and about one-fourth said that they frequently visit clients. Contract attorneys who work in juvenile delinquency half time or more reported similar levels of postdispositional activity, while those with more limited delinquency caseloads reported less frequent postdispositional activity.[36]

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[34] Cal. Rules of Court, rule 5.663, Responsibilities of Children's Counsel in Delinquency Proceedings. Also see "Effective Representation of Children in Juvenile Delinquency Court," a publication of the AOC and State Bar of California, at *http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/EffRepChildrenBro.pdf*.

[35] This practice seems to occur in an effort to ensure continuity of representation once an attorney has established a relationship with a client. But continued representation occurs only on a voluntary basis, as a minor's Sixth Amendment right to counsel is "offense specific" and applies only to the offense to which the right has attached, unless a new charge or offense is "inextricably intertwined" or "closely related" to the matter in which the right to counsel has attached. (*In re Robert E*. (2000) 77 Cal.App.4th 557, 561.)

[36] For the purpose of comparisons in this report, the term "contract attorney" is used to describe contract or panel conflict defenders only, and does not include attorneys who contract as the

The defense attorney survey also asked respondents to indicate, by choosing from a list, what obstacles prevented them from performing more extensive postdispositional representation. The most frequently reported obstacles were lack of time for follow-up, lack of funding for the postdispositional period, and lack of other resources. Attorneys added that they lose contact with clients when they change residences and telephone numbers.

Among the defense attorney survey respondents who have been practicing in the juvenile delinquency court since before the adoption of rule 5.663, approximately one-quarter indicated that they do more postdispositional work now than they did before the rule was adopted. Public defenders were twice as likely as contract attorneys to report that their postdispositional work has increased since the rule's passage (41 percent versus 19 percent). There is no baseline information regarding how many attorneys have needed to increase their postdispositional representation, so it is difficult to evaluate this finding.

Several illustrations from the assessment's interview and focus group data show that there has been a widely varied response to this rule. One public defender's office has hired social workers to follow up with youth, families, and service providers postdispositionally and stated that it is now doing enhanced postdispositional representation as well as filling in gaps in probation's responsibilities. One contract attorney from another office had not heard of rule 5.663 but, based on his description of his postdispositional representation, it seems to fully conform to the rule. Finally, a public defender said that her office is unsure of how to respond to the expectation of enhanced postdispositional representation, from both a substantive perspective and a financial one. Some attorneys are unclear about the circumstances under which they should follow-up with youth (wondering, for example, whether they should randomly check in with youth about their welfare, their legal needs, and whether the terms of probation are effective) and about which youth to attend to (for example, do they follow-up equally with youth who are home on probation, received deferred entry of judgment, and are at DJJ?). In courts where defense attorneys are having difficulty responding to rule 5.663, juvenile court presiding judges should consider outlining their expectations. Knowing the scope of the court's expectations would allow defense attorneys' offices to evaluate their capacity and resource needs.

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county's public defender's office. Alternate public defenders and contract public defenders were not included in defense attorney comparison analyses, due to the low numbers of attorneys in these categories.

D. Quality of Probation Reports

Judicial officers make court findings and orders after considering an array of information on a case, primarily from probation and attorneys, but also from youth, parents, victims, witnesses, service providers, and others. Judicial officers were asked about their satisfaction with the information contained in detention and jurisdiction/disposition reports from probation. They are generally satisfied with the quality of information they receive from probation, with some exceptions.

Judicial officers are generally more satisfied with the quality of information that is relatively easy for probation to obtain by the time of the hearing. For example, three-quarters of the respondents are satisfied with the information in the detention reports regarding prior delinquency record, and a slightly lower number are satisfied with information about alcohol and drug use and parents' feelings about a youth's detention. Judicial officers expressed less satisfaction with the quality of information in these reports regarding school life and adjustment and home life. By the time of the disposition, however, more are satisfied with the quality of information about school, home, drug use, and alcohol use. Dissatisfaction levels are very high regarding the quality of information at disposition about mental health assessments, individualized education programs (IEPs), and special needs.

Probation officers were asked about the challenges involved in writing reports or reviews in the time they are allotted. Among those who write reports or reviews, the most frequently cited work-related challenges to writing them in the time allotted were that they cannot interview parents, that report writing takes too much time away from their other responsibilities, and that they cannot obtain information from schools. Each of these reasons was cited by about one-half of respondents. One-third cited an inability to obtain information from mental health providers or an inability to interview youth as impediments to timely completion of reviews and reports. Probation officers and presiding judges of the juvenile court also commented in focus groups and interviews on the challenges associated with getting information about youth from schools and mental health agencies.

Top Challenges for Completing Probation Reports and Reviews in the Time Allotted

- ***Cannot interview parents***
- ***Too much time away from other responsibilities***
- ***Cannot obtain school information***
- ***Cannot obtain mental health information***
- ***Cannot interview youth***

After youth have received their disposition, the court monitors the progress of those who have been placed under probation supervision.[37] Although mandated areas of judicial

[37] Examples include informal probation, probation without wardship, deferred entry of judgment, and formal wardship.

oversight regarding these youth are fairly limited, the judicial officers were asked in the survey about the quality of information they receive in a broad range of areas, including general welfare, services received, and progress toward meeting the terms of their probation. It is probation's responsibility to provide information about these areas, but they, in turn, must rely on reports from detention facilities when youth have been sent to local institutions, and from service providers when youth are home on probation or in out-of-home placement. (When youth are sent to DJJ facilities, the facilities' staff are required to communicate with the court directly via annual reports.[38]) Data from the judicial officers' survey show that the quality of postdispositional information depends more on the source of information than on the type of information. Satisfaction is highest with information about youth who are in foster or group homes, followed by information about those who are home on probation, in camps and ranches, and finally, in state facilities. For youth who are home on probation, satisfaction is relatively high with information regarding their progress in performing community service, paying restitution and fines, and meeting other terms of their probation. Judicial officers are less satisfied with information about the youth's general welfare and the provision and effectiveness of services. Dissatisfaction is yet higher with the quality of information received postdispositionally regarding mental health, IEPs, and the special needs of youth who are home on probation.

E. Quality of Other Information

The quality of information that courts receive is of particular importance when the youth's family situation presents crossover needs. Equally important is considering whether the youth is at risk of entering the foster care system.

1. Reports and Recommendations Regarding Crossover Youth

Judicial officers were asked about their satisfaction with various processes involved in determining how best to respond to youth who have come to the attention of both the dependency and the delinquency courts.[39] Sixty-two percent are satisfied with the frequency with which probation and child welfare agree on a recommendation about how to treat these cases. (In most courts, this means agreeing on which court should take jurisdiction.) About two-thirds are satisfied with the appropriateness of the recommendations, given the offense and the offender's strengths and challenges. However, only about one-half are satisfied with information sharing between these agencies, and less than one-half are satisfied with the information presented to them when the two agencies' viewpoints diverge.

[38] Cal. Welf. & Inst. Code § 1720(e), (f).
[39] Cal. Welf. & Inst. Code § 241.1.

The survey of judicial officers asked respondents what considerations, apart from public safety and best interest, they used in deciding whether to move a youth from one part of juvenile court to the other. The two concerns cited most frequently by delinquency judicial officers were that services are not as extensive in juvenile delinquency as they are in juvenile dependency (55 percent reported this as a consideration) and that youth can lose their ability to return to a particular placement after a delinquency adjudication (cited by 42 percent). Although it was not an option offered in the survey item, several respondents wrote in that services for juvenile dependents are less extensive in their counties than are services for juvenile delinquents.

2. Judicial Oversight of Title IV-E Activities

Federal law protects the interests of youth who are both in the delinquency system and in foster care or at risk of being placed in foster care. Under title IV-E of the Social Security Act and the California statutes implementing the federal law, the state is required to provide the same types of services to these youth, as well as their parents, as it does for the children and their families in the dependency system. The underlying purpose of the court review system is to ensure the fulfillment of the original goals of the federal legislation, namely child safety, reunification when feasible, and permanency—a stable home for the child to grow and develop into a happy and productive adult. The court's findings and orders are viewed as "important safeguards(s) against inappropriate agency action" and are to be more than a "mere pro forma exercise in paper shuffling to obtain Federal funding."[40]

Probation reports should describe the activities being undertaken related to federal and state legal requirements for these youth and their families. The affirmative judicial findings and orders required to support title IV-E eligibility cannot be made if the evidence presented to the court is insufficient. The judge needs time to read and evaluate the probation officer's report prepared for each hearing and needs time during the hearing to discuss the contents of the report with the parties. Each report prepared by the probation officer must contain factual information to support the recommended findings and orders so that the court can carry out its responsibility.

Respondents to the judicial officers' survey indicated how often they believe probation is undertaking a number of title IV-E activities. Many judicial officers (averaging one-fourth across the questions) reported that they do not know whether probation officers are involving youth in case planning, trying to locate relatives, helping youth make adult connections, securing Independent Living Program (ILP) services, or notifying tribes when a youth's Indian status is in question. Among those who were aware of probation's efforts regarding these mandated activities, a minority think that many of these activities

[40] Sen. Report 336, 96th Cong., 2d Sess. (1980).

are nearly always happening for foster youth and those at risk of entering foster care. Judicial officers are largely making the findings and orders required in these cases, but they may need more time to consider probation reports and make inquiries about their content.

F. Probation Officers' and Attorneys' Perspectives on the Courtroom Environment

Although probation officers reported in surveys that they generally have good relationships with the courts, the public defender's office, and the district attorney's office, they are dissatisfied with how they are treated by the court and by attorneys. A large majority of probation officers are dissatisfied with the weight the court gives to probation's recommendations and with how they are treated in court. Similarly, about 70 percent of probation officers feel dissatisfied with how they are treated by prosecutors when in court, although nearly as many reported having a good relationship with the district attorney's office. Although probation officers' satisfaction with prosecutors is higher than it is with defense attorneys, the pattern there is similar: the majority report having good working relationships with defense counsel yet are dissatisfied with how these attorneys treat them in court.

The disjuncture between reporting good relationships in general and poor experiences when in court may be explained by the fact that in most jurisdictions probation officers (with the exception of court officers) appear in court only when there is a dispute. In contrast, judicial officers, prosecutors, and defense counsel work in the courtroom every day. It is reasonable to surmise, therefore, that probation officers are dissatisfied with how they are treated when issues are being contested.

In addition, probation officers depend on judicial officers and attorneys in important ways, which can lead to dissatisfaction when their actions create challenges for probation's work. Foremost among these is probation officers' reliance on the threat of judicial responses to a youth's actions as one way to encourage good behavior. When judicial officers do not follow through on previous decisions or threats, probation officers feel acutely that they lose leverage, as well as credibility, with the youth. One probation officer explained the youth's thinking process in this way: "When we're out there supervising and we say, 'Remember the judge said if you don't go to school this is what's going to happen' and then [nothing happens], they're like, 'See, my PO don't know what she's talking about.'"

> ***"When we're out there supervising and we say, 'Remember the judge said if you don't go to school this is what's going to happen' and then [nothing happens], they're like, 'See, my PO don't know what she's talking about.'"***
> ***–Probation officer***

According to the survey results, both prosecutors and defense attorneys feel that they have a good relationship with the court, with probation, and with each other. In general, they do not experience tension in their relationship in general or in their relationship in the courtroom. Of course, these statistical averages mask variations at the county level and even the courtroom level. Focus group discussions underscored that courtroom environments do vary in terms of camaraderie, respect, contentiousness, and juvenile justice philosophy.

G. Case-Level Communication With Youth, Parents, and Victims

The need to improve communication between professionals (judicial officers, court staff, probation, and attorneys) and nonprofessionals (youth, parents, victims, and community members) is an important finding in this report, as it relates to court accountability and accessibility, attitudes toward the juvenile justice system, and youth's perceptions of their probation. Some of the findings are consistent with the AOC's recent Public Trust and Confidence study, which shows a lower level of trust and confidence in high-volume courts.[41] These issues are explored in depth in chapter 5. This section briefly introduces some findings from the focus groups with youth, parents, and victims regarding court hearings.

> ***"The numbers confuse me; it's like they have their own language or something."***
> ***–Youth***

- Most youth who spoke about the courtroom experience said that they rarely understood what was being said. As one youth put it, "The numbers confuse me; it's like they have their own language or something."

- Youth reported not being adequately prepared before the court hearing and feeling discouraged from participating in court, both by the courtroom environment and sometimes explicitly by their attorney.

- Parents reported that they did not understand much of what was happening in court, and they were too intimidated to ask questions or offer insight to the judicial officer.

- Victims in focus groups reported feeling excluded from the court process as well. They reported that court staff sometimes incorrectly interpreted the laws protecting a youth's privacy and withheld information to which the victims are legally entitled.[42] Other times, they received written notice of a hearing but no communication when the hearing date had been changed.

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[41] Admin. Office of the Courts, *Trust and Confidence in the California Courts, Phase I and II* (2006); available at *http://www.courtinfo.ca.gov/reference/4_37pubtrust.htm*.
[42] See Cal. Penal Code § 679.02 and Cal. Welf. & Inst. Code §§ 656.2 and 676.5.

Several structural, environmental, and social factors can inhibit effective communication with youth, parents, and victims. Large attorney caseloads and inadequate court facilities can compromise the effectiveness of client-attorney conferences in the courthouse. The use of technical language in court by attorneys and judicial officers, which may be expeditious in a rushed courtroom, is often not comprehensible to court users. Defense attorneys must carry out their professional obligation to represent the best interest of the youth regardless of the wishes of the parents, but in the process may sometimes appear not to value the participation of parents. Packed hearing calendars can be incompatible with helping youth, parents, and victims overcome their intimidation and make reasonable inquiries in court that not only would ensure that the best findings and orders are made but also would help augment the understanding of the various parties in court. To protect the legitimacy of the court in the eyes of youth, victims, and the community, it is important that courts consider examining processes that may create problems for court users.

H. Case-Level Collaboration

At the case level, collaboration in a delinquency matter can take several forms: the prosecutor and defense attorney negotiating a plea deal, agreed to by the court, that permits a youth to participate in drug court following his admission to an amended petition; a youth, with the agreement of the probation officer and community prosecutor, performing yard work to repay the victim of an auto burglary for the cost of repairing his car window; a prosecutor agreeing to withdraw a motion for fitness after the defense attorney locates an appropriate juvenile rehabilitation facility in which to place his client. Although these are diverse examples of collaboration, each illustrates the need for people or agencies with sometimes disparate interests to work together for the purpose of appropriately meeting the needs of the offender, victim, and community. At what point in the life of a delinquency case this collaboration should occur is the subject of some debate.

When considering the appropriateness of broadly applying collaborative principles or when contemplating referring a case to a collaborative court,[43] both prosecutors and defense attorneys often express a need to retain the adversarial process, particularly at the jurisdictional phase. Defense counsel have a responsibility to zealously defend their clients and protect their due process rights, and that duty will sometimes preclude them from collaborating fully or allowing a client to speak to the judge in open court or to probation prior to jurisdiction being established. However, once jurisdiction over a youth has been established, collaboration among the court, probation, and the attorneys in determining the most appropriate disposition can be beneficial for all parties.

[43] Collaborative courts are discussed in Chapter 3.

I. Other Issues

The juvenile justice system is also confronted by a myriad of specific considerations. This section discusses several of them: the need for interpreters, issues related to Indian children, restitution collection, and appropriate record sealing.

1. Interpreters

Youth in delinquency court have the constitutional right to an interpreter.[44] Forty-five out of 47 respondents (96 percent) to the survey of court administrators reported that their court provides youth with an interpreter always or nearly always. Although not required by law to do so, 42 courts (89 percent) reported providing an interpreter to parents always or nearly always. In addition, approximately three-quarters of courts reported providing interpreters to witnesses, and two-thirds reported providing interpreters to victims always or nearly always. According to the court administrator survey, the most common language needing interpreter service in juvenile delinquency court is Spanish, and nearly three-quarters of courts are able to provide an interpreter the same day the service is requested. Only one court indicated that it could take more than a week to find a Spanish interpreter. According to survey respondents, the need for a Spanish interpreter rarely causes hearings to be postponed. Following Spanish, the top five languages needing interpreters are Hmong, Vietnamese, American Sign Language, Mixteco, and Tagalog. Approximately a third of courts indicated that it takes one to three days to find an interpreter for these languages, and about 20 percent reported being able to find an interpreter the same day for these languages.

Top Six Languages Needing Court Interpreters in Juvenile Delinquency Court

- ***Spanish***
- ***Hmong***
- ***Vietnamese***
- ***American Sign Language***
- ***Mixteco***
- ***Tagalog***

2. Indian Child Welfare Act

Historically, courts in California have tended not to apply the provisions of the Indian Child Welfare Act (ICWA) in delinquency matters.[45] During the course of the assessment, on January 1, 2007, Senate Bill 678 (Stats. 2006, ch. 838) became effective, followed by new Judicial Council rules and forms implementing SB 678 on January 1, 2008. SB 678 made changes to a number of provisions of the California Welfare and Institutions Code governing delinquency proceedings and clarified the responsibility of probation departments and the courts in delinquency matters involving Indian children. This legislation was passed too recently to be studied in the assessment. The forthcoming

[44] A person unable to understand English who is charged with a crime has a right to an interpreter throughout the proceedings. Cal. Const., art. I, § 14.
[45] Indian Child Welfare Act, 25 U.S.C., ch. 21, title 25.

findings and recommendations from the Blue Ribbon Commission on Children in Foster Care concerning the application of ICWA in dependency matters may be useful to juvenile delinquency courts as they consider the bill's content. In addition, the AOC's Indian Child Welfare Initiative, part of the Judicial Review and Technical Assistance program, has developed training programs, resources, and tools to improve compliance with the ICWA and cooperation between tribes and other agencies.

3. Restitution

Courts should consider examining their restitution processes in light of consistent findings in the assessment that there are problems with the collection of restitution.[46] In the surveys of judicial officers and probation officers, relatively few reported that they are satisfied with restitution collection in their jurisdictions. Judicial officers reported low levels of satisfaction with youth's payment of restitution in each of the supervision settings (informal probation, home, camps, placement, and DJJ), with a satisfaction rate that never exceeded 46 percent. Probation's dissatisfaction is interesting since they are responsible for many aspects of setting and collecting restitution. One-third of the probation officers surveyed are dissatisfied with restitution collection. Further, of the probation officers who reported working with victims, almost one-third indicated that they do not explain the process of restitution collection to victims. In focus groups, probation officers acknowledged that victims are not treated well by the juvenile justice system and, as one officer put it, "A lot of times the victims are put in the backseat to the kid." As will be discussed at greater length later in this report, victims who participated in focus groups were virtually unanimous in their belief that the system is doing a poor job of fulfilling its obligations to them to collect restitution.

> ***"A lot of times the victims are put in the backseat to the kid."***
> ***—Probation officer***

Courts may have any number of problems with setting and collecting restitution. Sometimes judicial officers proceed to the disposition hearing without knowing the exact amount of restitution being requested by the victim and order restitution to be set in an amount to be determined by the probation department. This is sometimes necessary because of delays in probation's communicating with victims or probation's inability to collect the information necessary to recommend a restitution amount in court. But courts then need to monitor whether probation formally requests that the court order and set restitution. Once restitution is set, collecting it can be challenging. Probation officers seem to feel discouraged by their limited success in collecting much restitution. Victims, in turn, reported feeling that unless they are exceptionally persistent, their interest in receiving restitution is neglected, or even discouraged, by probation officers who pass the responsibility on to their colleagues or the collections division. When cases are dismissed

[46] Cal. Welf. & Inst. Code § 730.7 provides authority for the court to order a minor to pay restitution to a victim; his or her parents are rebuttably presumed to be jointly and severally liable.

without full payment of restitution, it falls to the victims to become acquainted with methods of collecting restitution through civil court, a task that they think is an unjustifiably burdensome.

Judicial officers have the discretion to dismiss a juvenile delinquency court case before the court has collected restitution (because civil court enforcement is available). It is not known how common such dismissals are. During focus groups with probation officers, attorneys, and victims, and in interviews with some study county judicial officers, some expressed the opinion that the system should do more to ensure that victims are fully compensated.

In addition to the negative consequences victims suffer when restitution is not collected, youth (and their jointly and severally liable parents) who do not fulfill their obligation to pay restitution may also be negatively affected. Because restitution orders can be enforced as civil judgments,[47] failing to enforce orders for the collection of restitution can result in youth being dismissed from probation but suffering the collateral consequences of outstanding civil judgments and wage garnishments long after their probation has been dismissed.

4. Record Sealing

Legislative changes in the last five years have limited the circumstances under which juveniles may have their records sealed. For those who are eligible, it is a very important step to take to ensure that past criminality remains confidential. The procedures for sealing a record vary by county. In survey data in which defense attorneys and probation officers selected which types of information are conveyed well to the youth, few respondents chose record-sealing information. Even if courts and justice partners explain record sealing at the time of disposition, youth may not recall this information at the time of case dismissal, which is the first opportunity they have to petition to seal a record.

Even if courts and justice partners explain record sealing at the time of disposition, youth may not recall this information at the time of case dismissal, which is the first opportunity that they have to petition to seal a record.

J. Conclusion

As described in chapter 1 and elsewhere in this report, the court has many important roles in the juvenile justice system, but its central role is to conduct court hearings. These hearings should be managed properly and the court given the resources and support that are required for hearings to be informative, productive, and meaningful.

[47] Cal. Welf. & Inst. Code § 730.7 and Cal. Penal Code § 1214. .

The data in this chapter suggest that attorneys and probation officers are fulfilling their obligations to the court and to their clients in court, and that court hearings benefit from their advocacy and reporting. Judicial officers are relatively less satisfied with the quality and availability of some types of information and attorney work, however. Local court administrators and.judicial officers may wish to review in some detail areas where they believe there are gaps in information or in advocacy and then work with their justice partners to improve these shortcomings. Judicial officers may also wish to review whether they have the time to make the proper judicial inquiries that help ensure that cases are processed fairly and that the court is monitoring the various factors it needs to consider, such as the provision and effectiveness of court-ordered services and sanctions.

Courts may also want to consider examining their hearing management, caseload, and workload for managerial and resource issues that negatively affect the fair and expeditious processing of cases on the one hand, and the treatment of court users, probation, and attorneys on the other. Findings in this chapter suggest that wait time for hearings and hearing delays and, to a lesser extent, hearing continuances, are problematic for attorneys, probation officers, and court users. Youth and parents reported feeling rushed and excluded in court hearings and often received the impression that nobody had the time to explain court events to them. Victims should be welcome participants in the court system. The data suggest, however, that victims do not always receive notification of court hearings or hearing delays, and that they are not always given the opportunity to exercise their right to address the court, seek restitution, and receive updates about restitution collection.

K. Recommendations

1. Courts should protect the rights and interests of youth, parents, victims, and the community.

2. Judicial officers should ensure the welfare of youth by inquiring about their health, safety, and education; the effectiveness of court-ordered services, restitution, and community service; and other matters regarding their general welfare and the terms of their probation.

3. Judicial officers should ensure that hearings are completed within statutory deadlines, granting continuances only for good cause while recognizing that continuances may be necessary to protect the right to due process and the opportunity to fully defend against the allegations in a petition.

4. Judicial officers, court staff, attorneys, and probation officers should monitor their practices and procedures to ensure that they meet statutory requirements regarding confidentiality and open public hearings.

5. Courts should support victims by ordering restitution in a specific amount, making restitution payment a priority, and encouraging other methods of victim restoration as appropriate.

6. Probation officers, defense counsel, and judicial officers should ensure that youth understand their rights regarding record sealing and should provide them with the information necessary to exercise those rights.

7. The AOC, in conjunction with local courts, should ensure that delinquency court facilities appropriately protect confidentiality and include private meeting spaces for court users and juvenile justice partners.

8. Judicial officers should consider calendar structures and hearing schedules that enable parents and extended family, victims, and witnesses to provide input.

9. Judicial officers should set the day's calendar by prioritizing hearings at which victims or witnesses are present and cases that are short cause matters.

10. When delays are unavoidable, the judicial officer and the attorneys should explain the reasons for them to the parties involved, so as to maintain transparency and confidence in the process.

11. Judicial officers should encourage the use of simple yet legally accurate language so that all parties present for hearings can understand the proceedings.

12. Judicial officers, attorneys, and probation officers should take the time necessary to help youth, parents, and victims understand the court process, the outcomes of court hearings, and the orders of the court.

13. The AOC, in conjunction with the courts, should develop educational materials such as videos and brochures that orient youth and parents to the delinquency court.

CHAPTER 3

System Responses

A. Introduction

In each of the last few years, more than 200,000 law enforcement arrests of youth under 18 have been made in California.[48] A large percentage of these youth never make it into the delinquency court system because their cases are diverted, either by law enforcement or through informal handling. Those who do come into the system are offered a continuum of services and sanctions based upon a variety of considerations, such as the availability and perceived effectiveness of the service and sanction options and the individual needs of and risks posed by each offender. Approximately 80 percent of the law enforcement referrals are sent to the juvenile probation department each year. Probation diverts many of the youth referred out of the formal system, but some youth ultimately come under the jurisdiction of the juvenile delinquency court. Of the law enforcement arrests that were referred to probation in 2005, only 51 percent received a juvenile court disposition.[49] This chapter discusses the various service and sanction options that are available to those youth in California who are formally referred to probation and the court system and the perceptions of juvenile justice system participants regarding those options.

B. Service and Sanction Options

Effective juvenile justice systems have developed an array of services and sanctions available to youth who have come to the attention of law enforcement.[50] Youthful offender populations present a broad range of risks and needs that must be accompanied by an appropriate range of services, sanctions, and incentives. In matching youth with services, the best choice will depend on the youth's individual mental, educational, and familial strengths and challenges. Sanctions refer to a range of

Example of a Graduated Sanction Continuum

- ***Diversion***
- ***Home on probation***
- ***Electronic monitoring***
- ***Juvenile hall***
- ***Ranch or camp***
- ***Division of Juvenile Justice commitment***

[48] Cal. Dept. of Justice, Criminal Justice Statistics Center, *Juvenile Justice in California* (2003, 2004, 2005). The actual numbers depend on whether one considers all arrests and referrals as reported by law enforcement agencies or the number of referrals probation has reported receiving from law enforcement and other public agencies. For our purposes, we will include only those referrals reported as received by probation departments.
[49] Cal. Dept. of Justice, Criminal Justice Statistics Center, *Juvenile Justice in California* (2005).
[50] Office of Juvenile Justice and Delinquency Prevention, *Comprehensive Responses to Youth at Risk: Interim Findings from the SafeFutures Initiative* (2000).

graduated restrictions or consequences targeted at specific offender profiles or behaviors and used for accountability and behavior modification purposes. They range from less to more severe and can move up or down the continuum depending on the performance and needs of the offender. Incentives are designed to motivate youth to improve their behavior by rewarding them for positive adjustment and reducing the restrictions placed upon them by probation and the court. The primary advantage of a range of sanctions, services, and incentives is that they give probation departments the tools and ability to respond appropriately to a diversity of offenses and offenders.

The JDCA survey respondents, interviewees, and focus group participants assessed the quality, availability, and effectiveness of the service and sanction options available in their jurisdictions. Because juvenile justice systems are administered locally, each jurisdiction offers different services and sanctions based upon the available, local continuum of programs. The range of possible sanctions identified in the survey attempted to cover the spectrum of the most common types available, including informally closing out a referral (counsel and dismiss); low-level responses such as informal supervision and diversion; intermediate options such as wardship, electronic monitoring, and intensive supervision; and high-level, restrictive sanctions such as camps, ranches, placement, and commitment to DJJ facilities. The possible services listed in the survey included such options as substance abuse and mental health counseling, parent education, and after-school programs.

1. Availability of Services and Sanctions

In general, probation officers and judicial officers are slightly more satisfied with the available sanctions than with the available services in their jurisdictions. Defense attorneys are less satisfied than either probation officers or prosecutors with the range of available service options. When all attorney types responded to an open-ended question asking them to list the delinquency court's greatest needs, the desire for more quality sanctions and service options for youth was one of the most frequent responses. Judicial officers reported the greatest system needs to be, in order of frequency listed, improvement in probation-supervised services, more probation officers, and improvement in custody options.

Every group of respondents is, on average, more satisfied with the range of services and sanctions available to low-risk youth than with those available to high-risk youth (see tables 1 and 2). Prosecutors are slightly more satisfied than all other groups with the available services and sanctions for low-risk youth. Among all groups surveyed, dissatisfaction with the range of services and sanctions rises as the youth's level of risk increases. Nearly one-half of the judicial officers reported being dissatisfied with the available services for high-risk youth. Intuitively, it makes sense that the more complex a

youth's needs or the greater the risk he or she poses to the community, the more difficult (and arguably the more critical) it becomes to adequately address those needs and risks. A majority in each of the respondent groups surveyed agreed that there is not a sufficient range of options to appropriately manage these more challenging high-risk cases.

Table 2. Satisfaction with the Range of Sanction Options Available for Low-Risk and High-Risk Youth

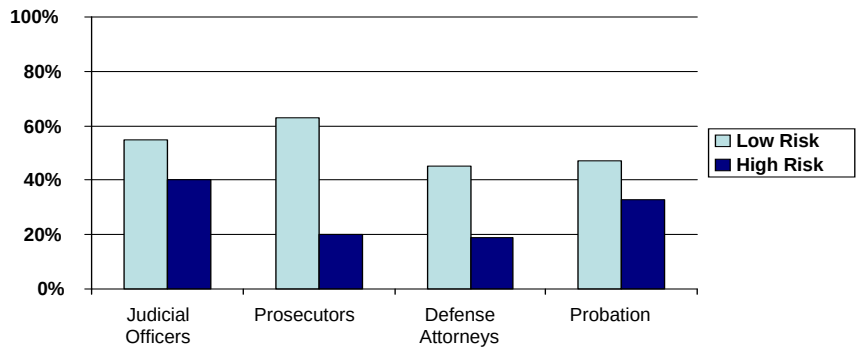
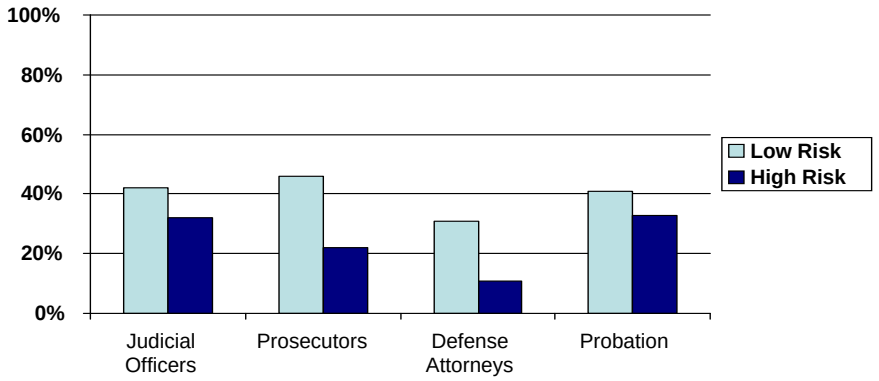


Table 3. Satisfaction with the Range Of Service Options Available for Low-Risk and High-Risk Youth



One type of service that juvenile justice professionals agree is critical, yet is provided inconsistently, is aftercare or reentry. When a youth is committed to a detention facility or residential placement, the dispositional case plan should include, and probation should immediately begin implementing, a reentry plan. Case planning that prepares a youth to return home and provides early coordination between the youth, his or her family, the treatment facility, and probation is critical to the youth's successful return to his or her

community, Youth returning home from a custodial or out-of-home placement need services during the initial period of adjustment. Making the transition home is difficult; even if the youth has made great progress on the issues that contributed to the offending behavior and resulting placement, he or she is often returning to the same family and community environment, with the same challenges and issues that existed prior to removal. Further, returning youth suddenly have more freedom and opportunity to make for themselves some of the decisions that have largely been made for them while in the custodial setting. If advance planning has not occurred, youth have time on their hands while they wait to enroll in or begin attending school and while they are waiting to begin any counseling or outpatient treatment programs they may have been referred to by their probation officer.

According to the surveys, some of the more common services to which probation officers refer these youth reentering their communities, listed in order by frequency of referral, are substance abuse counseling, anger management, family counseling, and mental health treatment. Almost all placement probation officers reported providing independent living skills referrals in addition to the aforementioned services. Providing services to assist in the transition from foster care to independent living is critically important for placement youth who return to the community but will not be reuniting with their parents. Section 727.2(e)(6) of the California Welfare and Institutions Code mandates that the court must determine what services are needed for each youth making this transition.[51]

Some counties provide intensive family-focused, community-based treatment programs that may help meet the needs of youth who are at risk of out-of-home placement due to delinquent behavior or those who are transitioning home from custodial or other out-of-home placements. Although not specifically evaluated in this study, some counties provide intensive family-focused treatment programs, including Functional Family Therapy (FFT), Multisystemic Therapy (MST), and Multidimensional Treatment Foster Care (MTFC).[52] Some of the primary goals of these family-focused treatment programs are to provide parents with the skills and resources to manage their children's behavior, to help remove youth from delinquent peer groups, and to provide youth with the skills they need to avoid future delinquent behaviors. According to several national best practice lists, these model programs have considerable empirical evidence documenting their effectiveness at improving youth functioning and reducing recidivism rates in

[51] In the case of a minor in foster care "who has reached 16 years of age, the court shall . . . determine the services needed to assist the minor to make the transition from foster care to independent living" (Cal. Welf. & Inst. Code § 727.2(e)(6)).

[52] These interventions use cognitive and behavioral therapy in a family-based treatment model (or foster home) to improve parent discipline practices, enhance family relations, reduce negative peer associations, increase prosocial peer relationships and activities, improve school performance, and develop a support network of extended family, neighbors, and friends to help the youth and parents maintain changes.

serious, chronic juvenile offenders, including specific delinquent populations such as juvenile sex offenders and substance-abusing youth.[53] Other family-based treatment models, such as wraparound services (providing the family with services and assistance for various challenges and issues from multiple agencies at the same time), are used by counties to avoid placing youth out of the home as well as to assist youth who are making the transition home to their families.

The shortage of programs reported by some study participants becomes especially problematic when youth waiting to be placed in an appropriate residential facility are held in juvenile hall for long periods of time. During focus groups, youth discussed this issue; one youth mentioned kids being in juvenile hall for seven to eight months waiting for a placement agency to come in and screen them. Often, this unfortunate situation is due to the lack of appropriate placements, such as those that offer a very particular type of service (such as for youth with severe mental health needs) or those that will accept youth with certain offenses that many placements reject (such as youth adjudicated on arson charges).[54] Other times, there may simply be a backlog of youth awaiting placement and an overall shortage of placements. In any case in which a youth is detained pending placement for more than 15 days, the court is required to review the case and determine whether the delay is reasonable.[55] These reviews should continue every 15 days until the youth is placed. A judge in one study county is considering creating a special placement calendar so the court can monitor progress in finding appropriate out-of-home placements.

One youth talked about kids being in juvenile hall for seven to eight months waiting for a placement agency to come in and screen them.

The importance of expanding the available services and sanctions was discussed during interviews with presiding judges and juvenile probation administrators in the study counties. Many judicial officers expressed a desire to know more about the available programs in their jurisdiction—both those that probation is using and those that are available but that probation is not using. Probation officers expressed frustration over a lack of consistent funding to ensure that a wide array of effective programs is dependably

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[53] Center for the Study and Prevention of Violence, "Blueprints for Violence Prevention," *http://www.colorado.edu/cspv/blueprints/model/overview.html* (accessed Apr. 9, 2008); Substance Abuse and Mental Health Services Administration (SAMHSA), "SAMHSA Model Programs," *http://modelprograms.samhsa.gov/model.htm* (accessed Apr. 9, 2008); U.S. Dept. of Health and Human Services, "Youth Violence: A Report of the Surgeon General," Appendix 5-B, *http://www.surgeongeneral.gov/library/youthviolence/chapter5/appendix5b.html#ModelProgramsLevel1* (accessed Apr. 9, 2008).

[54] Sacramento Probation's Project IMPACT (Integrated Model for Placement Assessment, Case Management and Treatment) is a collaborative program, located in Sacramento's juvenile hall and run by probation and a group home provider, that thoroughly assesses the treatment needs of youth in juvenile hall waiting for out-of-home placement. The hope is that adequate assessment of a youth's needs prior to placement will result in more appropriate placements and fewer runaways.

[55] Cal. Welf. & Inst. Code § 737(b).

available. In one study county, focus groups participants reported disappointment at losing a collaborative court after the funding was cut.

Study county administrators from the court and probation, staff from prosecutors' and defense attorneys' offices, and presiding judges of the juvenile court were asked about the availability of restorative programs and the prevalence of restorative justice practices in each of their jurisdictions. Many delinquency court professionals spoke positively about the concept of restorative justice, which is described as a balanced response from the justice system that gives equal consideration to the victim, community, and offender with a focus on making the victim whole, acknowledging the effect of crime on the community, and building offender competency while providing accountability. Most study participants, however, indicated that in practice much of what happens in their counties juvenile justice systems does not necessarily reflect the application of these concepts and that services related to restorative justice are available on an ad hoc basis at best. Generally, respondents indicated that if restorative justice principles are used, it is usually in the context of low-level offenses such as graffiti, other types of vandalism, and theft. It appears that restorative justice is viewed as a diversion program, used in lieu of petitioning, rather than as a philosophy that gives equal weight to the concerns and needs of the offender, victim, and community and that can be applied in every type of case, regardless of the offense.[56]

Some of the findings and recommendations contained in this report include the use of restorative practices and are simple approaches to be considered in any type of case. They include improving the development of empathy in offenders, increasing victim participation in court when desired, and including the community in court processes when appropriate.

2. Perceived Effectiveness of Services and Sanctions

In addition to having sufficient services and sanctions available, it is also critical that the programs available in a jurisdiction be effective. Although the survey respondents have mixed opinions regarding the effectiveness of the sanctions available, they are generally dissatisfied with the effectiveness of the available services, particularly mental health services.

Probation officers indicated general satisfaction with the effectiveness of the sanction options in their counties, with the exception of DJJ.[57] They reported more satisfaction

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[56] Examples of restorative practices being used in some California delinquency courts with a variety of case types are victim-offender mediation, neighborhood accountability boards, sentencing circles, restorative-focused deferred entry of judgment, and offense-driven community service.

[57] Not surprisingly, given DJJ's reported difficulties and ongoing reform efforts, only one-third of the probation respondents reported being satisfied with the effectiveness of DJJ. It should also be noted that nearly one-quarter of probation officers reported that they are neither satisfied nor

with the low-level responses such as community service and home on probation. Prosecutors, although less satisfied overall with the effectiveness of sanctions than probation officers, are more satisfied with the effectiveness of the sanctions available for high-risk youth, such as ranches, camps, placement, and even DJJ. They tend to be less satisfied with the low-end sanctions such as counsel and dismiss and home on probation. Judicial officers also expressed moderate satisfaction with the more restrictive sanction options such as ranches and camps. In complete contrast to the other groups, defense attorneys expressed very low levels of satisfaction with the effectiveness of the more restrictive sanction options. But like probation officers, defense attorneys are more satisfied with lower-level interventions.

Probation officers expressed dissatisfaction with the effectiveness of most service options, including anger management programs, parent education, substance abuse counseling, and particularly mental health services. One probation officer pointed out that "often it's very difficult to find really good counseling for the kids." An exception to this was that probation officers and prosecutors are generally satisfied with drug testing, which they seem to perceive as an effective method of preventing illegal substance use. It may not be surprising, then, that probation officers are more satisfied with it than with other programs or services. Drug testing is often done directly by probation; the officers can be confident that it is, in fact, being done; test results make it clear whether the goal of drug abstinence is being met; and it is something over which officers maintain some level of control. In contrast, most of the other aforementioned service options are provided by outside agencies, where probation does not control the quality of service and measures of success and failure are harder to evaluate.

> ***"Often it's very difficult to find really good counseling for the kids."***
> ***—Probation officer***

Prosecutors and defense counsel are also generally dissatisfied with the effectiveness of service options, and both are particularly dissatisfied with mental health services. One prosecutor noted, "We have not a lot of dual diagnosis options because there's a lot of mental health issues in a lot of the juvenile delinquency cases that are long-standing and undiagnosed and untreated." Both attorney types are also dissatisfied with parent education services and after-school programs.

> ***"We have not a lot of dual diagnosis options because there's a lot of mental health issues in a lot of the juvenile delinquency cases that are long-standing and undiagnosed and untreated."***
> ***–Prosecutor***

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dissatisfied and another quarter responded that they did not know. This lack of opinion may be due in part to the low numbers of youth sent to DJJ facilities in general, as few probation officers have personal knowledge of DJJ and, after a youth is sent to DJJ, probation does not usually maintain contact with the ward.

C. Supervision Programs

Judicial officers were surveyed in detail about their satisfaction levels with the performance of youth assigned to various levels of supervision, ranging from informal supervision to commitment to DJJ. Their perception of youth performance was measured along a variety of dimensions, some of which included educational progress, improvement with substance use, payment of restitution, and recidivism.

Judicial officers reported being more satisfied with the performance of youth on the lower end of the supervision continuum—court-ordered informal supervision and deferred entry of judgment—and, somewhat interestingly, also with the performance of those youth who are committed to local ranches, camps, and residential placement. They are least satisfied with the performance of youth at the highest end of the sanction continuum—youth sent to DJJ. Judicial officers reported being more satisfied with the performance of youth who are intensively supervised than with the performance of youth home under regular probation supervision along almost every dimension, including recidivism, educational progress, and abstention from drug use.

It is worth noting that the judicial officers frequently reported not receiving information about the performance of youth committed to DJJ. With regard to youth at DJJ, the percentage of "do not receive information" answers ranged from 31 to 47 percent for each of the six performance dimensions, whereas under any of the lower supervision options the "do not receive information" answer never exceeded 11 percent. This is particularly unfortunate given that DJJ is required to provide the court and probation annual review reports, which are to include information verifying a ward's treatment or program goals, overall adjustment and responsiveness to treatment, disciplinary history, and overall estimated time of completion of his or her treatment plan.[58] Some members of the working group pointed out that "do not receive information" does not necessarily equate to "did not send information" and that DJJ reports that reach the local court may not be routed properly.

D. Collaborative Courts

As discussed in chapter 2, informal case-level collaboration is common within the juvenile delinquency system, with court professionals working with one another and with court users and justice partners to create effective solutions and to solve practical problems in a case. Another, more formal way collaboration occurs in the delinquency court process has been in the development of collaborative justice court models that have a number of specific elements, including the integration of treatment and social services into the court process, judicial supervision of the treatment process, a collaborative approach to

[58] Cal. Welf. & Inst. Code § 1720(e) and (f).

decision making, interaction between youth and the judicial officer, and community outreach.[59]

Participation in a juvenile collaborative court often occurs after a petition has been adjudicated. Following disposition, the youth will return to court frequently for progress reviews, and if he or she successfully completes the requirements of probation, the petition will be dismissed upon the youth's graduation from the program. This could mean the juvenile will have no record of the offense, providing an incentive to complete the program successfully.

During the past few years, several studies have evaluated the effectiveness of juvenile collaborative court models. Of the nationwide studies that have been done on juvenile collaborative courts thus far, most have been evaluations of juvenile drug courts. These have found generally positive outcomes, including lower rearrest and recidivism rates among drug court participants[60] and cost savings for drug courts.[61] In 2007 the Office of Juvenile Justice and Delinquency Prevention (OJJDP) awarded a research grant to evaluate several juvenile drug courts around the country. A comprehensive national report should go a long way in further assessing the efficacy of juvenile drug courts.

In California, there are approximately 154 collaborative courts within the juvenile court system. The two most common types are drug court and peer court. More than 37 counties have juvenile delinquency drug courts, and more than

In California, there are approximately 154 collaborative courts within the juvenile court system.

[59] The Collaborative Justice Courts Advisory Committee to the Judicial Council has set forth the following 11 key components of collaborative justice courts: (1) collaborative justice courts integrate services with justice system processing; (2) collaborative justice courts emphasize achieving the desired goals without using the traditional adversarial process; (3) eligible participants are identified early and promptly placed in the collaborative justice court program; (4) collaborative justice courts provide access to a continuum of services, including treatment and rehabilitation services; (5) compliance is monitored frequently; (6) a coordinated strategy governs the court's responses to participants' compliance, using a system of sanctions and incentives to foster compliance; (7) ongoing judicial interaction with each collaborative justice court participant is essential; (8) monitoring and evaluation measure the achievement of program goals and gauge effectiveness; (9) effective collaborative justice court operations require continuing interdisciplinary education; (10) forging partnerships among collaborative justice courts, public agencies, and community-based organizations increases the availability of services, enhances the programs' effectiveness, and generates local support; and (11) effective collaborative justice courts emphasize a team and individual commitment to cultural competency. Awareness of and responsiveness to diversity and cultural issues help ensure an attitude of respect within the collaborative justice court setting. *California Collaborative Justice Courts: Building a Problem Solving Judiciary*, Judicial Council of California, Administrative Office of the Courts (2005).

[60] NPC Research, *Clackamas County Juvenile Drug Court Outcome Evaluation Final Report* (2004); M. L. Miller, E. A. Scocas, and J. P. O'Connell, *Delaware Juvenile Drug Court Program* (1998); Saunders, et. al., *Orange County Florida Juvenile Drug Court* (2001).

[61] NPC Research, *Harford County Juvenile Drug Court* (2006).

35 counties have a peer, teen, or youth court.[62] Other types of collaborative courts are still developing, and so very little information is available regarding these court models. They include juvenile mental health court, juvenile family violence/dating violence court, girls' court, and truancy court.

In interviews and focus groups that were conducted as part of this study, it was clear that judicial officers, court managers, and justice partners view collaborative courts positively.[63] Presiding judges of the juvenile court and court managers suggested that many courts would like to expand their collaborative court options by enhancing their existing collaborative courts or establishing new ones in areas such as mental health. Justice partners who discussed collaborative courts shared some common concerns about starting new programs. The first of these concerns is the need for stable and adequate funding. This issue is certainly not limited to collaborative court programs; lack of adequate funding is considered to be a problem for juvenile programs in general. However, given the startup costs involved with launching a collaborative court, and considering the time and staff resources needed to provide collaborative court services, financial resources are particularly salient for these court programs. Another concern expressed by some interviewees was that only youth who could truly benefit should be placed in a collaborative court. Substance use in and of itself does not always indicate that the underlying reason for the delinquent behavior is drug addiction. As one probation officer explained, "Just because he said [he] smoked marijuana doesn't necessarily mean you got to do drug education or drug prevention or put him in a drug program. What you want to focus on is the behavior that keeps bringing them back to you." According to interviewees, other problems include the demands on the youth in a typical drug court program (such as weekly court appearances and drug testing) and other practical considerations, including the distance of the collaborative court from the youth and families who may need to access this service.

Some of these concerns were echoed in focus groups consisting of youth and parents who were participating in one county's juvenile drug court. Youth felt that the supervision they received from probation was too intensive and intrusive; some youth thought that the frequent contact they had with their probation officer made the program more difficult to complete successfully.

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[62] For more information, see Center for Court Innovation, *California's Collaborative Justice Courts: Building a Problem-Solving Judiciary* (2005); available at http://www.courtinfo.ca.gov/programs/collab/documents/California_Story.pdf

[63] There was very little usable opinion data in the assessment's statewide surveys because so few judicial officers and justice partners have firsthand experience with collaborative courts. Also, although peer courts are available in many counties, a large percentage of survey respondents indicated that they do not know about the effectiveness of these courts.

A frequent complaint from parents was that the large number of times they had to come to court strained relations with their employers and resulted in too much lost income. They also disliked the fact that their children sometimes had to be taken out of school to attend court and to take drug tests. Parents also stated that they often did not understand what was going on in court, and several said they relied solely on their child's probation officer for explanations. Some of the parents in the focus group did have positive feelings about their experiences. One parent commented that as hard as the program was, it saved her son's life.

E. Appropriately Matching Youth to Services and Sanctions

Judicial officers reported that youth with mental health issues, those who are beyond control (for example, continually truant or running away from home), and those who are developmentally disabled are the most difficult to match with appropriate treatment, supervision, and placement. Some of these concerns are consistent with those expressed by other professionals with regard to a lack of adequate mental health services and the need for the system to more appropriately adjudicate and treat youth with competency issues. In addition, this issue is consistent with the results of all three caseflow management workshops, in which participants concluded that mental health issues, and incompetency procedures in particular, are areas in need of greater attention.

Many of the focus group participants discussed the importance of finding the service and sanction that most appropriately meets the individual needs of each youth. One probation officer suggested that "the bench and probation and the offender would be better served by individualizing what the kid needs a lot more than it is now instead of blanket conditions." Youth also consistently reported a desire for the court to look at them as individuals and take the time to understand their particular situations, strengths, and weaknesses when fashioning an appropriate disposition. As discussed elsewhere in this chapter, however, sometimes the unavailability or poor quality of certain programs makes this task particularly challenging.

> ***"The bench and probation and the offender would be better served by individualizing what the kid needs a lot more than it is now instead of blanket conditions."***
> ***–Probation officer***

Several probation officers in focus groups discussed the efforts underway in their departments to utilize effective, evidence-based programs and to implement the use of validated screening tools to assist in the assessment of each youth's risks and needs when preparing a case plan. Only about one-third of county probation departments report using validated risk assessment screening tools,[64] though many agreed that it is good

[64] K. Hennigan, et al., *Juvenile Justice Data Project, Phase I: Survey of Interventions and Programs* (2007); available at *http://www.cdcr.ca.gov/Reports_Research/docs/JJDPSurveyFinalReport.pdf* (accessed Apr. 9, 2008).

practice to do so. In focus group discussions, probation officers stressed the need for the court to individualize a treatment plan and not simply “throw everything but the kitchen sink” (in terms of services and sanctions) at youth, as one officer put it. However, among the probation officers who responded to the survey, satisfaction with such assessments is spread fairly evenly across satisfied, neutral, and dissatisfied. Moreover, attorneys and judicial officers expressed a desire to be more informed about the screening tools used by probation and to have more access to them and their results. They indicated that they want to understand how these tools are used and what kinds of important information can be gleaned from them to assist in fashioning an appropriate dispositional case plan.

During interviews with local administrators and in focus groups, several interesting issues arose with regard to the concept of individually tailoring graduated sanctions to the youth and making appropriate use of the available continuum of services and sanctions in each county. Some participants indicated that their jurisdiction has an adequate array of services and sanctions but questioned the quality of the available programs. Probation officers and prosecutors noted that mental health services in particular were lacking. Probation officers in one county expressed disappointment in the quality of local community-based organizations (CBOs) and cited a lack of communication by CBO staff as a reason they did not refer more youth to some programs. For example, they said that staff refused to inform probation officers about a youth’s poor performance in a program or to let them know when a youth had violated terms of probation.

Along these lines, defense counsel in focus groups reported dissatisfaction with probation’s use of available community-based resources. Whether this nonuse of CBOs is related to a lack of awareness on the part of the court and probation regarding what is available or an unwillingness to utilize CBOs due to a perceived lack of efficacy is not known, but many of the focus group defense attorneys believe that these community resources are not being used to their full capacity. This theme arose during community focus groups as well. Some community members expressed frustration with probation’s unwillingness to use their services more frequently and reported feeling as though CBOs and probation are on different “sides,” working at cross-purposes rather than together for the benefit of the youth.

Even in those instances in which justice partners agree that an adequate continuum of quality services and sanctions exists, there is occasional dissatisfaction with the way in which the continuum is utilized. In focus groups and interviews, defense counsel, prosecutors, and probation officers agreed that dispositional options are not always used effectively. Some reported misuse, or a too rigid use, of the available graduated sanction continuum. One supervising prosecutor expressed concern that his staff would inappropriately argue in court for, and that the court would order, the “next step” in the sanction continuum for a youth only because that step was theoretically the next one in

line, in spite of the fact that it did not address the particular needs of the youth or the risk the youth presented. One defense attorney commented that sometimes "judges do not really think through, 'Does this make sense to have all these programs?' They throw all the programs at the kid; it's not graduated, it's not thought through." A probation officer noted, "The bench and probation and the offender would be better served by individualizing what the kid needs a lot more than it is now instead of blanket conditions." In several focus groups and interviews, participants pointed out that a youth's individual risks and needs should be assessed and an appropriate disposition fashioned, rather than just mechanically applying whatever sanction or service is next on the continuum. These comments highlight the importance of individual case assessment and planning.

F. Especially Difficult Service and Sanction Needs

Probation officers, prosecutors, and defense counsel consistently expressed low levels of satisfaction with the availability of some very specific sanction and service options. There is particular concern about the lack of mental health services, residential drug treatment programs, programs that specifically address the needs of girls, treatment options for sex offenders, and services for transitional-age youth.

Probation officers, prosecutors, and defense counsel who were interviewed and surveyed expressed especially high levels of dissatisfaction with the availability and quality of mental health services. It was very apparent in the surveys, focus groups, and conversations with study county representatives that juvenile justice system participants, regardless of county, believe that the dearth of appropriate mental health services is one of the juvenile justice system's most significant problems. Many juvenile justice experts and youth advocates hoped that the passage of Proposition 63 would assist in the creation of new mental health–related programs for youth in the delinquency system.[65] Unfortunately, actually accessing the money for programs and treatment has proven very challenging.[66] Through local prevention and early intervention planning processes, however, funding and resources for services for youth in the delinquency system may be identified for the future. Courts, along with their justice partners, are encouraged to continue to be engaged in the planning processes and discussions with local departments of mental and behavioral health.

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[65] Proposition 63, Mental Health Services Act (MHSA) (2004). The MHSA expands mental health care for children, youth, adults, and seniors and provides for prevention services to help them get care before a mental illness becomes disabling. As it relates to youth, the MHSA is to provide funding to help create new county mental health programs and to expand some existing programs, including Children's System of Care services, "wraparound" services, and prevention and early intervention programs.

[66] CFCC staff attended several Mental Health Services Oversight Committee meetings at which the criteria for awarding prevention and early intervention funds were discussed. Many youth advocacy agencies and public commentators argued forcefully for programs working with at-risk youth to be included in funding awards.

A related, more specific concern raised in all focus groups with study county professionals and during the caseflow management workshops[67] was that the court system lacks a well-defined, coherent process for adjudicating the cases of youth with serious competency issues. Study participants suggested that the AOC collaborate with other justice partners to sponsor legislation and rules of court to clarify the incompetency procedures to be followed in delinquency court.

All groups of professional justice partners surveyed and spoken with highlighted the need for appropriate programs for girls. Girls make up about one-quarter of the arrestee population, yet some jurisdictions do not have adequate residential placement programs for girls. One judge noted that the courts need more facilities and programs for girls. Girls enter the juvenile justice system for different reasons and generally commit different offenses than do boys, and they need treatment that takes these differences into consideration.[68] The consequences of these shortcomings are noteworthy. In one focus group, participants acknowledged that the lack of a locally run girls' camp or ranch means that girls are more often and more quickly sent to out-of-home placement than boys are. This inequity is compounded by two additional factors: (1) some counties have few if any local group homes for girls, which means girls are sent farther away from their families and community than boys are; and (2) placement programs often take longer to complete than a ranch or camp commitment, and therefore girls remain out of the home longer than boys. When this happens, girls are denied access to the services a similarly situated boy would likely receive, in terms both of the treatment itself and the proximity of the program to the youth's family.

One judge noted that the courts need more facilities and programs for girls.

Another concern expressed in focus groups with probation officers and some attorneys involves providing adequate services to older youth—those who are close to 18 years of age. These youth are "aging out" of the system and often do not have a family or guardian with whom they can reunite. Many placements do not take youth if they are close to 18 because the treatment program might be too lengthy to be completed prior to the ward's birthday. When a ward turns 18, obtaining state and federal funding for a placement can be difficult, with some specific exceptions or unless an exemption from state social service regulations is granted. The result is that probation may not recommend placement as a disposition for these youth and may be inclined to terminate a youth turning 18 from placement if the probation department will have to pay the costs and not receive reimbursement from the state. That makes it difficult to find adequate treatment and services to assist these older youth and especially to prepare them to

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[67] See Greacen, *Developing Effective Practices in Delinquency Caseflow Management*.
[68] See, generally, Office of Juvenile Justice and Delinquency Prevention, *Juvenile Female Offenders: A Status of the States Report* (1998).

support themselves, find housing, secure employment, and access adult community services. This reality makes independent living skills and transitional programs very important for older placement youth. As one probation officer put it, "Even those of us who came from intact families—at 18, [you're] still not ready to take care of yourself."

> ***"Even those of us who came from intact families—at 18, [you're] still not ready to take care of yourself."***
> ***–Probation officer***

Adequate and appropriate substance abuse treatment is another area that most survey respondents and focus group participants found lacking. One problem is that residential treatment facilities are not available in all jurisdictions. This lack is particularly acute in smaller and rural counties. Many professionals expressed frustration that in order to receive residential treatment, youth had to be placed far from home, away from the support of their family and community. A second issue respondents raised is that not all jurisdictions have juvenile drug courts available. In some courts this is a result of a lack of funding; in others it is due to an inability to partner with service-providing agencies such as county mental health, alcohol and drug counselors, or other therapeutic resources; and in still other courts the problem is that the county is so large and spread out that youth from areas outside the city cannot attend court for frequent review hearings, to meet with counselors, and to submit to regular drug testing.

G. Conclusion

Due to the myriad issues presented in delinquency court, a wide array of services and sanctions are needed. Yet juvenile justice professionals and court users are not particularly satisfied with the availability and effectiveness of many services and sanctions, and they are highly dissatisfied with some specific services and sanctions and with the lack of availability of others. To date, little research has been done on the efficacy of juvenile collaborative courts, but the existing literature shows moderately positive results. Future work in this area will provide information critical to evaluating whether and how to expand this model. Court professionals had mostly positive things to say about collaborative courts, and youth and parents were dissatisfied with the burdens the court places on them.

Focus groups underscored the importance of communication between the courts and all justice partners about the services available and the need for everyone to be educated about what their jurisdictions have to offer and the most effective way to use what they have. A desire for the individualized application of services and sanctions was a common theme for youth, as well as probation and attorneys. And in order to provide appropriate programming for all youth in the delinquency system, tailored to their specific risks and needs, the justice partners must work together to develop resources that are readily available and effective.

H. Recommendations

14. Local jurisdictions should establish a graduated continuum of evidence-based services and sanctions to respond to the needs of each offender.

15. Courts, to improve the delivery of services, should develop adequate court-based resources and make them readily and regularly available to court users.

16. Judicial officers should ensure that youth receive appropriate sanctions as well as the services, guidance, and support that are in the best interest of the youth while meeting the goals of public safety and victim restoration.

17. Court and counsel should ensure that treatment plans and terms of probation are complied with by monitoring the progress of youth on probation, regardless of whether the youth is at home, in out-of-home placement, or committed to a local or state facility.

18. Courts and probation should ensure that dispositional case plans include adequate reentry services.

19. Judicial officers should encourage collaborative, problem-solving practices that provide for the development and implementation of individualized case plans.

20. The courts and probation should encourage the identification and involvement of positive extended family members in a youth's rehabilitation.

21. Courts should collaborate with probation departments to ensure that judicial officers and attorneys understand probation assessment tools and the local sanction and service options that are available.

22. The courts, probation officers, and other juvenile justice partners should continue to collaborate in an effort to develop effective practices and methods for improving the delivery of services.

23. Juvenile justice agencies should continually seek out culturally appropriate resources in their communities and ensure that youth, families, and victims who do not speak English receive necessary interpreter and translation services.

24. Probation officers should continually seek out accessible and effective services, paying particular attention when emerging service gaps are discovered.

25. Probation officers who supervise youth in placement facilities should be trained to ensure that the needs of those youth are met and that their probation complies with title IV-E requirements.

26. The courts and probation should comprehensively examine and address all aspects of the needs of youth with mental health issues who are involved in the delinquency system.

27. The AOC should support legislation to address ways to more adequately and effectively deal with competency issues that come before the courts.

28. The AOC should continue to work with probation and social services to assist them in working with those youth who appear to come within the jurisdiction of both the delinquency and dependency systems.

CHAPTER 4

Court Management

A. Introduction

Every delinquency system has a general structure, many essential components, and a variety of indispensable participants who contribute to its success. Court users and professionals spend many hours in the California courthouses. They interact with court employees, use courthouse equipment and facilities, and participate in court cases and processes. For a delinquency court system to be effective and successful, it is critically important that the system have safe and adequate facilities, useful and reliable court case management systems, accountability to court users and the public, and good collaboration among justice partners.

B. Accountability

The court is a public institution and must remain accountable to its citizens. Some of the ways that courts can remain accountable are to release annual reports and statistical information; hold regular community meetings, public education programs, and focus groups; and solicit feedback from the public and court users. Being responsible to the public requires the courts to seek out and communicate with the public, whether by explaining their purpose or by making their processes as transparent as possible under the law. In juvenile court, interacting with the public also extends to securing resources for youth in the delinquency system. According to standard 5.40 of the California Standards of Judicial Administration, the juvenile court judge should educate the community through every available means, including the media, about the juvenile court and its efforts to meet the complex needs of youth and their families. Remaining accountable also means being responsive to court users and the public when they have questions and concerns. By being accessible, available, and answerable to justice partners, other public and private agencies, and communities, the court can improve both public trust and confidence and the stature of the delinquency court in the communities it serves.

Many courts do make an effort to meet with community members. In a focus group of community members, one participant noted that the court invited clergy members for a day-long seminar to help them understand the delinquency court process and what the clergy's role can be in that process. In another county, the presiding judge of the juvenile court noted that she opens the court to public organizations and talks to the media whenever possible to share what the court does. The court's responsiveness to court users and the community also extends to court operations and service delivery. In the court operations survey, every court reported that it tries to ensure quality in customer

service. Twenty-eight out of 47 responding courts reported that they train court staff to respect the public and that the quality of customer service provided is examined during periodic reviews of court staff performance.

Nevertheless, the assessment revealed that there may be a need for the courts to have more interaction with justice partners and the community. In the survey of judicial officers, a third of the respondents reported that meetings with justice partners should happen more often than they do, and more than half reported that the courts should collaborate more with the community than they currently do. Nearly half of respondents agreed that their court needs more time and opportunity to meet with community members.

The superior court is charged with maintaining the confidentiality of most juvenile delinquency hearings and court records.[69] For those cases that are not confidential, courts need to create appropriate processes for providing information and opening hearings to the public. More importantly,.courts should guard against adopting policies that needlessly deny access to nonconfidential information since this can reduce accountability. Some critical focus group observations illustrate the ways in which people are unhappy with the court's accountability:

- Representatives of community-based organizations that would like to offer services to the juvenile delinquency court (or to youth) reported that it is difficult to know how to contact the court if one is not an "insider."
- In one focus group, community members expressed their frustration that, as one put it, "As these kids go through the court, [the community is] left out of the justice system. The focus is on the minor . . . but the community doesn't feel like they were made whole. The graffiti is still there; the little burglaries are still going on . . . they don't know what happened to that kid or what didn't happen to that kid. So they feel kind of left out in the process."
- One victim, describing the obstacles she encountered in the juvenile justice system when seeking information about her offender, said, "The moment a minor is involved, [it's] hands off."[70]

Courts should work to educate the public by being accessible, opening the courthouse to the public and the media when possible, and reaching out to build relationships with justice partners and the broader community. It is through these efforts that the court can build support for the juvenile delinquency court and make its purpose and its needs known to the public. The confidential nature of the juvenile court is important in allowing youth to avoid the lifelong stigma of a criminal record and in limiting potential collateral consequences for their youthful offenses. Confidentiality is also challenging for the courts

[69] Cal. Welf. & Inst. Code § 827.
[70] Victims are entitled to some information about the youthful offender that is not available to the public.

because it makes it difficult for the court to seem transparent and accountable to the public.

C. Collaboration

According to many JDCA participants, collaboration is an important component of an effective delinquency court system. Some collaborations are necessary and required under the law, but others have developed as ways to solve problems or work on particularly vexing issues.

Approximately 85 percent of judicial officers reported meeting with justice partners either regularly or as needed, to discuss issues involving procedures, policies, supervision, treatment, and placement. Courts also collaborate with other agencies to improve services for youth and victims. For example, one presiding juvenile judge noted that the court regularly meets with justice partners to review and work toward adopting recommendations in the Delinquency Guidelines. In one court, the presiding juvenile judge reported working in a particularly collaborative manner with probation in an effort to redesign the county's camp program, and the judge in another court was working to set up a mediation program. One judge noted that a strength of his juvenile court is that "we always strive to improve our practices and procedures, internally and through collaborative efforts with agency partners." Some types of collaboration are mandated, such as the requirement in section 225 of the California Welfare and Institutions Code that each county or region have a juvenile justice commission. The commission is responsible for inquiring into juvenile court law, including inspecting institutions and reviewing court records, and assisting in the appointment of the chief probation officer.

> ***"We always strive to improve our practices and procedures, internally, and through collaborative efforts with agency partners."***
> ***–Judge***

Challenges to collaboration include distrust, reluctance to share information, and differences in departmental philosophy. For example, one presiding judge of the juvenile court noted that it is a struggle to get the county office of education and other school districts to provide information to the probation department. Agencies may be hesitant to hand over confidential records without parental consent, even with a court order. Another presiding juvenile judge pointed out that justice partners in some agencies do not participate in many court-led multidisciplinary collaborations because they have differing philosophies of juvenile justice. Collaboration is difficult for many reasons: the problems to be solved are difficult, as is working past organizational barriers and reaching agreements. It is also ongoing. New problems arise and circumstances and leaders change. An important way to strengthen and maintain existing collaborative efforts is to prepare for leadership transitions by having written policies in place and to include

incoming leaders in transitional meetings prior to the departure of current justice partner leaders or presiding judicial officers.

The rest of this section describes several major efforts that highlight the variety of areas in which the court and justice partners are collaborating.

1. Dual-Status Cases

For some youth, the court needs to decide whether the case will be handled within the delinquency system or the dependency system, or both. The probation and child welfare departments in each county are required to jointly develop a written protocol, often referred to as a 241.1(a) protocol, to ensure coordination when assessing the cases of youth who appear to fall within be covered under both section 300 and section 601 or 602 of the California Welfare and Institutions Code.[71] Under section 241.1(a), a youth can be moved from the dependency system into the delinquency system or vice versa. The two agencies ultimately make a recommendation as to whether the youth will best be served by the delinquency or dependency system, and the court then determines which status is more appropriate for the youth.[72]

It is also possible for a youth to be granted dual status—concurrently dependent and delinquent—rather than being in either one system or the other. Section 241.1(e) permits probation, child welfare, and the presiding juvenile court judge to adopt a protocol allowing for the designation of a youth as dual status.[73] Dual status is viewed by its supporters as a way to provide more comprehensive services to families with multiple issues—pulling in the resources available to both the probation department and child welfare services—to allow parents who have been found to be abusive or neglectful to be held accountable at the same time that their children's illegal behavior is addressed, or to allow youth in placement who have successfully completed the terms of their probation but don't have parents to reunite with to be placed in foster care and have probation dismissed. Collaboration among agencies is critical to the effective management of such cases..At the time of this report, seven counties in California had formally adopted a dual-status protocol.[74] During the course of the assessment, other jurisdictions indicated an interested in having a 241.1(e) protocol.

Dual-status case assessment is an example of a collaboration that benefits both system participants and youth and their families, in that it expedites the handling of these cases and coordinates appropriate resources.

Dual-status case assessment is an example of a

[71] Cal. Welf. & Inst. Code § 241.1(b).
[72] Cal. Welf. & Inst. Code § 241.1(a).
[73] This provision became law with the passage of Assem. Bill 129 in 2004.
[74] Admin. Office of the Courts, Center for Families, Children & the Courts, *Dual-Status Children: Protocols for Implementing Assembly Bill 129* (2007); available at http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/AB129REPORT113007-edited.pdf

collaboration that benefits both system participants and youth and their families, in that it expedites the handling of these cases and coordinates appropriate resources. Developing dual-status protocols pursuant to section 241.1(e) requires significant collaborative effort from many system participants. Even those counties that have chosen not to adopt a 241.1(e) protocol, but that considered it, collaborated in their review and determination that their 241.1(a) process works satisfactorily. This type of communication and collaboration is key to the development of a successful process for handling these challenging cases, regardless of whether a 241.1(a) or 241.1(e) process is followed.

2. Disproportionate Minority Contact

This assessment did not examine issues related to the disproportionate representation of youth of color in the juvenile justice system (known as disproportionate minority contact, or DMC). DMC continues to be a problem that must be addressed. The Family and Juvenile Law Advisory Committee recommends further study in all areas that potentially contribute to DMC. Several organizations have done significant work in this area and can provide a wealth of information on efforts in California as well as nationwide to reduce DMC.[75]

Assessing racial and ethnic disparities will require the collaboration of all justice partners, including law enforcement, probation, attorneys, judicial officers, court management, service providers, and facilities management. The courts should work to determine the extent to which their procedures and processes may exacerbate DMC and then find ways to alleviate these disparities.

In order for states to participate in the federal Office of Juvenile Justice and Delinquency Prevention Formula Grants Program, which provides funds in support of state and local juvenile justice efforts, states must strive to reduce DMC. Since assuming responsibility for the Formula Grants Program in January 2004, the California Department of Corrections and Rehabilitation, Corrections Standard Authority has undertaken a number of efforts to ensure that California addresses DMC. The Enhanced DMC Technical Assistance Program makes funds available to support training for probation departments to help them understand and identify DMC issues. It seeks to better equip these agencies with the tools and resources needed to provide leadership in developing or strengthening community-based activities aimed at reducing DMC.[76] CFCC staff have recently begun

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[75] See the Office of Juvenile Justice and Delinquency Prevention DMC Publications, *http://ojjdp.ncjrs.org/dmc/pubs/index.html* (accessed Feb. 15, 2008)**;** the Haywood Burns Institute, *http://www.burnsinstitute.org* (accessed Apr. 9, 2008); and Building Blocks for Youth, *http://www.buildingblocksforyouth.org* (accessed Apr. 9, 2008).

[76] For further information, go to the California Department of Corrections and Rehabilitation, Corrections Standards Authority Web site at *http://www.cdcr.ca.gov/Divisions_Boards/CSA/CPP/Grants/DMC-TAP/Index.html* (accessed Apr. 9, 2008).

participating in some of the technical assistance training events by sharing information with participants about the Judicial Council's Access and Fairness Advisory Committee and other efforts underway throughout California courts to address racial and ethnic disparities.

3. Education

Education is a critical component in ensuring the development of competency and preventing recidivism. Standard 5.40(g) and (h) of the California Standards of Judicial Administration provides guidance to the juvenile court regarding the educational rights of children in the system. Because juvenile offenders may be eligible for special educational services, judicial officers and juvenile justice professionals should be knowledgeable about these needs and the law.[77] In addition, youth in local detention facilities, camps, ranches, some residential placement facilities, and state correctional facilities attend school on site. It is critical that this opportunity is maximized to help the youth advance academically. Although most youth focus group participants were not explicitly asked about education, girls at one detention center complained about the quality of education, with one noting that it is geared toward the least proficient students rather than tailored to the unique educational needs of each youth. Whether a youth receives GED preparation, academic courses, or vocational training, it is critical that the courts, juvenile justice partners, and educators collaborate to ensure that he or she receives an adequate and appropriate education.

4. Transfer of Cases Between Counties

The transfer of cases between counties is a particularly challenging issue that requires collaboration among jurisdictions. Certain findings and orders need to be made at the time jurisdiction over an offender is established, and when not done appropriately, a case that is transferred in can be received, accepted, and immediately returned to the sending county for additional information or findings by the court (such as determination of felony or misdemeanor charge, or the parents' correct address not being appropriately verified). This type of delay in disposing of the case obviously affects the workload of the courts and probation, but it can also cause a youth to be in custody longer than necessary as a result of the case transferring back and forth, a situation that is especially unfortunate.

The transfer of cases between counties is a particularly challenging issue that requires collaboration between jurisdictions.

Transferring cases can be particularly difficult when the petition is dealt with in a way that limits what the receiving county can do at disposition. For example, when a youth is

[77] For a more detailed discussion of the issues involved in educating youth in the juvenile justice system, see recommendation 13 in the *Probation Services Task Force Final Report*, available at http://www2.courtinfo.ca.gov/probation/documents/new/fullreport.pdf.

already a dependent child of another county's superior court, communicating with that court about the section 241.1 assessment and how to handle the petition is crucial. Sustaining the petition may limit the receiving court's options with regard to the disposition of the case, depending upon the court's dual-status options, and it can also affect where the youth can be held pending the hearing.[78] Another problem arises when an admission is taken pursuant to consideration of a youth's eligibility for deferred entry of judgment (DEJ) and then the case is transferred. Taking an admission in the sending county with the recommendation that the receiving county consider DEJ can be problematic for the county receiving the case. Questions arise regarding jurisdiction and whether the youth can withdraw the admission if he or she is not found suitable for DEJ by the receiving county. A group of northern counties[79] has developed a protocol to assist in communicating about these challenging issues when transfers occur among these counties.[80]

D. Court Resource Needs

Although this study did not survey courts about their resource needs, it became apparent through responses to other survey questions and focus groups discussions that the dissatisfaction expressed by court users and professionals may be due in part to the need for additional court resources in certain areas.

Only one-half of judicial officers surveyed reported that they routinely get through their delinquency calendar to their satisfaction. That seems to indicate that there are days when many judicial officers are unable to satisfactorily process the cases they are scheduled to hear. In their survey responses, prosecutors and defense counsel both expressed some dissatisfaction with the time spent waiting for hearings and with the number of continuances.

The many youth, parents, victims, and community members who participated in focus groups appeared particularly bothered by the number and length of hearing delays and continuances. They indicated that the court process appears hurried and disorganized, making them feel as if their case is just being mechanically processed. They reported that matters are often continued after they have spent hours waiting for a hearing, and that the new date and time are chosen without any consideration for their schedules. And

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[78] Cal. Welf. & Inst. Code § 206 prohibits children alleged or adjudged to be dependents from being housed with youth alleged or adjudged to be wards of the court pursuant to §§601and 602.

[79] As of March 2008, the superior courts, probation departments, and child welfare agencies of eight jurisdictions had agreed to follow this protocol. These are Amador, El Dorado, Placer, Sacramento, San Joaquin, Solano, Yolo, and Yuba. SacJoaquin Valley/Foothills Intercounty Transfer Protocol (amended March 21, 2007); available at *http://www.saccourt.com/juvenile/Intercounty%20Transfer%20Protocol/Intercounty%20Transfer%20Protocol.asp* (accessed Apr. 9, 2008).

[80] Cal. Rules of Court, rule 5.610(g), permits courts in a formalized regional collaboration to modify form JV – 550 to facilitate the efficient processing of transfer cases.

perhaps most importantly, when it comes to their comprehension of delinquency court, court users feel that no one takes the time or makes it their responsibility to sufficiently answer their questions or explain what is happening during the hearings. Again, if judicial officers are often unable to satisfactorily complete their calendars, it is likely that many matters are continued due to a lack of time to properly hear the case, or if heard, that the case is rushed through quickly in an effort to get on to the next one. Regardless of whether this is in reality a common occurrence, it is the perception of court users.

Further, although it would require an expenditure of time by judicial officers outside of the courtroom, some judicial officers indicated in survey responses their desire to be better informed about their jurisdiction's available treatment programs and resources and indicated that they also would like to learn more about the (risk and need) assessment tools used by the probation department. Given the difficulties involved in just getting through the calendar each day, finding the time to become familiar with programs in their community or the resources available to their probation department presents a formidable challenge.

Finally, in each victim focus group, one or more persons suggested that the courts would benefit from having an independent court liaison to work with victims—someone from the court who could answer questions, notify them of hearings or continuances, explain the paperwork, and ensure that their rights as victims are enforced. Presiding judges of the juvenile court may wish to consider whether their courts are providing sufficient services to meet the information needs of victims and other nonparty court users and explore whether current court staffing can accommodate improved service to these groups. Chapter 5 discusses this issue in more detail.

E. Court Case Management

During the initial site visits to the six study counties, court administrators and judicial officers expressed differing levels of satisfaction with their local case management systems. In a survey of court administrators, more than 90 percent of respondents reported being able to access delinquency, dependency, and criminal case management systems, though fewer than a quarter of responding courts reported having access to probation's case management system. Courts reported using their delinquency case management systems mostly to schedule hearings and produce calendars; fewer than a quarter reported using their systems to generate court management statistics such as judicial findings and reasons for continuances.

Unlike the dependency system, the juvenile delinquency system does not have a state-level case management system, and in only very few counties are the local case management systems of the delinquency courts connected to the local systems of justice

partners.[81] At the state level, the AOC collects statistics reported by individual courts, but reporting is limited to case filings and case closings, with a small number of courts reporting detailed hearing information. Some courts described their computer systems as antiquated, and one court administrator compared the current system to working with "stone tablets."

As noted in chapter 1, as part of this project assessment a caseflow management project was undertaken in early 2007. This consisted of both a manual of effective practices and a series of workshops for interested courts and justice partners. Twenty-eight counties sent court teams consisting of judicial officers, court staff, probation, prosecutors, and defense counsel to one of three different workshops held in Burbank, San Francisco, and Sacramento. The objectives of the juvenile delinquency workshops were to provide participants with an understanding of the principles of juvenile delinquency caseflow management, an opportunity to share and learn about juvenile delinquency case management practices used in other courts of the same size, and an action plan to take back to their courts to begin improving their juvenile delinquency caseflow management and their collaboration with their juvenile justice partners.

A couple of themes emerged from the workshops. First, judges, court staff, and other justice partners do not generally have the accurate, current, and useful information on the status of their juvenile delinquency cases that they need to manage them effectively. Second, improving case management in the juvenile delinquency courts requires effective leadership from the presiding juvenile delinquency judge and from all justice partner agencies; effective collaboration among all juvenile justice partners; appropriate application of caseflow management principles to the circumstances of each court and county; and accurate, complete, and current data on pending juvenile delinquency cases.

The AOC is currently working with court personnel, judges, justice partner representatives, and others to design a statewide Computer Case Management System to connect all 58 juvenile courts. The goal is to launch a system by 2012 that will provide uniform case management, more effective transfer of cases across county lines, venue transparency, limited public access, accurate data reporting, complete information

[81] In juvenile dependency, courts and justice partners can rely, to some extent, on the statewide California Department of Social Services case management system, called CWS/CMS (Child Welfare Services/Case Management System), which is used by child welfare agencies. This system allows social workers to track individual cases. It also is compiled on a regular basis in order to generate statistics that are then used by child welfare and the courts to assess and improve their operations. The costs to develop and maintain this mandatory case management system are partially supported by the federal government.

gathering and maintenance, and ease of information sharing and access by the courts and other justice partners.[82]

F. Facilities

Adequate court facilities are essential to the effective administration of justice. They convey respect for judicial officers, justice partners, and court users. As California's Chief Justice, Ronald George, stated,

> Buildings are more than mere physical settings. They signal how we value what is transacted inside. Courts do not need or want ornamentation or ostentation in their quarters. But courts—and the public—do deserve buildings in which the business of administering justice can be transacted effectively, efficiently, and with appropriate dignity.[83]

Court facilities encompass not only the buildings but also the operations of the court. The Facilities Checklist was developed to assess the attributes and needs of delinquency court facilities related to various issues relevant specifically to delinquency courts. Additionally, throughout the course of the study, many courts and justice partners spoke about facilities issues in relation to their impact on court effectiveness, efficiency, safety, and treatment of court users.[84]

The primary findings related to facilities were associated with accessibility, safety and security, protection of rights, and adequate workspace.

1. Accessibility

Having a court that is accessible is crucial for both caseflow management and adequate participation by court users. Accessibility refers to the features of a court that make it easy to use, such as access for those with disabilities, adequate hours of operation, and readable signs. In addition, the proximity of the detention center to the courthouse, the availability of public transportation to the courthouse, the location of the courthouse in relation to the city center, and the existence of suitable children's waiting rooms are important concerns for delinquency courts.

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[82] It should be noted that the Department of Justice is developing data exchange standards based on a similar project recently completed in the criminal justice area, to ensure that justice partners with disparate systems are able to exchange data. The standards are being developed by a working group of juvenile justice partners, including law enforcement, prosecutors, probation, defenders' offices, the courts, and DJJ.

[83] Ronald M. George, Riverside Courthouse Transfer Address, Indio, Oct. 21, 2004.

[84] Nine facilities were assessed using the checklist, and many justice partners throughout the state talked about facilities-related issues during interviews and focus groups. Details on the methodology and results can be found in volume 2 of this report.

Transportation between the detention center and the courthouse is an important consideration when building new courts. Many believe that the detention center, or juvenile hall, should be in close proximity or adjacent to the courthouse for efficiency and cost-effectiveness. If the detention center is not adjacent to the courthouse, in-custody youth must be transported by bus between the detention center and the courthouse; in one jurisdiction, they are transported more than 50 miles. The cost of this transportation, in both dollars and time, can be very high. Often, all youth with cases being heard on a given day are transported to the courthouse first thing in the morning, where they must wait in a holding area for their cases to be called. Afterward, they must wait until all of the other youth's cases have been heard so that they can all be transported back to the detention center. This time spent waiting at court could be spent in school or receiving treatment.

Where possible, the courthouse should be located near the city center so and should be accessible by public transportation so that victims, out-of-custody youth, and family members of in-custody youth are able to attend court. Similarly, if services are offered at or near the courthouse, regardless of the location of the courthouse, it is essential that youth be able to reach these locations conveniently. As an example, one county's services are all offered in the centrally located city in the county, but the county is so geographically dispersed that many youth cannot reach them. Because of these transportation issues, it is important for courts, probation, and county boards of supervisors to work collaboratively when designing new court buildings.

An additional consideration is the availability of children's waiting rooms. In order for some parents or out-of-custody offenders to attend court, they may need childcare for their young children. Three of the facilities visited have children's waiting rooms that are safe, secure, and not accessible to the public as recommended in the California Standards of Judicial Administration.[85]

2. Safety and Security

The safety and security of facilities are important to ensuring that justice partners have a safe place to work and that court users are not put in harm's way by coming to court. To ensure the safety and security of judicial officers, they should have a separate entrance to both the courthouse and the courtroom. In addition, survey and focus group participants believe that victims would be safer if they have a separate waiting area. In the survey of court administrators, a third of the respondents noted that a separate waiting area for victims is

> ***"[Facilities] need rooms for victims to be separate from minors and their families; it can get very volatile."***
> ***–Court administrator***

[85] Cal. Stds. Jud. Admin., std. 10.24.

a feature that needs to be developed or improved. One court administrator pointed out, "[Facilities] need rooms for victims to be separate from minors and their families; it can get very volatile." Other areas that survey respondents indicated as needing improvement were secure holding cells for in-custody youth and a secure, separate, and direct path from the holding cell to the courtroom. In one courthouse visited, in-custody youth sit together in an open waiting area near the public waiting area.

3. Protection of Rights

Confidentiality of juvenile delinquency proceedings and court records has been guaranteed since the founding of the juvenile court, which was created with the premise that youth should be protected from being stigmatized by the public.[86] In many court facilities, however, design issues and court practices threaten confidentiality. In the survey of defense attorneys, approximately one-third of respondents indicated that they are dissatisfied with the adequacy of the location available for meeting with clients. Responses to open-ended questions, interviews, and focus groups with defense attorneys indicated that this dissatisfaction is due to a lack of confidentiality. More than half of the facilities visited lack a private meeting area for attorneys and out-of-custody youth. These youth and their attorneys often must confer with each other as quietly as possible in a potentially crowded hallway or waiting area, where attorneys are essentially unable to comply with confidentiality laws.

Confidentiality is also an important consideration in the way cases are called into the courtroom. Nearly all of the courthouses visited broadcast the youth's names in some way. In one facility, youth's full names are broadcast over a loud speaker into the hallways and the parking lot when their cases are ready to be heard. One courthouse has avoided this by issuing to youth restaurant-style pagers that vibrate when the youth's case is ready to be heard so that they do not have to call out youth's names. Section 676 of the California Welfare and Institutions Code does allow certain cases to be open to the public. For these nonconfidential cases, the court should make sure that the calendars are posted so that the public can attend.

4. Adequate Workspace

As with all court resources, the number of courtrooms dedicated to juvenile delinquency should match the need. Courts should continually monitor changes in caseload, workload, and other system needs in order to ensure adequate resources. One focus group participant noted that one of the biggest challenges his county faces is a lack of courtrooms. In that county, the

The number of courtrooms dedicated to juvenile delinquency should match the need.

[86] Cal. Welf. & Inst. Code § 827 guarantees confidentiality in juvenile court.

court often uses the board of supervisors' chambers to hear cases; as a result, the "kids must be paraded through public areas," one attorney stated. In redesigns and new construction, courtrooms should be sized adequately to accommodate the youth, his or her family, the victim, his or her support persons, interpreters if necessary, and any witnesses.

Since juvenile prosecutors, defense attorneys, probation officers, and interpreters must be in the courtroom on a regular basis, and since victims and witnesses often wait in the district attorney's office for their cases to be called, locating the offices of justice partners in or near the courthouse could increase the efficiency of those offices, as well as ease the burdens of victims and youth.

G. Conclusion

In addition to the dedicated professionals who work within it, a successful delinquency court system depends on many factors. It is critical to conduct hearings in safe and adequate facilities that respect the privacy and communication needs of youth and families, attorneys, witnesses, and victims. Additionally, in order to measure system outcomes and gather needed data, the courts (and justice partners) must be equipped with useful and efficient court case management systems.

Because of the myriad issues presented by the youth and the complex nature of delinquency court systems, effective delinquency courts need good collaboration and communication between the court and all the justice partners. Addressing the wide variety of delinquency court issues and preparing for new challenges and new leaders requires preparation and diligence. Ultimately, and in spite of these difficulties, being accountable to the public is critical, not only for ensuring that court systems are responsible to the communities they serve, but for building trust and confidence among court users and the general public.

H. Recommendations

29. Judicial officers should educate the community and the media about the purpose of the juvenile court, specifically its purpose and role in meeting the complex needs of youth, their families, victims, and the community.

30. Judicial officers should maintain open communication with the public, provide avenues for receiving public feedback, and provide information about court performance or improvements.

31. Local juvenile justice partners should identify the outcomes they hope to achieve and develop performance measures to monitor their progress.

32. State and local court administrations should ensure that facilities are designed, maintained, and operated so as to provide both the effective and efficient administration of justice and the respect and dignity that victims, court users, professionals, and judicial officers deserve.

33. The AOC, in conjunction with local courts, should design and construct new facilities, in consultation and cooperation with the other juvenile justice partners.

34. Court facilities in which delinquency matters are heard should have separate waiting rooms for victims and witnesses to ensure their safety and encourage their participation in court.

35. State and local court administrators should ensure that court operations, modifications to facilities, and AOC design standards protect the confidentiality of parties and victims while enabling the public to have access to nonconfidential delinquency hearings when appropriate.

36. Judicial officers should exercise leadership in strengthening the relationships among justice partners and community organizations and in ensuring that local jurisdictions utilize all available resources to create appropriate outcomes within the juvenile justice system.

37. The courts and probation should engage schools, mental health, and other community systems to support the rehabilitation of youth.

38. The AOC and the courts should assess the court's role in minority disproportionality within the juvenile justice system and work collaboratively with state and county-level justice providers to address racial and ethnic disparities.

39. The AOC should continue to support the courts and other agencies in developing ways to assist youth whose circumstances potentially bring them before both the dependency and delinquency courts.

40. Courts and juvenile justice partners should develop case management systems (including the California Case Management System [CCMS]) that promote coordinated data collection and data exchange between the court and other justice partners.

41. Courts and juvenile justice partners should develop case management systems (including CCMS) to permit juvenile delinquency courts to access information about youth's and families' participation in other court cases.

42. The AOC should support courts in their efforts to develop protocols and procedures to address local issues and challenges involving case management.

43. The AOC should develop tools to help the courts assess their case management practices and should assist the courts in instituting a process of continual improvement.

CHAPTER 5

Professionals and Court Users

A. Introduction

For the delinquency system to best meet the needs of youth, families of youth, victims, and other court participants, it is critical to have experienced court professionals who are well trained and committed to the juvenile delinquency court. The need for all professional court leaders to recognize the importance of the juvenile delinquency system underlies several of the recommendations stemming from this report. One recommendation states that superior court presiding judges, court administrators, district attorneys' offices, public defenders' offices, and probation departments should ensure that they recruit and retain professionals who are committed to serving the delinquency system. Others call for courts to protect the rights and interests of youth, parents, and victims and to encourage and value community involvement with the juvenile delinquency court.

To better understand perceptions of the delinquency system's strengths and weaknesses, it is important to assess court professionals' and court users' experiences with and opinions about this court system. Through surveys, interviews, and focus groups, court professionals were asked to evaluate their experiences with the court and with other system professionals and court users. In addition, focus groups were conducted with youth in the delinquency system, youth's parents, victims of juvenile crime, and community members in order to better understand their experiences with the juvenile delinquency court system.

B. Court Professionals' Experience and Background

To assess the experience of those professionals working in juvenile delinquency, the study explored the background and work experience of judicial officers, attorneys, and probation officers in the court. Topics included experience and background in their professional positions, including experience in the juvenile delinquency system, and their workload and training when relevant. Survey respondents were also asked whether they would like to continuing working in a juvenile setting and how they expected to leave their current juvenile delinquency assignment.

1. Judicial Officers

One of the recommendations of this report highlights the need for recruiting and retaining committed judicial officers in judicial delinquency assignments. Based on survey

responses, judicial officers have extensive experience and overall tenure. Although some judicial officers surveyed had been in their current juvenile assignment for a relatively short time, others have lengthy tenures working in juvenile delinquency, particularly presiding judges of the superior court and subordinate judicial officers.[87] The vast majority of judicial officers indicated that they did receive specialized training in juvenile law, either prior to or within the first year of starting a juvenile assignment.

a. Experience and Background

Responses to the survey suggest that the overall tenure of judicial officers working in juvenile delinquency is extensive. Overall, the median length of judicial experience is 11.5 years for all judicial officers combined, 11.5 years for judges, and 8.0 years for subordinate judicial officers.

b. Juvenile Assignments and Experience

Approximately half of the judicial officer respondents have full-time delinquency assignments. About one-third spend less than half time working on delinquency cases, and 21 percent work less than a quarter time on delinquency.

Judicial officers have extensive experience overall, and some also have lengthy tenures working in juvenile delinquency. Standard 5.40 of the California Standards of Judicial Administration encourages juvenile bench assignments of least 3 years.[88] Survey respondents have been in their current ongoing juvenile delinquency assignments for an average of 5 years. One-half have been in their current assignment for 3 years or more. A small percentage of judicial officers have been in their current delinquency assignment for lengthy time periods; approximately 15 percent reported having been in their current assignment for more than 10 years. Data on the length of completed assignments was not collected; therefore, it can only be said that at least half of the responding judicial officers have already met the 3-year mark. Most presiding judges of the superior court who regularly hear delinquency cases, as well as most judges, are in their first delinquency assignment, while presiding judges of the juvenile court and subordinate judicial officers are more likely to be in their second or subsequent rotation. When the time in their current juvenile assignments and the total time in juvenile assignments were compared across judicial officer categories, some differences emerge. Presiding judges of the superior court who hear delinquency cases regularly have the longest median delinquency assignment length, followed by subordinate judicial officers, presiding judges of the juvenile court, and judges.

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[87] Subordinate judicial officers include commissioners and referees.

[88] Cal. Stds. Jud. Admin., std. 5.40(a): The presiding judge of the superior court should assign judges to the juvenile court to serve for a minimum of three years. Priority should be given to judges who have expressed an interest in the assignment.

Survey respondents were also asked about their professional involvement in juvenile court before becoming a judge or a subordinate judicial officer. Sixty-two percent had been attorneys who practiced juvenile law. Judges were much more likely to have had no prior juvenile experience than were subordinate judicial officers, who are often hired to work in their area of legal expertise. Some respondents with prior experience as juvenile court attorneys also had other prior professional roles (such as social workers or probation officers); very few judicial officers had exclusively nonlegal professional roles.

c. Judicial Officer Education

Judicial officers also reported on the education they received in delinquency law at the start of their first assignment, as well as on their current education and training. The vast majority of judicial officers received their initial training either prior to or within the first year of their assignment. Only 17 percent reported not having received specialized education in the juvenile delinquency field within this time frame. These findings were equally true for newer judicial officers and for those who have juvenile appointments of half time or more.

Nearly all respondents indicated that they spent at least some time in specialized juvenile training in the past year. Judicial officers reported that they spent an average of 22 hours last year in specialized training related to juvenile delinquency, dependency, and related subjects. Approximately one-half of the respondents reported one or more work-related barriers to attending more training. The most frequently cited barriers were that the court has difficulty covering their time away from the bench and budget constraints.

2. Prosecutors

The need for district attorneys' offices to recruit and retain prosecutors who are committed to serving the delinquency court and developing expertise in the juvenile delinquency field is included in this study's recommendations. In describing the qualifications for prosecutors, the National Prosecution Standards section 92.1 on the Standards for Juvenile Justice recommends that training and experience should be required for handling juvenile delinquency cases and that entry-level attorneys working in juvenile delinquency should receive training related to juvenile matters. This standard also highlights the need to select juvenile prosecutors who are experienced and who have an interest in working with youth.[89] Data collected from the prosecutor survey show that although some very experienced attorneys are working in juvenile delinquency, many prosecutors are relatively new to the district attorney's office and have minimal prior experience in juvenile delinquency settings. Attorneys with more years of experience overall were more likely to say that they would like to continue to work in a juvenile

[89] National District Attorneys Association, *National Prosecution Standards,* Standards for Juvenile Justice, sections 92.1–92.7 (second edition) (1991).

delinquency setting than were newer juvenile prosecutors. However, most attorneys expected to be reassigned or rotated out of the juvenile division.

a. Experience and Background

Most prosecutors reported handling juvenile delinquency cases full time. The majority indicated that they handle multiple types of juvenile cases, most frequently listing general caseloads and cases involving gangs and sex offenders. One-fifth of respondents indicated that in additional to handling juvenile cases, they also have administrative or supervisory duties.

A substantial proportion of respondents are relatively new attorneys; more than one-fourth passed the bar less than four years ago, and more than one-third have less than four years' experience in the position of prosecutor. However, among the respondents were also a number of very experienced attorneys. Nearly one-third reported having passed the bar more than 20 years ago, and one-fourth have been a prosecutor for 20 years or more. On average, prosecutors from large counties were newer attorneys than were prosecutors from small and medium counties.

b. Juvenile Assignments and Experience

Prosecutors frequently reported being quite new to juvenile assignments; most are in their first juvenile delinquency assignment as prosecutor, and very few had prior professional roles in juvenile court. They have been in their current juvenile assignment for two to three years on average; nearly half have been in their current juvenile assignment for less than one year. Total years of experience handling juvenile cases is approximately five years on average, with nearly one-third of attorneys reporting less than one year of total experience in juvenile work. Pairing newer prosecutors with more experienced attorneys is one method some prosecutor offices may use to ensure the appropriate handling of juvenile delinquency matters.

When asked where they would like to be working in two years, most respondents indicated that they want to remain in the district attorney's office. Approximately one-third of juvenile prosecutors stated that they would like to remain in the juvenile division of the district attorney's office. Compared to more experienced prosecutors, newer prosecutors were less likely to report wanting to remain in the juvenile division after the next two years. Specifically, among attorneys with four years' experience or less in their role as prosecutors, only 12 percent indicated that they want to remain in juvenile assignments. In contrast, 43 percent of attorneys who have more than 16 years of experience expressed an interest in continuing to work in juvenile delinquency. When asked about the circumstances under which they expect to leave their juvenile assignments, prosecutors most frequently responded that they would either be reassigned or that their

predetermined juvenile rotation would be complete. Very few respondents (15 percent) said that they expect to remain in the juvenile division.

3. Defense Attorneys

The need to recruit and retain defense attorneys[90] who are committed to serving the delinquency court is one of the recommendations contained in this report. According to the National Juvenile Defender Center's *Principles in Practice*, legal representation of children is considered to be a specialized area that requires ongoing, delinquency-specific training. Although no specific recommendation is made regarding the level of experience necessary for juvenile delinquency attorneys, the principles do state that new defenders should be supervised by more experienced attorneys to ensure high-quality legal work and manageable caseloads.[91]

The survey found that although public defenders have more years of experience as attorneys than do prosecutors, the two groups have similar levels of experience working in delinquency assignments, with both being relatively new to delinquency work. Contract attorneys[92] have more years of experience than do public defenders, including total years as an attorney and years working in juvenile delinquency settings; however, public defenders are more likely to be working full time on delinquency-related work.

The survey found that although public defenders have more years of experience as attorneys than do prosecutors, the two groups have similar levels of experience working in delinquency assignments, with both being new to delinquency work.

a. Experience and Background

Defense attorneys generally handle multiple delinquency case types; the ones listed most frequently were general caseloads, gangs, and sex offenders. The amount of time spent on delinquency cases varies by defense attorney type. The majority of public defenders reported working in delinquency full time. Contract defenders, on the other hand, were far less likely than public defenders to be working full time in juvenile delinquency, with nearly half indicating that they spend one-fourth of their time or less doing delinquency-related work. In fact, contract defenders who work in delinquency a quarter time or less made up nearly 30 percent of all survey respondents.

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[90] For the purpose of comparison in this report, the term "defense attorney" refers to all defense attorneys surveyed, including public defenders, defense attorneys who contract to serve as their county's public defender, alternate public defenders, and contract or panel conflict defenders. Privately retained defense counsel were not surveyed.

[91] National Juvenile Defender Center, *Principles in Practice: Promoting Accountability, Safety, and Fairness in Juvenile Delinquency Proceedings* (Southern Poverty Law Center, 2007).

[92] For the purpose of comparison in this report, the term "contract attorney" is used to describe contract or panel conflict defenders only and does not include attorneys who contract as the county's public defender's office. Alternate public defenders and contract public defenders were not included in defense attorney comparison analyses, due to the low numbers of attorneys in these categories.

Juvenile defenders generally have more experience as attorneys than do prosecutors. The average number of years since passing the bar for defense attorneys is 20, and they have been defense attorneys for 17.4 years on average. It should also be noted that public defenders have less experience as defense attorneys on average than do contract defenders (12.3 years and 19.8 years, respectively).

b. Juvenile Assignments and Experience

On average, defense attorneys have been in their current juvenile assignment for approximately the same amount of time as prosecutors (an average of 3.2 years and 2.7 years, respectively). However, a comparison of the total number of years spent in juvenile assignments showed that defense attorneys have much more juvenile experience on average (13.6 years) than prosecutors (4.9 years). Total years of experience in juvenile assignments also varies by defense attorney type, with public defenders' experience more closely resembling that of prosecutors. Specifically, public defenders had fewer total years of experience in juvenile assignments on average than all other defense attorney types.

Defense attorneys are also more likely than prosecutors to have had other professional roles in the juvenile court system. Sixty percent of defense attorneys reported having had other roles in juvenile court. The most frequent roles were parent's attorney in dependency cases and child's attorney in dependency cases. Contract defenders were more likely than public defenders to report having other roles in the juvenile court system. This is true regardless of the percentage of time they currently spend working on delinquency-related matters. For the contract attorneys, these responses likely reflect both prior and current roles in the juvenile court system.

When asked under what circumstances they expect to leave their juvenile assignment, only 23 percent of public defenders said that they expect to remain in the juvenile division. Most stated that they would either be reassigned or that their predetermined juvenile rotation would be complete. However, more than half of defense attorneys indicated that they would like to continue handling juvenile delinquency cases; this finding was true for both public defenders and contract defenders. Similar to the findings for prosecutors, public defenders with more experience were more likely to want to continue handling juvenile cases than were the newer defense attorneys. Across all experience levels, public defenders were more likely than prosecutors to indicate that they would like to remain in their juvenile assignment. As with the prosecutor results, these findings indicate that there is an experienced group of public defenders who want to continue handling juvenile cases. Contract defenders show a different pattern of results: newer attorneys were slightly more likely than more experienced attorneys to say that they would like to continue to work on juvenile delinquency cases. However, it should be noted

that across all experience levels, more than half of the contract respondents indicated that they would like to continue handling juvenile cases. It is likely that contract attorneys have a choice in deciding to handle juvenile delinquency cases in the first place, and those that have chosen this type of work are therefore interested in continuing to do so.

4. Probation Officers

The need to recruit and retain experienced, committed staff in juvenile probation departments was also among the recommendations enumerated in this report. Based on survey findings, probation officers have extensive experiencing working in juvenile probation. Approximately half of the respondents stated that they would like to remain in their juvenile assignment. The amount of time spent in various job-related tasks varies by probation officer role (for example, intake officers spend their time differently than court officers).

> ***Approximately half of the probation officers stated that they would like to remain in their juvenile assignment.***

a. Experience and Background

The respondents to the probation officer survey included line intake officers, investigation officers, placement officers, court officers, supervision officers, and deputy probation officers at institutions or facilities. More than half of the respondents reported having multiple roles. Of those probation officers who indicated that they have case supervision duties, almost half reported having a general caseload and more than half reported handling intensive or informal supervision caseloads.

Most juvenile probation officers have substantial experience working in probation. Nearly half have been working for probation between 5 and 10 years; the average number of years working in probation in any capacity is almost 10. Very few respondents have less than 3 years' experience working in the probation field.

b. Juvenile Assignments and Experience

Most respondents are also not new to working in juvenile probation; the total time working in juvenile assignments is about 8 years on average. The average number of years in the current juvenile assignment is 3.5; about half of the respondents have been in their current assignments for less than 2 years. Nearly a quarter of respondents have worked in their current juvenile assignment since they began working in the probation department.

Approximately half of all respondents reported that they would like to still be in the juvenile division in two years; an additional 30 percent would like to stay in the probation department but work in another division. When asked how they expect to leave the juvenile division, one-third of the respondents stated that they expect to remain in the

juvenile division and about 20 percent indicated that they expect to request to leave the juvenile division.

When asked to rate the frequency with which they engage in various job-related tasks, differences across probation officer roles emerged. Investigation officers and court officers spend the most time preparing court reports. Predictably, compared to all other probation officers, court officers were more likely to report that they frequently attend court. Service and program coordination is a more frequent activity for both field and institution supervision officers. Providing services to victims is an infrequent job activity for most respondents. Nearly half of all probation officers reported that they never or rarely provide victim services. Investigation officers were somewhat more likely than other probation officers to provide services to victims; approximately one-fourth indicated that they do so sometimes or often.

C. Court Professionals' Experiences With the Juvenile Delinquency System

In order to evaluate court professionals' experiences with the juvenile delinquency system, the survey asked respondents to evaluate their relationships with the court and other court professionals, to assess the job performance of those individuals, to describe what they liked and disliked about their juvenile assignments, and to list the strengths and needs of the juvenile delinquency court. When relevant, survey respondents and focus group participants were asked about their work with court users.

1. Experience With the Delinquency Court and Court Professionals

Attorneys and probation officers reported having good relationships with the court and with justice partners. As described in chapter 2 of this report, attorneys reported having a good relationship with the court and with other court professionals and are generally satisfied with how they are treated by the court. When survey respondents were asked to describe what they like most about their juvenile assignments, one of the most frequent responses from both attorney groups was that they enjoy the relationship with coworkers and other juvenile delinquency court professionals. Many stated that they find the nature of these relationships to be positive and collaborative. Probation officers also reported having good relationships with the court and with prosecutors and defense attorneys.

Attorneys and probation officers reported having good relationships with the court and with justice partners.

For both attorney groups, satisfaction with the relationships they have with other court professionals is higher than their satisfaction with the job performance of those professionals. This may be partially due to the different role each court professional has in the delinquency court system and the adversarial atmosphere that is sometimes present in delinquency court proceedings. Although not asked directly about their

opinions of the juvenile delinquency bench officers, some prosecutors, in response to an open-ended question about what they would change about their delinquency assignments, commented that they would like stronger, less lenient bench officers handling delinquency cases.

Although probation officers reported in the survey that they generally have good relationships with the courts, the public defender's office, and the district attorney's office, they are dissatisfied with how they are treated by the court and attorneys. They are also dissatisfied with both prosecutors' and defense attorneys' handling of cases. Probation officers are generally satisfied with the number of times they are required to attend court, although they are dissatisfied with how well they are trained to testify.

When asked about the top strengths of the juvenile delinquency court, judicial officers frequently commented on the good working relationship and collaboration within the court and on the knowledgeable and committed court professionals. Based on survey responses, judicial officers are also generally satisfied with the performance of prosecutors and defense attorneys in court and expressed similar levels of satisfaction across both attorney types for most of the areas assessed. Judicial officers are also generally satisfied with the quality of information they receive from probation; they are most satisfied with the quality of information that is easy for probation to obtain by the time of the hearing.[93]

2. Working With Youth, Families, and Victims

When asked to describe the top three things they like most about their juvenile assignments, one of the most frequent responses from prosecutors and defense attorneys was the ability to make a difference for the youth in the delinquency system by helping them change their behavior. Defense attorneys were particularly likely to state that they enjoy working with kids as well as with their families; this was by far the most frequently supplied answer to the question of what they like most about their juvenile assignments. A number of respondents from both attorney groups emphasized the importance of helping youth in order to reduce future delinquent behaviors and to improve the youth's overall functioning. Prosecutors frequently commented that by helping youth change from a delinquent path, they are also helping to make the community safer. Probation officers were also likely to rate working and interacting with youth as one of the things they enjoy most about their juvenile assignment. They frequently reported that they enjoy seeing positive changes in youth and providing services to youth. However, they also commented that they do not have as much time to spend with youth as they would like.

[93] See Chapter 2 for more details on judicial officers' satisfaction with the quality of attorney and probation officer work.

Defense attorneys and probation officers were asked to indicate how well various types of information are conveyed to youth and parents. The responses indicate that defense attorneys feel that certain types of information are explained well. These include possible outcomes, responsibilities while on probation, ramifications of a plea, what to expect at court hearings, and the general court process. Defense attorneys were less likely to indicate that record-sealing information and the process for paying restitution are explained well to youth or parents. Probation officers also indicated that some information is conveyed well to youth and parents. The majority of probation officer respondents agreed that youth's responsibilities while on probation and possible outcomes are conveyed well to both youth and parents, and that the parents' responsibilities while the child is on probation are also explained well. However, nearly everyone in probation interviews and focus groups agreed that neither youth nor parents understand what happened in court. This perception by probation officers is strongly supported by youth and parent focus group participants, who frequently commented that they did not understand what was happening while in court and that the process was not explained to them very well.

When asked to describe their work with victims, most prosecutors indicated that they work with victims in one or more capacities. The most commonly listed activities included preparing victims to testify and explaining the court process to victims. Approximately half of the respondents indicated that their work with victims includes referring victims to services and explaining the restitution process to victims. Less than 40 percent of attorneys indicated that they take victim statements or notify victims of hearings. It should be noted, however, that when an individual survey respondent does not engage in a particular activity, such as notifying victims of hearings, it does not suggest that this activity does not happen at all in the respondent's county. Individual attorneys' responsibilities may vary from office to office, and not all prosecutors may engage in all victim-related responsibilities. Some victim-related work may also fall under the job duties of the county probation department.

In focus groups, probation officers generally reported feeling that they do a poor job of dealing with victims. Responses from surveyed probation officers show, in fact, that almost one-third do not work with victims as all. Similar to the earlier comment about prosecutors' victim-related work, individual probation officers' duties may vary with respect to victim-related responsibilities. Of those probation survey respondents who indicated that they do work with victims, fewer than one-third said that they explain the process of collecting restitution to victims. Dissatisfaction with restitution collection was seen across all professional groups, and this unhappiness was strongly echoed by the victims who

"Every time I deal with the probation department, it's like no one knows nothing, they can't enforce anything, and they have no answers for you."
–Victim

participated in focus groups. Victims commented that the court does not hold youth accountable for payment of restitution and that it is difficult to obtain information. According to one victim, “Every time I deal with the probation department, it’s like no one knows nothing, they can’t enforce anything, and they have no answers for you.”

3. Juvenile Delinquency System

When describing what they would change about their juvenile assignments, prosecutors’ most frequent response was that the juvenile delinquency system is too lenient and should have a greater emphasis on punishment of and accountability by juvenile offenders. Prosecutors often feel that a system imbalance exists in case dispositions, one that emphasizes rehabilitation over punitive responses and youth needs over community safety. As one prosecutor stated, “I would like for the juvenile system to recognize [the] value of punitive measures in dispositions, even though rehabilitation should still be the focus and the goal.” There is also a strong belief among prosecutors that the system needs to have tougher penalties for serious, repeat offenders, including incarceration when warranted. This sentiment was reflected in prosecutors’ evaluations of the effectiveness of various sanction options available to juvenile offenders. Prosecutors tend to be more satisfied with the effectiveness of the more restrictive sanction options, such as camps and ranches, placement, and DJJ. They are least satisfied with more informal options such as counsel and dismiss or home on probation. This concern about an overly lenient delinquency system was raised by participants in prosecutor focus groups as well. It should be emphasized that most prosecutors who spoke in focus groups and responded to survey questions are not in favor of punitive measures in lieu of helping to rehabilitate youth but feel that a better balance between the two needs to be found.

> ***“I would like for the juvenile system to recognize [the] value of punitive measures in dispositions, even though rehabilitation should still be the focus and the goal.”***
> ***–Prosecutor***

Defense attorneys, on the other hand, see the delinquency system as being overly punitive, and they expressed concern over the lack of procedural protections afforded youth in the delinquency court system, given a perceived increase in the punitiveness of the delinquency court. One respondent commented on the impact of an overly harsh system, stating that “juvenile court should not destroy kids forever.” When asked what they would change about their current juvenile delinquency assignment, many defense attorneys commented that although they like the fact that the juvenile system is generally less harsh than the adult criminal system, it is still too punitive and not focused enough on youth rehabilitation. Some defense attorneys think that prosecutors overcharge in many cases (for example, they may choose to file a felony commercial burglary charge when a

> ***“Juvenile court should not destroy kids forever.”***
> ***–Defense attorney***

defense attorney thinks that a misdemeanor shoplifting charge is more appropriate). A common theme underlying these responses is that juveniles are being treated like adult criminals but are not afforded the same legal protections that are present in the adult criminal system. For example, survey respondents indicated that they would like to have the option of jury trials in the juvenile system, particularly for serious crimes and strike offenses.[94] Many defense attorneys feel that an overly harsh system has a detrimental impact on a youth's future. Focus group participants from a few counties supported this sentiment, pointing out that overcharging certain juvenile offenses may affect the youth's ability to seal his or her record after reaching adulthood. Defense attorney satisfaction with sanction options is also substantially different from that reported by prosecutors. Defense attorneys are very dissatisfied with the more restrictive sanction options and are most satisfied with the effectiveness of less restrictive options such as home on probation, informal supervision, community service, and electronic monitoring.

When probation officers were asked to list the top strengths of the delinquency court, the most frequently listed strengths were that the court holds the youth accountable, focuses on rehabilitation, and treats people with respect. When asked what the court could improve upon, many probation officers stated that the court needs to hold the parents of youth more accountable. This need for parental accountability and responsibility was mentioned by prosecutors, defense attorneys, and community members as well.

D. Court Users' Experiences With the Juvenile Delinquency System

During the course of this project, youth, parents, victims, and community members shared their experiences in 15 focus groups.[95] Five focus groups were held with a total of 58 probation youth from different counties. The groups included in-custody and out-of-custody boys and girls, youth who were enrolled in an alternative school run by a probation department, and youth who were participating in a drug court program. Three focus groups were conducted with parents of children who had gone through various stages of the delinquency court process. Parents included in the focus groups had children who had experienced a wide variety of court dispositions and levels of probation supervision. Some parents had children against whom very serious charges had been filed. Victims of crime and their family members participated in four focus groups. The offenses that had been committed against these victims or their family members included

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[94] "Strike" refers to an offense that can be used for enhancing a sentence under California's "three-strikes law," contained in Proposition 184, which was passed by voters in 1994. The substantive provisions of Prop. 184 are codified in Pen. Code §§ 667(e)(2)(A)(ii) (*http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=69854025223+1+0+0&WAISaction=retrieve*) and 1170.12(c)(2)(A)(ii) (http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=69858425608+1+0+0&WAISaction=retrieve). The purpose was to lengthen prison sentences for repeat criminal offenders.

[95] For an in-depth analysis of these individual groups, refer to volume 2.

identify theft, assault, robbery, sexual molestation, and, in one case, murder. Focus groups with community members from three different counties were also held. The community participants varied widely in their experience with and knowledge about juvenile delinquency court. They were members of community-based organizations, municipal agencies, parent support and youth advocacy groups, violence prevention organizations, and law enforcement agencies, as well as retired juvenile justice professionals and members of the clergy.

Despite the different perspectives that each of these constituent groups represents within the delinquency system, their opinions and experiences shared several common themes:

- Court users would like more opportunities to be heard and to participate in the process.
- Court users feel that the delinquency court process is complex and that the language used in court is difficult to understand.
- There is a belief among court users that the juvenile justice system has no clearly defined goal or purpose and exists for no reason other than to process cases.
- Court users feel that the delinquency system does not follow through on its promised consequences or services.

1. Barriers to Participation

Youth, parents, victims, and members of the community all expressed great frustration at the difficulties they encountered when trying to participate in the delinquency court process.

Youth and parents reported wanting meaningful opportunities to address the court and to be active participants in their court hearings and cases, so they had difficulty understanding why the defense attorney sometimes advised them not to speak to the court.[96] Parents reported that they often felt ignored and irrelevant to the court process. They also reported being confused and angry that they had no ability to participate in decision making in their child's case (with respect to plea agreements or negotiated dispositions). They commented that defense counsel often excluded them from conversations with the youth. One parent noted, "It's horrible because you never have the chance to defend your son.

> ***"It's horrible because you never have the chance to defend your son. It's all going on between the DA and the public defender, and they're just going back and forth."***
> ***—Parent***

[96] This is likely due to the attorney's obligation to prevent the youth from making incriminating statements in court.

It's all going on between the DA and the public defender, and they're just going back and forth." Some parents in the focus groups were unaware that legally, in delinquency proceedings, the attorney represents only the offender, not the parent. Though there may be sound legal bases for the attorneys' handling of these situations, the opinions of both youth and parents about the court process might improve if the reasons for their limited participation were communicated to them. As discussed earlier, defense attorneys, in response to a question about what they like most about their delinquency assignment, frequently stated that they enjoy working with parents and families of the youth. Some defense attorneys said they would like more participation and involvement by the youth's parents. Thus, it appears that parents and attorneys have similar goals in wanting some level of parental participation. What that participation should involve may be unclear to parents and may warrant clearer explanations by defense attorneys.

Victims and community members also expressed dissatisfaction with the lack of opportunities to participate meaningfully in delinquency court. Victims reported that they had difficulty getting information about hearing dates and times and about their ability to attend and participate. They often reported that were it not for their own efforts to find information, and repeated calls to probation, prosecutors, and the courts, they would simply have missed hearings and never known what their legal rights were. It is unclear exactly how often victims are actually provided with this information about hearings. Victims also expressed frustration at taking time away from work (which amounted to lost wages or additional business expenses) to attend a hearing only to have the matter continued, and at not being able to make a statement during the hearing. As was noted in chapter 2, opinions among court professionals vary regarding the severity of and reasons for hearing delays and continuances. Clearly, the reason for a delay should be communicated to any victims and witnesses who have been waiting and now need to return to court on another day. One victim reported attending court, waiting for two hours, during which time no one communicated with him, and finally leaving. The invitation to participate in the JDCA focus group was the next time he was contacted by anyone about his case. Another victim reported going to court with a written impact statement prepared and not being allowed to read it.

Community members expressed similar concerns over not being able to get hearing information, having to spend time waiting for hearings that ended up being delayed, and not being allowed to participate when hearings did occur. Several focus group members reported that when a court directed or asked that an offender participate in one of their community-based programs, they often had difficulty getting information about the youth and family from probation or the attorneys due to the confidential nature of juvenile court, and they sometimes had difficulty attending hearings for the same reason. Additionally, some members of community-based organizations reported feeling that probation did not want them to participate in certain cases, and if they did, it was only to have

documentation of a youth's failure. Focus group participants reported that they believe probation is not interested in reports that document when a youth is doing well. Understandably, they are frustrated when they are asked to provide a service for the youth and then are made to feel that their input isn't desired, are excluded from hearings, or are not informed about proceedings.

A common recommendation from both victim and community focus groups was that it would be helpful for court users to have a designated contact person for the lifespan of the case who has the ability to access information about the court process and about the individual case. A suggestion that emerged in focus groups with victims was that a single point of contact for victims of crime would be helpful. One victim stated, "I think it would've been good to have one person to talk to, to answer questions instead of us having to call sergeants on the case, intake officers, the county jail itself, the probation officer." She suggested that courts provide "one person who is able to give us the information that we need." One focus group populated by victims who had an advocate assist them through the delinquency court process described a much more positive experience with the juvenile court system compared to other victims who did not have the benefit of a victim advocate. Victims in this group reported that they received information about their rights, about the case, and about all court dates and what they should expect to happen.

It would be helpful for court users to have a designated contact person for the lifespan of the case who has the ability to access information about the court process and about the individual case.

Participants in community focus groups also thought it would be beneficial for community-based organizations and schools to have a designated contact person for the juvenile delinquency court. They expressed confusion regarding who they should contact regarding a juvenile case, as well as about the appropriateness of certain actions, such as contacting the judicial officer involved in a youth's case. Focus group members thought that a single, identified contact person would help improve the communication between their agencies and the delinquency court. They also recommended a designated contact person for youth and families to get information about the youth's case.

2. Lack of Comprehensible Process or Hearings

Youth, parents, victims, and community members also expressed confusion with the unique language used in delinquency court by the professionals. Several focus group participants recalled feeling that they were listening to a foreign language with terms, words, code numbers, and acronyms that they did not understand. The majority of focus group parents and youth reported leaving court with virtually no idea of what had happened and hoping that, once outside the courtroom, the youth's attorney or a probation officer would provide an explanation. In contrast, as described earlier in this

chapter, defense attorneys feel that most types of information are conveyed well to parents and youth. It may be that due to large caseloads and crowded court calendars, attorneys are not taking the time needed to go over court orders and explain court processes thoroughly to youth and their parents, to ensure that they really understand what is happening and what the next steps are.

Victims had similar complaints, and unless they had a victim-witness advocate who worked closely with them, they reported that their questions and concerns often went completely unaddressed. They felt that no one took responsibility for helping them, and they said they were frequently passed from one person to another, with no one who had knowledge of or responsibility for their case. Many victims reported that at the time of the JDCA focus groups, which in some instances were being conducted months or even years after the court cases were processed, their questions still had never been answered. If allowed to participate in hearings, community members viewed the entire court process as hurried and disorganized, with professionals who cared little about taking the time to make sure the youth and families who appeared in court understood the process.

3. Purpose of Juvenile Delinquency Court

When asked about the purpose or intent of the delinquency court, a few of the participants in the court users' focus groups articulated that the system was originally created to rehabilitate offenders and to punish or hold youth accountable for violating the law. Some community members expressed the opinion that the system had become too punitive; society in general, some said, has become too punitive and willing to incarcerate youth. But the most frequent response by far to the inquiry about the purpose of the juvenile delinquency court was that the system exists solely to process the cases that come before the court. In the focus groups, youth, parents, victims, and many community members expressed the belief that case processing and maintaining employment for the professionals was the purpose of the system, and that the system, on some level, purposely set youth up for failure. One victim stated, "My impression on the court system from my experience is that their intent is just to process and keep the process simple, quick, and easy." Youth expressed similar opinions, pointing out that they thought their probation officers (and the court) noticed only when they did something wrong and failed to notice successes such as good grades or periods during which the youth was behaving appropriately.

4. System Follow-Through

A wide range of focus group participants echoed the theme that the delinquency system lacks follow through. Community members commented that there is no follow-through on the provision of services to youth. Victims reported that they do not believe that the court

holds youth accountable for payment of restitution. In addition, focus group participants knew of many instances in which an offender violated the terms of his or her probation and received no consequences. One victim noted, “These kids are just laughing at the judge and the whole system, because they know the system isn’t capable of [enforcing what the court] ordered.” Parents felt that this lack of follow-through over a period of time gave the youth a false sense that they could get away with misbehavior and violations of probation conditions. Community members and parents also expressed concern that the system responds inconsistently, failing to impose consequences for minor misbehavior and then, after a particular offense or violation, and sometimes without warning, seeming to overreact and mete out excessive punishment. This concern over lack of follow-through was reiterated by probation officers in focus groups, who feel that their credibility (and the system’s) suffers when they warn youth of consequences that never come. Although judicial officers should independently assess the facts and circumstances each time a case comes before the court, in order to have a more effective role in the rehabilitation of youth, they need to communicate the rationale for their decisions with the youth and with others when they diverge from past admonishments or statements.

E. Conclusion

It is encouraging to note that within all groups of survey respondents there exists a group of highly experienced professionals working in the California juvenile delinquency court system, including many who indicate that they would like to continue working in a juvenile delinquency setting. These findings would appear to partially address the recommendations from this report that encourage court leaders to recruit and retain qualified professionals for the juvenile delinquency system. Probation officers often have lengthy tenures, including a number of years’ experience working in juvenile probation assignments. Judicial officers’ level of experience varies by judicial officer position; however, there are many who have extensive experience working in juvenile court settings. Findings for prosecutors and public defenders may raise some concerns regarding the general lack of experience of some attorneys working in the juvenile delinquency courts. Among survey respondents there are some attorneys who are new not only to juvenile assignments but also to the district attorneys’ and public defenders’ offices in general. As was noted previously, it may be the case that in many offices, new attorneys are paired with ones who are more experienced. Given the complexity of the juvenile delinquency court system, practices such as this that allow for more experienced attorneys to handle or supervise delinquency cases should be encouraged.

The fact that there are many professionals who are new to the delinquency system indicates the importance of early training when first entering a juvenile delinquency assignment.

The fact that there are many professionals who are new to the delinquency system indicates the importance of early training when first entering a juvenile delinquency assignment. Although the delinquency training of

attorneys was not assessed in this current study, it would likely be beneficial for them to receive delinquency-specific training early in their delinquency assignments, or at least to receive some level of supervision from other professionals who have more experience in juvenile delinquency work. When judicial officers were asked about the training they received, the vast majority indicated that they did receive training in delinquency law either prior to or during the first year of their assignment.

Many probation officers and attorneys reported that they would like to remain in their juvenile assignments. Prosecutors and defense attorneys who were new to their respective offices were less likely to indicate that they would like to continue working in juvenile delinquency. The majority of respondents from all three of these professional groups indicated that they expect to rotate out of their juvenile assignments at some point in the future. If a failure to get promoted underlies some of the hesitation or inability to remain in juvenile assignments, this may be an area for prosecutors' and defense attorneys' offices to evaluate further. Recommendations from this report encourage the leadership from all court-related offices to retain and promote qualified professionals who are interested in working in a juvenile delinquency court setting. Additional efforts to accommodate those who wish to remain in juvenile assignments need to be considered; it is up to the leadership within all delinquency offices to initiate these efforts and to relay the message that juvenile delinquency is an important and worthwhile assignment.

Hearing delays and continuances were cited as a problem by most of the court user groups. One of the guiding principles of this report is that the delinquency system should recognize and respect the rights of victims, and two of the report recommendations call for judicial officers to accommodate the schedules of victims and witnesses whenever possible. Regardless of the reason for the hearing delays and continuances, court users should be made aware of the reason that the hearing is being continued. This may help to alleviate some of the frustration and confusion felt by these court users, who may otherwise perceive a continuance as an unnecessary and unexplained inconvenience.

Several recommendations stemming from this report revolve around the need for the court to ensure that hearings are comprehensible to court users. Findings of the current study regarding court user comprehension of the court process are consistent with those found in the recent Public Trust and Confidence study.[97] Both studies indicate that the public and nonprofessional court users have a low level of understanding of the court process. A very common statement from focus group participants was that they did not understand what happened while in court and that nobody bothered to explain it to them (or did not explain it well) after the hearing was over. One probation officer suggested

[97] Admin. Office of the Courts, *Trust and Confidence in the California Courts, Phase I and II* (2006); available at *http://www.courtinfo.ca.gov/reference/4_37pubtrust.htm*.

that “having some type of orientation for parents whose kids are involved with our system when they first come here . . . it could be like a liaison for parents, and [that person] meets with them and explains to them about the court process.” Victims and parents also spoke of wanting to be better informed about the case, to be included, and to have the opportunity to have greater input in the process. Defense attorneys often expressed that they would like more parental participation in the youth’s case. It seems that parents and attorneys have similar goals in wanting some level of parental participation. What that participation should involve may be unclear to parents and may warrant clearer explanations by defense attorneys.

Perceptions of the purpose and goals of the delinquency court system differ between court users and court professionals and also differ among the court professionals themselves. Court users, by and large, think that the juvenile delinquency system exists for no other purpose than to process the cases that come before the court. Defense attorneys and prosecutors have very different opinions about the areas of the juvenile delinquency system that are in need of improvement. Prosecutors’ most frequent response was that the system is too lenient and should have a greater emphasis on punishment of and accountability by juvenile offenders. Defense attorneys, on the other hand, criticized the prosecutors for overcharging cases and for other practices they perceive as overly punitive. A common theme underlying the defense attorneys’ responses was that juveniles are being treated like adult criminals but are not afforded the same legal protections that are present in the adult criminal system. Probation officers, when asked what they like most about their juvenile assignment, frequently commented on the court’s ability both to hold youth accountable and to rehabilitate youth. One common theme across both attorney groups and probation officers is that they enjoy having the opportunity to work with youth and having the ability to help them turn their lives in a more positive direction.

One common theme across both attorney groups and probation officers is that they enjoy having the opportunity to work with youth and having the ability to help them turn their lives in a more positive direction.

F. Recommendations

44. Superior court presiding judges should recognize the importance of the juvenile delinquency system and the need for recruiting and retaining high-quality judicial officers in juvenile assignments.

45. Court administrators should ensure that courts have adequate numbers of qualified court staff.

46. District attorneys' and public defenders' offices should be encouraged to seek out and promote attorneys who are committed to serving the delinquency court and developing expertise in this complex and significant field.

47. Judicial officers should seek out panel and contract attorneys who are committed to serving youth in the delinquency court and who are willing to develop expertise in the field.

48. Probation departments should seek out, encourage, promote, and retain staff who are committed to working with juveniles and developing expertise in this important area.

49. The courts should ensure continuity of policy and practice during leadership transitions by instituting best practices and by supporting the transfer of knowledge.

50. Probation and social services staff should be adequately trained and should communicate and coordinate services so as to deal appropriately with those youth who appear to come within the jurisdiction of both the delinquency and dependency systems.

51. Judicial officers, attorneys, and probation should be adequately trained and educated to understand the myriad issues in delinquency court and the importance of the work.

52. Courts should develop or clarify local protocols that set forth their expectations of defense counsel in the postdispositional period regarding status reports, hearings, child visits, legal advocacy, and other activities.

53. The AOC should work with law schools and the State Bar to educate, encourage, and support attorneys seeking careers in juvenile justice.

54. Courts and juvenile justice agencies should continually monitor and adjust their caseload guidelines to respond to evolving standards of practice and should seek additional resources as necessary.

55. Courts hearing delinquency matters should have adequate funding to fulfill their purpose of guaranteeing public safety, victim restoration, and offender rehabilitation.

56. The judicial branch should encourage federal, state, and local government officials to provide probation departments with stable and adequate funding to protect the public and the rights of victims, to ensure offender accountability and

rehabilitation, and to support the court with the information necessary to make appropriate findings and orders.

57. Local government officials should fund public defenders' offices, district attorneys' offices, and contract-based defenders at a level that allows them to adequately fulfill their professional obligations.

58. The Judicial Council should support the improvement of resource allocation in the courts by conducting a judicial workload study of judicial officers who hear juvenile delinquency cases and a needs assessment of the court staffing that supports the court's management and review of juvenile delinquency cases.

CHAPTER 6

Conclusion

The charge of the juvenile delinquency court is a complex one that requires the balancing of many interests as well as the involvement of many actors and institutions. At the case level, judicial officers supervise the administration of the law. Courts must fashion responses that optimize public safety; hold youth accountable; develop competencies; and make the victim and community whole. To accomplish this, the court needs accurate and complete information about the circumstances of the arrest, informed perspectives about the youth's strengths and challenges, and an assessment of the likelihood that the youth will reoffend. To diminish the possibility of recidivism and adult criminality, judicial officers must also attend to the youth's educational and social development while the youth remains under court supervision.

The charge of the juvenile delinquency court is a complex one that requires the balancing of many interests as well as the involvement of many actors and institutions.

The courts accomplish this in a highly regulated environment, where deriving a solution based upon the best interests of the youth, public safety, and accountability is both assisted and constrained by procedural safeguards; statutory regulations governing findings, orders, and their timeliness; and the complexities of such issues as collateral consequences, transfers to adult court, substance abuse, competency, and educational rights. Courts rely upon the participation of zealous and knowledgeable legal advocates, probation officers, service providers, and court staff, such as clerks, caseworkers, interpreters, mediators, and research attorneys. Judicial officers also need the time to consider all of the information presented to them. The resource constraints under which all of this is to be achieved will have to change before the system can operate optimally.

At the system level, judicial officers and the presiding judge of the juvenile court must attend to myriad issues, both in the court and in the community, to support the juvenile delinquency system. To remain confident about findings and orders that are made, they must engage in such activities as visiting detention facilities, attending cross-training to understand the adequacy of treatment protocols, and evaluating outcomes for youth. Managerial issues at the system level must also be addressed. These include but extend well beyond such activities as regulating caseflow and workload, convening justice partners to resolve problems in services, improving communication, and exploring how to improve upon what is functioning well.

The juvenile delinquency system does not operate in a vacuum. The system-level work of the juvenile delinquency court involves communicating with the community. This includes

learning whether there are community resources that can benefit the court, victims, and youthful offenders and their families. It also involves responsiveness to the community's sentiments about a host of issues, such as their perceptions of their safety, the system's transparency, and their desire to understand the purpose of the juvenile delinquency court.

These final sections summarize the findings and the study's limitations. Following that are several proposed new projects that may assist the juvenile courts and the AOC in beginning to address the study recommendations as set forth in chapters 1 through 5. Chapter 7 reprints the recommendations in their entirety.

A. Summary of Findings

- Additional resources are needed to maintain caseloads at a reasonable level for judicial officers, attorneys, and probation officers. Both probation officers and defense attorneys expressed a need for more resources to enable them to implement court-ordered dispositions and case plans, including accessing services in the community for the youth they work with.

- Judicial officers, attorneys, and probation officers who were surveyed expressed a general dissatisfaction with the sufficiency of information about, and the availability of, services for youth, most notably drug rehabilitation, mental health services, gender-specific services, and services for transitional-age youth. They also indicated that they are not satisfied with the sanction options available to the court for high-risk youth.

- Judicial officers, attorneys, and probation officers who were surveyed expressed frustration concerning the availability of information to them at various points in the delinquency court process, including mental health assessments, information on youth's educational status, and interviews with youth, parents, and victims, both predisposition and postdisposition.

- For youthful offenders, parents, victims, and witnesses, court proceedings are often difficult to follow and understand. These groups find the court experience to be rushed and without opportunities for them to participate. Court facilities often do not have the space or the personnel to address the questions of court users.

- There is a need to measure the effectiveness of system responses to youthful offenders. The juvenile delinquency system needs better ways to measure outcomes and increase accountability.

- Courts frequently collaborate with justice partners to work on policies and procedures, and to respond to problems as they arise. Judicial officers expressed the need to be better informed about the availability and effectiveness of dispositional options for youth, and to meet with the community.

- Many juvenile detention facilities and juvenile court facilities are in need of improvement or replacement. The nature of the environment in which cases are heard, and where youth are confined, has a significant impact on the efficiency and effectiveness of court processes.

- Juvenile delinquency courts need to be staffed with judicial officers, court staff, probation officers, and attorneys who are educated in juvenile law issues and are experienced in and committed to the juvenile delinquency assignment. Longevity in juvenile assignments should be encouraged.

B. Study Limitations

This study has several limitations that should be noted. One has to do with the areas of study. First, because the assessment covered so many areas, it was not possible to study any one area in depth. Also, some areas were not studied at all. Sometimes, this was because the topics were too big to be addressed within the study structure (for example, disproportionate minority contact and mental health services for adjudicated youth). Largely, though, it was due to a lack of appropriate data for the questions at hand (such as workload and caseload statistics).

The study also relied on opinion data that were aggregated to the state level. When the perspectives of judicial officers and different justice partners can be compared, it is possible to use these data to isolate areas that are in need of improvement or, at least, further analysis. However, opinion data can be compromised by two problems. One is that subjective evaluations are influenced by expectations. Survey respondents who reported being satisfied with a certain court process, for example, may be fairly or objectively assessing that process as working well. It is also possible, however, that their satisfaction is due to diminished expectations—that is, they have come to accept a poor process. The second weakness of opinion data is associated with asking respondents to recall the frequency of events, something that is difficult to do when the events are infrequent, unremarkable, or meaningless to the respondent. The assessment avoided this problem to some extent by not asking respondents to attach quantitative precision to their observations; however, this also meant that the assessment did without certain information. Another limitation is that aggregating data to the state level may mask very strong county-level variation. The strategy of triangulating statewide survey data with local focus group data was devised, in part, to offset this weakness.

The final challenge in interpreting the data is that different research methods were employed for court users and the community on the one hand (focus groups in six counties) and judicial officers, court staff, attorneys, and probation on the other (focus groups, interviews, and statewide surveys). For example, judicial officers were surveyed but, with the exception of presiding judges of the juvenile court, were not interviewed or convened in focus groups. At the other end, court users spoke about issues in focus groups, but representative surveys were not conducted with them. This may make the viewpoints of the two groups seem more different than they are.

C. Next Steps

The Family and Juvenile Law Advisory Committee recommends that local courts and justice partners examine this report with an eye toward local reform. One method for reviewing it might be for juvenile court presiding judges to convene local justice partner meetings to assess which issues identified in this report are problematic in their jurisdiction and to come up with local solutions. In addition, the Family and Juvenile Law Advisory Committee requests that the Judicial Council consider this report in terms of its implications for statewide reforms efforts. While many of these recommendations can be implemented immediately, others require future study, statewide consideration, funding, statutory changes, or rule changes. A few challenges were found repeatedly throughout the assessment; these are discussed in the sections that follow. Although this list is by no means exhaustive, it is illustrative of the areas courts and the AOC should examine. Whether a change is simple or requires a many-pronged solution, it is critical that the courts and the AOC begin this effort where there are findings to support change. In addition, many areas require future research, either as identified in this study or as will arise as a critical issue in the years to come. The committee encourages the AOC to continually monitor changes and trends in juvenile justice.

1. Self-Assessment

The findings of this statewide assessment strongly suggest that it is at the court and county level where much of the work for system improvement must take place. Statewide data cannot suggest what the particular issues are in any one jurisdiction, nor can they point courts to specific solutions. Much of the data supplied in this study, rather, suggest areas that local courts and justice partners may wish to examine in their jurisdictions, to find what is true for them and to join forces to solve challenges that a local assessment may suggest.

The assessment's findings show that many courts and justice partners already meet often to work on problems in the courts. A structured exercise of self-assessment would present the opportunity for some courts to take an intensive look at their existing local

system, determine what it is they want to achieve, and then use local resources and strengths to reach their goals. As noted in chapter 1, many national jurisdictions have undertaken a process of open examination of specific benchmarks for their system. Benchmarks for appraisals can include (1) state statutes and rules, to determine whether practices are aligned with legal mandates; (2) standards of practice, including the California Standards of Judicial Administration; and (3) guides that suggest best practices (such as Delinquency Guidelines, this assessment, and other guides[98]) to determine whether current practices are helping achieve the court's goals. Information gathering for self-assessments can include legal research, meetings with justice partners, public hearings or other meetings with the community and court users, and an examination of court case records. The AOC should assist by creating tools that courts can use for these purposes. The AOC may also wish to consider convening county teams in local, regional, or statewide events geared toward assisting local jurisdictions in identifying those areas of the assessment most applicable to their needs and developing strategies for improvement.

2. Court User Assistance

One very clear finding in the assessment is that court users have information needs that are not being adequately addressed in some courts. Many courts, as well as the AOC, already produce information for juvenile delinquency court users. The AOC should continue to produce and distribute informational bulletins to the courts for distribution to court users. Per a request made at the delinquency caseflow meetings, the AOC should work in conjunction with the courts to produce an informational video about juvenile delinquency. These media, however, are one-way communication tools. Courts will need to examine their own environments for ways to increase the opportunities for youth, victims, and parents to inquire and otherwise communicate with the court about their specific cases and concerns. Another way to increase understanding, while also addressing the factor of users' discomfort in court, is to use legally accurate, plain language in the courtroom. The AOC, in conjunction with courts, may wish to develop judicial aids to assist court proceedings.

One very clear finding in the assessment is that court users have information needs that are not being adequately addressed.

[98] Courts with access to probation data about youth outcomes could also consider including the question of youth outcomes in their self-assessments. See the recent American Prosecutors Research Institute, *Guide to Developing and Implementing Performance Measures for the Juvenile Justice System* (2006); available at *http://www.ndaa.org/pdf/performance_measures_jj_system_06.pdf* (accessed Apr. 9, 2008).

3. Legislative Changes and Other Systemic Approaches

Many of the findings point to the need for legislative change or systemic improvement. A priority expressed at the statewide caseflow management workshops and repeated in focus groups and surveys was the need for significant improvements in the system's approach to mental health cases. Caseflow participants suggested that the AOC could assist courts by developing a statewide model for the delivery of mental health services to youth in the delinquency court. Due to limitations on the scope of the JDCA, further study is needed to determine how best to approach this effort. JDCA study participants identified specific needs for increasing both the number of existing mental health services and the types of services available (for example, more qualified mental health professionals to work with youth in their communities, more bed space in regional centers for delinquent youth, and more locked mental health facilities for youth who are a danger to themselves or others). In addition, JDCA study participants and those who attended the caseflow management workshops have asked for AOC leadership in seeking legislative changes to make legal incompetency procedures more clear.

4. California Court Case Management System (CCMS)

The judiciary is currently developing a case management system to provide uniform case management, more effective transfer of cases across county lines, venue transparency, public access, accurate data reporting, complete information gathering and maintenance, and ease of information sharing and access by the courts and other justice partners. In addition to judicial officers and court staff, such as clerks, analysts, research attorneys, and others, the AOC has involved its own delinquency experts in assisting in the development of the CCMS. Staff also helped develop draft management reports to be distributed to the courts that should provide many of the statistics that they need to monitor their performance and resource needs. To help address the courts' current data needs until CCMS V4 (which includes the juvenile court component) is developed, the AOC will work to develop common data definitions for the courts. The AOC should ensure appropriate staffing to assist the courts both in developing the CCMS and in supporting local efforts until the CCMS is launched statewide.

5. Juvenile Delinquency Technical Assistance Project

The AOC is staffed with attorneys with expertise in juvenile delinquency law and court matters, who answer legal questions regarding rules, forms, and procedure that come from the juvenile delinquency community. Over the course of the assessment, as judicial officers and justice partners asked technical questions, it has become clear that legal research done to fulfill individual requests should be broadly disseminated, as other groups may have similar legal questions. One AOC commitment already made, for example, is to annually review and distribute to the courts the list of offenses in California

Welfare and Institutions Code section 676 that open delinquency hearings to the public, as some courts reported a lack of administrative expertise or resources to do so.

The AOC is also staffed with researchers with expertise in juvenile justice research and analysis. A second area of technical assistance involves having AOC analysts review already-published empirical and other literature on effective practices and distribute them to judicial officers. The desire to understand how certain treatment modalities function and the circumstances under which they may be effective was expressed strongly by courts and justice partners during the study. These activities supplement, but do not substitute for, individualized technical assistance and trainings provided by other AOC efforts.

6. Resource Needs

Improvements to rule adherence, practice and procedure, and organizational efficiencies can certainly be expedited through self-assessments, improvement plans, and collaborative approaches to problem solving. On this road, however, many systems will eventually be stymied by resource limitations. Resource limitations were not directly investigated in this assessment, but they do appear to be somewhat responsible for some of the challenges that the system is experiencing. The Family and Juvenile Law Advisory Committee recommends that courts hearing delinquency matters, probation departments, and attorney offices be adequately and stably funded in order to fulfill their statutory and professional obligations in the juvenile delinquency system, and that courts communicate their expectations to those agencies to encourage increased accountability. The methods that other agencies use to determine their needs and seek additional resources is largely out of the purview of this court-based assessment.

To be properly resourced, courts need to determine, meet, and monitor their resource needs. Currently, very little is known about judicial workload in juvenile delinquency matters. Full-time equivalent judicial officers in juvenile delinquency conduct hearings for about 1,100 filings per year, but the workload that this currently entails is unknown. Also unknown is the time it takes to hold statutorily mandated hearings and make statutorily mandated findings and orders. Without baseline knowledge, it is difficult to move beyond a vague but pervasive notion that more resources are needed. Moreover, without this baseline, adjustments to workload based upon changes in laws and best practices cannot be made in a rational fashion. For these reasons, the Family and Juvenile Law Advisory Committee recommends that the Judicial Council conduct a workload study of judicial officers presiding over juvenile delinquency proceedings. The Judicial Council should also consider conducting a court staffing needs assessment to determine the staffing levels necessary to sufficiently support the court’s management and review of juvenile delinquency cases.

D. Conclusion

This assessment is the judiciary's first comprehensive research study of how the superior courts of California handle delinquency matters. It is hoped that this baseline information will provide courts and justice partners with the information needed to identify areas for change and guidance in making the needed changes. The Family and Juvenile Law Advisory Committee encourages statewide policy makers and local leaders to review the recommendations in the following chapter to help improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system by helping set an agenda for system improvements over the coming years.

CHAPTER 7

Recommendations

The Family and Juvenile Law Advisory Committee makes the following specific recommendations:

CASE-LEVEL PERFORMANCE

INDIVIDUAL RIGHTS

1. Courts should protect the rights and interests of youth, parents, victims, and the community.

2. Judicial officers should ensure the welfare of youth by inquiring about their health, safety, and education; the effectiveness of court-ordered services, restitution, and community service; and other matters regarding their general welfare and the terms of their probation.

3. Judicial officers should ensure that hearings are completed within statutory deadlines, granting continuances only for good cause while recognizing that continuances may be necessary to protect the right to due process and the opportunity to fully defend against the allegations in a petition.

4. Judicial officers, court staff, attorneys, and probation officers should monitor their practices and procedures to ensure that they meet statutory requirements regarding confidentiality and open public hearings.

5. Courts should support victims by ordering restitution in a specific amount, making restitution payment a priority, and encouraging other methods of victim restoration as appropriate.

6. Probation officers, defense counsel, and judicial officers should ensure that youth understand their rights regarding record sealing and should provide them with the information necessary to exercise those rights.

7. The AOC, in conjunction with local courts, should ensure that delinquency court facilities appropriately protect confidentiality and include private meeting spaces for court users and juvenile justice partners.

COURT PARTICIPATION

8. Judicial officers should consider calendar structures and hearing schedules that enable parents and extended family, victims, and witnesses to provide input.

9. Judicial officers should set the day's calendar by prioritizing hearings at which victims or witnesses are present and cases that are short cause matters.

10. When delays are unavoidable, the judicial officer and the attorneys should explain the reasons for them to the parties involved, so as to maintain transparency and confidence in the process.

COMPREHENSIBLE HEARINGS

11. Judicial officers should encourage the use of simple yet legally accurate language so that all parties present for hearings can understand the proceedings.

12. Judicial officers, attorneys, and probation officers should take the time necessary to help youth, parents, and victims understand the court process, the outcomes of court hearings, and the orders of the court.

13. The AOC, in conjunction with the courts, should develop educational materials such as videos and brochures that orient youth and parents to the delinquency court.

SERVICES AND SANCTIONS

INDIVIDUALIZED SERVICES

14. Local jurisdictions should establish a graduated continuum of evidence-based services and sanctions to respond to the needs of each offender.

15. Courts, to improve the delivery of services, should develop adequate court-based resources and make them readily and regularly available to court users.

16. Judicial officers should ensure that youth receive appropriate sanctions as well as the services, guidance, and support that are in the best interest of the youth while meeting the goals of public safety and victim restoration.

17. Court and counsel should ensure that treatment plans and terms of probation are complied with by monitoring the progress of youth on probation, regardless of whether the youth is at home, in out-of-home placement, or committed to a local or state facility.

18. Courts and probation should ensure that dispositional case plans include adequate reentry services.

19. Judicial officers should encourage collaborative, problem-solving practices that provide for the development and implementation of individualized case plans.

20. The courts and probation should encourage the identification and involvement of positive extended family members in a youth's rehabilitation.

21. Courts should collaborate with probation departments to ensure that judicial officers and attorneys understand probation assessment tools and the local sanction and service options that are available.

22. The courts, probation officers, and other juvenile justice partners should continue to collaborate in an effort to develop effective practices and methods for improving the delivery of services.

MEETING DIVERSE NEEDS

23. Juvenile justice agencies should continually seek out culturally appropriate resources in their communities and ensure that youth, families, and victims who do not speak English receive necessary interpreter and translation services.

24. Probation officers should continually seek out accessible and effective services, paying particular attention when emerging service gaps are discovered.

25. Probation officers who supervise youth in placement facilities should be trained to ensure that the needs of those youth are met and that their probation complies with title IV-E requirements.

26. The courts and probation should comprehensively examine and address all aspects of the needs of youth with mental health issues who are involved in the delinquency system.

27. The AOC should support legislation to address ways to more adequately and effectively deal with competency issues that come before the courts.

28. The AOC should continue to work with probation and social services to assist them in working with those youth who appear to come within the jurisdiction of both the delinquency and dependency systems.

COURT MANAGEMENT

ACCOUNTABILITY

29. Judicial officers should educate the community and the media about the purpose of the juvenile court, specifically its purpose and role in meeting the complex needs of youth, their families, victims, and the community.

30. Judicial officers should maintain open communication with the public, provide avenues for receiving public feedback, and provide information about court performance or improvements.

31. Local juvenile justice partners should identify the outcomes they hope to achieve and develop performance measures to monitor their progress.

FACILITIES

32. State and local court administrations should ensure that facilities are designed, maintained, and operated so as to provide both the effective and efficient administration of justice and the respect and dignity that victims, court users, professionals, and judicial officers deserve.

33. The AOC, in conjunction with local courts, should design and construct new facilities, in consultation and cooperation with the other juvenile justice partners.

34. Court facilities in which delinquency matters are heard should have separate waiting rooms for victims and witnesses to ensure their safety and encourage their participation in court.

35. State and local court administrators should ensure that court operations, modifications to facilities, and AOC design standards protect the confidentiality of parties and victims while enabling the public to have access to nonconfidential delinquency hearings when appropriate.

COLLABORATION

36. Judicial officers should exercise leadership in strengthening the relationships among justice partners and community organizations and in ensuring that local jurisdictions utilize all available resources to create appropriate outcomes within the juvenile justice system.

37. The courts and probation should engage schools, mental health, and other community systems to support the rehabilitation of youth.

38. The AOC and the courts should assess the court's role in minority disproportionality within the juvenile justice system and work collaboratively with state and county-level justice providers to address racial and ethnic disparities.

39. The AOC should continue to support the courts and other agencies in developing ways to assist youth whose circumstances potentially bring them before both the dependency and delinquency courts.

CASE MANAGEMENT

40. Courts and juvenile justice partners should develop case management systems (including the California Case Management System [CCMS]) that promote coordinated data collection and data exchange between the court and other justice partners.

41. Courts and juvenile justice partners should develop case management systems (including CCMS) to permit juvenile delinquency courts to access information about youth's and families' participation in other court cases.

42. The AOC should support courts in their efforts to develop protocols and procedures to address local issues and challenges involving case management.

43. The AOC should develop tools to help the courts assess their case management practices and should assist the courts in instituting a process of continual improvement.

PROFESSIONALS AND COURT USERS

COMMITMENT

44. Superior court presiding judges should recognize the importance of the juvenile delinquency system and the need for recruiting and retaining high-quality judicial officers in juvenile assignments.

45. Court administrators should ensure that courts have adequate numbers of qualified court staff.

46. District attorneys' and public defenders' offices should be encouraged to seek out and promote attorneys who are committed to serving the delinquency court and developing expertise in this complex and significant field.

47. Judicial officers should seek out panel and contract attorneys who are committed to serving youth in the delinquency court and who are willing to develop expertise in the field.

48. Probation departments should seek out, encourage, promote, and retain staff who are committed to working with juveniles and developing expertise in this important area.

EDUCATION

49. The courts should ensure continuity of policy and practice during leadership transitions by instituting best practices and by supporting the transfer of knowledge.

50. Probation and social services staff should be adequately trained and should communicate and coordinate services so as to deal appropriately with those youth who appear to come within the jurisdiction of both the delinquency and dependency systems.

51. Judicial officers, attorneys, and probation should be adequately trained and educated to understand the myriad issues in delinquency court and the importance of the work.

52. Courts should develop or clarify local protocols that set forth their expectations of defense counsel in the postdispositional period regarding status reports, hearings, child visits, legal advocacy, and other activities.

53. The AOC should work with law schools and the State Bar to educate, encourage, and support attorneys seeking careers in juvenile justice.

RESOURCES

54. Courts and juvenile justice agencies should continually monitor and adjust their caseload guidelines to respond to evolving standards of practice and should seek additional resources as necessary.

55. Courts hearing delinquency matters should have adequate funding to fulfill their purpose of guaranteeing public safety, victim restoration, and offender rehabilitation.

56. The judicial branch should encourage federal, state, and local government officials to provide probation departments with stable and adequate funding to protect the public and the rights of victims, to ensure offender accountability and rehabilitation, and to support the court with the information necessary to make appropriate findings and orders.

57. Local government officials should fund public defenders' offices, district attorneys' offices, and contract-based defenders at a level that allows them to adequately fulfill their professional obligations.

58. The Judicial Council should support the improvement of resource allocation in the courts by conducting a judicial workload study of judicial officers who hear juvenile delinquency cases and a needs assessment of the court staffing that supports the court's management and review of juvenile delinquency cases.

APRIL 25, 2008, DRAFT

JUVENILE DELINQUENCY COURT ASSESSMENT 2008

VOLUME 2

ADMINISTRATIVE OFFICE OF THE COURTS

CENTER FOR FAMILIES, CHILDREN & THE COURTS

Juvenile Delinquency Court Assessment 2008

Volume 2

April 2008

ADMINISTRATIVE OFFICE OF THE COURTS

CENTER FOR FAMILIES, CHILDREN & THE COURTS

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ABOUT THIS VOLUME

This report is divided into two sections. Volume 1 contains the executive summary and a comprehensive final report that brings together the research findings with recommendations. In Volume 1, Chapter 1 provides an introduction to the assessment and the report. Chapter 2 addresses the quality of court hearings and other issues at the court case level. Chapter 3 discusses the availability and quality of services and sanctions available to the courts and probation agencies. In Chapter 4, managerial and leadership issues central to the functioning of a well-run court are presented, including court accountability, collaboration, and facilities. Chapter 5 describes the background of the key professionals who work in the court system. That chapter also describes how youth, parents, communities, judicial officers, and justice partners view the juvenile justice system. Chapter 6 summarizes the report and discusses possible next steps in implementing the recommendations. The final recommendations are presented in Chapter 7, and they also appear at the ends of the chapters, according to subject matter.

Volume 2 contains briefing documents on the various research efforts that informed this work. Chapter 1 focuses on the methodology of the study. Chapters 2, 3, and 4 respectively provide detailed results of the surveys of judicial officers, probation officers, and attorneys. Chapter 5 focuses on the perspectives of court users gained during focus groups. Chapter 6 provides a review of juvenile court facilities, and Chapter 7 contains the research instruments used for this assessment. These data sources served as the foundation for the findings and recommendations contained in Volume 1.

CHAPTER 1

Methodology Report

ResearchUpdate

ADMINISTRATIVE OFFICE OF THE COURTS
CENTER FOR FAMILIES, CHILDREN & THE COURTS

April 2008

Juvenile Delinquency Court Assessment: Methodology Report

The Judicial Council of California's Family and Juvenile Law Advisory Committee, in conjunction with the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), conducted the Juvenile Delinquency Court Assessment (JDCA). The Family and Juvenile Law Advisory Committee convened a working group composed of members of the advisory committee and experts drawn from state entities and the major participants in the juvenile delinquency court: judicial officers,[1] court staff, probation, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross section of the state in terms of geographic location and county size. The working group helped develop the study plan, guide the research, and interpret the findings. A list of working group members can be found at the beginning of volume 1 of the *Juvenile Delinquency Court Assessment 2008*.

The JDCA is the first statewide, comprehensive examination of California's juvenile delinquency court system. This report covers information about the research design and methodology that the JDCA project used. Results from all of the assessment tools used in the JDCA are discussed in volume 1 and chapters 2 through 6 of volume 2 of the *Juvenile Delinquency Court Assessment 2008*. Copies of all of the assessment tools can be found in chapter 7 of this volume, Research Instruments.

Research Design

The principal sources of research topics for the JDCA were the Juvenile Delinquency Guidelines[2] and results of the Juvenile Dependency Court Improvement Program Reassessment.[3] Additional input on research topics was solicited from various internal AOC meetings and from the Family and Juvenile Law Advisory Committee, which appointed various delinquency justice partners to form a JDCA working group. The working group comprised presiding judges; judicial officers; court administrators; chief probation officers and probation juvenile division leaders; and prosecutors and defense attorneys, including juvenile division supervisors. These members were selected from a range of small, medium, and large counties and from rural, suburban, and urban counties. The topic guide was created in consultation with the working group.

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[1] "Judicial officers" refers to judges, commissioners, and referees.
[2] National Council of Juvenile and Family Court Judges, *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases* (2005).
[3] Judicial Council of Cal., *California Juvenile Dependency Court Improvement Program Reassessment* (2005); available at *http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/CIPReassessmentRpt.pdf.*

Research topics were categorized in the following manner:

- Processes, including quality of hearings, information, and advocacy; court management and facilities; and services and sanctions.
- People, including justice partners and court users. Justice partners include court staff, judicial officers, prosecutors, defense attorneys, and probation officers. Court users include youth, parents, victims, and community members.
- Professionals' backgrounds and work styles, including training, tenure, collaboration, and relationships.
- Court users' and community members' experiences and perspectives.

In order to address the research topics in a way that reflects the diversity of the delinquency system in California, the JDCA project used the following types of data sources:

- Statewide surveys of professional participants in the delinquency system that addressed issues concerning experience, training, resources, effectiveness of sanctions and services, and system collaboration;
- Interviews and focus groups with justice partners in the delinquency system to answer questions related to the research topics;
- Focus groups with court users and community members that addressed their experiences with and perspectives on the delinquency system; and
- Assessments of juvenile facilities.

Interviews and focus groups took place in six counties (study counties) in California.

Selection of Local Study Courts

The JDCA project chose six counties to be studied in depth. These six counties were chosen to cover a wide range of California's local delinquency courts.[4] The following factors were considered when choosing the study counties:

- Geographic factors, including urban/rural, physical area, and population size; and
- Whether the court's involvement with other projects would make it burdensome to fulfill the responsibilities of participation in this study.

After these issues were considered, six courts were contacted to participate in the JDCA: Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. For each court, the presiding judge of the juvenile court and the court executive officer were sent a written description of the project and requirements for participation and agreed to participate.

Overview of Data Sources

The JDCA project used various methods of collecting data. They included statewide surveys of judicial officers and other justice partners in the delinquency system, interviews with judicial officers and other justice partners, focus groups with justice partners, and focus groups with court users and community members. In addition, a checklist was used to assess juvenile facilities.

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[4] The six counties were not randomly selected and are not representative of the entire state; however, the qualitative data from these six counties give a flavor of the experiences that people are having in the delinquency system throughout California.

Statewide Surveys of Justice Partners

Surveys were sent by mail of all juvenile delinquency judicial officers; all court administrators; a random sample of 20 percent of juvenile probation officers; all prosecutors who handle delinquency cases; and all court-appointed defense attorneys who handle delinquency cases, including public defenders, alternate public defenders, and contract attorneys.[5] Details on survey administration and responses are discussed in detail in the sections that follow and are summarized in table 1. In the table, the initial population estimate refers to the expected number of each type of survey respondent. The next number is the estimated number of respondents who were not included because their county agency declined to participate. Those agency-level refusals were subtracted from the initial population estimate to yield a final population estimate to send the survey or from which a sample would be derived. Some of the surveys returned were from people who were not eligible to participate; those surveys were coded as ineligible and subtracted from the final eligible sample or population. The coding scheme used for ineligible, unable, and refusal was based on guidelines issued by the American Association for Public Opinion Research.[6] The number of surveys received was divided by the final eligible sample or population to determine response rates.

All of the surveys contained questions related to the respondents' professional backgrounds, department information, services and sanctions, quality of information and advocacy, crossover or dual-status processes, courtroom management and caseflow processes, and relationships and collaboration. The survey of judicial officers contained additional questions on education and training. The survey of defense attorneys contained additional questions on postdispositional work. The court operations survey contained questions on facilities and courtroom technology. Copies of all of the surveys can be found in chapter 7 of this volume, Research Instruments.

Judicial Officer Survey. The survey of judicial officers was piloted by three judges before being fielded. To create a current directory of judicial officers hearing juvenile cases, all of California's juvenile courts were contacted in the spring of 2006. The survey was sent to every judicial officer who was identified as regularly hearing juvenile cases. Some judicial officers hear both delinquency and dependency cases; the first part of the survey could have been answered by those who hear dependency only, delinquency only, or both types of cases, and the remainder of the survey questions focused on delinquency topics. As table 1 illustrates, a final population estimate of 240 judicial officers received the survey via postal mail in June 2006. Accompanying the survey was a description of the project; survey instructions; and a letter requesting participation, explaining the importance of receiving a timely response, and providing contact information for questions. The deadline for responding to the survey was approximately three weeks after the survey was sent.

Approximately six weeks after the survey was sent, nonresponders received a postcard reminder. In August, each nonresponder received up to three reminder telephone calls.[7] Judicial officers who were no longer hearing juvenile cases were dropped from the pool of eligible participants, and judicial officers who were not on the current list but did hear delinquency cases were added to the pool of

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[5] For the defense attorney and probation surveys, not every county submitted a list; some counties declined to participate. Details about the estimated number of people this includes is listed under "agency-level refusal" in table 1.

[6] American Association for Public Opinion Research, *Standard Definitions: Final Dispositions of Case Codes and Outcome Rates for Surveys*; available at *http://www.aapor.org/uploads/standarddefs_4.pdf* (accessed Nov. 6, 2007).

[7] For all surveys, nonresponders were called up to three times. A message was left directly with a clerk or secretary if answered, but voicemail was not left until the third attempt to contact the nonresponder.

eligible participants. Eligible participants were limited to judicial officers who had a regular appointment to a juvenile court to ensure that participants were responding to questions based on their own observations of their courtroom.[8] After ineligible participants had been omitted, the population was 214 judicial officers (see table 1). Of these, 73 hear delinquency cases only, 68 hear delinquency and dependency cases, 67 hear dependency cases only, and 6 did not report what types of cases they hear. A total of 191 surveys were received, representing 89 percent of eligible participants. The analysis of the survey includes only the 141 judicial officers who hear delinquency cases.

Table 2 illustrates that judges were less likely than commissioners to respond to the survey and that commissioners were less likely than referees to respond to the survey. Table 3 shows that participants in small courts were less likely to respond than participants in large courts. These differences were not great and did not affect the analyses.

Court Operations Survey. The goal of the court operations survey was to assess the day-to-day management and policies of the delinquency courtroom. Three court executive officers (CEOs) piloted the court operations survey, and it was sent via e-mail to the presiding judges of all 58 juvenile courts. Accompanying the survey was a description of the project; an instruction sheet with contact information; and a letter describing the survey, including a suggestion that court staff such as the CEO, court clerk, or other court administrator may be the appropriate ones to respond to certain sections of the survey.

The court operations survey was the first part of a two-part examination of court management issues. The second part was an open-ended survey about caseflow management asking about effective practices in the respondent's court. The second part was analyzed as a separate component from this project. The results of this analysis were used to create a manual of effective practices in delinquency court and to facilitate caseflow workshops throughout the state.[9]

Both surveys were attached to an e-mail as fillable forms and sent in September 2006. After the deadline for responding had passed, nonresponders received a follow-up e-mail with an extended deadline. After the second deadline, the remaining nonresponders received a follow-up telephone call. A total of 47 surveys from 58 courts (81 percent) were received. Table 3 shows that court executive officers from small counties were slightly less likely to respond to the survey than those from medium and large counties, which did not affect the analyses.

Probation Officer Survey. Eight juvenile probation officers helped project staff develop survey questions at a focus group in December 2006. Once a draft survey was completed, an additional seven probation officers from various counties piloted the survey. Upon reviewing a final draft of the survey, the Chief Probation Officers of California (CPOC) wrote a letter of endorsement for the survey and the project.

All chief probation officers were contacted in January 2007 to create a database of nonsupervising juvenile deputy probation officers in the state. Fifty-four of the 58 counties responded with a list that amounted to 3,428 deputy probation officers. Four counties declined to participate but disclosed the approximate number of juvenile probation officers in their counties. With those numbers, it was

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[8] Judicial officers who heard juvenile cases on a backup or fill-in basis only were considered ineligible.

[9] Greacen Associates, LLC, *Developing Effective Practices in Juvenile Delinquency Caseflow Management* (2006); available at *http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/Delinq/DevelopingEffective--JDCM.pdf.*

estimated that the number of probation officers missing from the database was 51, and so that many placeholders were added to the database for a total initial population estimate of 3,479 eligible respondents. As table 1 illustrates, a 20 percent random sample of the total number of probation officers statewide was selected to complete the survey. The sample included 690 probation officers. If one of the 51 placeholders was selected in the sample, the probation officer was coded as having refused to participate and not replaced to offset possible selection bias. These agency-level refusals were not included in the sample size and thus were not included in calculating the response rate. [10]

A total of 690 juvenile probation officers from 54 counties received the survey via postal mail in March 2007. Mailed with the survey were the CPOC endorsement letter, an instruction sheet with contact information for any questions, and a letter from CFCC requesting participation and explaining the importance of receiving a timely response.

Surveys were mailed in two separate batches approximately two weeks apart. The first batch was mailed to 355 probation officers and the second batch was mailed to 335 probation officers. Deadlines for each batch were three weeks from the mail date. Immediately after the respective deadlines, nonresponders from each batch received a second complete mailing (survey, CPOC endorsement, instruction sheet, and letter) with a reminder postcard. In May and June, all remaining nonresponders received up to three reminder telephone calls.

Because a 20 percent sample was used, respondents found to be ineligible were coded as such and randomly replaced from the population of 3,479 probation officers.[11] Probation officers who were unable to complete the survey or who refused to participate were not replaced. Ultimately, 352 of 674 eligible probation officers responded to the survey, a 52 percent rate of response.

Table 3 shows that probation officers from medium-sized counties were less likely than those from small or large counties to respond to the survey. This difference in responses by county size had no effect on the analyses.

Table 4 illustrates the random selection of probation officers by county size; there was no county size bias in selecting probation officers. An approximately equal percentage of probation officers selected for the sample were from small, medium, and large counties.

Prosecutor Survey. Members of the JDCA working group participated in a focus group in September 2006 to create topics and questions for the surveys of prosecutors and defense attorneys. Three juvenile prosecutors piloted the prosecutor survey. After survey development was completed, the California District Attorney's Association (CDAA) wrote an endorsement letter for the project and the survey.

Each district attorney's office was contacted in December 2006 to create a current directory of juvenile prosecutors in the state. All counties responded with a list of prosecutors who handled delinquency cases at that time. A sample was not drawn; the survey was sent in three separate batches via postal mail in March and April 2007 to all 291 prosecutors who handled delinquency cases. The first batch

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[10] Individuals who declined to fill out their surveys were coded as individual-level refusals and were included in calculating the response rate.

[11] Those found to be ineligible were probation officers who did not work in juvenile assignments, who were exclusively managers or supervisors with no caseload, or who worked in institutions or facilities with no caseload. Those unable were probation officers who were on leave or vacation during the survey period. Ineligible surveys that were returned after the last survey deadline were not replaced.

was sent to 246 attorneys, the second batch was mailed to 23 attorneys, and the third batch was sent to 22 attorneys. Accompanying the survey was the CDAA endorsement letter,[12] an instruction sheet with contact information for questions, and a letter from CFCC describing the project and the importance of a timely response. The deadlines for responding to the survey were approximately three weeks after the mail date of each batch of surveys.

Immediately following the deadlines, nonresponders received a second complete survey packet (survey, endorsement letter, instruction sheet, and letter) with a reminder postcard. In May 2007, the remaining nonresponders received up to three reminder telephone calls. Of a total of 258 eligible participants, 174 returned a survey, or 67 percent of the eligible prosecutors (see table 1). Table 3 shows that prosecutors from small and medium counties were more likely to respond to the survey than those from large counties. Some of the survey findings were affected by these county-size differences. Effects of these differences are detailed in the relevant sections of the Attorney Report in chapter 4 of this volume.

Defense Attorney Survey. Members of the JDCA working group participated in a focus group in September 2006 to create topics and questions for the surveys of prosecutors and defense attorneys. Four defense attorneys piloted the defense attorney survey. Upon completion of survey development, the California Public Defenders Association (CPDA) wrote an endorsement letter for the project and the survey.

In December 2006, a directory was created of juvenile defense attorneys by contacting all county public defenders' offices, county alternate public defenders' offices, and the presiding judges of the juvenile courts requesting a list of county contract attorneys. [13] Thirty-three counties have a county public defender's office and six counties have an alternate public defender's office that handles delinquency cases. Lists of juvenile defense attorneys were obtained for 31 public defenders' offices, 4 alternate public defenders' offices, and 53 counties' contract attorneys.[14] An initial population estimate of 819 defense attorneys was established, including an estimated 71 attorneys in the state whose names were not obtained from their respective agencies. These 71 agency-level refusals were coded as such and were not included in the sample size and thus not included in the response rate calculation.

The survey was sent in two separate batches via postal mail in May 2007. A sample was not drawn; the survey was sent to the final population estimate of 748 juvenile defense attorneys, including public defenders, alternate public defenders, and contract or panel attorneys. The first batch was mailed to 330 attorneys and the second batch was sent to 418 attorneys. Accompanying the survey was the CPDA endorsement letter, an instruction sheet with contact information, and a letter describing the project and the importance of a timely response. The deadlines for the surveys were three weeks from each respective mail date.

Immediately following each deadline, nonresponders were sent a second complete survey packet (survey, endorsement letter, instruction sheet, and letter) with a reminder postcard. In June 2007, the

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[12] Prosecutors in one county that is not affiliated with the CDAA were sent a second packet without the CDAA endorsement letter once the JDCA project staff learned of this lack of affiliation.

[13] "Contract attorneys" refer to contract or panel conflict defenders only and does not include attorneys who contract as a public defender.

[14] A partial list was received from one county, resulting in complete lists of contract attorneys from 52 counties and a partial list from 1 county.

remaining nonresponders received a reminder telephone call. Out of 668 eligible participants, 343 defense attorneys (51 percent) returned a survey. Table 3 shows that county size had no bearing on the likelihood of defense attorneys' responding to the survey; only about half of the defense attorneys responded to the survey regardless of county size.

Interviews With Justice Partners

Each of the six study counties was visited two times. During the first round of site visits, in October through December 2006, interviews were conducted with the presiding judge of the juvenile court, chief probation officer, supervising juvenile prosecutor, supervising juvenile public defender, supervising court clerk, and court executive officer. The interviews were used to gather information about the court and the delinquency system in each county and to recruit other people for focus groups during the next visit. Generally, information gathered in the interviews served as a basis for refining focus group guidelines and for preparing logistics for the second site visits.

Interview topics included current local issues and innovations, collaboration with other agencies and within the court, confidentiality issues, hearing issues, services and sanctions, restorative justice, victim services, facilities, and information systems. Additional questions related to memoranda of understanding, logistics for focus groups, obtaining access to hearings, and touring the courthouse were discussed with the presiding judges of each of the six juvenile courts.

Focus Groups With Justice Partners

In each of the study counties, the chief probation officer and supervising attorneys were contacted to assemble focus groups. Focus groups with four groups of juvenile probation officers, three groups of juvenile prosecutors, and three groups of juvenile defense attorneys were organized. The focus groups ranged in size from 3 to 10 participants and lasted approximately 90 minutes. Each focus group had a minimum of one facilitator and one note taker.

Before asking the focus group questions, the facilitator described the project. Written information about the project and contact information were also given to participants. Since names were not taken at any of the focus groups, a signed confidentiality form was not used; however, participants listened to a statement of confidentiality read to them that described how the information would be used. Also described were participants' rights, including an explanation that participants did not have to answer any questions that made them uncomfortable and that they could leave at any time with no penalty.

All of the justice partners' focus groups covered topics related to assessments, services and sanctions, the court, victims, and relationships and collaboration. The defense attorneys' focus groups were asked additional questions related to postdispositional work.

Focus Groups With Court Users and Community Members

A consultant, working with a JDCA project cofacilitator, led additional focus groups with youth, parents, victims, and community members. Five focus groups were conducted with in-custody and out-of-custody youth, three with parents, four with victims, and three with community members. Participants in the community members' focus groups consisted primarily of members of community-based organizations. Participants in all of the court users' focus groups were recruited through various agencies in each of the counties, with victims being the most challenging to recruit. The focus groups ranged in size from 3 to 19 participants and lasted between 90 minutes and 2 hours.

Before asking the focus group questions, the facilitators described the project and gave out written information about the project and contact information. Since names were not taken at any of the focus groups, a signed confidentiality form was not used; however, participants listened to a statement of confidentiality read to them that described how the information would be used. Also described were participants' rights, including an explanation that participants did not have to answer any questions that made them uncomfortable, that they could leave at any time with no penalty, and that their participation or nonparticipation would not affect their cases in any way.

Focus groups with parents and victims covered topics related to understanding the system, satisfaction with the system and process, ease of participation, whether they felt the youth understood how the crime affected others, what they thought the intention of the delinquency court is, and ideas on how to improve the delinquency court. Focus groups with community members covered topics related to participants' knowledge of and experience with the court, factors that encouraged or discouraged involvement with the court, collaboration between the court and community-based organizations (CBOs), how the court could obtain input and information from CBOs, and ideas on how to improve the delinquency court. Focus groups with youth covered the youth's perceptions of and experiences in the delinquency court. The youth answered questions about who, if anyone, helped them or should have helped them understand the process, how often they see their attorneys and probation officers, whether anything was a surprise, whether they had agreed to anything that they did not understand, and whether they understand how their crime affected others. They also discussed what they thought the purpose of the delinquency court is, what is working well or helping them, and what would make the delinquency court system work better than it currently does.

Assessments of Juvenile Facilities

The JDCA project, in consultation with the AOC's Office of Court Construction and Management (OCCM), developed a checklist to examine the current state of delinquency facilities and to assess the unique needs of delinquency courts. Information is lacking on the specific needs of juvenile facilities, and thus this checklist was created to assist in developing expanded standards for juvenile facilities. A copy of the checklist can be found in chapter 7 of this volume, Research Instruments.

The checklist included a list of optimal features of delinquency courthouses with choices of yes, no, and do not know and an option for comments. The items on the checklist were based on issues addressed by the California Trial Court Facilities Standards,[15] adopted by the Judicial Council; the planning and design guide from the National Center for State Courts;[16] the Juvenile Delinquency Guidelines; and the JDCA working group.

Items included in the checklist related to building access; safety and security; courtroom configuration; separate waiting areas for law enforcement, out-of-custody youth, victims, and the public; attorney interview rooms; colocated juvenile hall and agency offices; and the confidential nature of the delinquency court.

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[15] Judicial Council of Cal., *California Trial Court Facilities Standards* (2006); available at *http://www.courtinfo.ca.gov/programs/occm/documents/06_April_Facilities_Standards-Final-Online.pdf.*

[16] D. Hardenbergh, R. Tobin, and C. Yeh, *The Courthouse: A Planning and Design Guide for Court Facilities* (National Center for State Courts, 1998).

To complete the checklist, various delinquency facilities throughout the state were toured. Nine courts were visited, including three courts built in the last 10 years and six that were built before 1997.

Tables

Table 1
Survey Statistics and Details by Respondent Type

	Judicial Officer	Court Administrator	Probation Officer	Prosecutor	Defense Attorney
Initial population estimate	240	58	3,479	291	819
Agency-level refusal estimate*	0	0	51	0	71
Final population estimate	240	58	3,428	291	748
Sample size	240	58	690	291	748
Final sample	100%	100%	20%	100%	100%
Not eligible to participate	26	0	114	33	80
Replacement**	0	0	98	0	0
Unable to participate***	2	0	16	2	6
Individual refusal to participate	1	0	19	4	12
Surveys not received	20	11	317	79	304
Surveys received	191	47	352	174	343
Final eligible sample/ population	214	58	674	258	668
Response rate****	89%	81%	52%	67%	51%

*Estimated number of participants in the state whose names were not obtained from their respective agencies and who were not included in the final population estimate.
**Ineligible surveys returned after the last survey deadline were not replaced.
***Unable to participate were those who were on vacation or leave during the survey response time versus refusals, who articulated an unwillingness to participate.
****Response rate was calculated by dividing the number of surveys received into the sample size minus those not eligible to participate. Those who refused or who were unable were included in the final sample size.

Table 2
Survey Response for Judicial Officers by Title

	Responding		Nonresponding		Total	
	Count	Percent	Count	Percent	Count	Percent
Presiding Judge of the Superior Court	17	89.5	2	10.5	19	100.0
Presiding Judge of the Juvenile Court	36	97.3	1	2.7	37	100.0
Judge	68	84.0	13	16.0	81	100.0
Commissioner	47	88.7	6	11.3	53	100.0
Referee	23	95.8	1	4.2	24	100.0
Total	191	89.3	23	10.7	214	100.0

Table 3
Survey Response by County Size

	Responding		Nonresponding		Total	
Judicial officers	Count	Percent	Count	Percent	Count	Percent
Small	40	78.4	11	21.6	51	100.0
Medium	44	86.3	7	13.7	51	100.0
Large	107	95.5	5	4.5	112	100.0
Total	191	89.3	23	10.7	214	100.0
Court administrators	Count	Percent	Count	Percent	Count	Percent
Small	21	67.7	10	32.3	31	100.0
Medium	18	100.0	0	0.0	18	100.0
Large	8	88.9	1	11.1	9	100.0
Total	47	81.0	11	19.0	58	100.0
Probation officers	Count	Percent	Count	Percent	Count	Percent
Small	120	64.9	65	35.1	185	100.0
Medium	162	39.7	246	60.3	408	100.0
Large	70	67.3	34	32.7	104	100.0
Total	352	50.5	345	49.5	697	100.0
Prosecutors	Count	Percent	Count	Percent	Count	Percent
Small	32	89.0	4	11.0	36	100.0
Medium	48	80.0	12	20.0	60	100.0
Large	94	58.0	67	42.0	161	100.0
Total	174	68.0	83	32.0	257	100.0
Defense attorneys	Count	Percent	Count	Percent	Count	Percent
Small	69	53.0	61	47.0	130	100.0
Medium	116	54.0	99	46.0	215	100.0
Large	158	50.0	156	50.0	314	100.0
Total	343	52.0	316	48.0	659	100.0

Table 4
Survey Selection for Probation Officers by County Size

	Selected		Not Selected		Total	
	Count	Percent	Count	Percent	Count	Percent
Small	56	19.9	225	80.1	281	100.0
Medium	149	20.8	568	79.2	717	100.0
Large	499	20.1	1982	79.9	2481	100.0
Total	704	20.2	2775	79.8	3479	100.0

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CHAPTER 2

Judicial Officer Report

ResearchUpdate

ADMINISTRATIVE OFFICE OF THE COURTS
CENTER FOR FAMILIES, CHILDREN & THE COURTS

April 2008

Juvenile Delinquency Court Assessment: Judicial Officer Report

This report covers information about the Juvenile Delinquency Court Assessment (JDCA) project and the 2006 CFCC Survey of Juvenile Judicial Officers. Findings from the survey are related to professional background and judicial assignments, court management, quality of probation reports and attorney advocacy, service and sanction needs, system collaboration, and the needs of the juvenile court:

- Juvenile delinquency judicial officers[1] have significant expertise, education, and experience in juvenile law.
- Judicial officers have an average of over 10 years of judicial experience and have been in their current assignments for more than 5 years.
- They receive an average of 22 hours of specialized education in juvenile law and related matters each year.
- Information available to the court at the initial, jurisdiction, and dispositional hearings is largely adequate. Judicial officers are relatively less satisfied with the quality and availability of information about youth's special needs, individualized education programs, and physical and mental health.
- The quality and availability of information about the youth during the postdispositional period varies by the terms of probation.
- Judicial officers are largely satisfied with attorney representation. Two areas in which they are dissatisfied with attorney performance are the frequency with which defense attorneys confer with their clients and the frequency with which they physically visit their clients.
- Juvenile delinquency is a highly collaborative field, with ongoing multidisciplinary efforts to respond to policy and program challenges as they arise.
- Judicial officers believe that their counties need more probation officers, more services for youth, and more disposition options in court.

Results from all assessment tools used in the JDCA are discussed in the *Juvenile Delinquency Court Assessment 2008*. A copy of the survey can be found in Volume 2, chapter 7, Research Instruments.

About the JDCA

The Judicial Council of California's Family and Juvenile Law Advisory Committee, in conjunction with the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), conducted the JDCA. The Family and Juvenile Law Advisory Committee convened a working group composed of members of the advisory committee and experts drawn from state entities

[1] "Judicial officers" refers to judges, commissioners, and referees.

and the major participants in the juvenile delinquency court: judicial officers, court staff, probation, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross section of the state in terms of geographic location and county size. The working group helped develop the study plan, guide the research, and interpret the findings. A list of working group members can be found at the beginning of volume 1 of the *Juvenile Delinquency Court Assessment 2008*.

The JDCA marks the first major assessment of California's delinquency courts. This assessment was designed to gather and provide information to help improve the juvenile delinquency system by making recommendations for changes in laws and rules of court; improvements in hearing management, judicial oversight, court facilities, and other aspects of court operations; caseload changes; and improvements in court services for all court users. The assessment covered the following general topics:

- Hearings and other court processes;
- Court facilities;
- Court collaboration with justice system partners;
- Sanction and service options for youth;
- Perspectives of court users, including youth, parents, victims, and community members;
- Education and training;
- Accountability; and
- Professional background and experience.

The primary mode of investigation was to communicate directly with justice partners and court users. The JDCA project conducted surveys with all juvenile judicial officers, all court administrators, a random sample of juvenile probation officers, all juvenile division prosecutors, and all court-appointed defense attorneys, including public defenders, alternate public defenders, and contract or panel attorneys who were identified as handling cases in delinquency court. The JDCA project chose six counties to study in depth to learn about issues facing delinquency courts: Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. These six counties were selected for their size and geography in order to study a range of California's local delinquency courts. Interviews were conducted in each of these study counties with the presiding judge of the juvenile court, the chief probation officer or the juvenile probation division designee, the managing or supervising juvenile deputy district attorney and public defender, and court administration staff such as the supervising juvenile court clerk, court executive officer, or manager. Focus groups were also conducted with justice partners such as probation officers, prosecutors, and defense attorneys, and with court users such as youth, parents, victims, and community members. An assessment of delinquency court facilities across the state was also conducted as part of the JDCA project. The ultimate goal of this project was to improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system.

About the Judicial Officer Survey

The 2006 CFCC Survey of Juvenile Court Judges, Commissioners, and Referees was mailed in June 2006 to every judicial officer with regular assignments to hear juvenile dependency or delinquency proceedings. Out of a population of 214 eligible judicial officers, 191 returned a completed survey—an 89 percent response rate. Out of these 214 judicial officers, 73 hear delinquency cases but not

dependency cases, 67 hear dependency cases but not delinquency cases, and 68 hear both types., and we were not able to learn about the caseload of 6 out of the 23 nonrespondents. The figures reported here are based on the 131 respondents out of the 141 judicial officers in the population with regular assignments to delinquency cases who responded to the survey. Respondents who hear juvenile delinquency but not juvenile dependency cases were excluded.

The survey contained questions related to respondents' professional backgrounds and department information and asked about satisfaction with and effectiveness of sanctions and services, quality of information and advocacy, courtroom management and caseflow processes, and relationships and collaboration. Respondents also answered open-ended questions about their perceptions of the strengths and challenges of the juvenile delinquency system.

Background and Job Descriptions

In order for the delinquency system to best meet the needs of youth, families of youth, victims, and other court participants, it is critical that the juvenile delinquency courts be properly staffed and resourced with experienced judicial officers who are committed to working within that framework of the juvenile court to meet court users' needs and are given reasonable caseloads and working conditions, enabling them to meet those needs effectively. The findings in this section show that the juvenile court bench has significant expertise, education, and experience in juvenile law. Judicial officers have an average of over 10 years of judicial experience and have been in their current assignments for more than 5 years. The majority had some experience as an attorney in the juvenile law field before their first judicial assignments, and they receive an average of 22 hours of specialized education in juvenile law and related matters each year.

As table 1 shows,[2] 29 percent of judicial officers with regular assignments to hear delinquency proceedings are subordinate judicial officers, 40 percent are judges, 22 percent are presiding judges of the juvenile court, 10 percent are presiding judges of the superior court, and 28 percent are subordinate judicial officers. About one-quarter of all judicial officers work in jurisdictions with county populations of under 2 million, another one-quarter work in jurisdictions with populations of 2 to 10 million, and half work in jurisdictions with populations of 10 million or more. The proportion of judges to subordinate judicial officers varies depending on the size of the jurisdiction, with judges in smaller jurisdictions making up a larger proportion of judicial officers with regular delinquency calendars than judges in medium and large jurisdictions. This remains true when presiding judges with regular delinquency assignments are excluded (such judges are rare in medium and large jurisdictions).

We asked judicial officers what their regular time commitment to juvenile delinquency is (table 2). Slightly more than one-half (53 percent) indicated that they have full-time juvenile delinquency assignments, 13 percent are between half time and full time, and 34 percent spend less than half time working on delinquency cases. The 21 percent that reported working on delinquency assignments less than one-quarter time is somewhat higher than previous estimates have suggested. A possible explanation is that since the survey was sent to all judicial officers working in juvenile court, dependency judicial officers who occasionally hear delinquency cases on a backup basis may have entered "less than one-quarter time" as their average time commitment, while previous estimates may have tallied only judicial officers with regular delinquency assignments.

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[2] This table includes nonrespondents for whom some information was available.

Based on the reported time commitment to juvenile delinquency cases among survey respondents, and on the estimated time commitment of nonrespondents, given their county size and job title, we estimate that there are approximately 95 full-time equivalent judicial positions serving juvenile delinquency. Each full-time equivalent position is responsible for approximately 1,100 filings per year.[3]

Table 3 presents data on the number of years respondents had been in their current delinquency judicial assignment and in all delinquency judicial assignments in their careers. Respondents reported that, as of the survey date, they had been in their current, ongoing assignment for an average of five years. One-half had completed three years or less of their assignment so far, 15 percent were in their third or fourth year, and about one-third (35 percent) had been in their current assignments five years or more. Across all juvenile delinquency assignments in their careers, presiding judges of the superior court had the most experience on average (9 years); however, very few presiding judges of the superior court have juvenile assignments. Subordinate judicial officers had an average of 7 years of experience in juvenile assignments, presiding judges of the juvenile court had 6 years, and judges had 3 years. Standard 5.40 of the California Standards of Judicial Administration encourages juvenile bench assignments of at least 3 years.[4] Because we do not have data on the length of completed assignments, we can say with certainty only that one-half of the current assignments have already met the 3-year mark and that a significant minority have been in their assignments for 5 years or longer. One respondent commented upon the strengths of his or her court by noting that "judicial officers assigned to juvenile court want to be here and are not being 'forced' to sit in juvenile." Another added that a strength was the stability that longer tenures brought their court.

Table 4 shows that the overall tenure of judicial officers working in juvenile delinquency is extensive. Overall, the median length of judicial experience is 11.5 years for all judicial officers combined, 11.5 years for judges, and 8.0 years for subordinate judicial officers (only 15 judges were once subordinate judicial officers).

Survey respondents were also asked about their professional involvement in juvenile court before becoming a judge or subordinate judicial officer (table 5). Sixty-two percent had been attorneys who had practiced juvenile law.[5] Subordinate judicial officers were much more likely to have had prior juvenile experience than were judges (86 versus 52 percent), because they are often hired to work in the area of their legal expertise. Although some respondents with prior experience as juvenile court attorneys also had prior professional roles as nonattorneys (such as social worker or probation officer), only 6 percent of delinquency court judicial officers had exclusively nonlegal professional roles.

Judicial officers also reported on the training in delinquency law they received at the start of their first assignment, as well as on their current education and training (table 6). Seventeen percent reported not having received specialized education in the juvenile delinquency field, either before they started or within the first year of their delinquency assignments. Forty-seven percent received it before they started the assignment, and 48 percent received it within the first year of their assignment. (This totals to more than 100 percent because some respondents received training during both periods.) The proportion who received no training does not change appreciably when the analysis is limited to

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[3] 105,714 602 case filings divided by 95 full-time equivalent judicial positions is 1,113. Source: Administrative Office of the Courts, *Court Statistics Report: 2006*.

[4] Cal. Stds. Jud. Admin., std. 5.40(a): The presiding judge of the superior court should assign judges to the juvenile court to serve for a minimum of three years. Priority should be given to judges who have expressed an interest in the assignment.

[5] The survey did not ask about the extent of prior legal experience in the field.

respondents with delinquency appointments of half time or more, or when it is limited to respondents who had been judicial officers for less than 10 years.

As shown in table 7, judicial officers reported that they spent an average of 22 hours in the previous year in specialized training related to juvenile delinquency, dependency, and related subjects. Nine percent participated in no training, 18 percent in 1 to 9 hours of training, 18 percent in 10 to 19 hours, 21 percent in 20 to 29 hours, and 35 percent spent more than 30 hours in training. About one-half (46 percent) reported that there are no work-related barriers to attending more trainings (table 8). Among those who cited barriers, the most frequently cited barriers were that the court has difficulty covering their time away from the bench and budget constraints.

Quality of Information Available to the Court

Judicial officers make court findings and orders after considering an array of information on a case, primarily from probation officers and attorneys, but also from youth, victims and witnesses, service providers, and others. This information generally comes in the form of written reports and oral in-court presentations. Orders and findings needed to move a case from one stage to the next are largely dependent on these reports and the judicial inquiries that follow them. The data in this section are focused on the quality of information provided by probation reports and reviews. They show that judicial officers are generally satisfied with the quality of information they receive from probation but that there are some areas in need of attention. This includes information about mental and physical health, individualized education programs (IEPs), special needs, and success with meeting the terms of probation.

Judicial officers were asked to rate their satisfaction with the quality of information that should be found in detention/initial hearing probation reports (table 9). Their level of satisfaction with information about the youth's prior delinquency record is relatively high (75 percent). Satisfaction levels are somewhat lower regarding information about drug and alcohol use, and about the parents' views on detaining the youth (59 and 57 percent, respectively). There is appreciable dissatisfaction with the quality of information regarding school attendance and adjustment, as well as regarding home life (17 and 20 percent, respectively). More than one-quarter of respondents do not receive information about the youth's Indian ancestry.[6]

Judicial officers were satisfied with the quality of information available at jurisdictional hearings (table 10) about prior delinquency record, school attendance and adjustment, home life, and drug and alcohol use (72 to 93 percent). However, only one-half of judicial officers were satisfied with the risk and needs assessments presented at this stage. There is a great deal of dissatisfaction among judicial officers with information provided about mental and physical health, IEPs, and special needs.[7]

After youth have received their disposition, the court must monitor the progress of those who have been made wards by assessing information about their general welfare, services received, and progress toward meeting the terms of their probation. Although it is the probation officers' responsibility to provide this information, they, in turn, must rely on reporting from detention facilities when youth

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[6] Probation officers are not legally required to report on possible Indian ancestry until the court finds that there is a risk of the youth being removed from the family's home.

[7] The choice "neither satisfied nor dissatisfied" may have been interpreted in more than one way by survey respondents. It may have been used as a midpoint on the rating scale or it may have been selected by respondents who have no opinion on the question item.

have been sent to local or state institutions. Generally, tables 11 through 14 show that judicial officers' appraisal of the quality of postdispositional information varies more by the source of the information than by the type of information. Satisfaction is highest for information about youth in foster or group homes, followed by youth who are home on probation and those in state DJJ facilities.[8] About 15 percent receive no reports back from camps and ranches, and about 25 percent receive no information from DJJ facilities.

For youth who are home on probation, about two-thirds of judicial officers are satisfied with information regarding the youth's progress in meeting community service, restitution, fines, and other terms of probation (table 11). Levels of satisfaction drop for information about their general welfare and the provision and effectiveness of services. Here again, dissatisfaction with information about mental health, IEPs, and special needs is quite high. The pattern is similar for youth in foster or group homes, with the addition of a low level of satisfaction (50 percent) with information regarding independent living services. Satisfaction with information that the court might receive from a DJJ facility did not rise above 30 percent for any of the 12 categories of information listed in the survey question (table 14). Respondents are particularly dissatisfied with reports on the provision and effectiveness of court-ordered services. The survey data could not help determine whether information from DJJ is not being sent to the court, or whether the court is not effectively forwarding that information to judicial officers.

Table 15 shows the levels of satisfaction that judicial officers have with various postdispositional activities. More than two-thirds are satisfied with postdispositional review hearings,[9] and more than one-half are satisfied with probation review reports. There is less satisfaction regarding probation officer visits with youth (54 percent satisfied). This table also shows satisfaction rates with two attorney activities. Only 17 percent are satisfied with attorney visits with the youth, and only 20 percent are satisfied with attorney requests to amend probation terms. Effective July 1, 2004, rule 5.663 clarified existing law governing the responsibilities of delinquency defense attorneys in representing youth, including during a case's postdispositional period.[10] These include defending against allegations in all petitions filed in delinquency proceedings; representing youth at every stage of the proceedings; and advocating during hearings that youth receive care, treatment, and guidance consistent with his or her best interest. Although dissatisfaction is high with these activities, the Attorney Report[11] shows that a sizable 25 percent of defense attorneys reported that their postdispositional advocacy has increased since the passage of rule 5.663.

Under title IV-E of the Social Security Act and the California statutes implementing the federal law, the state is required to provide the same types of services to youth who are at risk of entering foster care and those who are in foster care, as well as to their parents, in the delinquency system as it does for the children and their families in the dependency system. The evidence required to support the findings must be provided to the court by the probation department. The judge needs time to read and evaluate the probation officer's report prepared for each hearing and time during each hearing to

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[8] California Department of Corrections and Rehabilitation, Division of Juvenile Justice will be referred to as DJJ.
[9] It is difficult to know the meaning of the 12 percent who do not "receive information" about postdispositional review hearings, because judicial officers are present at those hearing. It is possible that those respondents do not engage in such hearings because they specialize in predispositional hearings.
[10] Cal. Rules of Court, rule 5.663 (effective July 1, 2004), Responsibilities of Children's Counsel in Delinquency Proceedings.
[11] See volume 2, chapter 4.

discuss the contents of the report with the parties. Table 16 summarizes judicial officers' responses indicating how often they believe the probation department is undertaking a number of activities related to federal and state legal requirements for these youth and their families. These activities should be described in probation reports and considered in hearings. Many judicial officers (averaging 30 percent across the questions) reported that they do not know whether probation officers are involving youth in case planning, trying to locate relatives, helping youth make adult connections, securing Independent Living Program (ILP) services, or notifying tribes when a youth's Indian status is in question. One possible explanation for this finding is that they cannot tell from the probation reports they review whether these activities are occurring. Among those respondents who are aware of probation departments' efforts concerning these activities, a minority think that many of these activities are nearly always happening for foster youth and those at risk of entering foster care.[12] Judicial officers are largely making the findings and orders required in these cases, but they may need more time to consider probation reports and make inquiries about their content.

Judicial officers were asked about their satisfaction with various processes involved in responding to youth who have come to the attention of both the delinquency and dependency sides of the juvenile court (table 17). Sixty-two percent are satisfied with the frequency with which the probation department and child welfare agency agree on a recommendation for how the court should treat the youth. About two-thirds are satisfied with the appropriateness of the recommendations, given the offense and the offender's strengths and challenges. However, only about one-half (52 percent) are satisfied with the information sharing during the process. Forty-four percent are satisfied with the information presented to them when the two agencies' viewpoints diverge.

We asked respondents what, apart from public safety and best interest, were considerations in deciding whether to move a youth from one part of the juvenile court to the other (table 18). The two concerns cited most frequently by delinquency judicial officers are that services in juvenile delinquency are not as extensive as they are in juvenile dependency (55 percent reported this as a consideration) and that youth can lose their ability to return to placement after a delinquency adjudication (42 percent). Many of the respondents who checked "other" wrote that in their jurisdictions the services available to dependent youth are not as extensive as those available to delinquent youth.

Quality of Legal Advocacy

Because attorney advocacy is such an important component of fairness and justice, judicial officers were asked to assess it in their surveys. They were asked to indicate their level of satisfaction with the performance of prosecutors and defense attorneys by rating them on a large number of attorney activities (tables 19 and 20). Overall, judicial officers are satisfied with the performance of juvenile attorneys, and they do not consistently rate one attorney type more highly than the other. The variations in satisfaction levels for these activities suggest gaps either in attorney performance or in attorneys' access to information that judicial officers believe they need in order to arrive at the best decisions possible.

As shown in table 19, judicial officers are relatively satisfied with prosecutors in terms of their knowledge of the law, quality of legal arguments, and knowledge of the case (satisfaction levels are 69

[12] The percentages in these tables did not change appreciably when the analysis omitted respondents who perhaps seldom hear title IV-E cases (such as respondents working in delinquency less than half time and respondents from small jurisdictions).

to 89 percent). Although 70 percent are satisfied with prosecutors' predispositional advocacy, 10 percent are not. Satisfaction is lower with postdispositional advocacy (58 percent satisfied and 12 percent dissatisfied).[13] Respondents were moderately satisfied with prosecutors' performance in a number of other areas, including timely discovery, calling witnesses, and direct and cross-examination. Judicial officers are not satisfied with the level of knowledge about community resources that prosecutors have: only 30 percent are satisfied, with 31 percent reporting being dissatisfied with their knowledge of these resources. Satisfaction with motion practices and trial briefs is quite low, in part because these practices do not occur frequently in juvenile cases.

Judicial officers' attitudes toward juvenile defense attorneys are similar in some ways to those toward juvenile prosecutors. For instance, as shown in table 20, respondents are again more satisfied with predispositional advocacy than with postdispositional advocacy. They are also rather dissatisfied with defense attorneys' knowledge of community resources (only 46 percent are satisfied and 21 percent are dissatisfied). Judicial officers are relatively satisfied with defense attorneys' knowledge of the facts of the case and with their appearance for scheduled hearings. They are moderately satisfied with other court practices, such as calling witnesses and direct and cross-examinations. One area in which judicial officers are distinctly dissatisfied involves how defense attorneys work with their clients. Less than two-thirds are satisfied with the frequency with which attorneys confer with clients, and only 39 percent are satisfied with the frequency of attorneys' physical visits with clients.

Hearing Management

Hearing continuances and delays can pose problems for the court and court users. They contribute to exceeding statutory timelines; delaying accountability, rehabilitation, and victim restoration; wasting resources such as the time of paid professionals; and causing youth, parents, and victims to forgo competing obligations, such as school and work, while they wait in court, often for half-days or full days. They also benefit cases because they allow late-arriving information to be considered and enable required parties to appear in court. No empirical guidance exists regarding what is an excessive number of hearing delays, and assessing whether delays are warranted is a difficult exercise. There is a sense that too many delays may signify justice denied and too few may signify due process denied, but there is no precision to those values that can easily guide an assessment.

Only about one-half of the respondents said that they always or almost always get through their juvenile delinquency calendar and hear each case to their satisfaction. However, only one-quarter of the respondents said that hearing delays are a moderate or major problem (table 21).

As shown in table 22, a lack of information (such as reports and evaluations) is a major reason for hearings being held over, according to the observations of judicial officers. In addition to explicitly noting this problem, many respondents chose the separate reason "attorney not ready," which is often related to the lateness or unavailability of information. It is possible that a failure to receive reports on time may affect judicial officers' and prosecutors' perceptions of defense attorney readiness. The only other major cause of hearing delays in uncontested matters was the youth not being present. In contested matters (table 23), in addition to the lack of information and youth's absence noted in uncontested matters, a significant source of delay involves hearings going over their allocated time.

[13] The role of the prosecutor after disposition is generally limited to advocacy surrounding new violations and responses to requests for dismissal and other postdispositional amendments.

Performance-related reasons for hearing delays (such as probation or attorney not being present or lack of or improper notice) seem to be relatively uncommon.

These survey data and the difficulty of appraising delays and continuance at the statewide level suggest that local courts should monitor trends in the frequency of, and stated reasons for, hearing delays and should examine both how expeditiously hearings are completed and whether justice is compromised by resource limitations. As is explained in volume 1 and elsewhere in volume 2 of this report, courts also need to consider how they communicate with court users about hearing continuances and delays, since court users often view continuances and poorly explained reasons for delays as a significant affront.

Sanctions and Services

Effective juvenile justice systems have developed an array of services and sanctions available to youth who have come to the attention of law enforcement.[14] Youthful offender populations present a broad array of risks and needs that must be accompanied by an appropriate range of service and sanction options. Evaluations must be made regarding how best to match youth with services, depending on the youth's individual mental, educational, and familial strengths and challenges. Sanctions range from less to more severe and can move up or down the continuum depending on the performance of the offender. The primary advantage of a range of sanctions and services is that they give probation departments the tools and ability to respond appropriately to different offenses and offenders. There is a good deal of data in the JDCA report regarding shortcomings in the availability of appropriate sanctions and services for youth in the juvenile justice system. These shortcomings vary by level of sanction and by type of treatment. This section describes judicial officer satisfaction with sanctions and services, and with the performance of youth in different probation settings.

Judicial officers are more likely to be satisfied with the options available to the juvenile court for sanctioning youth than they are with the options available for mandated services (table 24). They are also more likely to be satisfied with the sanctions and services available for lower-risk youth than with those available for higher-risk youth. At 48 percent, the rate of dissatisfaction with services for high-risk youth is strikingly high.[15]

Most judicial officers do receive information about youth on court-ordered informal probation and deferred entry of judgment (DEJ), as shown in table 25. They are most satisfied with the performance of these youth in their community service (60 percent), avoidance of recidivism (50 percent), and restitution payment (46 percent). They are less satisfied with the progress these youth may be making with their education, mental health, and substance abuse problems.

Judicial officers are somewhat less satisfied with the performance of (traditional) probation wards compared to informal probation and DEJ youth (table 26). Although they are relatively satisfied with the rate at which these youth complete their community service (65 percent), they are somewhat dissatisfied with their rate of recidivism, restitution, and improvements to education, mental health, and substance abuse.

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[14] U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention, *Comprehensive Responses to Youth at Risk: Interim Findings from the SafeFutures Initiative* (2000); available at http://www.ncjrs.gov/html/ojjdp/summary_comp_resp/index.html <last accessed March 17, 2008>.

[15] This pattern is similar to what was found in the probation and attorneys surveys (volume 2, chapters 3 and 4).

Youth who are intensively supervised are assessed as performing relatively better than probation wards along almost every dimension (recidivism, educational progress, and substance abuse improvement). Respondents are more satisfied with the completion of community service for probation wards than for youth on intensive supervision (65 and 51 percent)(table 27).

The percentage of respondents who are dissatisfied with the various youth performance dimensions is higher for youth in camps, ranches, and private placement than for youth who are completing their probation at home (table 28). A sizable percentage of respondents reported not receiving information about restitution and community service for youth placed in these settings.

Respondents reported the lowest levels of satisfaction with the performance of youth at DJJ facilities (table 29). Strikingly, one-third or more of the respondents reported that they do not receive any information about youth's performance in these facilities.

As shown in table 30, respondents are relatively satisfied with most supervision programs: short stays in juvenile hall (64 percent), intensive supervision (54 percent), residential treatment facilities (47 percent), and, when they are available, restorative justice programs (50 percent satisfaction among those that have these programs).

Respondents were asked to indicate the types of youth who are particularly difficult to match with supervision, treatment, and placements. Table 31 shows that the most difficult youth to match are those with mental health issues, those who are beyond control, and those who are developmentally delayed. In open-ended survey questions, respondents thought that more options for girls and for youth who run away from placement are also needed.

Collaboration

Judicial officers and justice partners routinely collaborate at a number of different levels in order to improve the juvenile justice system. At the system level, they collaborate to improve court services, increase service and sanction options, and resolve policy and other managerial issues as they arise. In an open-ended survey question asking respondents to name the top strengths of their court, many judicial officers credited the court's collaborative relationships with justice partners, or the justice partners' collaborative relationships with one another.

About 85 percent of judicial officers hearing delinquency proceedings meet with other justice partners (table 32). About one-half participate in regularly occurring meetings (42 percent), and one-half meet as needed (44 percent). Of the 43 presiding judges of the juvenile court, about one-half meet with them regularly, one-quarter meet with them on an as-needed basis, and one-quarter do neither. At the court level, about three-quarters of courts have at least one delinquency judicial officer who attends regular justice partner meetings.[16] About one-third of respondents believe that courts should meet with them more often, and about one-third believe they should meet more often without judicial participation (table 34).

[16] This calculation excludes courts in which no respondent reported attending regular meetings if that court also had nonresponding judicial staff. (The reasoning is that the nonrespondent may be the sole judicial representative attending regular stakeholder meetings.) Of the remaining 49 courts, 36 (or 73 percent) have at least one judicial officer who regularly attends stakeholder meetings.

Table 34 also shows that respondents feel strongly that collaboration with the community and cross-training should be increased. More than half think that the courts should increase their collaboration with the community, and about as many think that other agencies should also increase community collaboration.

Roughly 8 in 10 respondents assessed the court's relationship with the probation services division of the probation department, public defender's offices, and district attorney's offices as very good or good (table 35). Fewer respondents rated the working relationship between the court and juvenile hall that highly. Respondents were more likely to cite poor or very poor relationships with groups that courts do not routinely work with, such as county mental health (21 percent), child welfare (14 percent), and school districts (18 percent), as shown in tables 35 and 36.

System Needs

Respondents were given a list of 52 items and asked to check how strongly they agree that there needs to be improvement in the quality or quantity of these items in order to improve the functioning of the juvenile justice system. Although the list is long, it is not exhaustive, so the results from this question should not be interpreted to mean that the neglected dimensions are not thought to be important. The top 8 selected improvements are discussed here. The full list is shown in Table 37.

The top three areas where judicial officers think that the system needs improvement are all related to probation services for youth. They include more probation officers, improvements in probation-supervised services, and improvements in juvenile custody options. The next 5 are related to judicial resources and court services needs. Respondents reported that more judicial positions and more time and opportunities to visit placement would improve the system. They also agreed that access to mental health courts, availability of victims' and restitution services, and access to family group conferencing could be improved. These are important findings because they suggest areas where some concentrated improvements to resources may be needed. The other items listed in the table are also important and may reflect significant needs within local jurisdictions, but at the statewide level, there is relatively less agreement that significant improvements are needed in these areas.

Conclusion

This report summarizes the findings from the 2006 CFCC Survey of Juvenile Judges, Commissioners, and Referees, the first statewide survey of all juvenile court bench officers conducted in California.

Because of the limits of centralized, administrative data, little was known about the background of juvenile court judicial officers. The survey data show that the majority of judicial officers were involved professionally with the juvenile court prior to their first juvenile assignment, and that they continue to develop their expertise, with an average of more than 22 hours per year of formal education in juvenile law and related fields. About one-half have full-time delinquency assignments; the rest have other assignments as well. About one-half are in the first three years of their delinquency assignment. Court hearings should continue to be led by experienced judicial officers who are committed to the goals of the juvenile court and to working within the unique setting of the juvenile court to meet the needs of youth, victims, and the community.

Respondents are generally satisfied with most aspects of probation officer and attorney work. Several areas in need of further exploration include judicial officers' access to knowledge about community

resources and their access to important information about the well-being of youth, such as their mental health, school life, and educational needs. Judicial officers would like to become more knowledgeable about the availability and effectiveness of treatments and services for youth. Probation officers need reasonable caseloads in order to generate information that is vital to the court's role in making findings and orders and monitoring the postdispositional period. Three-quarters of the respondents agree that more juvenile probation officers are needed.

Although the ability to continue a hearing is an essential component of guaranteeing that rights are protected and court outcomes are fair, the ability to process cases without significant delays and continuances is also a sign of a well-run and adequately resourced court. Judicial officers and court managers should consider monitoring the reasons for delays and continuances in order to be assured that the delays are for good cause and in the interest of justice, and so that they can recognize where they may need either more resources or a different organization of their calendar. Because court users can find continuances to be a significant affront, particularly if they occur after long waits in the courthouse, it is important for courts to consider how they communicate their good-cause continuances to court users, who are largely unfamiliar with legal language.

Most judicial officers reported that they are significantly involved in multidisciplinary justice partner meetings, either to discuss procedures and policy or to discuss supervision, treatment, and placement issues. Most believe that they meet sufficiently often. One-half think that there should be more collaboration with the community. They reported good working relationships with the groups with whom they collaborate most often (probation and attorneys). When asked to report on what they consider the strengths of their court, they acknowledged that the expertise of and also the working relationships between the justice partners contribute significantly to the overall strength of the court. They recognize that the juvenile justice system needs more resources, particularly probation officers, services, and custody options.

Tables

Table 1
Type of Judicial Officer by County Size (N=141)

	Under 2 million	2 to under 10 million	10 million or more	Total
Presiding Judge of the Superior Court	36.1	0.0	1.5	10.1
Presiding Judge of the Juvenile Court	30.6	37.1	10.3	22.3
Judge	27.8	31.4	50.0	39.6
Subordinate Judicial Officer	5.6	31.4	38.2	28.1
Total	100%	100%	100%	100%

Table 2
Regular Time Commitment to Juvenile Delinquency as Reported by Judicial Officers (N=128)

	Count	Percent
Less than 1/4 time	27	21.1
1/4 time	8	6.3
Less than 1/2 time	8	6.3
1/2 time	11	8.6
3/4 time	6	4.7
Full time	68	53.1
Total	128	100%

Table 3
Years in Juvenile Delinquency Assignments as Reported by Judicial Officers (N=130)

	Presiding Judge of the Superior Court	Presiding Judge of the Juvenile Court	Judge	Subordinate Judicial Officer	Total
Current Assignment					
0 to 2.9 years	0.0	55.6	64.6	47.1	50.8
3 to 4.9 years	15.4	11.1	20.8	8.8	14.8
5 to 9.9 years	53.8	22.2	12.5	14.7	19.7
10 years and over	30.8	11.1	2.1	29.4	14.8
Total	100%	100%	100%	100%	100%
Current Assignment					
N	13	27	48	34	122
Mean	9.0	5.0	3.1	6.8	5.2
Median	8.6	2.7	2.1	4.3	2.8
Standard deviation	3.4	4.6	3.6	5.5	5.5
Total assignments					
N	13	31	42	44	130
Mean	9.2	5.9	3.2	6.9	5.5
Median	8.5	5.0	2.4	4.9	3.9
Standard deviation	3.2	4.4	3.5	5.2	5.2

Table 4
Years Spent in Judicial Officer Positions as Reported by Judicial Officers (N=128)

	As a Judge	As a Subordinate Judicial Officer	As a Judicial Officer
N	93	48	128
Mean	11.3	10.1	12.0
Median	11.5	8.0	11.5
Standard deviation	6.9	6.9	7.1

Table 5
Prior Professional Roles Related to the Juvenile Court as Reported by Judicial Officers (N=128)

	Presiding Judge of the Superior Court	Presiding Judge of the Juvenile Court	Judge	Subordinate Judicial Officer	Total
None	7.7	34.5	48.0	13.9	31.3
Dependency Attorney	7.7	3.4	2.0	22.2	8.6
Delinquency Attorney	7.7	17.2	24.0	19.4	19.5
Dependency and Delinquency Attorney	76.9	34.5	18.0	41.7	34.4
Non-Attorney juvenile roles only	0.0	10.3	8.0	2.8	6.3
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Table 6
Specialized Judicial Training in Juvenile Delinquency as Reported by Judicial Officers (N=127)

	Count	Percent
Before starting assignment	60	47.2
Within a year of starting assignment	61	48.0
No delinquency training	21	16.5
Do not recall	3	2.4

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 7
Hours of Specialized Training in the Last Year as Reported by Judicial Officers (N=113)

	Count	Percent
0 hours	10	8.8
1 to 9 hours	20	17.7
10 to 19 hours	20	17.7
20 to 29 hours	24	21.2
30 to 39 hours	15	13.3
40 to 49 hours	17	15.0
50 hours and over	7	6.2
Total	113	100%

Median = 20.0 hours; mean = 22.2 hours; standard deviation = 16.6 hours

Table 8
Work-Related Barriers to Attending More Training as Reported by Judicial Officers (N=125)

	Count	Percent
No work related barriers to training	57	45.6
Few juvenile trainings available	21	16.8
Travel difficult from location	17	13.6
Trouble covering time away	57	45.6
Available training does not meet needs	10	8.0
Budgets constraints	31	24.8
Other reasons	25	20.0

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 9
Satisfaction with Quality of Information in Detention/Initial Hearing Probation Reports as Reported by Judicial Officers (N=123–128)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Report	Total
Prior delinquency record	24.2	50.8	10.9	8.6	1.6	3.9	100%
School attendance and Adjustment	7.0	39.8	29.7	14.8	2.3	6.3	100%
Home life	7.0	44.5	24.2	18.0	2.3	3.9	100%
Alcohol and drug use	10.9	48.4	25.8	9.4	0.8	4.7	100%
Parent's feeling about detaining the youth	10.2	46.5	31.5	6.3	0.0	5.5	100%
Risk assessments	11.9	38.9	24.6	11.1	7.1	6.3	100%
Indian ancestry	6.5	26.0	21.1	13.8	4.9	27.6	100%

Table 10
Satisfaction with Quality of Information in Jurisdiction and Disposition Hearing Probation Reports as Reported by Judicial Officers (N=129–130)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Report	Total
Prior delinquency record	45.4	47.7	6.2	0.8	0.0	0.0	100%
School attendance and Adjustment	30.0	46.2	19.2	4.6	0.0	0.0	100%
Home life	23.8	48.5	22.3	4.6	0.8	0.0	100%
Mental health	15.4	38.5	31.5	11.5	3.1	0.0	100%
Physical health	20.0	36.9	33.1	9.2	0.8	0.0	100%
Alcohol and drug use	24.6	51.5	16.2	7.7	0.0	0.0	100%
Mental health assessments	10.8	33.1	33.1	16.9	4.6	1.5	100%
Risk and needs Assessments	12.3	37.7	33.1	1.0	6.2	0.8	100%
IEP	12.4	26.4	34.1	18.6	7.0	1.6	100%
Special needs	10.8	28.5	36.9	15.4	7.7	0.8	100%

Table 11
Satisfaction With Quality of Information in Probation Reports for Postdisposition Youth Who Are at Home as Reported by Judicial Officers (N=125–126)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Report	Total
Progress in community service, restitution, and fines	11.9	51.6	16.7	10.3	0.0	9.5	100%
Progress in meeting other terms of probation	12.7	52.4	20.6	4.8	0.0	9.5	100%
Provision of court-ordered Services	8.0	36.8	34.4	10.4	0.8	9.6	100%
Effectiveness of court-ordered services	6.3	31.0	33.3	12.7	4.0	12.7	100%
School attendance and Adjustment	11.9	44.4	20.6	12.7	0.8	9.5	100%
Home life	7.1	44.4	27.8	8.7	1.6	10.3	100%
Mental health	5.6	28.6	34.9	18.3	2.4	10.3	100%
Physical health	7.2	30.4	38.4	9.6	2.4	12.0	100%
Alcohol and drug use	11.1	50.0	23.0	6.3	0.0	9.5	100%
IEP	6.4	28.0	34.4	20.0	1.6	9.6	100%
Special needs	6.4	27.2	34.4	19.2	3.2	9.6	100%

Table 12
Satisfaction With Quality of Information in Probation Reports for Youth Placed in Foster or Group Homes as Reported by Judicial Officers (N=124–125)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Report	Total
Progress in community service, restitution, and fines	15.2	46.4	25.6	7.2	1.6	4.0	100%
Progress in meeting other terms of probation	19.2	47.2	26.4	3.2	0.8	3.2	100%
Suitability to be returned home	14.4	52.0	24.0	6.4	0.8	2.4	100%
Safety of youth at placement	11.2	34.4	35.2	12.0	2.4	4.8	100%
Provision of court-ordered services	10.4	40.0	36.0	10.4	0.8	2.4	100%
Effectiveness of court-ordered services	8.0	39.2	32.8	12.8	2.4	4.8	100%
School attendance and adjustment	15.2	45.6	29.6	6.4	0.8	2.4	100%
Connections with family	11.2	44.0	31.2	10.4	0.8	2.4	100%
Mental health	7.2	42.4	33.6	12.0	1.6	3.2	100%
Physical health	11.2	40.8	35.2	8.0	2.4	2.4	100%
Alcohol and drug use	13.6	48.0	29.6	4.8	1.6	2.4	100%
Independent living services	11.2	38.4	32.0	12.8	3.2	2.4	100%
IEP	8.8	37.6	35.2	10.4	4.8	3.2	100%
Special needs	8.9	33.1	38.7	12.9	4.0	2.4	100%

Table 13
Satisfaction with Quality of Information in Probation Reports for Youth Placed in Camps and Ranches as Reported by Judicial Officers (N=108–110)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Report	Total
Suitability to be returned home	10.9	39.1	20.9	11.8	1.8	15.5	100%
Safety of youth at the facility	10.0	29.1	30.0	12.7	2.7	15.5	100%
Provision of court-ordered services	9.2	28.4	27.5	16.5	3.7	14.7	100%
Effectiveness of court-ordered services	8.3	30.3	30.3	13.8	2.8	14.7	100%
School attendance and adjustment	10.0	39.1	24.5	10.9	1.8	13.6	100%
Connections with family	9.1	32.7	30.0	11.8	2.7	13.6	100%
Mental health	7.3	25.5	34.5	13.6	4.5	14.5	100%
Physical health	8.2	30.0	34.5	9.1	3.6	14.5	100%
Alcohol and drug use	10.0	35.5	27.3	10.0	3.6	13.6	100%
Independent living services	7.3	22.7	31.8	18.2	3.6	16.4	100%
IEP	7.3	22.0	33.9	17.4	3.7	15.6	100%
Special needs	6.5	21.3	32.4	21.3	2.8	15.7	100%

Table 14
Satisfaction with Quality of Information in Probation Reports for Youth in State Juvenile Facilities as Reported by Judicial Officers (N=95–96)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Report	Total
Suitability to be returned home	6.3	24.0	30.2	11.5	5.2	22.9	100%
Safety of youth at the facility	5.2	12.5	33.3	15.6	8.3	25.0	100%
Provision of court-ordered services	5.2	15.6	34.4	15.6	5.2	24.0	100%
Effectiveness of court-ordered services	6.3	14.6	34.4	16.7	5.2	22.9	100%
School attendance and adjustment	5.2	19.8	37.5	11.5	4.2	21.9	100%
Connections with family	5.2	14.6	40.6	12.5	4.2	22.9	100%
Mental health	5.2	16.7	37.5	13.5	4.2	22.9	100%
Physical health	5.2	18.8	36.5	11.5	4.2	24.0	100%
Alcohol and drug use	5.2	19.8	38.5	9.4	4.2	22.9	100%
Independent living services	4.2	15.6	36.5	12.5	5.2	26.0	100%
IEP	4.2	17.7	35.4	11.5	5.2	26.0	100%
Special needs	4.2	14.7	36.8	13.7	4.2	26.3	100%

Table 15
Satisfaction with Activities Occurring Postdispositionally as Reported by Judicial Officers (N=118–123)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Information	Total
Postdisposition review hearings for nonplacement youth	15.3	41.5	22.9	7.6	0.8	11.9	100%
Probation review reports	9.9	44.6	27.3	8.3	0.0	9.9	100%
Probation visits with youth	8.1	32.5	31.7	17.1	2.4	8.1	100%
Child's attorney visits with youth	3.3	13.8	32.5	19.5	9.8	21.1	100%
Child's attorney requests to amend probation terms	5.7	13.8	47.2	8.9	8.9	15.4	100%

Table 16
Frequency of Probation Officers' Activities When Working with Youth for whom Title IV-E Money is Drawn as Reported by Judicial Officers (N=125–126)

	Always or Nearly Always	Often	Sometimes	Occasionally	Never or Rarely	Do not Know	Total
Involve youth in case plans	19.0	15.9	22.2	5.6	4.0	33.3	100%
Try to locate relatives	20.0	24.8	19.2	5.6	7.2	23.2	100%
Help youth make adult connections	8.7	20.6	27.0	6.3	7.1	30.2	100%
Secure ILP services	11.1	26.2	22.2	7.9	4.8	27.8	100%
Notice tribes when Indian status is in question	16.8	16.8	12.0	4.0	10.4	40.0	100%

Table 17
Satisfaction with Handling of Cases Involving Youth Moving from One Part of the Juvenile Court to Another as Reported by Judicial Officers (N=124)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Total
Satisfaction with frequency of Probation and Child Welfare agreements	13.7	48.4	25.8	10.5	1.6	100%
Satisfaction with information sharing	8.1	43.5	26.6	18.5	3.2	100%
Satisfaction with information presented	9.0	35.2	42.6	11.5	1.6	100%
Satisfaction with appropriateness of recommendations	11.3	54.0	21.8	9.7	3.2	100%

Table 18
Considerations in Moving Youth from One Part of Juvenile Court to Another as Reported by Judicial Officers (N=123)

	Count	Percent
Crossover interruption in services	43	35.0
Crossover delinquency services not extensive	67	54.5
Delinquency youth kept on probation	40	32.5
Dependency youth can lose ability to return to placement	52	42.3
None of the above	24	19.5
Other	13	10.6

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 19
Satisfaction With Performance of Prosecutors as Reported by Judicial Officers (N=125–128)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Not Applicable	Total
Predisposition advocacy	21.6	48.8	19.2	10.4	0.0	0.0	100%
Postdisposition advocacy	16.0	42.4	28.8	12.0	0.0	0.8	100%
Appearing for scheduled hearings	40.6	46.1	10.9	2.3	0.0	0.0	100%
Making sounds legal arguments	21.9	51.6	21.1	3.9	1.6	0.0	100%
Being knowledgeable about the facts of the case	27.3	44.5	21.9	5.5	0.8	0.0	100%
Being knowledgeable about the law	22.8	45.7	22.0	7.9	1.6	0.0	100%
Being knowledgeable about community resources	7.0	23.4	36.7	25.0	5.5	2.3	100%
Providing timely discovery	20.5	44.1	24.4	5.5	2.4	3.1	100%
Calling witnesses	19.7	45.7	26.8	6.3	0.8	0.8	100%
Direct examination	18.4	47.2	29.6	4.0	0.0	0.8	100%
Cross examination	16.7	42.9	31.0		0.8	0.8	100%
Motion practices	12.7	38.1	31.7	7.9	3.2	6.3	100%
Trial briefs	6.3	27.0	27.0	10.3	5.6	23.8	100%

Table 20
Satisfaction With Performance of Defense Attorneys
as Reported by Judicial Officers (N=125–128)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Not Applicable	Total
Predisposition advocacy	22.8	52.8	19.7	4.7	0.0	0.0	100%
Postdisposition advocacy	20.5	50.4	22.0	7.1	0.0	0.0	100%
Conferring with child clients	18.9	44.1	26.8	7.9	0.0	2.4	100%
Visiting child clients	12.6	26.0	34.6	13.4	4.7	8.7	100%
Appearing for scheduled hearings	22.7	48.4	23.4	5.5	0.0	0.0	100%
Making sounds legal arguments	14.8	48.4	31.3	5.5	0.0	0.0	100%
Being knowledgeable about the facts of the case	21.9	57.8	17.2	3.1	0.0	0.0	100%
Being knowledgeable about the law	16.4	53.1	25.8	4.7	0.0	0.0	100%
Being knowledgeable about community resources	9.4	36.2	33.1	19.7	1.6	0.0	100%
Providing timely discovery	10.2	35.4	40.9	3.1	2.4	7.9	100%
Calling witnesses	13.5	48.4	32.5	3.2	1.6	0.8	100%
Direct examination	15.1	51.6	29.4	2.4	0.8	0.8	100%
Cross examination	12.7	53.2	27.0	5.6	0.8	0.8	100%
Motion practices	10.4	40.0	34.4	7.2		4.8	100%
Trial briefs	4.0	27.0	32.5	8.7	6.3	21.4	100%

Table 21
Severity of Problem With Continuances and Delays by Frequency of Getting Through the Day's Calendar to the Judicial Officers' Satisfaction
as Reported by Judicial Officers (N=130)

	Always or Nearly Always	Often	Sometimes	Occasionally	Never or Rarely	Total
Not a problem	47.8	29.4	8.3	0.0	14.3	33.8
Minor problem	40.3	50.0	41.7	20.0	42.9	41.5
Moderate problem	11.9	17.6	41.7	80.0	28.6	22.3
Major problem	0.0	2.9	8.3	0.0	14.3	2.3
Total	100%	100%	100%	100%	100%	100%

Table 22
Causes of Hearing Delays in Uncontested Matters as Reported by Judicial Officers (N=130)

	Count	Percent
Attorney not ready	58	17.0
Other reports, persons, or information not available	55	16.1
Youth not present	42	12.3
Probation report not available or filed on time	41	12.0
Evaluation reports not available or filed on time	38	11.1
Lack of or improper notice	29	8.5
Parent not present	27	7.9
Hearings need more than allocated time	24	7.0
Attorney not present	24	7.0
Probation not present	3	0.9
Did not check any	3	2.3

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 23
Causes of Hearing Delays in Contested Matters, or Trials as Reported by Judicial Officers (N=130)

	Count	Percent
Evidentiary information or witness not available	87	26.0
Attorney not ready	68	20.4
Other reports, persons, or information not available	51	15.3
Hearing needs more than allocated time	34	10.2
Youth not present	26	7.8
Evaluation reports not available or filed on time	25	7.5
Probation report not available or filed on time	17	5.1
Parent not present	9	2.7
Attorney not present	8	2.4
Lack of or improper notice	7	2.1
Did not check any	6	4.6
Probation not present	2	0.6

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 24
Satisfaction With Sanctions and Services Options as Reported by Judicial Officers (N=122–123)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Option not available	Total
Sanctions for low risk youth	10.6	43.9	23.6	17.1	4.9	0.0	100%
Sanctions for intermediate risk youth	8.1	35.0	28.5	24.4	4.1	0.0	100%
Sanctions for high risk youth	8.9	30.9	23.6	26.8	9.8	0.0	100%
Services for low risk youth	6.6	35.2	27.9	23.0	6.6	0.8	100%
Services for intermediate risk youth	4.1	30.1	26.0	34.1	5.7	0.0	100%
Services for high risk youth	6.5	25.2	20.3	29.3	18.7	0.0	100%

Table 25
Satisfaction With Performance of Youth Under Court-Ordered Informal Probation or DEJ as Reported by Judicial Officers (N=127)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Information	Total
Recidivism	6.3	44.1	33.1	7.9	0.8	2.4	100%
Educational progress or improvement	3.1	40.9	35.4	12.6	0.0	2.4	100%
Mental health improvement	3.1	29.9	41.7	15.7	0.0	3.9	100%
Substance abuse improvement	3.9	34.6	33.9	16.5	2.4	3.1	100%
Payment of restitution	5.5	40.2	33.9	8.7	3.9	2.4	100%
Completion of community service	11.0	48.8	29.9	1.6	0.0	3.1	100%

Table 26
Satisfaction With Performance of Youth Under Probation With Wardship as Reported by Judicial Officers (N=121–122)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Information	Total
Recidivism	3.3	31.1	36.1	26.2	0.8	2.5	100%
Educational progress or improvement	3.3	27.9	45.9	19.7	1.6	1.6	100%
Mental health improvement	2.5	24.8	46.3	24.0	0.8	1.7	100%
Substance abuse improvement	2.5	25.5	33.1	25.6	1.7	1.7	100%
Payment of restitution	5.8	25.5	38.0	14.0	5.0	1.7	100%
Completion of community service	9.9	55.4	25.6	6.6	0.0	2.5	100%

Table 27
Satisfaction With Performance of Youth Under Intensive Supervision or Electronic Monitoring as Reported by Judicial Officers (N=101–102)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Information	Total
Recidivism	6.9	40.6	33.7	15.8	0.0	3.0	100%
Educational progress or improvement	5.9	36.3	35.3	19.6	0.0	2.9	100%
Mental health improvement	2.9	24.5	46.1	21.6	1.0	3.9	100%
Substance abuse improvement	3.9	35.3	33.3	22.5	1.0	3.9	100%
Payment of restitution	6.9	31.7	39.6	13.9	2.0	5.9	100%
Completion of community service	9.8	41.2	33.3	7.8	1.0	6.9	100%

Table 28
Satisfaction With Performance of Youth in a Camp, Ranch, or Private Placement (in California) as Reported by Judicial Officers (N=110–111)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Information	Total
Recidivism	3.6	30.9	37.3	21.8	1.8	4.5	100%
Educational progress or improvement	6.3	39.6	27.9	18.0	3.6	4.5	100%
Mental health improvement	2.7	30.6	39.6	18.0	4.5	4.5	100%
Substance abuse improvement	4.5	37.8	29.7	20.7	2.7	4.5	100%
Payment of restitution	1.8	31.5	41.4	15.3	2.7	7.2	100%
Completion of community service	3.6	35.1	37.8	10.8	0.9	11.7	100%

Table 29
Satisfaction With Performance of Youth at CDCR, DJJ Facilities as Reported by Judicial Officers (N=94–96)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Information	Total
Recidivism	0.0	12.5	28.1	12.5	5.2	41.7	100%
Educational progress or improvement	0.0	13.7	37.9	10.5	7.4	30.5	100%
Mental health improvement	0.0	9.5	32.6	13.7	10.5	33.7	100%
Substance abuse improvement	0.0	11.6	34.7	13.7	8.4	31.6	100%
Payment of restitution	1.1	12.8	34.0	7.4	7.4	37.2	100%
Completion of community service	0.0	7.4	31.6	7.4	6.3	47.4	100%

Table 30
Satisfaction With Supervision Programs as Reported by Judicial Officers (N=117–125)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do not Receive Information	Total
Restorative justice-focused programs	5.0	24.4	18.5	1.7	0.8	49.6	100%
Intensive supervision	10.7	43.4	20.5	5.7	0.8	18.9	100%
Day reporting centers	4.9	22.1	20.5	3.3	0.8	48.4	100%
Day treatment centers	1.7	20.0	25.8	3.3	0.8	48.3	100%
House arrest	8.0	39.2	30.4	7.2	3.2	12.0	100%
Short stay in juvenile hall	12.0	52.0	26.4	6.4	1.6	1.6	100%
Foster homes	4.9	30.9	43.1	8.9	2.4	9.8	100%
Group homes	4.0	39.5	40.3	11.3	3.2	1.6	100%
Residential treatment facilities	6.6	40.2	31.1	9.0	3.3	9.8	100%
Camps	10.4	37.6	20.0	9.6	1.6	20.8	100%
Ranches	6.6	31.1	16.4	6.6	1.6	37.7	100%
CDCR, DJJ facilities	0.9	18.8	36.8	15.4	12.0	16.2	100%

Table 31
Youth Who are Difficult to Match With Appropriate Supervision, Treatment, and Placements as Reported by Judicial Officers (N=130)

	Count	Percent
Youth with mental health issues	95	12.6
Beyond control youth	76	10.1
Developmentally delayed youth	72	9.5
Other	68	9.0
Runaways	62	8.2
High risk/low need youth	61	8.1
Youth with troubled home lives	53	7.0
Very young children	50	6.6
Youth with sex crime backgrounds	47	6.2
Youth with arson backgrounds	43	5.7
Pregnant girls	28	3.7
Girls	25	3.3
Youth with violent backgrounds	22	2.9
Gang youth	18	2.4
Low risk youthful offenders	17	2.2
Native American youth	12	1.6
Did not check any	7	0.9

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 32
Current Level of Court-Stakeholder Meetings in Which Judicial Officers Are Involved as Reported by Judicial Officers (N=130)

	Count	Percent
Meet on an as-needed basis	58	43.9
Meet regularly	55	41.7
Never or rarely meet	19	14.4
Did not check any	3	2.3

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 33
Topics Discussed at Court-Stakeholder Meetings as Reported by Judicial Officers (N=130)

	Count	Percent
Procedure and policy	102	47.0
Supervision, treatment, and placement issues	96	44.2
Other	19	8.8
Did not check any	18	13.8

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 34
Beliefs About Collaboration Activities
as Reported by Judicial Officers (N=108–121)

	Should Happen More Often	Should Stay As Is	Should Happen Less Often	Total
Meetings of stakeholders with courts' participation	33.9	64.5	1.7	100%
Meetings of stakeholders without the courts	34.3	61.1	4.6	100%
Court collaborating with community	52.9	42.9	4.2	100%
Other agencies collaborating with the community	51.8	46.4	1.8	100%
Court-probation cross training/briefings on procedures and policies	50.0	46.6	3.4	100%
Training/briefing the court on treatment options	67.8	30.6	1.7	100%
Training/briefing the court on placement options	68.3	30.0	1.7	100%

Table 35
Quality of Working Relationship With Juvenile Justice Stakeholders
as Reported by Judicial Officers (N=122–126)

	Very Good	Good	Fair	Poor	Very Poor	No Working Relationship	Total
Probation	46.0	37.3	11.9	4.0	0.8	0.0	100%
Public Defender's Office	31.2	48.0	12.8	5.6	0.8	1.6	100%
Alternate Public Defender's Office	20.5	36.1	12.3	1.6	0.0	29.5	100%
District Attorney's Office	33.3	47.6	15.1	4.0	0.0	0.0	100%
County Mental Health	12.7	23.8	38.1	14.3	7.1	4.0	100%
Child Welfare	17.6	36.0	28.0	11.2	2.4	4.8	100%
Juvenile Hall management	31.2	34.4	18.4	7.2	0.8	8.0	100%
Camps and Ranches management	16.9	29.0	22.6	8.1	0.8	22.6	100%

Table 36
Quality of Working Relationship With Other Stakeholders
as Reported by Judicial Officers (N=122–124)

	Very Good	Good	Fair	Poor	Very Poor	Varies Too Much to Say	No Working Relationship	Total
Law enforcement	21.3	47.5	17.2	4.1	0.0	4.9	4.9	100%
School districts	13.7	33.1	27.4	14.5	3.2	4.0	4.0	100%
Substance abuse service providers	10.6	44.7	28.5	7.3	2.4	2.4	4.1	100%
Domestic violence service providers	4.9	29.5	30.3	12.3	2.5	4.9	15.6	100%

Table 37
Agreement with System Improvement Needs
As Reported by Judicial Officers (N=124–125)

	Agree Strongly	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	Total	Mean	Standard Deviation
More time for hearings	27.2	23.2	30.4	12.0	4.8	100%	3.5	1.3
More time for prehearing preparation	23.2	26.4	28.8	13.6	4.0	100%	3.4	1.3
More judicial positions	40.8	20.8	22.4	9.6	4.8	100%	3.8	1.3
More research attorneys	18.4	21.6	37.6	15.2	5.6	100%	3.3	1.2
More case managers	20.2	21.0	33.9	14.5	4.8	100%	3.2	1.4
More probation officers	49.6	28.0	16.0	4.0	0.8	100%	4.2	1.1
Improving quality of probation reports	27.0	19.0	32.0	18.0	2.0	100%	3.5	1.2
Improving timeliness of probation reports	21.0	24.0	30.0	18.0	3.0	100%	3.3	1.3
Improving attorney attendance or performance	10.0	28.0	41.0	16.0	2.0	100%	3.2	1.1
Access to victim-offender mediation	14.0	31.0	40.0	10.0	3.0	100%	3.4	1.1
Access to family group conferencing	19.0	33.0	37.0	10.0	1.0	100%	3.6	1.0
Access to court volunteers	19.0	30.0	37.0	9.0	2.0	100%	3.4	1.2
Access to juvenile drug court	20.0	22.0	35.0	15.0	6.0	100%	3.3	1.2
Access to juvenile mental health court	32.0	19.0	35.0	7.0	2.0	100%	3.6	1.3
Access to juvenile traffic court	8.0	6.0	54.0	22.0	10.0	100%	2.8	1.0
Access to truancy court	12.9	12.1	49.2	15.3	8.1	100%	3.0	1.2
Access to youth/peer court	12.8	12.8	48.0	16.0	8.8	100%	3.0	1.1
Access to same or next day Spanish interpreters	10.4	13.6	40.8	20.0	13.6	100%	2.8	1.2
Access to same or next day interpreters for other languages	14.5	21.0	32.3	22.6	8.9	100%	3.1	1.2
Improvements in juvenile custody options	40.8	28.8	24.0	4.0	0.8	100%	4.0	1.1
Improvements in probation-supervised services	44.8	36.0	22.4	3.2	0.0	100%	4.1	1.0
Availability of victim and restitution services	20.0	30.4	34.4	5.6	1.6	100%	3.6	1.1
More time/opportunity to collaborate with probation and other stakeholders	17.6	28.0	32.8	12.8	4.0	100%	3.4	1.2
More time/opportunity to meet with community members	17.6	31.5	32.8	16.0	3.2	100%	3.3	1.2
More time/opportunity to visit placements	26.6	29.0	24.2	11.3	4.0	100%	3.6	1.2
Improvements in postdisposition reports	15.2	29.6	36.8	14.4	2.4	100%	3.4	1.1
Improvements in postdisposition review hearings	13.6	24.8	43.2	13.6	3.2	100%	3.3	1.1

Note: For means, Strongly Agree=5, Agree=4, Neither=3, Disagree=2, Strongly Disagree=1

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CHAPTER 3

Probation Officer Report

ResearchUpdate

ADMINISTRATIVE OFFICE OF THE COURTS
CENTER FOR FAMILIES, CHILDREN & THE COURTS

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Juvenile Delinquency Court Assessment: Probation Officer Report

This report covers information about the Juvenile Delinquency Court Assessment (JDCA) project and the 2007 CFCC Survey of Juvenile Probation Officers. Some key findings of the survey are related to collaboration and relationships with other justice partners, satisfaction with job functions, services and sanctions, and feelings about court users:

- Probation officers report having generally good working relationships with the court, the public defender's office, and the district attorney's office, although they are generally dissatisfied with how they are treated by each of those justice partners when in court.
- Probation officers report being generally satisfied with the amount of time they spend preparing reports and reviews, but they feel that paperwork and report writing take too much time away from interacting with youth.
- Probation officers agree that there is a lack of resources available to youth. Specifically, mental health and substance abuse services are lacking, as are services for girls and very young youth.
- There is a general feeling among probation officers that victims are not being treated fairly due to inadequate restitution collection and insufficient courthouse facilities.
- Probation officers and other justice partners agree that youth and parents do not understand the court process or what is said in court.
- Probation officers who work in juvenile delinquency generally enjoy working with youth, seeing positive changes in them, and providing services to them. They also enjoy working with the delinquency court and feel that the court cares about youth and treats people with respect.

In order to provide appropriate services for youth, parents, and victims, probation officers must work collaboratively with the court and other justice partners to develop resources that are available and effective. Although probation officers feel that both youth and parents should be held accountable for youth's actions and behaviors, they also recognize that youth and parents need to be able to understand what is being said in court as well as what their responsibilities are after they leave court.

Results from all assessment tools used in the JDCA are discussed in the *Juvenile Delinquency Court Assessment 2008*. A copy of the survey can be found in chapter 7 of this volume, Research Instruments.

About the JDCA

The Judicial Council of California's Family and Juvenile Law Advisory Committee, in conjunction with the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), conducted the JDCA. The Family and Juvenile Law Advisory Committee convened a

working group composed of members of the advisory committee and experts drawn from state entities and the major participants in the juvenile delinquency court: judicial officers,[1] court staff, probation officers, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross section of the state in terms of geographic location and county size. The working group helped develop the study plan, guide the research, and interpret the findings. A list of working group members can be found at the beginning of volume 1 of the *Juvenile Delinquency Court Assessment 2008*.

The JDCA marks the first major assessment of California's delinquency courts. This assessment was designed to gather and provide information to help improve the juvenile delinquency system by making recommendations for changes in laws and rules of court; improvements in hearing management, judicial oversight, court facilities, and other aspects of court operations; caseload changes; and improvements in court services for all court users. The assessment covered the following general topics:

- Hearings and other court processes;
- Court facilities;
- Court collaboration with justice system partners;
- Service and sanction options for youth;
- Perspectives of court users, including youth, parents, victims, and community members;
- Education and training;
- Accountability; and
- Professional background and experience.

The primary mode of investigation was to communicate directly with justice partners and court users. The JDCA project conducted surveys with all juvenile judicial officers, all court administrators, a random sample of juvenile probation officers, all juvenile division prosecutors, and all court-appointed juvenile defense attorneys, including public defenders, alternate public defenders, and contract attorneys who were identified as handling cases in delinquency court.[2] The JDCA project chose six counties to study in depth to learn about issues facing delinquency courts: Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. These six counties were selected for their size and geography in order to study a range of California's local delinquency courts. Interviews were conducted in each of these study counties with the presiding judge of the juvenile court, the chief probation officer or the juvenile probation division designee, the managing or supervising juvenile deputy district attorney and public defender, and court administration staff such as the supervising juvenile court clerk, court executive officer, or manager. Focus groups were also conducted with justice partners such as probation officers, prosecutors, and defense attorneys, and with court users such as youth, parents, victims, and community members. An assessment of delinquency court facilities across the state was also conducted as part of the JDCA project. The ultimate goal of this project was to improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system.

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[1] "Judicial officers" refers to judges, commissioners, and referees.

[2] "Contract attorneys" refer to contract or panel conflict defenders only and does not include attorneys who contract as a public defender.

Probation Officer Survey Method

The 2007 CFCC Survey of Juvenile Probation Officers was mailed to a random sample of 20 percent of the state's estimated 3,479 juvenile deputy probation officers (N=690) in March 2007. A detailed description of the survey method can be found in chapter 1 of the current volume, Methodology Report.

Probation Officer Survey Findings

The survey of probation officers contained questions related to respondents' professional backgrounds and department information and asked about their collaboration and relationships with the courts and other justice partners, their experiences in their jobs, their satisfaction with the effectiveness of sanctions and services, and courtroom management. Respondents also answered open-ended questions about their experience working with the delinquency court. The sections that follow summarize the findings.

Background and Job Descriptions

The respondents to the survey included supervision officers, investigation officers, intake officers, deputy probation officers (DPOs) at institutions or facilities, court officers, and placement officers. Close to 16 percent of probation officers reported having more than one role. Nearly 20 percent of probation officers reported that they do not supervise any cases. Of the remaining probation officers, almost half reported having a general caseload and more than half reported handling intensive or informal supervision caseloads (see tables 1 and 2).

Tables 3 through 5 show how long respondents have been working in probation, in juvenile assignments in their careers, and in their current juvenile assignment. Most probation officers have substantial experience working in probation. As of the survey date, nearly half of respondents have been doing probation work for between 5 and 10 years; the average number of years working in probation in any capacity is almost 10. The average length of time working in any juvenile assignment is about 8 years, and the average length of time in their current juvenile assignments is 3.5 years. About half of respondents have been in their current juvenile assignments for less than 2 years and about three-quarters of respondents have been in their current juvenile assignments for less than 5 years. Nearly a quarter of respondents (23 percent) have worked only in their current juvenile assignment since they began working for the probation department.

Many probation officers expressed an interest in staying in the juvenile division. Of those who have been working in probation for less than five years, nearly half (45.2 percent) reported that they would like to still be in the juvenile division in two years, and of the probation officers whose only experience in the probation department has been in the juvenile division, 52 percent reported that they would like to still be in the juvenile division in two years.

As table 6 demonstrates, nearly half of all respondents also reported that they would like to still be in the juvenile division in two years; an additional 30 percent would like to stay in the probation department but work in another division. Only 6 percent of respondents reported that they would like to be working outside of probation in two years. Table 7 shows that about a third of respondents expect to remain in the juvenile division and about 20 percent expect to request to leave the juvenile division. Only 13 percent of respondents reported that they expect to leave the probation department.

Many probation officers reported spending most of their time preparing court reports. Table 8 illustrates the tasks that each type of probation officer performs on a day-to-day basis, from preparing court reports to providing victim services. Investigation officers and court officers reported spending the most time preparing court reports. Not surprisingly, court officers attend court the most frequently; fewer than 20 percent of both intake and investigation officers attend court often or always, and only about 8 percent of supervision officers attend court often or always. Supervision officers (both in the field and at institutions) and intake officers reported spending more time than other types of officers coordinating services and programs. Nearly half of all responding probation officers reported that they never or rarely provide victim services; about 6 percent of both intake officers and investigation officers reported providing victim services often or nearly always.

Collaboration and Relationships

Probation officers are generally satisfied with their relationships with other justice partners and recognize the importance of communication with them. As shown in table 9, probation officers reported having good relationships with justice partners such as the court, juvenile hall, camps and ranches, the public defender's office, and the district attorney's office, but poorer relationships with mental health and child welfare. Although 71 percent of probation officers reported having a good relationship with the court, 65 percent of probation officers are dissatisfied with the weight the court gives to probation's recommendations, and nearly three-quarters of probation officers are dissatisfied with how they are treated by the court when they are present in court (see table 10). Probation officers may feel dissatisfied with how they are treated by the court due to their dissatisfaction with the weight the court gives to their recommendations and to the perceived lack of collaboration and communication with the court. When asked to write in the top ways the court could help probation be more effective, 15 percent of probation officers indicated that they want the court to follow, support, and back up their recommendations and probation violations. One probation officer in a focus group felt, however, that probation shares responsibility with the court, stating,

> A lot of how well the court does or does not do falls on probation. The court only knows what we tell them as far as what a kid has done. I've written reports before where the kid is violated and [I] kind of reminded the court of what they said before. It falls on probation to be sure the court is well informed with what has happened and what's going on in the kid's life.

Another probation officer noted that if the court met regularly with probation, "they [the court] would understand better how we go about our job, and if they understood better how we go about our job they might be more accepting of information that we're providing them." In a county where probation officers meet every day at a set time with other justice partners to share information about referrals, a focus group participant pointed out, "What's really valuable about that meeting is that often the children that we see may not have come to our attention, but they certainly have come to other disciplines' attention, so the police department may have a sheet that has service calls to that home that are dating back years, and we wouldn't have that information if they weren't at this meeting." Another probation officer stated that regular meetings with justice partners make probation officers feel as though "we were all on the same page and it made the whole system work smooth[ly]."

Almost three-quarters of probation officers are also dissatisfied with how they are treated by the prosecutor when in court, although almost 70 percent of probation officers reported having a good

relationship with the district attorney's office. In a focus group, probation officers discussed their relationship with the district attorney's office and the fact that their perspectives are based on different roles. One participant explained why their relationship can be contentious:

> The district attorney's objectives a lot of times are totally contrary to what yours might be because they're concerned with prosecution, looking like they're tough on crime, and so they have their agenda versus what you have to do. In their hearts they may agree with us, but on the record their agenda differs.

Probation officers reported having a better relationship with prosecutors than with defense attorneys; however, they are generally dissatisfied with how they are treated in court by defense attorneys as well as by prosecutors. They are also generally dissatisfied with both prosecutors' and defense attorneys' handling of cases. One explanation for the dissatisfaction may be the relative feeling of being an outsider in the courtroom despite probation's and attorneys' mutual respect for each other. An additional explanation could be due to their having to justify their recommendations when called to court.

Probation officers may report better relationships with prosecutors because the district attorney's office is responsible for filing cases based on information submitted by probation. For example, the way a prosecutor decides to file a case may affect the probation officer's satisfaction. Probation officers seem to have more day-to-day contact with the district attorney's office than with the public defender's office, which some believe could explain why probation officers report having a better relationship with prosecutors than with public defenders.

Job Appraisal

Probation officers, responding to questions related to their satisfaction with day-to-day, job-related issues, reported feeling that they need more training on how to testify and more time to write reports and meet with youth. Almost a quarter reported being neither satisfied nor dissatisfied with various issues such as the time they spend preparing reviews, the number of hours they must wait for hearings, and the number of hearing continuances.[3] Table 11 shows that they are generally satisfied with the number of times they are required to attend court, although they are dissatisfied with how well they are trained to testify. This dissatisfaction with training could explain why probation officers are also dissatisfied with how they are treated in court by attorneys: if probation officers do not know what to expect when testifying in court, they may be surprised or upset by how attorneys question or challenge their recommendations in front of the judge. Probation officers are generally satisfied with the time they spend preparing court reports, although nearly half of probation officers who write reports indicated that the inability to interview parents is a challenge to writing reports in the time allotted and that report writing takes too much time away from other responsibilities (see table 12). Additional challenges to writing reports include the inability to obtain information from schools and mental health. As one probation officer pointed out, "Mental health services are available . . . the problem is that oftentimes we don't have access [to information] because of HIPAA constraints" (referring to the federal Health Insurance Portability and Accountability Act). The challenge of obtaining information

[3] The choice of "neither satisfied nor dissatisfied" may have been interpreted in more than one way by survey respondents. It may have been used as a midpoint on the rating scale or it may have been selected by respondents who have no opinion on the question item.

from mental health could also explain why probation officers reported having poorer relationships with mental health than with other justice partners.

A third of probation officers specified that the court could help them be more effective by giving them more discretion and ability to detain and by creating more resources, services, and programs for youth. Nearly all of the responding probation officers (95.7 percent) reported that one of the top things they enjoy about their juvenile assignment is working and interacting with youth. Other things that probation officers reported enjoying about their juvenile assignment are seeing positive changes in youth and providing services to youth; however, they do not have enough time with youth (see tables 13 through 15). When asked to write the top things they would change about their juvenile assignments, 44 percent of probation officers indicated that they do not have enough time to spend with the youth. In focus groups, probation officers said that there is often not enough time to carefully assess youth and create case plans for them. One probation officer noted, "I sometimes am not pleased when I can't be as thorough as I want to be given the circumstances and the time constraints." Others agreed with one participant's statement that "you get to a point where you're not really doing any services; you're just going there [to visit youth] to get your face-to-face and keep shoveling on."

Probation officers are generally satisfied with the time it takes the prosecutor to file a petition. They are less satisfied with the general timeline of cases, however. Probation officers pointed out that it takes a long time to get a youth into court initially. According to one, "When the kid gets in 60 days or so after committing an offense, they're arraigned and then they're given another two months to come back for a pre-plea hearing, and then they [bench officers] usually continue the case after the initial pre-plea is received, so we're talking six months down the line before a minor is actually dispo'd out on a case." One probation officer talked about the need for speedier dispositions:

> The time lag is just really detrimental all the way around. We have one judge who will say, "Let's see how you do in school over the next few months, let's see how you do on your drug testing." And then by the time the kid starts probation he thinks he's already completed.

Probation officers in focus groups noted that by the time the youth get to court, they have forgotten why they are there. The time between when a youth is cited or arrested and the first hearing may be long due to delays in processing out-of-custody citations, delays in scheduling a court date, and difficulty getting youth to report for an interview. Continuances and other hearing delays could create an additional time lag.

Services and Sanctions

Probation officers responding to the survey assessed the quality, availability, and effectiveness of services and sanctions in their jurisdictions. Sanctions refer to a range of graduated restrictions or consequences targeted at specific offender profiles or behaviors and used for accountability and behavior modification purposes. The advantage of having a range of services and sanctions is that they give probation departments the tools and ability to respond appropriately to a diversity of offenses and offenders.

Generally, probation officers are satisfied with the range of service and sanction options for low-risk youth but dissatisfied with the range for intermediate- and high-risk youth. Table 16 shows that the higher the risk of the youth, the more dissatisfied probation officers are with the services and sanctions

available to them. They are slightly more satisfied with sanctions than with services. Probation officers are generally satisfied with the effectiveness of sanction options, including community service, home on probation, and electronic monitoring (see table 17). One exception is their satisfaction with the California Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ). Only a third of respondents reported being satisfied with the effectiveness of DJJ, and nearly a quarter of probation officers responded that they were neither satisfied nor dissatisfied. Another quarter of probation officers responded that they did not know. This could be because few youth are being sent to DJJ[4] in each of the last several years; the total number of youth sent has equaled approximately 1 percent of juvenile arrests for that year. [5] Also, if a youth does go to DJJ, the probation officer is unlikely to know how effective it was since he or she is unlikely to maintain contact with the youth.

A common theme in focus groups and open-ended questions was a need for the court to follow through with any sanction warning that is given to youth who do not follow their probation conditions. As one probation officer suggested, "Stay true to your orders. If [the judge says] next time I see you in front of me this is what's going to happen, then make it happen." By not following through, they pointed out, the court is damaging the credibility of the probation officers. One focus group participant stated, "When we're out there supervising and we say, 'Remember the judge said if you don't go to school this is what's going to happen' and then [nothing happens], they're like, 'See, my PO don't know what she's talking about.'" In a focus group conducted with parents, one parent of a youth in the delinquency system noted, "According to the last recommendation of the probation officer, if the young man was to violate again he would be sent to Youth Authority, and then [he] violated a dozen times afterwards and he was never sent to Youth Authority."[6]

The need for consistency is also a common theme. Probation officers noted that judges should be consistent in how they sanction youth with similar petitions. One stated that "you have two kids who basically commit the same offense and they appear before the judge and one is given a 654 [6 months of informal probation] and the other one is put on formal probation. And that is disturbing because I've seen this happen quite frequently with African-American kids where they get the harsher [sanction]." On the other hand, probation officers also pointed out in focus groups that court orders should be individualized for the particular youth. According to one participant, "The bench and probation and the offender would be better served by individualizing what the kid needs a lot more than it is now instead of blanket conditions."

Probation officers are dissatisfied with the effectiveness of service options, including anger management programs, parent education, substance abuse programs, and mental health services (see table 18). Overall, there is also a lack of residential drug treatment services available to youth. One probation officer noted, "Unless you're 18, there's no services available to you." Services for very young youth seem to be lacking as well. A focus group participant noted, "They're [the programs] geared towards 15 and older normally. We have a lot of youth that we're working for or with that are much younger than that. So there's a lot of agencies that haven't been or don't address that population." Of the services that are available in facilities, probation officers noted that the

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[4] Following the passage of Sen. Bill 81 (Budget Committee) (Stats. 2007, ch.175), commitments to DJJ are limited to offenders whose most recent sustained petition was for a Welf. & Inst. Code § 707(b) offense or a specified sexual offense.
[5] Cal. Dept. of Justice, Criminal Justice Statistics Center, *Juvenile Justice in California*, (2003, 2004, 2005, 2006).
[6] California Youth Authority was renamed the California Department of Corrections and Rehabilitation, Division of Juvenile Justice, in 2006, but it is still commonly referred to by its former name.

delinquency court would be best served if judges visited the facilities personally. “It goes a long way in building relationships,” one said. Another pointed out, “I don’t understand why you wouldn’t want to see . . . you’re ordering somebody to go 4,000 miles away and you have no clue what it’s about.”

Additionally, access to mental health services is lacking in many counties, and the quality of the services that are available is also a concern among some probation officers. Focus group participants agreed with one person’s statement that “often it’s very difficult to find really good counseling for the kids.” Many probation officers indicated that it is also difficult to find mental health services for those who commit sexually violent crimes. One probation officer noted that it is difficult to transport youth to services as well: “Oftentimes we’re handicapped by the availability of transportation.” The exception to the general dissatisfaction with service options is drug testing, with which probation officers were generally satisfied.

Probation officers are also dissatisfied with the availability of options for girls. A statewide probation services report confirmed that girls’ programs are the least frequently available programs in the state: less than 40 percent of all counties offered girl-specific programs.[7] In interviews and focus groups, probation officers noted the lack of space in camps, the juvenile hall, and other placements for girls. Without a full continuum of options available for girls, some courts are forced to order girls to placement more quickly than they would boys because there is no local camp or ranch for them.

Table 19 shows that about a third of responding probation officers are also dissatisfied with restitution collection, a point that was emphasized in the focus groups. Generally, probation officers reported in focus groups that they feel they do a poor job of dealing with victims. Table 20, in fact, shows that 30 percent of responding probation officers do not work with victims at all, and, of those who do work with victims, fewer than one-third of responding probation officers explain the process of collecting restitution to victims. One probation officer reported that “a lot of times the victims are put in the backseat to the kid” and that “we do not actively collect [restitution] for the victims.” Methods of collecting restitution vary by county: in some counties the probation department is responsible for collecting and in others the county itself is responsible for collecting through the Department of Revenue and Recovery. Courts also vary in whether they will dismiss a case before restitution is paid. Some courts will dismiss a case and direct the victim to file a civil judgment against the youth to collect restitution. Other courts will keep the youth on probation until the restitution is paid.[8] Twenty percent of judicial officers reported that restitution payment is a condition for dismissal.

Probation officers agreed that obtaining even a small amount of restitution is very difficult for various reasons. One probation officer noted, “These are the same kids that have parents who are on probation, have their own fines to deal with, so are they going to pay? Probably not.” Probation officers also indicated in focus groups that many of the youth with whom they work have parents on fixed incomes. In focus groups, victims stated that probation can’t or won’t enforce restitution orders. According to one victim, “Every time I deal with the probation department it’s like no one knows nothing, they can’t enforce anything, and they have no answers for you.” Probation’s involvement with victim services should be improved. Probation officers also suggested calling cases in which a victim is present first rather than forcing victims to wait, sometimes in the same hallway as the youth and their families.

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[7] Admin. Office of the Courts, Center for Families, Children & the Courts, *California Probation Services Survey* (2006); available at *www.courtinfo.ca.gov/programs/cfcc/pdffiles/PSTFSurvey2006.pdf.*

[8] Welf. & Inst. Code § 656.2 gives victims the right to an action for civil damages against the minor and his or her parents.

More than 35 counties have a juvenile drug court, and the majority of probation officers are satisfied with the effectiveness of these drug courts (see table 21).[9] One concern expressed in focus groups and interviews, however, was that the wrong youth may be referred to drug court. Probation officers indicated that drug court should be used only for those youth who will be best served by the court based on evaluations of drug courts. One probation officer pointed out, "Just because he said they smoked marijuana doesn't necessarily mean you got to do drug education or drug prevention or put him in a drug program. What you want to focus on is the behavior that keeps bringing them back to you."

Probation officers also identified some of the specific reentry or aftercare services that they provide to youth. Substance abuse referrals are the most common service provided, followed by anger management, family counseling, and mental health referrals. Tables 22 and 23 illustrate that the majority of responding probation officers, regardless of job type, refer youth to these four services, with substance abuse referrals being the most common. Half of the intake officers reported providing anger management referrals, and more than half reported providing referrals to family counseling, mental health services, and substance abuse services. Two-thirds of placement officers provide anger management and family counseling referrals, and about three-quarters of placement officers provide mental health services and substance abuse referrals. Almost all placement officers provide independent living skills referrals, and nearly three-quarters of supervision officers provide anger management, family counseling, and mental health services referrals. Even with all of these referrals, there are still gaps in service needs. There are few transition programs for placement youth or youth who have been in foster care. According to one probation officer,

> When they [youth] transition over to juvenile wardship, there's no real transition program for these kids when they come back [wardship is dismissed], especially if they're almost 18 or are 18. Some I have are mental health cases and they were just not offered any kind of services. And you have kids who've been totally dependent, they don't have families, and I see that there's nothing in the current system that really addresses that problem. And it's really sad because they turn 18, we cut them loose, DHS says that they're not entitled to our services anymore because they're 18, and they don't have anybody to fall back on.

A concern among probation officers is the issue of youth "aging out" of the system without receiving adequate services. As one probation officer noted, "Even those of us who came from intact families—at 18 you're still not ready to take care of yourself."

Probation officers in approximately a third of the counties in the state use assessments to determine youth's risk to the community.[10] Of those probation officers who do use assessments, satisfaction levels with those assessments are almost evenly distributed across satisfied, neutral, and dissatisfied

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[9] In addition to drug courts, probation officers rated their satisfaction levels with mental health courts; truancy courts; and peer, teen, or youth courts. There were too few respondents to analyze satisfaction with courts other than drug court, however.

[10] K. Hennigan, K. Kolnick, J. Poplawski, A. Andrews, N. Ball, C. Cheng, and J. Payne, *Juvenile Justice Data Project, Phase I: Survey of Interventions and Programs* (2007); available at *http://www.cdcr.ca.gov/Reports_Research/docs/JJDPSurveyFinalReport.pdf*.

(see table 24). Although many probation officers agreed that it is good practice to use standardized assessments, counties vary in whether and how they use assessments.

Court Assessment

Probation officers responded to questions concerning how they feel about working with the delinquency court. They were split in their feelings about continuances and other hearing delays. Forty-five percent indicated that continuances and other hearing delays are not a problem or a minor problem and almost 40 percent reported that they are a moderate or major problem. Respondents reported that the absence of youth and parents are top causes of delays in uncontested matters (see tables 25 and 26). What the researchers cannot determine is whether hearing delays are a problem for some because they believe that they happen too often or because they do not happen often enough to complete reports; table 26 shows that 40 percent of probation officers feel that the top cause of hearing delays in uncontested matters is reports, people, or other information not being available. Additional causes of hearing delays in uncontested matters, according to probation officers, are hearings needing more than the allocated time and the defense attorney not being ready.

When asked about communication with youth and parents, probation officers indicated that some information is conveyed well (see tables 27 and 28). Almost three-quarters of probation officers reported that details about youth's responsibilities while on probation are conveyed well to youth, and two-thirds of probation officers feel that the possible outcomes are conveyed well to youth. Almost two-thirds reported that the same information that is conveyed well to youth is also conveyed well to parents, and more than half of probation officers indicated that parents' responsibilities are also conveyed well to the parents. Despite this, nearly everyone in interviews and focus groups agreed that neither youth nor parents understand what happens in court. One probation officer empathized:

> I imagine under similar circumstances I would have difficulty understanding because my adrenaline level would be high. I'd be all freaked out about what my future was going to be and if I was going to go to DJJ or all these horror stories you hear. I think it's just a difficult situation for a kid to expect them to understand what's totally alien to their normal life.

Probation officers feel that some types of information are not communicated well to youth or parents. Fewer than 20 percent of probation officers reported that information on record sealing is conveyed well to youth or parents. Fewer than half of probation officers indicated that financial obligations are conveyed well to youth or parents, which may contribute to the overall dissatisfaction with restitution collection services among probation officers, attorneys, and victims. Youth and parents also disagreed that information is conveyed to them well. Youth noted that they had signed papers and agreed to things without understanding, and said that people used confusing words and referenced codes that they did not understand, which sounded like a foreign language. One parent said that "there seemed to be a real lack of any information at all, and no one coming out and saying this is where he is, this is what's going to happen next." Both youth and parents also pointed out that they are not comfortable asking questions, even if questions are solicited. They and probation officers agreed with one participant's suggestion that the court should "educate parents to navigate through the court system, making the language simpler, allowing more communication between the two." In a focus group, one probation officer suggested "having some type of orientation for parents whose kids are involved with our system when they first come here . . . it could be like a liaison for parents, and [that person] meets

with them and explains to them about the court process." Other probation officers and victims agreed that it would be nice to have one go-to person. A recommendation is to have a single point of contact available to parents and victims who would be able to access information about cases and answer questions about hearings and the court process.

The survey also asked probation officers to write in the top strengths of the delinquency court and the court's top needs for improvement (see tables 29 and 30). These open-ended questions revealed that, according to probation officers, the court's strengths include holding youth accountable, focusing on rehabilitation, and treating people with respect. Interestingly, more than half of the probation officers wrote that one of the court's top strengths is that it listens to probation and follows its recommendations. Alternatively, almost half of probation officers indicated that, to improve, the court needs to follow probation's recommendations more often than it currently does. One probation officer noted,

> Some courts are very pro-probation and have a lot of faith in probation recommendations. Other courts, it appears, tend to supervise a little more from the bench and rely a little bit more on what they see and what they hear than what probation is recommending.

When indicating ways the court could improve, nearly 90 percent of probation officers also wrote that the court needs to have more respect for and understanding of probation officers, and 60 percent of probation officers wrote that the court needs to hold parents more accountable.

The idea of holding parents accountable was mirrored in focus groups, in which probation officers agreed with one statement that "we do a lot of work with the kids and the parent is just left untouched." Another participant noted, "Most kids on juvenile probation probably have got some parents with some issues" and "Their parents are enabling them."

Many focus group participants also talked about the delinquency system's goal as being to serve the best interest of the child, stating that the current process is not meeting that goal. One probation officer pointed out that in an ideal world the system would not be adversarial:

> It wouldn't be a matter of whether the DA or the public defender gets a win or whatever. There would be no point, no tracking, just focused on what's best for this kid and where does he make the most progress.

Other probation officers agreed. According to one, "We're all just fighting against each other sometimes." Victims also noted that the purpose of the delinquency system seems to be merely to process cases. One victim pointed out that he didn't think the system serves the delinquency court the way it was meant to. Parents of youth in the delinquency system agreed, with one stating,

> I think the juvenile system should be to protect the child, should be a system where the DAs and the public defenders are willing to sit down together and figure out what is best for the particular child, how can this child succeed in the future . . . And right now the way it is it's all a money-making business, it's all numbers, it's all a game, and they're playing with the lives of our children, and that is our most precious thing in life.

Conclusion

The 2007 CFCC Survey of Juvenile Probation Officers revealed information related to juvenile probation officers' job descriptions, collaboration with the court and other justice partners, and job appraisal. Also relayed were probation officers' opinions about services and sanctions and experiences working with the delinquency court, its justice partners, and youth and their parents.

Approximately 80 percent of probation officers have some type of supervision caseload, and about 11 percent often or always attend court. Many reported being interested in staying in the juvenile division. Since it is important for youth, families, and victims to have a consistent person to contact who is knowledgeable about their case, probation departments should encourage, retain, and promote staff who are committed to working in the juvenile division. By encouraging probation officers who do want to stay in the juvenile division, probation departments can reinforce the message that delinquency is an important and meaningful assignment.

Probation officers reported having generally good working relationships with the court, the public defender's office, and the district attorney's office, although they noted a lack of collaboration and communication with the court. Findings from the surveys of probation officers, prosecutors, defense attorneys, and judicial officers suggest that when justice partners operate in silos with little communication among each other, they do not benefit their county's youth as much as when communication and collaboration are considered important in the county. The courts, probation officers, and other justice partners should collaborate to develop methods for improving the delivery of services to youth. In addition, probation officers should receive adequate training in how to testify in court.

Report writing seems to be a large part of probation officers' responsibilities. Probation officers reported being generally satisfied with the amount of time they spend preparing reports and reviews, but they feel that paperwork and report writing take too much time away from interacting with youth. They also feel that there is not enough time to gather the necessary information for reports in the time allotted. Probation officers reported that interviewing parents and obtaining information from schools, court-ordered evaluations, and mental health are also challenges to writing reports in the time allotted. Without an adequate amount of time to spend with youth and gather information for reports, the benefit of probation officers to youth could be reduced.

Probation officers agreed that there is a need for more resources available to youth. Specifically, mental health services are lacking, as are substance abuse services and services for girls and very young youth. These service gaps can hinder rehabilitation and increase the chances of recidivism. By not adequately addressing the root causes of delinquent behavior, the delinquency court system gives youth few opportunities to change. Probation departments should seek out accessible and effective services, paying close attention to any service gaps. In addition, the courts and probation should engage schools, mental health, and other community systems to facilitate rehabilitation.

Probation officers, as well as attorneys and court users, feel that both youth and parents should be held accountable for youth's actions and behaviors, and that restitution collection should be better enforced than it is presently. There is a general feeling in juvenile probation that victims are not being treated fairly due to inadequate restitution collection, insufficient courthouse facilities, and a lack of a knowledgeable point person from whom to obtain information. When victims perceive the system as not working effectively, they give up on it and the youth it serves. The courts should support victims

by ordering restitution in a specific amount, making restitution payment a priority, and encouraging other methods of victim restoration when appropriate. In addition, for their safety, victims should have a separate waiting room in courthouses.

Probation officers and other justice partners agreed that youth and parents do not understand the court process or what is said in court. Youth and parents reported not understanding all of the numbers used (such as Welfare and Institutions Code sections), and youth reported signing documents without understanding them. The result of this confusion among court users is noncompliance with court orders, including restitution orders. Probation officers do feel that some information is conveyed well to youth and parents, such as youth's responsibilities while on probation and possible outcomes, but that other information, such as information on financial obligations and record sealing, is not conveyed well. When youth fail to have their records sealed, they often are not eligible for certain jobs or military service when they are older. Judicial officers, attorneys, and probation officers should take the time necessary to help youth, parents, and victims understand the court process, the outcomes of hearings, and the court's orders.

Probation officers who work in juvenile delinquency generally enjoy working with youth, seeing positive changes in them, and providing services to them. They also enjoy working with the delinquency court and feel that the court cares about youth and treats people with respect. For the court to improve, probation officers feel that it needs to have a better understanding of probation's job and a greater respect for probation's recommendations than it currently has. Judicial officers, attorneys, and probation should be adequately trained in the delinquency court and the importance of all of its players.

Tables

Table 1
Respondents to Probation Survey by Current Role (N=351)

	Count	Percent
Supervision field officer	198	56.4
Investigation officer	56	16.0
Intake officer	54	15.4
Deputy probation officer at institution	47	13.4
Court officer	42	12.0
Placement officer	37	10.5

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 2
Types of Caseloads Handled
as Reported by Probation Officers (N=287)

	Count	Percent
General caseload	133	46.3
Intensive supervision	84	29.3
Informal supervision	78	27.2
Gangs	63	22.0
Other caseload type	61	21.3
Placement	50	17.4
Sex offenders	44	15.3
Family preservation	26	9.1
Drug court	17	5.9

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 3
Time Spent Working in Probation in Any Capacity (N=351)

	Count	Percent
Less than 1 year	15	4.3
1 to 2.9 years	31	8.8
3 to 5.9 years	63	17.9
6 to 10.9 years	129	36.8
11 to 15.9 years	46	13.1
16 to 20.9 years	40	11.4
More than 20 years	27	7.7
Total	351	100%

Mean = 9.7 years; median = 8 years; standard deviation = 6.9 years

Table 4
Time Spent Working in Juvenile Assignments Throughout Career in Probation as Reported by Probation Officers (N=328)

	Count	Percent
Less than 1 year	19	5.8
1 to 2.9 years	40	12.2
3 to 5.9 years	73	22.3
6 to 10.9 years	116	35.4
11 to 15.9 years	41	12.5
16 to 20.9 years	26	7.9
More than 20 years	13	4.0
Total	328	100%

Mean = 8.3 years; median = 6.8 years; standard deviation = 6.5 years

Table 5
Time Spent Working in Current Juvenile Assignment as Reported by Probation Officers (N=341)

	Count	Percent
Less than 1 year	79	23.2
1 to 2.9 years	124	36.4
3 to 5.9 years	73	21.4
6 to 10.9 years	47	13.8
11 to 15.9 years	9	2.6
16 to 20.9 years	7	2.1
More than 20 years	2	0.6
Total	341	100%

Mean = 3.6 years; median = 2.0 years; standard deviation = 4.0 years

Table 6
Where Juvenile Probation Officers Would Like to Be Working in Two Years (N=352)

	Count	Percent
In the juvenile division	166	47.2
In another division of probation	102	29.0
Outside of probation	20	5.7
Out of the workforce (retired)	11	3.1
Other	32	9.1
Do not know	21	6.0
Total	352	100%

Table 7
Circumstances Under Which Probation Officers Expect to Leave the Juvenile Division (N=352)

	Count	Percent
Remain in juvenile	122	34.7
Reassigned	86	24.4
Request to leave juvenile	67	19.0
Will leave probation	45	12.8
Do not know	32	9.1
Total	352	100%

Table 8
Time Spent Performing Tasks by Job Type as Reported by Probation Officers (N=81–345)

		Intake Officer	Investigation Officer	Placement Officer	Court Officer	Supervision / Field Officer	DPO at Institution
Preparing court reports (N=345)	*Never, rarely*	13.0	3.6	8.6	26.8	8.6	13.0
	Occasionally	24.1	16.4	20.0	14.6	25.4	32.6
	Sometimes	18.5	18.2	34.3	12.2	25.9	23.9
	Often	31.5	29.1	34.3	24.4	34.0	23.9
	Nearly always	13.0	32.7	2.9	22.0	6.1	6.5
Preparing review reports (N=330)	*Never, rarely*	52.9	29.4	8.3	42.1	18.0	38.6
	Occasionally	15.7	25.5	22.2	13.2	29.6	27.3
	Sometimes	13.7	17.6	30.6	10.5	23.3	15.9
	Often	17.6	25.5	36.1	31.6	22.8	13.6
	Nearly always	0.0	2.0	2.8	2.6	6.3	4.5
Supervising in community (N=330)	*Never, rarely*	44.9	52.9	22.9	69.4	6.7	67.4
	Occasionally	22.4	17.6	22.9	8.3	17.4	11.6
	Sometimes	14.3	9.8	22.9	2.8	16.4	2.3
	Often	4.1	11.8	14.3	5.6	29.7	14.0
	Nearly always	14.3	7.8	17.1	13.9	29.7	4.7
Supervising in camps and ranches (N=319)	*Never, rarely*	87.2	87.5	71.4	94.4	87.8	30.4
	Occasionally	8.5	10.4	20.0	5.6	6.6	4.3
	Sometimes	0.0	0.0	2.9	0.0	1.1	4.3
	Often	2.1	0.0	0.0	0.0	2.2	15.2
	Nearly always	2.1	2.1	5.7	0.0	2.2	45.7
Supervising in placement (N=314)	*Never, rarely*	80.4	80.9	5.6	83.3	82.2	90.7
	Occasionally	15.2	12.8	19.4	11.1	11.7	2.3
	Sometimes	2.2	2.1	5.6	2.8	2.2	0.0
	Often	2.2	2.1	36.1	2.8	1.1	0.0
	Nearly always	0.0	2.1	33.3	0.0	2.8	7.0
Attending court (N=333)	*Never, rarely*	35.4	31.4	33.3	10.3	41.5	53.3
	Occasionally	41.7	33.3	47.2	17.9	40.4	35.6
	Sometimes	6.3	17.6	11.1	15.4	10.4	8.9
	Often	12.5	13.7	8.3	23.1	5.7	2.2
	Nearly always	4.2	3.9	0.0	33.3	2.1	0.0
Coordinating services and programs (N=326)	*Never, rarely*	40.4	43.8	13.5	47.2	20.9	22.7
	Occasionally	25.5	25.0	35.1	22.2	28.9	25.0
	Sometimes	6.4	12.5	27.0	11.1	20.3	22.7
	Often	12.8	12.5	16.2	11.1	19.8	13.6
	Nearly always	14.9	6.3	8.1	8.3	10.2	15.9
Providing victim services (N=324)	*Never, rarely*	47.1	30.6	54.3	41.7	50.3	76.7
	Occasionally	39.2	44.9	37.1	38.9	33.7	16.3
	Sometimes	7.8	18.4	8.6	16.7	11.2	7.0
	Often	3.9	6.1	0.0	2.8	3.2	0.0
	Nearly always	2.0	0.0	0.0	0.0	1.6	0.0
Other (N=81)	*Never, rarely*	10.5	22.2	20.0	40.0	14.3	41.7
	Occasionally	26.3	33.3	20.0	20.0	31.0	0.0
	Sometimes	21.1	0.0	20.0	30.0	23.8	16.7
	Often	26.3	22.2	0.0	10.0	16.7	0.0
	Nearly always	15.8	22.2	40.0	0.0	14.3	41.7

Table 9
Quality of Working Relationship With Justice Partners as Reported by Probation Officers (N=343–351)

	Very Good	Good	Fair	Poor	Very Poor	Don't Know or N/A	Total
The court	27.0	44.0	20.1	4.9	1.7	2.3	100%
Juvenile hall	40.9	43.7	11.1	2.9	0.6	0.9	100%
Camps and ranches	24.6	34.3	12.3	1.7	0.3	26.9	100%
Public defender's office	13.2	36.2	30.5	6.0	4.9	9.2	100%
Alternate public defender's office	7.0	23.5	27.8	6.4	4.3	31.0	100%
Contract or panel attorneys	8.2	25.9	24.5	5.2	2.6	33.5	100%
District attorney's office	25.2	44.4	16.3	4.3	1.7	8.0	100%
Mental health	13.4	36.5	29.1	6.0	4.0	11.1	100%
Child welfare	8.9	29.1	31.7	8.0	4.6	17.7	100%

Table 10
Satisfaction With Various Issues When in Court as Reported by Probation Officers (N=280)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Weight given by court to probation's recommendations	3.9	10.4	19.6	47.9	17.1	1.1	100%
Prosecutors' handling of cases	2.5	7.5	28.6	46.8	10.4	4.3	100%
Defense attorneys' handling of cases	2.9	14.3	37.5	35.0	5.7	4.6	100%
How you are treated by court	2.9	5.4	18.6	46.1	25.4	1.8	100%
How you are treated by prosecutor	1.1	3.9	20.7	49.3	22.1	2.9	100%
How you are treated by defense attorneys	3.6	7.5	30.0	40.0	15.4	3.6	100%

Table 11
Satisfaction With Various Job-Related Issues as Reported by Probation Officers (N=343–351)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Not Available	Total
Time spent preparing court reports	8.0	34.0	26.3	16.0	5.7	10.0	100%
Time spent preparing parte reviews	6.9	24.6	23.8	12.3	4.6	27.8	100%
Time spent preparing mandated reviews	4.0	19.9	21.4	12.8	4.8	37.0	100%
Number of times required to attend court	14.6	34.4	26.2	4.1	2.9	17.8	100%
How well trained to testify	7.4	24.9	21.4	21.4	16.3	8.6	100%
Time it takes DA to file petition	9.4	32.5	23.9	17.7	4.6	12.0	100%
Number of hours waiting for court hearings	6.3	16.2	26.2	16.2	8.5	26.5	100%
Number of continuances	3.1	19.1	33.0	16.5	9.1	19.1	100%

Table 12
Work-Related Challenges to Writing Reports or Reviews in the Time Allotted as Reported by Probation Officers (N=295)

	Count	Percent
Cannot interview parents	151	51.2
Report writing takes too much time from other responsibilities	149	50.5
Cannot obtain information from school	142	48.1
Cannot obtain court-ordered evaluations	95	32.2
Cannot obtain information from mental health	94	31.9
Cannot interview youth in time	85	28.8
Not notified by court in time	69	23.4
Cannot obtain information from placements	49	16.6
Other challenge	49	16.6
Cannot obtain risk or needs assessment	22	7.5

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 13
Top Things the Court Could Do to Help Probation Officers Be More Effective (N=230)

	Percent
Give probation officers more discretion/ability to detain	33.4
Create more resources/programs/services for youth	24.5
Hold youth accountable (i.e., enforce things)	21.1
Be clear with youth and parents regarding terms and conditions of probation	21.1
Better communication between the court and POs	20.7
Hold parents accountable	18.8
Follow, support, trust, back up probation officers' recommendations and violations	15.1
Allow more time for reports	14.3
Fewer review hearings	10.9
Only order reports that are necessary (less paperwork)	10.0

Note: Percentages may not total 100 because respondents wrote in responses.

Table 14
Top Things Probation Officers Enjoy About Their Juvenile Assignment (N=286)

	Percent
Working/Interacting with youth	95.7
Seeing positive changes in youth	56.7
Working with other court stakeholders	52.1
Facilitating rehabilitation/Providing services	44.8
Flexibility with schedule	28.3
Friendly coworkers	16.1
Working on prevention	14.0
Working in the field	13.9
Flexibility/Discretion with work-related choices	9.6
Gathering information for court/Preparing reports	9.4

Note: Percentages may not total 100 because respondents wrote in responses.

Table 15
Top Things Probation Officers Would Change About Their Juvenile Assignment (N=286)

	Percent
Amount of paperwork/Report writing	63.5
Not enough time with youth	44.0
Caseload size/not enough probation officers	42.9
Training available	24.6
Availability of sanctions and services	20.8
Lack of resources for probation officers	18.9
Inability to violate/Need backing of court for violation of probation	18.5
Lack of administrative support/micro or mismanagement	15.7
Need a specific person to do specific things	14.9
Relationships/collaboration with other stakeholders	14.2

Note: Percentages may not total 100 because respondents wrote in responses.

Table 16
Satisfaction With Sanction and Service Options as Reported by Probation Officers (N=349–351)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Sanctions for low-risk youth	10.5	36.8	20.8	16.8	8.3	6.8	100%
Sanctions for intermediate-risk youth	5.7	33.7	23.7	22.3	10.0	4.6	100%
Sanctions for high-risk youth	6.3	26.3	15.4	30.6	18.0	3.4	100%
Services for low-risk youth	7.4	33.2	20.1	22.1	10.0	7.2	100%
Services for intermediate-risk youth	4.6	28.9	20.9	30.7	8.9	6.0	100%
Services for high-risk youth	4.0	28.7	16.6	30.9	14.9	4.9	100%

Table 17
Satisfaction With the Effectiveness of Sanction Options as Reported by Probation Officers (N=345–351)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Counsel and dismiss	8.4	36.2	27.2	13.0	7.0	8.1	100%
Informal supervision	8.0	35.3	23.6	15.4	7.7	10.0	100%
Community service	9.8	39.4	27.6	15.5	4.0	3.7	100%
Home on probation	9.1	42.0	29.7	10.3	3.4	5.4	100%
Electronic monitoring	14.1	38.8	18.4	8.6	5.5	14.7	100%
Placement	9.8	36.2	21.6	14.9	6.0	11.5	100%
Camps/ranches	11.4	35.3	19.7	14.0	2.3	17.4	100%
DJJ	7.5	24.8	24.2	13.8	5.5	24.2	100%

Table 18
Satisfaction With the Effectiveness of Services as Reported by Probation Officers (N=346–350)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Outpatient substance abuse programs	3.4	28.2	21.6	23.3	15.2	8.3	100%
Drug testing	18.1	47.0	18.6	9.2	2.6	4.6	100%
Mental health services	5.5	29.6	25.6	24.7	10.3	4.3	100%
Independent living programs	4.0	21.3	24.7	21.0	7.2	21.8	100%
Anger management programs	3.7	28.9	27.1	27.4	7.7	5.1	100%
After-school programs	3.7	13.4	21.4	32.9	15.7	12.9	100%
Parent education	4.6	17.2	27.3	31.9	12.1	6.9	100%
Wraparound	9.4	26.6	27.1	12.9	4.0	20.0	100%
Community service centers	3.5	20.2	27.2	24.9	9.2	15.0	100%

Table 19
Satisfaction With the Effectiveness of Restitution Collection as Reported by Probation Officers (N=352)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
	3.7	19.0	26.7	24.1	9.7	16.8	100%

Table 20
Capacity in Which Probation Officers Work With Victims (N=340)

	Count	Percent
I recommend restitution to the court	188	55.3
I explain the process of collecting restitution	168	49.4
I explain the court process to victims	155	45.6
I notice victims of hearings	136	40.0
I refer victims to services	131	38.5
Not applicable—I do not work with victims	102	30.0
Other	21	6.2
I organize offender work repayment programs	20	5.9

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 21
Satisfaction With the Effectiveness of Drug Court as Reported by Probation Officers (N=350)

Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
12.9	26.9	17.1	10.3	4.0	28.9	100%

Table 22
Types of Reentry or Aftercare Services Provided to Juveniles as Reported by Probation Officers (N=350)

	Count	Percent
Substance abuse referral	237	67.7
Anger management referral	219	62.6
Family counseling referral	218	62.3
Mental health services referral	213	60.9
School enrollment assistance	179	51.1
Parent education referral	176	50.3
Independent living skills referral	126	36.0
Record sealing assistance	125	35.7
Job training referral	120	34.3
Mentoring referral	99	28.3
Housing referral	50	14.3
Other service	16	4.6
Aftercare not applicable to my job	88	25.1
Do not provide reentry or aftercare services	4	1.1
Did not check any	4	1.1

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 23
Types of Reentry or Aftercare Service Provided by Job Type as Reported by Probation Officers (N=345)

	Intake Officer	Investigation Officer	Placement Officer	Court Officer	Supervision Field Officer	DPO at Institution	Total
Aftercare not applicable to my job	38.9	37.5	8.1	35.7	18.0	22.2	25.5
None	0.0	0.0	2.7	0.0	1.5	0.0	1.2
Anger management referral	50.0	55.4	64.9	61.9	72.2	64.4	63.2
Family counseling referral	53.7	53.6	67.6	61.9	73.2	53.3	63.2
Housing referral	3.7	3.6	32.4	7.1	14.4	24.4	14.5
Independent living skills referral	31.5	30.4	86.5	35.7	32.0	55.6	36.2
Job training referral	20.4	25.0	37.8	19.0	42.3	35.6	34.8
Mental health services referral	53.7	58.9	70.3	57.1	71.1	60.0	61.4
Substance abuse referral	55.6	58.9	78.4	61.9	78.4	68.9	68.4
Mentoring referral	16.7	23.2	27.0	21.4	32.5	28.9	28.7
Parent education referral	42.6	42.9	54.1	50.0	56.7	48.9	50.7
Record sealing assistance	40.7	37.5	32.4	42.9	41.2	20.0	36.2
School enrollment assistance	37.0	39.3	62.2	26.2	59.3	55.6	51.6
Other service	5.6	1.8	0.0	0.0	5.7	2.2	4.6
Total	15.7	16.2	10.7	12.2	56.2	13.0	100%

Table 24
Satisfaction With Assessments as Reported by Probation Officers (N=274–289)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Youth's risk to the community	4.9	23.9	27.9	19.8	11.5	12.1	100%
Youth's risk to themselves	4.6	25.3	26.4	17.2	9.8	16.7	100%
Youth's service needs	4.0	26.2	30.5	18.2	8.1	13.0	100%

Table 25
Severity of Continuances and Other Hearing Delays as Reported by Probation Officers (N=348)

	Count	Percent
Not a problem	63	18.1
A minor problem	95	27.3
A moderate problem	100	28.7
A major problem	38	10.9
Do not know	52	14.9
Total	348	100%

Table 26
Top Causes of Hearing Delays in Uncontested Matters as Reported by Probation Officers (N=352)

	Count	Percent
Other reports, persons, or information not available	142	40.3
Youth not present	131	37.2
Parent not present	121	34.4
Hearings need more than allocated time	119	33.8
Defense attorney not ready	117	33.2
Evaluation reports not available	72	20.5
Lack of or improper notice	60	17.0
Prosecutor not ready	40	11.4
Defense attorney not present	32	9.1
Probation report not available	28	8.0
Prosecutor not present	10	2.8
Probation not present	6	1.7
Did not check any	52	14.8

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 27
Information That Is Conveyed Well to Youth as Reported by Probation Officers (N=350)

	Count	Percent
Youth's responsibilities while on probation	260	74.3
Possible outcomes	236	67.4
The general court process	138	39.4
What to expect at court hearings	128	36.6
Financial obligations	103	29.4
Ramifications of plea	91	26.0
Process for paying restitution	81	23.1
Record sealing	58	16.6
Other information	13	3.7
Did not check any	18	5.1

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 28
Information That Is Conveyed Well to Parents as Reported by Probation Officers (N=352)

	Count	Percent
Youth's responsibilities while on probation	232	65.9
Possible outcomes	218	61.9
Parent's or guardian's responsibilities while on probation	188	53.4
Financial obligations	144	40.9
The general court process	136	38.6
What to expect at court hearings	130	36.9
Process for paying restitution	110	31.3
Ramifications of plea	79	22.4
Record sealing	51	14.5
Other information	11	3.1
Did not check any	28	8.0

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 29
Top Strengths of the Delinquency Court as Reported by Probation Officers (N=229)

	Percent
Holds youth accountable	76.0
Focus on rehabilitation/Good balance of rehabilitation, accountability, and treatment	72.0
Court treats people with respect/Cares about youth	64.0
Timeliness of hearings/Efficient and organized	58.0
Good use of graduated sanctions, resources, and services	56.0
Court listens to probation and follows probation recommendations	53.0
Good relationships/Collaboration among court and stakeholders	51.0
Interpreters provided	45.0
Understanding of juvenile court process/knowledgeable judges	43.0
Gives opportunity for second chance	35.0

Note: Percentages may not total 100 because respondents wrote in responses.

Table 30
Delinquency Court's Top Needs for Improvement as Reported by Probation Officers (N=228)

	Percent
Need more respect for/understanding of probation officers	89.0
Hold parents more accountable	60.0
More judges or more juvenile calendar days/lower caseloads	44.0
More consistency	43.0
Follow POs' recommendations more often and read reports	43.0
More efficient use of time	42.0
Explain the process better/Talk to youth and families in simple language	40.0
Hold youth more accountable	36.0
More appropriate sanctions and services (lenient for low risk; harsh for high risk)	36.0
Better scheduling so people aren't waiting in hallway	32.0

Note: Percentages may not total 100 because respondents wrote in responses.

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CHAPTER 4

Attorney Report

ResearchUpdate

ADMINISTRATIVE OFFICE OF THE COURTS
CENTER FOR FAMILIES, CHILDREN & THE COURTS

April 2008

Juvenile Delinquency Court Assessment: Attorney Report

This report covers the information about the Juvenile Delinquency Court Assessment (JDCA) project and the 2007 CFCC Survey of Prosecutors and Defense Attorneys. Some key findings of the survey are related to attorneys' experience level, collaboration and relationships with other justice partners, satisfaction with job-related functions, sanctions and services for youth, and perceptions of the juvenile delinquency court:

- Although many attorneys are relatively new to juvenile delinquency, there is also a population of experienced attorneys who are working in juvenile delinquency and want to continue doing so.
- On average, contract attorneys have more years of experience than do public defenders in juvenile delinquency (16.8 versus 5.8 years) and more years of experience overall (19.8 versus 12.3 years).
- Experienced attorneys were more likely than new attorneys to express an interest in continuing to work in juvenile delinquency. The majority of prosecutors and defense attorneys do not expect to remain in the juvenile division; most indicated that they would be reassigned or rotated out of their juvenile delinquency assignments.
- Attorneys reported having good relationships with the court and with other delinquency court professionals. Satisfaction with the relationships with other justice partners varied somewhat; the most poorly related relationships were with mental health and child welfare.
- Many prosecutors and defense attorneys indicated that they really enjoy working with youth and helping to make a difference in their lives.
- Prosecutors frequently commented that they think the delinquency system is too lenient; they often expressed the need for greater accountability on the part of both youth and the youth's parents.
- Defense attorneys see the delinquency system as overly punitive and expressed concerns about the procedural protections afforded youth in the delinquency system.
- Prosecutors are more dissatisfied with hearing delays and continuances than are defense attorneys.
- Satisfaction with the range and effectiveness of sanctions and services is low for both prosecutors and defense attorneys. Satisfaction with the effectiveness of mental health services is particularly low.

About the JDCA

The Judicial Council of California's Family and Juvenile Law Advisory Committee, in conjunction with the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), conducted the JDCA. The Family and Juvenile Law Advisory Committee convened a working group composed of members of the advisory committee and experts drawn from state entities and the major participants in the juvenile delinquency court: judicial officers,[1] court staff, probation officers, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross section of the state in terms of geographic location and county size. The working group helped develop the study plan, guide the research, and interpret the findings. A list of working group members can be found at the beginning of volume 1 of the *Juvenile Delinquency Court Assessment 2008*.

The JDCA marks the first major assessment of California's delinquency courts. This assessment was designed to gather and provide information to help improve the juvenile delinquency system by making recommendations for changes in laws and rules of court; improvements in hearing management, judicial oversight, court facilities, and other aspects of court operations; caseload changes; and improvements in court services for all court users. The assessment covered the following general topics:

- Hearings and other court processes;
- Court facilities;
- Court collaboration with justice system partners;
- Sanction and service options for youth;
- Perspectives of court users, including youth, parents, victims, and community members;
- Education and training;
- Accountability; and
- Professional background and experience.

The primary mode of investigation was to communicate directly with justice partners and court users. The JDCA project conducted surveys with all juvenile judicial officers, all court administrators, a random sample of juvenile probation officers, all juvenile division prosecutors, and all court-appointed defense attorneys, including public defenders, alternate public defenders, and contract or panel attorneys who were identified as handling cases in delinquency court. The JDCA project chose six counties to study in depth to learn about issues facing delinquency courts: Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. These six counties were selected for their size and geography in order to study a range of California's local delinquency courts. Interviews were conducted in each of these study counties with the presiding judge of the juvenile court, the chief probation officer or the juvenile probation division designee, the managing or supervising juvenile deputy district attorney and public defender, and court administration staff such as the supervising juvenile court clerk, court executive officer, or manager. Focus groups were also conducted with justice partners such as probation officers, prosecutors, and defense attorneys, and with court users

[1] "Judicial officers" refers to judges, commissioners, and referees.

such as youth, parents, victims, and community members. An assessment of delinquency court facilities across the state was also conducted as part of the JDCA project. The ultimate goal of this project was to improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system.

About the Prosecutor and Defense Attorney Surveys

Members of the JDCA working group attended a focus group in September 2006 to create topics and questions for the surveys of prosecutors and defense attorneys. Three juvenile prosecutors and three defense attorneys piloted the two surveys. After survey development was completed, the California District Attorneys Association (CDAA) and the California Public Defenders Association (CPDA) wrote endorsement letters for the project and the surveys.

The attorney surveys included questions about the respondents' professional backgrounds and asked about their satisfaction with and the effectiveness of sanctions and services, their collaboration and relationships with other justice partners, the quality of information and advocacy, courtroom management, and other job-related activities. In addition, defense attorneys were asked about the work they do for clients postdispositionally.

Prosecutors

The 2007 CFCC Survey of Juvenile Prosecutors was mailed to all 291 deputy district attorneys who handled delinquency cases. Surveys were mailed in March and April 2007. The response rate was determined by dividing the number of surveys received by the total number of eligible surveys (for a detailed description of the survey method, see volume 2, chapter 1, Methodology Report).

There were a total of 258 eligible deputy district attorneys. Surveys were received from 174, providing a 67 percent response rate. Approximately half of the respondents are from large counties, 28 percent are from medium counties, and 19 percent are from small counties (table 1). Prosecutors from small and medium counties were more likely to respond to the survey than those from large counties (see the Methodology Report). A comparison between county size groups on survey responses indicate that a few survey findings were affected by this county size difference. Details regarding any county size differences are noted in the relevant sections of this report[2].

Defense Attorneys

The 2007 CFCC Survey of Juvenile Defense Attorneys was mailed in May 2007 to 748 juvenile defense attorneys,[3] including public defenders, alternate public defenders, and contract attorneys[4]. Surveys were received from 343 defense attorneys, providing a 52 percent response rate.[5] Sixty-one

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[2] Comparisons by county size were not done for defense attorneys due to having too few non contracted public defender offices in small counties. The result of any comparisons would therefore be difficult to interpret.

[3] For the purpose of comparisons in this report, the term "defense attorney" refers to all defense attorneys surveyed including public defenders, defense attorneys who contract to serve as their county's public defender, alternate public defenders, and contract or panel conflict defenders. Privately retained defense counsel were not surveyed.

[4] For the purpose of comparisons in this report, the term "contract attorney" is used to describe contract or panel conflict defenders only, and does not include attorneys who contract as the county's public defender's office. Alternate public defenders and contract public defenders were not included in defense attorney comparison analyses due to the low numbers of attorneys in these categories.

[5] For the defense attorney surveys, not every county submitted a list; thus approximately 71 defense attorneys did not receive a survey.

percent of respondents are contract defenders, 30 percent are county public defenders, 7 percent are defense attorneys who contract to serve as their county's public defender in counties that do not have a public defender's office, and 2 percent are alternate public defenders (table 2). Unlike prosecutors, county size was unrelated to defense attorney response rates.

Defense attorney type varied by county size. Public defenders and contract defenders are most often from large and medium size counties; defense attorneys who contract to serve as their county's public defender offices are most often from small and medium counties (tables 3 and 4).

Attorney Background and Job Descriptions

Survey respondents were asked to provide information on the types and length of experience they have as attorneys, and more specifically, about their experience working in juvenile delinquency settings.[6] They were also asked to provide information about their current juvenile delinquency assignment, whether they would like to remain in the juvenile division, and under what circumstances they expect to leave the juvenile division.

Findings for both prosecutors and defense attorneys indicate that although many attorneys are relatively new to juvenile delinquency work, there is also a population of experienced attorneys who are working in juvenile delinquency and want to continue doing so. For prosecutors and public defenders, the interest in remaining in a delinquency assignment varied by experience level; experienced attorneys were more likely than new attorneys to respond that they would like to continue working in juvenile delinquency. A majority of respondents from both attorney groups said that they do not expect to remain in the juvenile division; most stated that they would be reassigned or would rotate into a different assignment.

Prosecutors

Seventy-nine percent of prosecutors indicated that they handle juvenile cases only; 21 percent handle juvenile cases and also have administrative or supervisory duties (table 5). Most prosecutors reported doing delinquency work full time (table 6). The majority of respondents indicated that they handle multiple types of juvenile cases. Table 7 documents caseload types; the most frequent were general, gangs, and sex offender caseloads.

Experience levels among prosecutors vary considerably. There is a subset of very experienced attorneys: nearly one-third passed the bar more than 20 years ago. There is also a substantial number of relatively new attorneys: more than one-fourth passed the bar less than four years ago, and more than one-third reported that they have less than four years' experience as prosecutors (tables 8 and 9). The average number of years since passing the bar is 14.4.

It should also be noted that prosecutors from large counties have fewer years of experience on average than those from medium and small counties. The average number of years since passing the bar is 12.5 for prosecutors from large counties, 15.8 years for prosecutors from medium counties, and 17.8 years for prosecutors from small counties. A similar pattern was found for respondents' number of years as prosecutor, with prosecutors from large counties having fewer years' experience on average. The

[6] Numbers reported in some tables for this section include only those who responded to the question. Missing responses have not been included in the table percentages.

patterns of experience also varied by county size. For small and medium counties, the percent of respondents with less than 5 years' experience as prosecutors is considerably smaller than the percentages of respondents with intermediate-length (5 to 15 years) or long (16 years or more) tenures. In the large county respondent group, there are equally high percentages of very new (less than 5 years) and very experienced (over 16 years) prosecutors. Far fewer have intermediate levels of experience (5 to 15 years).

Prosecutors frequently reported being quite new to juvenile delinquency assignments. On average, they have a total of approximately 5 years of experience handling delinquency cases, with nearly one-third reporting less than 1 year of experience (table 10). Respondents from large counties reported having fewer years of juvenile delinquency experience on average compared to prosecutors from medium and small counties. Average total years of experience for large county prosecutors is 3 years, compared to 7 years for respondents from medium and small counties. The average amount of time in current juvenile delinquency assignments is 2.7 years; 45 percent of respondents have been in their current delinquency assignment for less than 1 year (table 11). Pairing newer prosecutors with more experienced attorneys is one method that some district attorney offices may utilize in order to ensure the appropriate handling of juvenile delinquency matters; therefore newer attorneys may be receiving supervision from prosecutors who have more experience in juvenile delinquency courts. As illustrated in table 12, the majority of prosecutors also indicated that they had no prior professional roles in juvenile court matters.

Although most prosecutors indicated that they want to continue working in the district attorney's office, few responded that they want to remain in their current juvenile delinquency assignment. When asked where they would like to be working in two years, most prosecutors (73 percent) indicated that they want to remain in the prosecutor's office (table 13). Approximately one-third stated that they would like to remain in the juvenile division of the prosecutor's office. Compared to more experienced prosecutors, newer prosecutors were less likely to report wanting to still be in the juvenile division in two years (table 14). Of those respondents with less than 5 years' experience as prosecutors, only 12 percent reported wanting to stay in their juvenile delinquency assignments. The vast majority (82 percent) of the newer prosecutors indicated that they would like to be in another division of the prosecutor's office in two years. For those with more than 5 years' experience as attorneys, approximately 40 percent said that they would like to remain in the juvenile division. A similar pattern was found when comparing attorneys who are new to their current juvenile delinquency assignments to those who have been in their current juvenile assignment for longer periods. Specifically, 59 percent of prosecutors who have been in their current juvenile delinquency assignment for 3 years or more indicated that they would like to remain in the juvenile division, compared to only 15 percent of attorneys who have been in their current juvenile assignment for less than 1 year. These findings may reflect a belief among many prosecutors that to be promoted they need experience in litigating jury trials, which would require working outside of the delinquency court setting. These findings also indicate that there is a population of experienced prosecutors who are working in juvenile delinquency and want to continue doing so. When asked the circumstances under which they expect to leave their juvenile delinquency assignments, prosecutors most frequently responded either that they would be reassigned (37 percent) or that their predetermined juvenile rotation would be complete (28 percent). Only 15 percent of respondents said that they expect to remain in the juvenile division (table 15).

Defense Attorneys

Public defenders are very similar to prosecutors in terms of their total years of experience as attorneys and in the number of years they have been working in juvenile delinquency assignments. Contract defenders have considerably more experience than do prosecutors and public defenders, both in total years of experience as attorneys and in the number of years they have worked in delinquency assignments. Contract defenders are also more likely to have had other professional roles in the juvenile courts. Public defenders were more likely than prosecutors to state that they would like to remain in their juvenile delinquency assignments. Similar to the findings for the prosecutors, experienced public defenders were more likely to want to remain in their juvenile assignments than those with less experience. The majority of public defenders expect to be reassigned or rotated out of their juvenile delinquency assignments.

As illustrated in table 16, defense attorneys generally handle multiple types of juvenile cases. The most frequently handled case types include general, gangs, and sex offenders. The proportion of time spent on juvenile delinquency cases varied by defense attorney type. The majority of public defenders (82 percent) reported doing delinquency work full time (table 17). As can be seen in table 18, contract defenders are far less likely than public defenders to be working full time in juvenile delinquency. Nearly half of all contract defenders indicated that they spend one-fourth of their time or less doing delinquency-related work. In fact, it should be noted that contract defenders who work in delinquency one-fourth of their time or less make up nearly 30 percent of all survey respondents.

Defense attorney respondents have more years of experience on average than do the prosecutors (tables 19 and 20). The average number of years since passing the bar for defense attorneys is 20. As of the survey date, respondents had been defense attorneys for 17.4 years on average; only 16 percent reported having less than 4 years of experience in this role. The comparison between attorney types in table 21 shows that public defenders have less experience as defense attorneys on average than do contract defenders (12.3 years and 19.8 years, respectively).

On average, defense attorneys have been in their current juvenile delinquency assignments for approximately the same amount of time as prosecutors (tables 11 and 22). A comparison of the total number of years spent in juvenile delinquency assignments (tables 10 and 23) showed that defense attorneys have more years of experience on average (13.6 years) than do prosecutors (4.9 years). Total years of experience in juvenile delinquency assignments also varies by defense attorney type with public defenders' experience more closely resembling that of prosecutors. Specifically, public defenders have fewer total years of experience in juvenile delinquency assignments on average than all other defense attorney types (table 24). Only 19 percent of public defenders reported having more than 10 years of experience in delinquency assignments, compared to 72 percent of contract attorneys.

Defense attorneys are also more likely than prosecutors to have had other professional roles in the juvenile court system. Sixty percent of defense attorneys reported having had other roles in juvenile court matters. As seen in table 25, the most frequent roles are parent's attorney in dependency and child's attorney in dependency. Contract defenders were more likely than public defenders to report having other roles in the juvenile court system. This is true regardless of the percentage of time they currently spend working on delinquency-related matters. For the contract attorneys, these responses likely reflect both prior and current roles in the juvenile court system.

When asked under what circumstances they expect to leave their juvenile delinquency assignment, only 23 percent of public defenders said that they expect to remain in the juvenile division (table 26). Most stated that they would either be reassigned (35 percent) or that their predetermined juvenile rotation would be complete (22 percent). As table 27 demonstrates, more than half of defense attorneys indicated that they would like to continue handling juvenile cases in either the juvenile division of the public defender's office or in a private setting; this finding was true for both public defenders and contract defenders. Similar to the findings for prosecutors, public defenders with more experience were more likely to want to continue handling juvenile cases than were the newer defense attorneys (table 28). Across all experience levels, public defenders were more likely than prosecutors to indicate that they would like to remain in their juvenile delinquency assignment. In addition, public defenders who have been in juvenile delinquency assignments for longer periods of time were more likely to state that they would like to remain in juvenile for at least the next two years. As with the prosecutor results, these findings indicate that there is an experienced group of public defenders who would like to continue handling juvenile cases. Contract defenders show a different pattern of results: newer attorneys (those with four years' experience or less) were slightly more likely than attorneys with more experience to say that they would like to continue to work on juvenile delinquency cases (table 29). However, it should be noted that across all experience levels, more than half of the contract respondents indicated that they would like to continue handling juvenile cases.

Collaboration and Relationships

Given that the juvenile delinquency court system is intended to be collaborative, and all parties should be working toward meeting the same set of goals (such as determining the best interests and needs of youth balanced with the need for community safety and accountability to victims and the community), having good collaborative relationships between court professionals and other justice partners is crucial. Prosecutors and defense attorneys were asked to rate the quality of their relationships with other delinquency court professionals and justice partners, including the relationships within their own offices.

Survey data revealed that both prosecutors and defense attorneys feel that they have a good relationship with the court. Seventy-nine percent of prosecutors and 86 percent of defense attorneys rated this relationship as very good or good. Both groups of attorneys also reported having good relationships with each other and between other divisions of their respective offices. Ratings of their relationships with other juvenile justice partners varied somewhat; the most poorly rated relationships were with mental health and child welfare (tables 30 and 31). In response to the same question on a survey of probation officers, the relationships with mental health and child welfare were also the most poorly rated. It should also be noted that, on average, prosecutors from large counties rated their relationships with the public defender's office, juvenile probation, juvenile hall, and child welfare less favorably than did prosecutors from small and medium counties.

The relationship with juvenile probation was rated favorably by most attorneys, with 78 percent of prosecutors and 69 percent of defense attorneys indicating a good relationship between their offices and the juvenile probation department. The relationship with probation's juvenile hall was rated somewhat lower; only 56 percent of prosecutors and 65 percent of defense attorneys rated this relationship as being very good or good. It should be noted that one-fourth of prosecutors indicated that they do not know about the relationship with juvenile hall. If these respondents are excluded from

the analysis, the prosecutor rating of the relationship with juvenile hall is considerably more favorable, with 75 percent reporting a positive relationship

Both groups of attorneys rated the relationship with juvenile camps and ranches somewhat negatively. Only 32 percent of prosecutors and 25 percent of defenders indicated that they are satisfied with the quality of this relationship; however, a substantial percentage of respondents said that this was not applicable or that they did not know about this relationship (50 percent of prosecutors and 29 percent of defenders). When respondents who answered not applicable or do not know were removed from the analysis, the ratings improved slightly, with 65 percent of prosecutors and 35 percent of defense attorneys reporting a good relationship with these probation facilities.

The most poorly rated relationships for both groups were with mental health and child welfare agencies. When asked to rate the relationship with mental health, only 11 percent of prosecutors and 29 percent of defense attorneys indicated that they have a good relationship with this agency. Similar levels of dissatisfaction were reported for the relationship with child welfare (only 14 percent of prosecutors and 25 percent of defense attorneys rated this relationship positively). If only those respondents who expressed an opinion are included in the analyses, the satisfaction levels are still low: only 33 percent of prosecutors and 35 percent of public defenders rated the relationship with mental health positively, and 34 percent of prosecutors and 32 percent of public defenders indicated a good relationship with child welfare. These ratings are considerably lower than the ratings for the relationships with other justice partners.

When asked to describe what they like most about their juvenile delinquency assignments, one of the most frequent survey responses from both attorney groups was the relationship with coworkers and other justice partners. One prosecutor commented on the positive, collaborative nature of this relationship within the county: “We have a great team working together—DAs, PDs & court. It is nonadversarial, a very positive environment for all involved.” Another prosecutor praised the relationship among all the delinquency court professionals, indicating that there is a “good relationship with courts, probation, and defense attorneys.” Prosecutors were particularly likely to highlight the favorable relationship with juvenile probation.

Defense attorney survey respondents, when asked to describe what they like most about their juvenile assignments, frequently stated that they enjoy the collegial nature of the relationships with other delinquency court professionals. One defense attorney stated that the best thing about working in juvenile delinquency is “working with people in the juvenile court. People who have interest in juvenile law seem to want to make society better.” Other defense attorneys indicated that they have a good, cooperative relationship with probation and with court staff and judicial officers.

Some focus group participants expressed dissatisfaction with the communication between their office and other justice partners. Defense attorneys from one county described a number of barriers in their relationship with both the prosecutor’s office and the county probation department. Focus group participants indicated that they are rarely able to meet with the prosecutor prior to the pretrial hearing, and that because of this they are often unable to review the prosecutor’s offer with their clients before the time of the pretrial hearing. Several public defenders also commented on the lack of communication between their office and the probation department prior to the pretrial hearing. Other

defense attorneys in this focus group indicated that they do make an effort to contact their client's probation officer prior to the hearing to find out what his or her recommendations will be.

Other focus group participants reported that they generally have good relationships with other delinquency court professionals, including opposing counsel, probation departments, and the juvenile court bench officers. A prosecutor from one focus group described the relationship between the prosecutor and public defender offices:

> I think as a general rule the relationship is about as good as it normally gets anywhere; there are some prosecutors and public defenders that work real well together in some of the courts here, everything's done informally, everybody trusts everybody, and it's done. Other [courts] where it's done it's not that way, everything's on the record, everything's a fight, everything's going to trial, and frankly, from my observation post**,** a lot of it is simply nothing more than inexperience and personality issues, and inexperienced lawyers. . . . We can agree to disagree about all kinds of stuff, but it's nothing personal, and we're just doing our jobs.

Job Appraisal

Attorneys were asked to rate their satisfaction with various court-related job activities. Data from both attorneys' surveys indicated that satisfaction levels for most job-related issues are moderate. Responses to the survey questions on this topic were often fairly equally divided among satisfied, neither satisfied nor dissatisfied, [7] and dissatisfied. When asked to describe what they like most about their juvenile delinquency assignment and also what they would change, the responses of both attorney groups focused primarily on the "bigger picture" of the delinquency system rather than on day-to-day tasks related to their juvenile assignments. Many prosecutors and defense attorneys indicated that they really like the fact that they can make a difference for the youth in the court system, and defense attorneys frequently commented about how much they enjoy working with kids. When asked what they would change about their juvenile assignments, prosecutors often stated that they think the delinquency system is too lenient, and they expressed a need for greater emphasis on youth accountability and punishment. Defense attorneys, on the other hand, see the delinquency system as being overly punitive, and they expressed concerns about the procedural protections afforded youth in the delinquency court system.

Prosecutors

When prosecutors were asked to list the top three ways in which the juvenile delinquency court could help the district attorney's office be more effective, one of the most frequent responses related to calendaring issues and hearing delays and continuances. A number of respondents commented that they would like the court to ensure that hearings start on time. As illustrated by the following comments, prosecutors would also like to see juvenile cases get processed more quickly and want the courts to reduce the number of hearing continuances that are allowed:

> "Clamp down on defense continuances."
>
> "Do not allow defense to continue cases needlessly."

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[7] The choice of "neither satisfied nor dissatisfied" may have been interpreted in more than one way by survey respondents. It may have been used as a midpoint on the rating scale, or it may have been selected by respondents who have no opinion on the question item.

"Reduce continuances and delays to produce swifter case disposition."

Ensuring that hearings begin on time and reducing the number of hearing delays are also of concern as they relate to the accommodation of the schedules of victims and witnesses. Respondents often commented that the court should be more cognizant of the amount of wait time and number of repeat trips to the courthouse experienced by victims and witnesses. One suggested, "For the benefit of the minor and the victims and witnesses, [do] not allow a juvenile case to age (i.e., repeated continuances)."

When asked to list the top causes of hearing delays and continuances, the most frequently cited reason was that the defense attorney is not ready.[8] According to prosecutors, other common reasons for hearing delays include reports and information not being available, other persons or information not being available, and the youth not being present in court (table 32).

As documented in table 33, this concern about hearing delays and continuances was also seen in the prosecutors' ratings of their satisfaction with various court-related activities. The number of hours spent waiting for court hearings and the number of continuances and delays are seen as problematic; 40 percent responded that they are dissatisfied with the amount of time they wait for court hearings in one day and 37 percent indicated that they are dissatisfied with the number of continuances and delays. When asked to rate the severity of these continuances and delays, most respondents indicated that they consider this to be either a minor or moderate problem (table 34). Prosecutors are somewhat more satisfied with other job-related activities, including the timeliness with which affidavits are brought by probation and the amount of time available for preparing cases.

There were differences in satisfaction levels between county size groupings on several court-related activities. Overall, large county respondents are less satisfied and small county respondents more satisfied with the timeliness with which affidavits are brought, the amount of time available for preparing cases, the number of hours spent waiting for court hearings, and the number of continuances.

In describing their work with victims, most prosecutors indicated that they work with victims in one or more capacities. As can be seen in table 35, the most frequent activities include preparing victims to testify and explaining the court process to victims. Approximately half of the respondents indicated that their work with victims includes referring victims to services and explaining the restitution process to victims. It should be noted that just because an individual survey respondent does not engage in a particular activity, such as notifying victims of hearings, does not necessarily mean that this activity does not happen at all. Individual attorney's responsibilities may vary from office to office, and all prosecutors may not engage in all victim-related responsibilities. Some victim-related work may also fall under the job duties of the county probation department.

When asked to describe the top three things they like most about their juvenile delinquency assignments, the most frequent response from prosecutors was that they enjoy working with youth and helping them to change their behaviors. A number of respondents emphasized the importance of helping youth in order to reduce future delinquent behaviors and to improve the youth's overall functioning. Respondents often indicated that by helping youth change from a delinquent path, they are

[8] Note that defense attorneys often cite failure to receive critical reports and documents as the primary reason for delays and continuances. See next the section of this report for details.

also helping to make the community safer. One prosecutor replied that by working in juvenile delinquency he is able to "impact a life in a positive way before a criminal pattern is set in stone"; another stated that "prosecuting cases involving juvenile offenders has [the] prospect of community improvement through rehabilitation of offenders." As mentioned in the previous section, prosecutors frequently indicated that they enjoy the relationships they have with their own colleagues and with the other delinquency court professionals and justice partners. Respondents also stated that they like the case variety and challenges involved with working in the juvenile delinquency court system. As one prosecutor commented, "Juvenile delinquency is never boring."

When describing what they would change about their juvenile assignments, prosecutors' most frequent response was that the juvenile delinquency system is too lenient and that it should have a greater emphasis on punishment of and accountability by juvenile offenders. One respondent commented on this system imbalance: "I would like for the juvenile system to recognize that value of punitive measures in dispositions, even though rehabilitation should still be the focus and the goal." Other prosecutors felt that the courts need to increase the use of incarceration and thought that judicial officers need to utilize DJJ (California Department of Corrections and Rehabilitation, Division of Juvenile Justice) as a disposition option when appropriate. There was also a strong sentiment among prosecutors that the system needs to mete out tougher penalties for the more serious, repeat offenders. This perception of an overly lenient delinquency system also applies to prosecutors' opinions regarding the bench officers who hear delinquency cases:

> "The judicial officers and probation officers [should] be more balanced between 'touchy-feely' and punishment."
>
> "Often the judges/commissioners are too lenient . . . [they need] stricter, harsher judges."
>
> "We need a stronger, criminally educated bench."

Another factor that prosecutors would like to change about their juvenile assignments relates to high caseloads and staffing shortages in the prosecutors' offices. They expressed an overall desire for additional attorneys and clerical staff, but also indicated a need for specialized positions such as victim advocates and gang prosecutors. One attorney highlighted the impact of these workload issues, stating that "a very large caseload prevents individualized handling of some very serious cases."

Defense Attorneys

As can be seen in table 36, defense attorneys are moderately satisfied with most job-related issues. More than 40 percent responded that they are satisfied with the amount of time available for preparing cases, the adequacy of time available for meeting with clients, and the adequacy of locations for meeting with clients. Satisfaction with postdispositional activities fell in the low to moderate range. Approximately 40 percent indicated that they are satisfied with the frequency of postdisposition review hearings, and 33 percent are satisfied with the amount of time available to meet with clients postdispositionally.

Satisfaction with the number of hearing delays also fell in the moderate range; most defense attorneys said they are either satisfied or neither satisfied nor dissatisfied with the number of delays. The most frequent causes of hearing delays and continuances listed by defenders were probation reports not being available, evaluation reports not being available, and other reports or information not being available (table 37). This failure to receive reports on time may affect others' perceptions of defense

attorney readiness, as seen in prosecutors' responses to the same question on the causes of hearing delays. When asked to rate the severity of hearing delays, the majority of attorneys responded that delays either are not a problem or are a minor problem (table 38). Similar to the findings for prosecutors, 45 percent of defense attorneys are dissatisfied with the number of hours they wait for court hearings in one day.

There were some differences between public defenders and contract defense attorneys in their satisfaction with job-related issues. Overall, contract defenders expressed higher levels of satisfaction than did public defenders. Specifically, more contract attorneys than public defenders reported being satisfied with the timeliness of probation reports (39 percent versus 22 percent), the time available for preparing cases (48 percent versus 26 percent), the time available for meeting with clients (47 percent versus 26 percent), and the amount of time for meeting with clients postdispositionally (35 percent versus 22 percent). The findings do not appear to be due to the differences between public defenders and contractors in the proportion of time spent on delinquency, that is, in the frequency of their exposure to possibly difficult circumstances in the juvenile delinquency court setting. The differences in satisfaction levels between attorney groups persist even when the analysis is limited to those attorneys who work in juvenile delinquency half time or more.

When asked what they like most about their juvenile delinquency assignment, many defense attorneys indicated that they really enjoy working with and helping youth. Similar to the prosecutors' answers, this was by far the most frequently supplied response to this question. Many respondents indicated that by handling juvenile delinquency cases, they are doing work that "really makes a difference" and that helping youth to turn their lives around is very rewarding and important work:

> "Personally impacting how kids might live their lives."
>
> "Assisting society and kids by obtaining results that are best for kids."
>
> "[Having the] chance to get kids straightened out early, before they find themselves in 'real' trouble."
>
> "I love working with the children because it is possible to make a difference in their lives."

Other aspects of the job that defenders said they like include working with families, the positive relationships with coworkers and other juvenile delinquency court professionals, and the fact that delinquency court is somewhat less punitive than adult criminal court.

In response to the question of what they would change about their juvenile assignments, many defense attorneys responded that although the juvenile system is less harsh than the adult criminal system, it is still far too punitive and is not focused enough on rehabilitation. Defense attorneys also feel that prosecutors tend to overcharge in many cases (for example, misdemeanor offenses that are filed as felonies) and that too many juvenile cases are being filed directly to adult criminal court. A very common theme underlying many of the defense attorneys' responses was that juveniles are being treated like adult criminals but are not afforded the same legal protections that are present in the adult criminal system. One attorney expressed concern that "juvenile cases can be used as strikes without full procedural protection." [9] Another respondent commented on the impact of an overly harsh system,

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[9] "Strike" refers to an offense that can be used for enhancing a sentence under California's "three-strikes law," contained in Proposition 184, which was passed by voters in 1994. The substantive provisions of Prop. 184 are codified in Pen. Code §§

stating that "juvenile court should not destroy kids forever." Focus group participants from one county spoke of the impact that overcharging certain juvenile offenses has on the ability to seal the record when the youth reaches adulthood. In the words of one participant,

> What I see a lot of right now is kids steal each others' cell phone, they'll take somebody's jacket, somebody's backpack, now that's a robbery, right? . . . Because many of these kids are ending up with this type of a record, and when they're 26 years old and let's say they've finished school and done everything right, never had a problem since then, there should be some way of allowing them to deal with the record.

Focus group participants from another county commented that while the prosecutors do tend to overcharge, they are also willing to settle on some potential strike offenses:

> They do initially overcharge, but there are many, many cases in which they settle for less . . . and that's specifically in robberies—our DA is very sensitive to strikes and for first- and even second-time offenders with legitimate strikes we always settle for nonstrikes in [this county]. So even though the cases are overcharged, when it comes to strikes and it really counts, they are very accommodating.

Survey respondents also indicated that they would like to have the option of jury trials in the juvenile system, particularly for serious crimes and strike offenses. Many commented that strikes as a result of a juvenile case should be eliminated entirely. Other changes that defense attorneys would like to see include a greater number of quality services and programs for juvenile delinquents. Mental health services were the most commonly cited area of need.

Services and Sanctions

Given the ongoing concern regarding limited resources for juvenile services and programs, it is important to assess court professionals' opinions regarding the effectiveness of the services and sanctions[10] that are available to youth in the juvenile delinquency system, and also to identify areas of need or gaps in the existing services.

One of the most notable findings from both the prosecutor and defense attorney surveys is the overall low satisfaction with the range and effectiveness of services and sanctions for juveniles, particularly for juveniles who are considered high risk. Although there were some differences between prosecutors and defense attorneys in their satisfaction with individual services and sanctions, both groups of attorneys expressed low satisfaction with services and sanctions overall. Prosecutors and defense attorneys both reported fairly low levels of satisfaction with the effectiveness of most services. For nearly all programs, fewer than 40 percent of respondents indicated that they are satisfied or very satisfied with the service. Mental health services and programs received particularly low ratings. Forty-two percent of prosecutors and 67 percent of defense attorneys said they are either dissatisfied or very dissatisfied with the effectiveness of mental health services and programs. Many respondents

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667(e)(2)(A)(ii) (*http://caselaw.lp.findlaw.com/cacodes/pen/654-678.html*) and 1170.12(c)(2)(A)(ii) (*http://caselaw.lp.findlaw.com/cacodes/pen/1170-1170.9.html*). The purpose was to lengthen prison sentences for repeat criminal offenders.

[10] Sanctions refer to a range of graduated restrictions or consequences targeted at specific offender profiles or behaviors and used for accountability and behavior modification purposes. They range from less to more severe and can move up or down the continuum depending on the performance and needs of the offender.

frequently selected the “neither satisfied nor dissatisfied” scale option, which may indicate that they may not be very familiar with or have no opinion about some programs.

It should also be noted that a large percentage of respondents indicated that they either do not know about a particular service option or that it is not available in their county. It is possible that the low satisfaction level for services is at least partially due to an overall dissatisfaction that the service is unavailable or is not provided at a sufficient level in the county. This dissatisfaction with the range of service options, specifically mental health services, was also seen in the attorneys’ replies to the open-ended questions. Many stated that what they like least about their juvenile delinquency assignment is the paucity of quality programs and service options available to youth. When asked about their courts’ areas of need, both groups of attorneys again cited major gaps in the range of quality services and sanctions for juvenile offenders. These gaps in services and sanctions were also highlighted by many of the focus group participants. Some focus group members also discussed the court’s underutilization or inappropriate application of the services and sanction that are available in their county.

Prosecutors

Prosecutors are generally more satisfied with the range of sanction options for low-risk youth than with the range of options for intermediate- or high-risk youth (table 39). In terms of specific sanction options, they are most satisfied with the effectiveness of the more restrictive options: camps and ranches, placement, and DJJ (table 40). Respondents expressed the lowest levels of satisfaction with the effectiveness of the counsel and dismiss and home on probation sanctions. As shown in table 41, prosecutors are also dissatisfied with restitution collection; few respondents said that they are satisfied or very satisfied with this.

Similar to the finding for sanction options, satisfaction with the range of service options available for low-risk youth (46 percent) is higher than satisfaction with the range available for intermediate- or high-risk youth (28 percent and 22 percent, respectively). As can be seen in table 42, overall satisfaction with the effectiveness of services is relatively low. Respondents expressed particularly high levels of dissatisfaction with the effectiveness of mental health services. Other services with high levels of dissatisfaction are parent education programs and after-school programs.

When asked about the juvenile delinquency court’s top needs for improvement, the lack of service and sanction options available to and utilized by the court was one of the most frequently highlighted areas of concern. Prosecutors commented on the overall need for more quality services and placement options. Specific service gaps that were often cited include mental health services, placements for girls, drug treatment programs and placements, placements for sex offenders, and placements and services for transitional-age youth. Also frequently mentioned by prosecutors was the need for more resources for facilities and camps (more beds, more funding, increased staff) and improved facilities. The following comments illustrate this area of concern for prosecutors:

> “More money needs to be allocated to juveniles. We have a new juvenile facility with 120 beds, but we can only use half of them because there are insufficient funds to staff the juvenile hall.”
>
> “More placement options needed, especially for high-risk youth.”
>
> “Need local facilities to treat and/or rehabilitate minors; juvenile hall, large enough and staffed full time; local group homes.”

Focus group participants were similar in their responses regarding gaps in services and sanctions in their counties. Services and placement options for girls, sex offenders, transitional-age youth, youth with serious emotional disturbances, and youth with drug problems were all cited as areas of need. When asked whether they are satisfied with the range of service and sanction options, focus group participants from one county highlighted a number of gaps in the available services:

> Participant 1: Yeah, there's gaps. One of the problems is you have somebody close to 18, what kind of program are you going to be able to put that person in?
>
> Participant 2: Well, we don't have a residential drug treatment program right now.
>
> Participant 3: We don't have a lot of options . . . especially for females . . . we don't have enough sex offender residential treatment programs, and we get a lot of sex assault cases with serious facts. . . . We have not a lot of dual diagnosis options because there's a lot of mental health issues in a lot of the juvenile delinquency cases that are long-standing and undiagnosed and untreated.

Participants in another focus group indicated that they do have a good continuum of services and sanctions; however, they commented on the poor quality of some of the services, particularly mental health. Participants also thought that the available sanctions were too infrequently imposed by the court. A few gaps in services were highlighted, specifically counseling services and sex offender programs.

Defense Attorneys

Like prosecutors, defense attorneys are more satisfied with the range of sanctions and services available to lower-risk youth than with those available for higher-risk youth (table 43). However, defense attorneys are less satisfied than prosecutors with the range of service options for all risk groups overall.

Defense attorneys' satisfaction with individual sanction options is almost entirely the opposite of that reported by the prosecutors. Defense attorneys expressed very low levels of satisfaction with the effectiveness of the more restrictive sanction options (DJJ, camps and ranches, and placement) and are most satisfied with the effectiveness of less restrictive options such as home on probation, informal supervision, community service, and electronic monitoring (table 44). Compared to public defenders, contract defenders are slightly more satisfied with some of the more restrictive sanction options, including placement (24 percent versus 10 percent) and camps and ranches (30 percent versus 13 percent). These differences persisted even when limited to those defense attorneys who work in delinquency half time or more.

Like prosecutors, defense attorneys expressed low levels of satisfaction with restitution collection; few respondents said that they are satisfied or very satisfied with this service (table 45). Defense attorneys were more likely than prosecutors to indicate that they do not know about restitution collection. This finding persists even when limited to those defense attorneys who work in delinquency half time or more.

When asked for their opinions on the effectiveness of specific services and programs, defense attorney respondents reported low levels of satisfaction with the majority of the programs listed (table 46). They expressed particularly high levels of dissatisfaction with the effectiveness of mental health services,

parent education programs, and after-school programs, which is consistent with the responses given by prosecutors.

Levels of satisfaction with the effectiveness of services were similar across public defenders and contract defenders. Contract defenders were somewhat more likely to state that they do not know about some services (substance abuse, independent living, anger management, wraparound programs, and community centers). The level of "don't know" responses decreased slightly when limited to those attorneys who work half time or more in delinquency.

Consistent with prosecutors' opinions, defense attorneys feel that an increased range of service options is needed for youth in the delinquency system. Frequently mentioned gaps in services include mental health services, placements and camps for girls, alternatives to DJJ, local group homes, sex offender placements, drug treatment placements, intervention and prevention programs, placements for transitional-age youth, and treatment services in detention facilities. One respondent made the following comment regarding the lack of treatment provided in the camp placements: "We need treatment programs to be implemented at the Juvenile Justice campus and at boot camp. Kids are incarcerated for months . . . and receive absolutely no treatment." A number of respondents also highlighted the importance of involving the youth's family in the juvenile's treatment process. Comments addressing this issue included the following:

> "[Need] more community-based programs that incorporate treatment for the entire family."
>
> "[More] parental/family involvement."
>
> "More parental support/programs to help in rehabilitation process."

Focus group participants echoed the concerns about service and sanction needs. Defense attorneys in one small county described these service gaps:

> Participant 1: There is just not enough service for children with mental health problems.
>
> Participant 2: It's limited, its embarrassing sometimes, we do not have adequate drug treatment.
>
> Participant 3: We have no live-in for girls.
>
> Participant 2: Zero live-in programs for any of the children here.
>
> Interviewer: So there are actually no drug facilities, residential facilities in the county?
>
> Participant 3: Correct, none, zero, nada . . .

Focus group participants from another county indicated that they do have a good range of service options for youth; however, they feel that these service options are not used consistently by the court and that available sanctions are not applied in a graduated fashion:

> Participant 1: What I think is happening is that every possible sanction is imposed right then and there: you're going to do electronic monitoring, you're going to do ERC [Evening Reporting Centers], you're going to have curfew . . .

> Participant 2: They throw all the programs at the kid; it's not graduated, it's not thought through.

Defense attorneys in one county commented that the probation department has a poor relationship with many of the community-based organizations that could potentially provide services to juveniles in the delinquency system. According to one participant,

> The probation department has an ongoing conflict with the community, so they do not refer generally to community programs; they ignore them. The probation department is uninformed about what options are available in the community because they're mostly ignoring everything except detention as an option. So they do not form or work at forming good relationships with those agencies.

Satisfaction With Juvenile Drug Court[11]

Juvenile drug court is one of several types of collaborative court models available across counties in California.[12] Collaborative justice, or problem-solving, courts are alternatives to traditional case processing that address underlying problems that contribute to criminal activity or other court involvement. Juvenile drug court is one such model available for delinquent youth who have substance abuse problems. Juvenile drug court requires that the youth participate in substance abuse treatment, submit to frequent drug testing, appear at regular and frequent court status hearings, and comply with other court conditions geared to promote accountability, rehabilitation, long-term sobriety, and cessation of criminal activity. Attorneys were asked to rate their satisfaction with the effectiveness of juvenile drug courts. A substantial percentage of respondents indicated that they either do not know about this service or that the service is not available. For those respondents who did express an opinion about drug court, more are satisfied than dissatisfied with this collaborative court option (table 47). Thirty-seven percent of district attorneys and 37 percent of defense attorneys indicated they are satisfied with the effectiveness of drug court. Only 11 percent of district attorneys and 14 percent of defense attorneys expressed dissatisfaction with drug court. An interviewee from one county stated that they recently lost the juvenile drug court they had previously had in the county, and expressed the importance of reinstating it. Lack of funding for the juvenile drug court was cited as a problem. According to an interviewee from another county, the juvenile drug court in the county is very effective and includes collaboration between the juvenile court judges and the schools; however, geography was cited as a barrier to being able to provide this court service to all of the youth who need it. Given the frequent court appearances and the regular random drug testing, the drug court is difficult to provide to youth living in outlying areas. Anecdotal reports of the value of drug courts have been noted in a variety of public venues, including in budget hearings conducted by the Judicial Council and held around the state. Courts do report funding issues and the need for resources to meet particular needs in different geographic settings in order to ensure that the benefits of these programs are widely available.

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[11] In addition to drug courts, attorneys rated their satisfaction with mental health courts; truancy courts; and peer, teen, or youth courts. There were too few respondents to analyze satisfaction with courts other than drug courts.

[12] See volume 1, chapter 3, for a more in-depth description of collaborative court models and their availability in California.

Court Assessment

As can be seen in tables 48 and 49, both groups of attorneys are generally satisfied with how they are treated by the court (71 percent of prosecutors and 78 percent of defense attorneys). Overall, they are also satisfied with how they are treated by other juvenile delinquency court professionals but they expressed lower levels of satisfaction with how these other professionals handle juvenile cases. Defense attorneys are also less satisfied than prosecutors with probation officers' handling of cases and with how they are treated by probation.

Public defenders are less satisfied than contract defenders across several court assessment measures. Specifically, they are less satisfied with probation officers' handling of cases (20 percent versus 41 percent), how they are treated by probation (52 percent versus 75 percent), prosecutors' handling of cases (20 percent versus 42 percent), and how they are treated by prosecutors (60 percent versus 75 percent). When limited to those attorneys who work in delinquency at least half time, these differences persist and, in fact, increase for most of the court assessment measures.

It should be noted that prosecutors from small counties were generally more satisfied across several court assessment measures. On average, prosecutors from small counties were more satisfied than those from medium and large counties with how they are treated by defense attorneys and probation officers. Prosecutors from small counties were also more satisfied with how defense attorneys and probation officers handle cases. On average, large county prosecutors were the least satisfied with these professionals handling of cases.

For both prosecutors and defense attorneys, satisfaction with the relationships they have with other delinquency court professionals is higher than their satisfaction with the job performance of those professionals. This may be partially due to the different role that each type of court professional has in the juvenile delinquency system. One participant from a prosecutor focus group commented on the nature of the roles and relationships between the two offices:

> I think our relationship with the public defender is the same as it is in every other office; we have divergent interests and different jobs to do. . . . That's okay, that's part of the system, that's part of the game. We don't have any problem with that.

As discussed in previous sections, in response to several of the open-ended questions about how they feel about their delinquency court assignment and what they like and do not like about the juvenile delinquency court process, both groups of attorneys often replied that they enjoy the collaboration with the other juvenile delinquency professionals but that they are sometimes dissatisfied with how delinquency cases are handled by the other players within the system. Prosecutors most often stated that they feel that the delinquency system is too lenient and that judicial officers and other court professionals need to have a stronger emphasis on punishment of juvenile offenders. Defense attorneys, on the other hand, frequently criticized prosecutors for overcharging cases and for other practices they perceive as overly punitive, such as direct filing to adult court.

On the defense attorney survey, respondents were asked to rate how well various types of information are conveyed to youth and their parents (tables 50 and 51). The responses indicated that attorneys feel that certain types of information are conveyed well. These include possible outcomes, responsibilities while on probation, ramifications of a plea, what to expect at court hearings, and the general court

process. Respondents were less likely to indicate that record-sealing information and the process for paying restitution are explained well to youth or parents.

Postdispositional Activities

Effective July 1, 2004, rule 5.663 of the California Rules of Court clarified existing rules governing the responsibilities of delinquency defense attorneys, including during a case's postdispositional period.[13] The defense attorney survey included questions about postdispositional representation to determine how rule 5.663 is affecting postdispositional activities. Most defense attorneys indicated that the implementation of this rule has not changed their level of postdispositional work (table 52). Considering only those attorneys who were handling juvenile delinquency cases prior to rule 5.663, approximately one-fourth indicated that they do more postdispositional work since the rule was implemented. Public defenders were far more likely than contract attorneys to indicate that their postdispositional work has increased (41 percent versus 19 percent). Contract attorneys were more likely to say that their level of postdispositional work has remained the same (60 percent of contractors versus 41 percent of public defenders).

Defense attorneys were also asked how frequently they engage in various postdispositional job activities. The majority of respondents indicated that they always or often appear at review hearings, represent clients on violation of probation hearings, and represent clients on new petitions (table 53). Although nearly all attorneys responded that they always or often provide the client with their contact information, far fewer said they frequently maintain contact with the client (53 percent) or visit the client (25 percent).

The majority of defense attorneys also indicated that they always or often review probation conditions and treatment plans with the client, but fewer said they frequently maintain contact with the client's probation officer, keep track of the probation plan implementation, or schedule hearings to modify probation conditions or treatment plans.

Compared to public defenders, contract defenders were less likely to say they nearly always or often engage in certain postdispositional activities. These include appearing at review hearings (88 percent versus 68 percent), representing clients on violation of probation (95 percent versus 72 percent), and representing clients on new petitions (95 percent versus 67 percent). Contract attorneys tended to respond that they either sometimes or occasionally do these postdispositional tasks. When the analysis is limited to those attorneys who work in delinquency half time or more, the differences between defense attorney types decreased considerably for the previously mentioned activities. Interestingly, when only these attorneys are included, contract attorneys reported doing several postdispositional activities *more* frequently than public defenders do. Specifically, they were more likely to state that they maintain contact with the client via phone or e-mail, maintain contact with the client's probation officer, and keep track of plan implementation.

As can be seen in table 54, the most frequently reported obstacles to working with clients postdispositionally were lack of time for follow-up, lack of funding for the postdispositional period,

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[13] Cal. Rules of Court, rule 5.663, Responsibilities of Children's Counsel in Delinquency Proceedings. Also see "Effective Representation of Children in Juvenile Delinquency Court," a publication of the AOC and State Bar of California, at http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/EffRepChildrenBro.pdf.

and lack of other resources available for follow-up work. A number of respondents wrote in additional obstacles that were not included on the survey. Most of these responses were related to an inability to locate the client due to the client moving or changing phone numbers. Public defenders were more likely than contract attorneys to cite a lack of time for follow-up as an obstacle (64 percent versus 31 percent) but were less likely to list a lack of other resources as a primary obstacle (30 percent versus 44 percent).

Defense attorneys are generally satisfied with the information they receive about youth who are home on probation (table 55). Overall, however, defense attorneys reported low levels of satisfaction with the information they receive about youth in placement, camps or ranches, or foster or group homes. Satisfaction with information received about youth in DJJ is very low, with only 9 percent indicating that they are very satisfied or satisfied with the information received.

Conclusion

This report summarizes the findings from the 2007 CFCC Surveys of Prosecutors and Defense Attorneys. Response rates for both surveys were fairly high: surveys were received from 67 percent of prosecutors and 52 percent of defense attorneys.

Results from both surveys indicate that many prosecutors and defense attorneys are new to juvenile delinquency. This is particularly true for prosecutors and public defenders; many are in their first juvenile delinquency assignment and few reported having prior professional roles in the juvenile system. These findings may raise some concerns regarding the general lack of experience of some attorneys working in the juvenile delinquency courts. In describing the qualifications for prosecutors, the National Prosecution Standards section 92.1 on the Standards for Juvenile Justice recommends that training and experience should be required for handling juvenile delinquency cases and that entry-level attorneys working in juvenile delinquency should receive training related to juvenile matters.[14] According to the National Juvenile Defender Center's *Principles in Practice*, legal representation of children is considered to be a specialized area that requires ongoing, delinquency-specific training. Although no specific recommendation is made regarding the level of expertise necessary for juvenile delinquency attorneys, the principles do state that new defenders should be supervised by more experienced attorneys to ensure high-quality legal work and manageable caseloads.[15]

Given the complexity and the unique nature of the juvenile delinquency court setting, having experienced, well-trained attorneys is critical in order to ensure the fair processing of delinquency cases and quality representation for youth who enter the delinquency system. The fact that there are many professionals who are new to the delinquency system indicates the importance of early training when first entering a juvenile delinquency assignment. Training, along with other practices that allow for attorneys with delinquency-related experience to handle or supervise delinquency cases, should be encouraged by district attorneys' and public defenders' offices.

It should be pointed out that the survey results indicate that there is also a population of very experienced attorneys working in the juvenile delinquency field, including a subset who would like to

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[14] National District Attorneys Association, *National Prosecution Standards,* Standards for Juvenile Justice, sections 92.1-92.7 (second edition) (1991).

[15] National Juvenile Defender Center, *Principles in Practice: Promoting Accountability, Safety, and Fairness in Juvenile Delinquency Proceedings* (Southern Poverty Law Center, 2007).

continue working in juvenile delinquency. Contract attorneys have the most experience, on average, and are particularly likely to have lengthy tenures in delinquency settings and also to have other professional roles in the juvenile court system. A sizable minority of prosecutors and defense attorneys also have lengthy tenures of 20 years or more.

It would benefit the delinquency system not only to have tenured professionals handling cases but also to retain those attorneys who truly have an interest in delinquency-related work. Many attorneys reported that they would like to remain in their juvenile delinquency assignments; however, the majority indicated that they expect to be reassigned or to rotate out of their juvenile assignments at some point in the future. Compared to those with longer tenures, newer attorneys are less likely to indicate that they want to remain in their juvenile delinquency assignments. If the failure to get promoted underlies some of the hesitation or inability to remain in juvenile delinquency assignments, this may be an area for district attorneys' and public defenders' offices to evaluate further. Additional efforts to accommodate those who wish to remain in delinquency assignments should be considered.

One of the most notable findings from both attorney surveys is the overall low satisfaction with the range and effectiveness of services and sanctions for juveniles, particularly for juveniles who are considered high risk. The effectiveness of mental health services and programs was also rated particularly low. This dissatisfaction with the range of service options, specifically mental health services, was also seen in the attorneys' replies to the open-ended questions and in attorney focus groups. When asked about their courts' areas of need, both groups of attorneys again cited major gaps in the range of quality services and sanctions for juvenile offenders. Due to the wide range of issues present in delinquency court matters and to the variation in youths' needs, having a wide array of effective services and sanctions is crucial. Matching youth to appropriate services and sanctions is critical for maximizing youths' ability to meet court- and probation-related mandates. Without appropriate services, underlying problems that may be contributing to youths' delinquent behavior (such as mental health or substance abuse issues) may go unaddressed, which may increase the likelihood of future recidivism.

Given that the juvenile delinquency court system is intended to be collaborative, and all parties should be working toward meeting the same set of goals (such as determining the best interests and needs of youth balanced with the need for community safety and accountability to victims and the community), having good collaborative relationships among court professionals and other justice partners is important. Survey data on collaboration and working relationships between delinquency court professionals are encouraging—the data reveal that both prosecutors and defense attorneys feel that they have a good relationship with the court, and most are satisfied with how they are treated by the court. Both groups of attorneys also reported having good relationships with each other and among other divisions of their respective offices. Relationships with other justice partners are rated less positively; the most poorly rated relationships are with mental health and child welfare.

In both the satisfaction scale rating and the open-ended questions, prosecutors expressed dissatisfaction with the number of hearing delays and continuances. According to prosecutors, the most frequent cause for these delays is that the defense attorney is not ready. For their part, defense attorneys cited the absence of reports or other information as the primary reason for hearing continuances. In focus groups with court users, many commented on the repeated trips to the courthouse they had to endure due to hearing continuances. It should be noted that although continuances may pose problems for some court professionals and court users, in some instances they may be necessary for fair processing

of the case. Regardless of the reason for the hearing delay or continuance, court users should be made aware of the reason the hearing is delayed or continued. If this communication does not happen, it may lead to frustration and misunderstandings by court users, which may affect their perceptions of the fairness of the court process.

When defense attorneys were asked about the impact of rule 5.663 on their postdispositional work, public defenders were far more likely than contract attorneys to indicate that their postdispositional work has increased. The most frequently reported obstacles to working with clients postdispositionally were lack of time for follow-up, lack of funding for the postdispositional period, and lack of other resources available for follow-up work. Some attorneys also cited an inability to locate the client as one of the barriers they faced. Compared to public defenders, contract defenders were less likely to say that they frequently engage in certain postdispositional activities. Interestingly, when only those attorneys who work in delinquency half time or more are included, conflict attorneys reported doing several postdispositional activities *more* frequently than do public defenders.

Prosecutors and defense attorneys differ in their perceptions of the strengths and weaknesses of the juvenile delinquency court system and what they like and dislike about their juvenile assignments. When asked about their perceptions of the juvenile delinquency system, prosecutors' most frequent response was that the system is too lenient and should have a greater emphasis on punishment of and accountability by juvenile offenders. Defense attorneys, on the other hand, see the delinquency system as being overly punitive, and they expressed concerns that youth are being treated like adult criminals but are not afforded the same legal protections that are present in the adult criminal system. One theme that was consistent across both prosecutors and defense attorneys was the fact that they enjoy working with youth and helping them to turn their lives around.

Tables

Table 1
Size of Counties Represented by Prosecutor Survey Respondents (N=173)

	Count	Percent
Small	32	18.5
Medium	48	27.7
Large	93	53.8
Total	173	100%

Table 2
Respondents to Defense Attorney Survey by Current Role (N=342)

	Count	Percent
Public defender	102	29.8
Contract public defender	26	7.6
Alternate public defender	7	2.0
Contract defender	207	60.5
Total	342	100%

Table 3
Size of Counties Represented by Defense Attorney Survey Respondents (N=342)

	Count	Percent
Small	67	19.6
Medium	117	34.2
Large	158	46.2
Total	342	100%

Table 4
Size of Counties by Defense Attorney Type (N=342)

	Public Defender (N=102)		Contract Public Defender (N=26)		Alternate Public Defender (N=7)		Contract Defender (N=207)	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Small	10	9.8	15	57.7	1	14.3	41	19.8
Medium	27	26.5	11	42.3	5	71.4	74	35.7
Large	65	63.7	0	0.0	1	14.3	92	44.4

Table 5
Respondents to Prosecutor Survey by Current Role (N=173)

	Count	Percent
Administrative/supervisor and I handle juvenile cases	36	20.8
I handle juvenile cases only	137	79.2
Total	173	100%

Table 6
Prosecutors: Time Spent Doing Delinquency-Related Work (N=173)

	Count	Percent
Full time	126	72.8
Half to full time	11	6.4
About half time	10	5.8
One-fourth to half	5	2.9
About one-fourth time	6	3.5
Less than one-fourth time	15	8.7
Total	173	100%

Table 7
Types of Cases Handled by Prosecutors (N=173)

	Count	Percent
General	161	93.1
Gangs	127	73.4
Sex offenders	130	75.1
Truancy	66	38.2
Mental health court	18	10.4
Drug court	56	32.4
Informal juvenile and traffic	29	16.8
Other	16	9.2

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 8
Prosecutors: Years Since Passing the Bar (N=173)

	Count	Percent
1 year or less	5	2.9
2 to 4 yrs	44	25.4
5 to 10 yrs	23	13.3
11 to 15 yrs	19	11.0
16 to 20 yrs	29	16.8
More than 20 years	53	30.6
Total	173	100%

Mean = 14.4 years; median = 14 years; standard deviation = 10.2 years

Table 9
Years Since Becoming a Prosecutor (N=173)

	Count	Percent
1 year or less	15	8.7
2 to 4 yrs	46	26.6
5 to 10 yrs	22	12.7
11 to 15 yrs	21	12.1
16 to 20 yrs	28	16.2
More than 20 years	41	23.7
Total	173	100%

Mean = 12.2 years; median = 12 years; standard deviation = 9.8 years

Table 10
Prosecutors: Total Number of Years in Juvenile Assignments (N=135)

	Count	Percent
Less than 1 year	41	30.4
1 to 2.9 years	33	24.4
3 to 4.9 years	18	13.3
5 to 9.9 years	22	16.3
10 to 14.9 years	7	5.2
15 10 19.9 years	8	5.9
20 years or more	6	4.4
Total	135	100%

Mean = 4.9 years; median = 2.3 years; standard deviation = 6.3 years

Table 11
Prosecutors: Number of Years in Current Juvenile Assignments (N=172)

	Count	Percent
Less than 1 year	77	44.8
1 to 2.9 years	44	25.5
3 to 4.9 years	22	12.8
5 to 9.9 years	22	12.8
10 to 14.9 years	2	1.2
15 to 19.9 years	1	0.6
20 years or more	4	2.3
Total	172	100%

Mean = 2.7 years; median = 1.0 years; standard deviation = 4.2 years

Table 12
Other Professional Roles in Juvenile Court Matters as Reported by Prosecutors (N=172)

	Count	Percent
None	135	78.5
Defense attorney	14	8.1
Child's dependency attorney	15	8.7
Parent's dependency attorney	6	3.5
County counsel or city attorney	5	2.9
Probation officer	2	1.2
Social worker	1	0.6
CASA volunteer	2	1.2
Other	7	4.1
Did not check any	4	2.3

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 13
Where Prosecutors Would Like to Be Working in Two Years (N=171)

	Count	Percent
Juvenile division of the district attorney's office	53	31.0
Another division of the prosecutor's office	72	42.1
Practicing in the private sector	1	0.6
Working as a judicial officer	9	5.3
Out of the workforce	12	7.0
Other	7	4.1
Do not know	17	9.9
Total	171	100%

Table 14
Where Prosecutors Would Like to Be Working in Two Years, by Prosecutor Experience

	4 Years or Less		5 to 15 Years		16 Years or More	
	Count	Percent	Count	Percent	Count	Percent
Juvenile division of the district attorney's office	7	11.5	17	39.5	29	43.3
Another division of the district attorney's office	50	82.0	15	34.9	7	10.4
Practicing in the private sector	0	0.0	0	0.0	1	0.6
Working as a judicial officer	0	0.0	3	7.0	6	9.0
Out of the workforce	0	0.0	2	4.7	10	14.9
Other	1	1.6	1	2.3	5	7.5
Do not know	3	4.9	5	11.6	9	13.5
Total	61	100%	43	100%	67	100%

Table 15
Circumstances Under Which Prosecutors Expect to Leave the Juvenile Division (N=171)

	Count	Percent
I expect to remain in the juvenile division	25	14.6
My predetermined rotation will be complete	47	27.5
I will request a different assignment	8	4.7
I will be reassigned; we do not have predetermined rotations	64	37.4
I will leave the district attorney's office for another position or to leave the workforce	13	7.6
Do not know	14	8.2
Total	171	100%

Table 16
Types of Cases Handled by Defense Attorneys (N=340)

	Count	Percent
General	334	98.2
Gangs	224	65.9
Sex offenders	220	64.7
Truancy	81	23.8
Mental health court	37	10.9
Drug court	84	24.7
Informal juvenile and traffic	79	23.2
Other	37	10.9

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 17
Defense Attorneys: Time Spent Doing Delinquency-Related Work: (N=339)

	Count	Percent
Full time	109	32.2
Half to full time	43	12.7
About half time	39	11.5
One-fourth to half time	36	10.6
About one-fourth time	42	12.4
Less than one-fourth time	70	20.6
Total	339	100%

Table 18
Time Spent Doing Delinquency-Related Work, by Defense Attorney Type (N=339)

	Public Defender (N=102)		Contract Public Defender (N=26)		Alternate Public Defender (N=7)		Contract Defender (N=207)	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Full time	84	82.4	4	15.4	3	42.9	18	8.8
Half to full time	9	8.8	5	19.2	1	14.3	28	13.7
About half time	5	4.9	1	3.8	1	14.3	32	15.7
One-fourth to half time	3	2.9	7	26.9	0	0.0	26	12.7
About one-fourth time	1	1.0	3	11.5	0	0.0	38	18.6
Less than one-fourth time	0	0.0	6	23.1	1	28.6	62	30.4

Table 19
Defense Attorneys: Years Since Passing the Bar (N=340)

	Count	Percent
1 year or less	5	1.6
2 to 4 years	26	7.6
5 to 10 years	50	14.7
11 to 15 years	45	13.2
16 to 20 years	52	15.3
More than 20 years	162	47.6
Total	340	100%

Mean = 20 years; median = 20 years; standard deviation = 11.1 years

Table 20
Years Since Becoming a Defense Attorney (N=339)

	Count	Percent
1 year or less	16	4.7
2 to 4 years	37	10.9
5 to 10 years	54	15.9
11 to 15 years	51	15.1
16 to 20 years	54	15.9
More than 20 years	127	37.5
Total	339	100%

Mean = 17.4 years; Median = 17 years; Standard Deviation = 11.2 years

Table 21
Years Since Becoming a Defense Attorney by Defense Attorney Type (N=339)

	Public Defender (N=102)		Contract Public Defender (N=25)		Alternate Public Defender (N=7)		Contract Defender (N=205)	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
1 year or less	5	4.9	3	12.0	0	0.0	8	3.9
2 to 4 years	20	19.6	1	4.0	0	0.0	16	7.8
5 to 10 years	22	21.6	5	20.0	0	0.0	25	12.2
11 to 15 years	16	15.7	2	8.0	2	28.6	33	16.1
16 to 20 years	24	23.5	2	8.0	1	14.3	27	13.2
More than 20 years	15	14.7	12	48.0	4	57.1	96	46.8
	Mean = 12.3		Mean = 17.6		Mean = 21.9		Mean = 19.8	
	Median = 11		Median = 20		Median = 21		Median = 19	
	Standard deviation = 8.3		Standard deviation = 11.2		Standard deviation = 12.3		Standard deviation = 11.6	

Table 22
Public Defenders: Number of Years in Current Juvenile Assignments (N=83)

	Count	Percent
Less than 1 year	19	22.9
1 to 2.9 years	31	37.3
3 to 4.9 years	17	20.5
5 to 9.9 years	9	10.8
10 to 14.9 years	6	7.2
15 to 19.9 years	1	1.2
20 years or more	0	0.0
Total	83	100%

Mean = 3.2 years; median = 2.0 years; standard deviation = 3.4 years

Table 23
Defense Attorneys: Total Number of Years in Juvenile Assignments (N=322)

	Count	Percent
Less than 1 year	23	7.1
1 to 2.9 years	41	12.7
3 to 4.9 years	35	10.9
5 to 9.9 years	43	13.4
10 to 14.9 years	47	14.6
15 to 19.9 years	34	10.6
20 years or more	99	30.7
Total	322	100%

Mean = 13.6 years; median = 11 years; standard deviation = 11.2 years

Table 24
Total Number of Years in Juvenile Assignments, by Attorney Type (N=322)

	Public Defender (N=102)		Contract Public Defender (N=25)		Alternate Public Defender (N=7)		Contract Defender (N=205)	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Less than 1 year	14	14.9	3	11.5	0	0.0	6	3.1
1 to 2.9 years	21	22.3	1	3.8	0	0.0	19	9.7
3 to 4.9 years	20	21.3	2	7.7	1	14.3	12	6.2
5 to 9.9 years	21	22.3	4	15.4	1	14.3	17	8.7
10 to 14.9 years	8	8.5	1	3.8	0	0.0	38	19.5
15 to 19.9 years	6	6.4	1	3.8	2	28.6	25	12.8
20 years or more	4	4.3	14	53.8	3	42.9	78	40.0
	Mean = 5.8		Mean = 16.8		Mean = 19.3		Mean = 16.8	
	Median = 3.5		Median = 20		Median = 15.5		Median = 15	
	Standard deviation = 6.2		Standard deviation = 11.7		Standard deviation = 12.4		Standard deviation = 11.1	

Table 25
Other Professional Roles in Juvenile Court Matters as Reported by Defense Attorneys (N=342)

	Count	Percent
None	130	38.0
Prosecutor	31	9.1
Child's dependency attorney	148	43.3
Parent's dependency attorney	161	47.1
County counsel or city attorney	9	2.6
Probation officer	5	1.5
Social worker	5	1.5
Pro-tem	26	7.6
CASA volunteer	6	1.8
Other	32	9.4
Did not check any	7	2.0

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 26
Circumstances Under Which Defense Attorneys Expect to Leave the Juvenile Division (N=101)

	Count	Percent
I expect to remain in the juvenile division	23	22.8
My predetermined rotation will be complete	22	21.8
I will request a different assignment	5	4.9
I will be reassigned; we do not have predetermined rotations	35	34.7
I will leave the public defender's office for another position or to leave the workforce	10	9.9
Do not know	6	5.9
Total	101	100%

Note: Only responses from those working in the county public defender's office are included.

Table 27
Where Defense Attorneys Would Like to Be Working in Two Years (N=336)

	Count	Percent
Juvenile division of the public defender's office	67	19.9
Handling juvenile cases in a private setting	122	36.3
Other public sector work	16	4.8
Other private sector work	17	5.1
Working as a judicial officer	28	8.3
Out of the workforce	21	6.3
Other	10	3.0
Do not know	55	16.4
Total	336	100%

Table 28
Where Public Defenders Would Like to Be Working in Two Years, by Public Defender Experience

	4 Years or Less		5 to 15 Years		16 Years or More	
	Count	Percent	Count	Percent	Count	Percent
Juvenile division of the public defender's office	10	41.7	22	59.5	24	61.6
Handling juvenile cases in a private setting	0	0.0	1	2.7	0	0.0
Other public sector work	6	25.0	3	8.1	3	7.7
Other private sector work	0	0.0	1	2.7	0	0.0
Working as a judicial officer	1	4.2	2	5.4	2	5.1
Out of the workforce	0	0.0	0	0.0	7	17.9
Other	4	16.7	1	2.7	0	0.0
Do not know	4	16.7	7	18.9	3	7.7
Total	24	100%	37	100%	39	100%

Table 29
Where Contract Defenders Would Like to Be Working in Two Years, by Contractor Experience

	4 Years or Less		5 to 15 Years		16 Years or More	
	Count	Percent	Count	Percent	Count	Percent
Juvenile division of the public defender's office	0	0.0	1	1.8	2	1.7
Handling juvenile cases in a private setting	16	66.7	32	56.1	63	52.1
Other public sector work	0	0.0	3	5.2	0	0.0
Other private sector work	0	0.0	4	7.0	10	8.3
Working as a judicial officer	1	4.2	4	7.0	14	11.6
Out of the workforce	1	4.2	1	1.8	10	8.3
Other	2	8.3	1	1.8	2	1.7
Do not know	4	16.6	11	19.3	20	16.5
Total	24	100%	57	100%	121	100%

Table 30
Quality of Working Relationship With Stakeholders as Reported by Prosecutors (N=169–172)

	Very Good	Good	Fair	Poor	Very Poor	Don't Know or N/A	Total
The court	37.3	41.4	17.8	2.4	1.2	0.0	100%
Probation, juvenile division	32.7	45.6	15.2	4.7	1.2	0.6	100%
Probation, juvenile hall	21.3	34.9	12.4	4.1	1.8	25.4	100%
Probation, camps and ranches	8.2	24.0	14.0	2.3	1.2	50.3	100%
Public defender's office	18.8	47.1	21.8	9.4	1.2	1.8	100%
Alternate public defender's office	14.7	32.9	12.9	3.5	0.6	35.3	100%
Contract or panel attorneys	26.6	48.5	18.3	2.4	0.0	4.1	100%
District attorneys office, other divisions	55.2	35.5	6.4	0.0	0.0	2.9	100%
Mental health	1.8	9.4	26.3	12.9	4.7	45.0	100%
Child welfare	3.5	10.5	24.0	12.3	7.0	42.7	100%

Table 31
Quality of Working Relationship With Stakeholders as Reported by Defense Attorneys (N=291–340)

	Very Good	Good	Fair	Poor	Very Poor	Don't Know or N/A	Total
The court	43.4	42.8	9.7	3.2	0.6	0.3	100%
Probation, juvenile division	22.4	46.2	22.1	7.4	1.2	0.9	100%
Probation, juvenile hall	22.6	42.4	22.6	5.6	2.1	4.7	100%
Probation, camps and ranches	4.8	20.2	31.0	11.7	3.0	29.2	100%
Public defender's office	40.5	37.1	7.8	1.9	0.3	12.5	100%
Alternate public defender's office	19.6	23.0	6.5	0.3	0.7	49.8	100%
Contract or panel attorneys	34.7	44.1	12.2	1.8	1.5	5.8	100%
Prosecutor’s office	27.4	46.8	18.5	5.6	1.5	0.3	100%
Mental health	6.8	21.8	25.9	17.6	8.5	19.4	100%
Child welfare	6.8	18.6	28.1	16.0	10.4	20.1	100%

Table 32
Top Causes of Hearing Delays in Uncontested Matters as Reported by Prosecutors (N=173)

	Count	Percent
Defense attorney not ready	103	59.5
Other reports, persons, or information not available	73	42.2
Evaluation reports not available	64	37.0
Probation report not available	53	30.6
Youth not present	50	28.9
Hearings need more than allocated time	32	18.5
Parent not present	25	14.5
Defense attorney not present	24	13.9
Lack of or improper notice	21	12.1
Prosecutor not ready	8	4.6
Probation not present	2	1.2
Prosecutor not present	0	0.0
Did not check any	10	5.8

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 33
Satisfaction With Various Job-Related Issues as Reported by Prosecutors (N=169–171)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Timeliness with which affidavits are brought by probation	10.7	30.8	24.9	23.1	7.1	3.6	100%
Amount of time available for preparing cases	7.0	36.3	31.0	17.5	8.2	0.0	100%
Number of hours you wait for court hearings in one day	7.0	20.5	27.5	28.1	12.3	4.7	100%
Number of hearing continuances	4.1	21.2	35.9	25.3	11.2	2.4	100%

Table 34
Severity of Continuances and Other Hearing Delays as Reported by Prosecutors (N=171)

	Count	Percent
Not a problem	33	19.3
A minor problem	62	36.3
A moderate problem	43	25.1
A major problem	30	17.5
Do not know	3	1.8
Total	171	100%

Table 35
Capacity in Which Prosecutors Work With Victims as Reported by Prosecutors (N=173)

	Count	Percent
I prepare victims for testifying	146	84.4
I explain the court process to victims	140	80.9
I refer victims to services	93	53.8
I explain the process of collecting restitution	86	49.7
I take statements from victims	68	39.3
I notice victims of hearings	63	36.4
I do not work with victims	6	3.5
Other	6	3.5
Did not check any	2	1.2

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 36
Satisfaction with Various Job-Related Issues as Reported by Defense Attorneys (N=338–341)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do Not Know or N/A	Total
Timeliness with which you receive reviews and reports by probation	4.1	29.9	27.3	30.5	7.3	0.9	100%
Amount of time available for preparing cases	6.5	35.9	29.4	23.2	4.4	0.6	100%
Adequacy of time available for meeting with clients	7.9	35.0	28.8	22.4	5.3	0.6	100%
Adequacy of location for meeting with clients	9.8	32.8	23.4	20.1	13.0	0.9	100%
Number of hours you wait for court hearings in one day	5.0	23.2	25.9	32.6	12.6	0.6	100%
Number of hearing continuances	4.5	34.6	45.5	10.8	1.5	3.0	100%
Frequency of post-disposition review hearings for non-placement youth	4.1	34.6	37.0	13.3	5.3	5.6	100%
Amount of time available to meet with clients postdispositionally	4.1	28.4	34.0	20.1	6.8	6.5	100%

Table 37
Top Causes of Hearing Delays in Uncontested Matters as Reported by Defense Attorneys (N=342)

	Count	Percent
Probation report not available	143	41.8
Evaluation reports not available	138	40.4
Other reports, persons, or information not available	137	40.1
Hearings need more than allocated time	92	26.9
Youth not present	72	21.1
Prosecutor not ready	55	16.1
Parent not present	45	13.2
Defense attorney not ready	36	10.5
Lack of or improper notice	31	9.1
Probation not present	16	4.7
Prosecutor not present	8	2.3
Defense attorney not present	6	1.8
Did not check any	46	13.5

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 38
Severity of Continuances and Other Hearing Delays as Reported by Defense Attorneys (N=338)

	Count	Percent
Not a problem	181	53.6
A minor problem	112	33.1
A moderate problem	33	9.8
A major problem	8	2.4
Do not know	4	1.1
Total	338	100%

Table 39
Satisfaction With Range of Sanction and Service Options as Reported by Prosecutors (N=166–169)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Sanctions for low-risk youth	15.4	47.3	17.2	9.5	4.7	5.9	100%
Sanctions for intermediate-risk youth	3.6	30.4	28.6	25.0	7.7	4.8	100%
Sanctions for high-risk youth	3.6	16.0	13.6	34.3	27.8	4.7	100%
Services for low-risk youth	12.0	34.3	30.1	12.0	6.6	4.8	100%
Services for intermediate-risk youth	4.8	23.5	36.1	20.5	9.6	5.4	100%
Services for high-risk youth	3.6	18.1	24.7	24.7	23.5	5.4	100%

Table 40
Satisfaction With the Effectiveness of Sanction Options as Reported by Prosecutors (N=169–171)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Counsel and dismiss	7.1	24.3	21.9	16.6	13.0	17.2	100%
Informal supervision	7.0	32.7	24.0	21.6	9.9	4.7	100%
Community service	5.9	31.8	30.6	17.1	8.8	5.9	100%
Home on probation	4.1	23.4	29.8	30.4	9.4	2.9	100%
Electronic monitoring	3.6	34.9	28.4	13.0	11.2	8.9	100%
Placement	5.8	41.5	25.7	14.0	9.4	3.5	100%
Camps and ranches	12.4	45.3	16.5	8.2	7.1	10.6	100%
DJJ	12.9	34.1	14.7	8.8	15.9	13.5	100%

Table 41
Satisfaction With the Effectiveness of Restitution Collection as Reported by Prosecutors (N=170)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
	0.6	18.3	27.2	24.3	14.8	14.8	100%

Table 42
Satisfaction With the Effectiveness of Services as Reported by Prosecutors (N=160–172)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Outpatient substance abuse programs	1.3	23.1	27.5	24.4	10.6	13.1	100%
Drug testing	8.7	44.2	25.0	13.4	3.5	5.2	100%
Mental health services	2.3	16.3	27.3	27.3	15.1	11.6	100%
Independent living programs	1.2	9.3	35.5	17.4	5.8	30.8	100%
Anger management programs	0.6	25.1	36.3	18.7	5.8	13.5	100%
After-school programs	0.0	10.5	20.3	23.3	11.6	34.3	100%
Parent education	0.0	11.0	18.0	28.5	16.9	25.6	100%
Wraparound	5.3	17.5	25.1	11.7	5.8	34.5	100%
Community centers	0.6	8.8	21.8	15.9	8.8	44.1	100%

Table 43
Satisfaction With the Range of Sanction and Service Options as Reported by Defense Attorneys (N=334–337)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do Not Know or N/A	Total
Sanctions for low-risk youth	12.8	32.0	20.8	19.0	9.2	6.2	100%
Sanctions for intermediate-risk youth	3.0	28.0	30.4	23.2	9.5	6.0	100%
Sanctions for high-risk youth	3.3	15.7	22.6	27.9	24.6	5.9	100%
Services for low-risk youth	7.8	23.7	22.2	25.4	15.3	5.7	100%
Services for intermediate-risk youth	1.8	16.8	24.6	35.3	16.2	5.4	100%
Services for high-risk youth	1.8	9.3	17.4	32.6	33.5	5.4	100%

Table 44
Satisfaction With the Effectiveness of Sanction Options as Reported by Defense Attorneys (N=332–339)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do Not Know or N/A	Total
Counsel and dismiss	13.0	28.6	21.1	7.8	7.8	21.7	100%
Informal supervision	16.0	45.3	24.0	7.1	4.1	3.6	100%
Community service	10.7	40.2	31.3	10.1	4.5	3.3	100%
Home on probation	10.4	41.8	31.6	10.4	3.0	2.7	100%
Electronic monitoring	11.8	39.2	23.3	12.1	3.2	10.3	100%
Placement	0.9	19.2	33.6	30.4	12.1	3.8	100%
Camps and ranches	3.3	21.0	28.1	24.0	15.7	8.0	100%
DJJ	0.9	5.0	11.8	14.2	59.8	8.3	100%

Table 45
Satisfaction With Restitution Collection as Reported by Defense Attorneys (N= 333)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do Not Know or N/A	Total
	2.1	9.9	36.6	15.0	7.8	28.5	100%

Table 46
Satisfaction With the Effectiveness of Services as Reported by Defense Attorneys (N=333–339)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do Not Know or N/A	Total
Outpatient substance abuse programs	3.0	22.8	27.3	23.4	12.6	10.8	100%
Drug testing	5.0	32.8	39.3	13.6	4.1	5.0	100%
Mental health services	0.6	9.2	18.0	33.4	32.2	6.5	100%
Independent living programs	1.5	11.5	21.0	25.4	17.2	23.4	100%
Anger management programs	1.2	22.9	35.7	21.1	9.8	9.2	100%
After-school programs	1.2	10.9	22.1	26.3	15.6	23.9	100%
Parent education programs	0.9	10.7	22.6	29.2	18.2	18.5	100%
Wraparound programs	5.1	18.6	21.6	14.4	10.8	29.4	100%
Community centers	1.2	11.6	23.5	17.6	14.0	32.1	100%

Table 47
Satisfaction With the Effectiveness of Drug Court

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Prosecutor satisfaction (N=172)	8.7	28.5	12.2	7.0	4.1	39.5	100%
Defense attorney satisfaction (N=339)	10.6	26.8	13.9	10.0	4.4	34.2	100%

Table 48
Satisfaction With Various Issues When in Court as Reported by Prosecutors (N=171–172)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Don't Know or N/A	Total
Weight given by court to my arguments	16.4	42.1	17.0	19.9	4.1	0.6	100%
Probation officers' handling of cases	12.2	41.9	22.7	18.6	4.1	0.6	100%
Defense attorneys' handling of cases	4.7	38.6	32.2	19.3	5.3	0.0	100%
How you are treated by court	30.2	40.7	19.2	7.0	2.3	0.6	100%
How you are treated by probation	38.6	42.1	14.0	3.5	1.2	0.6	100%
How you are treated by defense attorneys	21.5	49.4	22.1	5.8	1.2	0.0	100%

Table 49
Satisfaction With Various Issues When in Court as Reported by Defense Attorneys (N=337–342)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Do Not Know or N/A	Total
Weight given by court to my arguments	9.5	45.7	26.4	15.7	2.4	0.3	100%
Probation officers' handling of cases	4.2	31.8	28.8	27.0	8.0	0.3	100%
Prosecutors' handling of cases	4.7	31.5	30.3	22.8	10.4	0.3	100%
How you are treated by court	33.8	44.1	13.5	5.0	3.2	0.3	100%
How you are treated by probation	22.6	46.6	19.9	7.9	2.3	0.6	100%
How you are treated by prosecutors	22.8	48.8	20.2	5.3	1.8	0.9	100%

Table 50
Information That Is Conveyed Well to Youth as Reported by Defense Attorneys (N=338)

	Count	Percent
Possible outcomes	268	78.4
Youth's responsibilities while on probation	267	78.1
Ramifications of a plea	262	76.6
What to expect at court hearings	219	64.0
The general court process	204	59.6
Financial obligations	132	38.6
Record sealing	127	37.1
Process for paying restitution	108	31.6
Did not check any	23	6.7

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 51
Information That Is Conveyed Well to Parents as Reported by Defense Attorneys (N=342)

	Count	Percent
Possible outcomes	233	68.9
Youth's responsibilities while on probation	231	68.3
Ramifications of a plea	201	59.5
The general court process	194	57.4
What to expect at court hearings	193	57.1
Financial obligations	149	44.1
Parent's or guardian's responsibilities while on probation	139	41.1
Process for paying restitution	122	36.1
Record sealing	98	29.0
Did not check any	39	11.5

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 52
How Rule 5.663 Changed the Way Defense Attorneys Work Postdispositionally as Reported by Defense Attorneys (N=332)

	Count	Percent
The level of postdispositional work has remained the same	164	49.4
I do more postdispositional work now	67	20.2
I am not aware of Rule 5.663	50	15.1
NA; I did not handle juvenile cases before 2004	49	14.8
I do less postdispositional work now	2	0.5
Total	332	100%

Table 53
How Often Defense Attorneys Do the Following After the Disposition Hearing as Reported by Defense Attorneys (N=333–339)

	Nearly Always, Always	Often	Sometimes	Occasionally	Never, Rarely	Total
Appear at review hearings	55.3	19.8	8.6	11.5	4.7	100%
Represent client on violation of probation hearings	60.8	18.6	11.2	6.5	2.9	100%
Represent client on new petitions	57.6	19.0	13.9	7.7	1.8	100%
Provide client with info to contact me	78.6	14.9	3.0	3.3	0.3	100%
Maintain contact with client via phone or e-mail	28.0	25.3	19.9	17.6	9.2	100%
Maintain contact with clients' probation officers	13.8	18.0	22.5	27.3	18.3	100%
Visit client	14.7	10.5	21.9	24.6	28.2	100%
Review probation conditions and treatment plan with client	55.5	20.9	7.2	9.3	7.2	100%
Keep track of plan implementation	12.6	21.3	21.6	23.4	21.0	100%
Calendar hearings to modify probation conditions or treatment plan	14.3	10.7	22.9	32.7	19.3	100%
Inform client of record sealing process	48.5	25.7	9.5	10.1	6.2	100%
Assist clients or former clients with record sealing process	16.6	13.3	16.3	21.0	32.8	100%
Advocate for clients' interests beyond the scope of the juvenile proceedings	9.2	11.6	18.4	25.2	35.6	100%

Table 54
Obstacles to Working With Clients Postdispositionally as Reported by Defense Attorneys (N=342)

	Count	Percent
Lack of time for follow-up	136	40.0
Lack of funding allocated for postdispositional period	135	39.7
Lack of other resources available for follow-up	112	32.9
There are no obstacles	80	23.5
Lack of communication of court's expectations	38	11.2
Other obstacle	38	11.2
I do not believe it is my responsibility	24	7.1
My office does not believe it is my responsibility	23	6.8
Lack of communication of my office's expectations	18	5.3
Did not check any	15	4.4

Note: Percentages may not total 100 because respondents were asked to check all that applied.

Table 55
Satisfaction With Information Obtained About Youth Given the Following Dispositions as Reported by Defense Attorneys (N=328–333)

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Not available	Total
Home on probation	9.9	41.7	31.8	8.7	3.3	4.5	100.0%
Placement	4.5	30.9	32.7	18.9	7.5	5.4	100.0%
Camps/ranches	3.3	24.0	30.3	23.1	7.8	11.4	100.0%
Foster or group homes	3.3	24.5	29.3	25.4	10.0	7.6	100.0%
CDCR, DJJ	1.8	7.3	17.4	22.3	31.4	19.8	100.0%

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CHAPTER 5

Court Users and Community Members Report

ResearchUpdate

ADMINISTRATIVE OFFICE OF THE COURTS
CENTER FOR FAMILIES, CHILDREN & THE COURTS

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Juvenile Delinquency Court Assessment: Court Users and Community Members Report

This report covers information about the Juvenile Delinquency Court Assessment (JDCA) project and focus groups conducted in 2007 with probation youth, parents of youth on probation, victims of juvenile crime, and community members. Together, these are referred to in this report as court users. Some of the key findings from these focus groups are related to the need for better communication between professionals and court users, practices that encourage more participation by court users in court processes, improved court case management to allow more individualized case processing, and consistent follow-through on system duties and responsibilities to court users.

Despite some differences among the distinctive populations of court users who participated in the focus groups, several common themes emerged across the four cohorts of focus group participants:

- Court users feel that the juvenile court is complex and challenging to understand, particularly the language that professionals use to communicate with each other in court.
- Court users would like the opportunity to address the court, state their needs, and ask questions.
- Court users singled out wait times for hearings as an important area for court improvement. They would like shorter wait times in court, fewer continuances, and more consideration for their schedules and personal time constraints when scheduling cases.
- Many court users believe that the delinquency system is primarily a case processing system, lacking both the time and the resources to address the underlying issues of the youth in court.
- Court users reported having the perception that the juvenile justice system sets youth up to fail.
- Youth generally do not understand the impact of their offenses on victims or the community. Parents, victims, and community members agreed that youth are not being provided opportunities to learn from or understand the effect that their actions have on others.
- Youth, parents, victims, and community members reported feeling frustrated about the perceived lack of follow-through in the system. Victims especially noted the lack of follow-through by professionals when seeking information, hearing notification, or restitution.

Youth, parents, victims, and community members expressed that the juvenile justice system can improve with better communication and collaboration among both professional and nonprofessional stakeholders in the juvenile court. For most participants, wanting to improve the system was the primary motivation for taking part in the research, and for most, this was the first time they had been given the opportunity to discuss their experiences and perceptions.

About the JDCA

The Judicial Council of California's Family and Juvenile Law Advisory Committee, in conjunction with the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), conducted the JDCA. The Family and Juvenile Law Advisory Committee convened a working group composed of members of the advisory committee and experts drawn from state entities and the major participants in the juvenile delinquency court: judicial officers,[1] court staff, probation officers, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross section of the state in terms of geographic location and county size. The working group helped develop the study plan, guide the research, and interpret the findings. A list of working group members can be found at the beginning of volume 1 of the *Juvenile Delinquency Court Assessment Final Report*.

The JDCA marks the first major assessment of California's delinquency courts. This assessment was designed to gather and provide information to help improve the juvenile delinquency system by making recommendations for changes in laws and rules of court; improvements in hearing management, judicial oversight, court facilities, and other aspects of court operations; caseload changes; and improvements in court services for all court users. The assessment covered the following general topics:

- Hearings and other court processes;
- Court facilities;
- Court collaboration with justice system partners;
- Service and sanction options for youth;
- Perspectives of court users, including youth, parents, victims, and community members;
- Education and training;
- Accountability; and
- Professional background and experience.

The primary mode of investigation was to communicate directly with justice partners and court users. The JDCA project conducted surveys with all juvenile judicial officers, all court administrators, a random sample of juvenile probation officers, all juvenile division prosecutors, and all court-appointed juvenile defense attorneys, including public defenders, alternate public defenders, and contract attorneys who were identified as handling cases in delinquency court.[2] The JDCA project chose six counties to study in depth to learn about issues facing delinquency courts: Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. These six counties were selected for their size and geography in order to study a range of California's local delinquency courts. Interviews were conducted in each of these study counties with the presiding judge of the juvenile court, the chief probation officer or the juvenile probation division designee, the managing or supervising juvenile deputy district attorney and public defender, and court administration staff such as the supervising juvenile court clerk, court executive officer, or manager. Focus groups were also conducted with justice partners such as probation officers, prosecutors, and defense attorneys, and with court users such as youth, parents, victims, and community members. An assessment of delinquency court

[1] "Judicial officers" refers to judges, commissioners, and referees.
[2] "Contract attorneys" refer to contract or panel conflict defenders only and does not include attorneys who contract as a public defender.

facilities across the state was also conducted as part of the JDCA project. The ultimate goal of this project was to improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system.

About the Youth, Parent, Victim, and Community Member Focus Groups

Between June and August, 2007, a consultant, working with a JDCA project cofacilitator, conducted a total of 15 focus groups: 5 with probation youth, 3 with parents of probation youth, 4 with victims of juvenile crime (or their family members), and 3 with community members. This qualitative component of the JDCA took place in the 6 study counties. Each of the focus groups was voluntary, and no attempt was made to recruit participants of any particular racial or cultural demographic. All participants except one spoke English;[3] however, for some, English was their second language.

The focus group questions were the same within each cohort group, and generally all focus groups had the opportunity to address the same issues. The topics of discussion included participants' understanding of what happens in court, levels of participation in court, perceptions of the juvenile justice system, perceptions of court professionals, opinions about youths' understanding of the impact of their crime, and ways that the system can be improved.

The use of focus groups provides an opportunity to gain an in-depth understanding of issues directly from the people who experience them. This study provides a unique perspective; many of the questions had not been asked before in the realm of the social sciences. The focus group model provided room for discussion that is often lacking in other methodologies. The detailed responses can be explored later through surveys, file reviews, or courtroom observation. This study drew on the perspectives of youth, parents, victims, and community stakeholders—groups directly affected by the outcomes of decisions made by the court and by their experience in court, yet whose perspective has been heard on only a limited basis.

This approach also has limitations that must be acknowledged. The in-depth understanding of the perspective of a relatively small sample challenges the ability to generalize results to courts and other court users outside of the sample. In addition, although researchers actively avoided interjecting bias, it is possible to inadvertently affect the focus group discussion through word choice and nonverbal responses. When identifying themes from the focus group transcripts, even researchers conscious of the potential for bias may inadvertently mine the transcripts for desirable data. Despite these limitations, the study provides important information with implications for policy, practice, and future research.

Incorporating the perspectives of court users and the community into the work of the courts can help to improve the delivery of justice. It can increase the legitimacy of court orders in the eyes of youth and their parents and improve accountability and rehabilitation. It may also help to improve the trust and confidence that the public has in the courts.

This report is structured into four sections, each focusing on the perspectives of a particular set of focus group participants: youth, parents, victims, and community members. Each group of participants discussed their understanding of what happens in court, their participation in court, their perceptions of the juvenile justice system and court professionals, and how they feel about whether the offender

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[3] The non-English-speaking participant used another focus group participant to translate for her.

understands the impact of his or her offense. Participants in all of the focus groups seemed to have similar suggestions for system improvement.

Youth's Perspectives

Fifty-eight youth participated in 5 focus groups in 4 different counties. The study sought to gain the perspectives of youth at different points of involvement in the juvenile justice system. Two focus groups were conducted with youth in custody at juvenile hall—one with male offenders and another with female offenders. The other 3 focus groups had both male and female participants, although the majority were male. One group consisted of youth involved in a juvenile drug court; another involved youth attending an alternative school program run by the county probation department. The final focus group recruited youth on probation through the probation department and community-based organizations; many of the participants in this group reported on their experience in juvenile hall, camps, and group homes. The majority of the youth in the focus groups were youth of color. Two of the 5 focus groups consisted primarily of Latino youth; in 2 other focus groups African-American youth were in the majority. One focus group was made up primarily of Caucasian youth.

Most of the findings were consistent across all 5 focus groups, with many identical themes and issues raised. There were, however, differences from one county to another on several issues. For example, the frequency of contact that youth had with their probation officer varied considerably, with some youth reporting that they saw their probation officer nearly every day and others, particularly in more urban areas, reporting that they saw their probation officer only once in the course of several months. Youth in detention reported especially low rates of contact with their probation officer.

Understanding of What Happens in Court

Each of the focus groups with youth began with a question attempting to draw out how much the youth understood of what was said in court. In all 5 focus groups, youth stated that they had little to no understanding of what happened in the courtroom.

The adjudication of a juvenile court matter is a complicated process that has developed its own unique technical language that references sections of the California Welfare and Institution Code and has particular names for stages in the juvenile court hearing process. Youth consistently indicated that the use of confusing words and numbers created a different language that no one explained to them. Some youth reported that if things were explained, it was always after the fact—decisions had already been made and it was too late for any input. Overall, youth in all focus groups reported feeling distant from their court proceedings, stating that they did not understand what was happening during their hearings. In order for them to understand what goes on in the courtroom, judicial officers and other justice partners must speak in plain language and "translate" any codes, explaining to youth and parents what is happening, as it is happening, in court.

In all 5 focus groups, youth were also asked who had helped them understand the court process. The people who helped varied by focus group and county but included the public defender or private attorney, community-based program staff, staff at juvenile hall, and peers or older siblings who had some prior experience with court.

When youth were asked where they turned when they had questions, participants in multiple focus groups reported feeling as though there really was nowhere to get answers; they felt that they could not ask questions and that they were forced to learn about the court and what to expect on their own.

Several youth reported that they went to the Internet. A minority of participants felt that they could ask the public defender. One incarcerated youth reported that the counselors in juvenile hall and staff from community-based programs who came to juvenile hall to provide services were good resources.

Participation in Court

Youth were asked about their participation in court and about the factors that encouraged or discouraged participation. The youth in the focus group consisting of drug court participants reported that more experienced peers encouraged youth new to the drug court to participate in court. Youth generally reported that they wanted to participate and to have a voice in their hearings but felt that they were not allowed to speak. One of the factors that discouraged youth from participating was the feeling that decisions about them had been made before court began and that their input would not matter. Youth reported generally feeling that they were not given any options, and several mentioned that their attorney specifically told them not to speak.[4] Youth want to provide input both at their court hearing and in their probation terms and conditions. In general, they want a chance to speak and be heard, and they want defense attorneys who listen.

A majority of youth reported that they verbally agreed to things they did not understand and signed papers they did not understand. They gave 4 primary reasons or explanations for doing so: (1) Some youth believed that the charges were accurate even though they did not understand them. (2) Several reported that they were not given enough time to read the documents they were expected to sign; some said they later discovered that charges had been added that they did not know about. (3) A number of youth went along with their attorney's recommendation to admit to charges that may not have appropriately characterized their actions without understanding the reasoning behind the recommendation. (4) Some youth admitted to the charges before them just so they could have the immediate reward of going home. This last explanation came up in all 5 focus groups.

Youth also reported having to wait outside the courtroom for long periods of time. For their sake as well as their parents' sake, youth want hearings to take place soon after they are required to be there. They recognize that their parents miss work and risk losing their jobs in order to attend their hearings, and then must wait to be called into the courtroom.

Perceptions About Court Professionals

When youth were asked about specific professionals they encountered, the discussion focused on the lack of recognition that they felt the professionals gave them for positive choices, job security of juvenile justice professionals, and the feeling that the probation department being designed for youth to fail. Some youth expressed a desire to have more of a personal connection with the professionals who are working with them.

Youth repeatedly expressed their desire for opportunities to address the court and their judge. They stated that they want judges to understand where they are coming from and who they are but indicated that these opportunities are rare. Youth reported that judges did not make an effort to get to know them and remembered feeling as though judges relied only on the reports put before them. As one youth mentioned, "He [the probation officer] said [that] whatever he recommends the judge is going to do."

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[4] Youth may not fully understand that their attorneys have reasons for asking them not to speak (such as concerns about incriminating statements).

They do not want to be identified only by what they did or by what is in their probation reports. Another youth stated, “The judge should let us have a chance to talk.”

When probed, a number of youth recalled positive things coming up in court, such as good grades, internships, and other programs in which they were involved. Remembering the times when the focus was on their poor choices, mistakes, and risk factors, however, overshadowed these memories.

Youth have far more interaction with their probation officer than with the court. Although some youth reported having good relationships with their probation officers, the overwhelming sentiment was that probation officers focus on failure and bad news. One youth remembered his probation officer telling him, “You could do good for two months straight and then that one day that you mess up, that’s goin’ to blow everything in the two months that you did good.” Although the probation officer in this example might have been trying to deter the youth from making a poor decision, the message this youth heard was that the court and probation focus on the bad rather than the good. The sentiment that there is no point in being good was reiterated and affirmed by other youth in the group: “So that’s why it’s best to just do nothin’. You just coast. Don’t do nothin’ bad, don’t do nothin’ good.”

In addition to expressing a general feeling that court professionals focus more on the negative, some youth felt that it goes even further. “Sometimes they test you, and they seem like they want to bring out the bad part in you,” one stated. Participants in another focus group linked the appearance that probation wished them to fail to job security:

> It’s like they set you up to fail, or try and keep you on probation so they can keep their job. Without us they haven’t got a job. I know it’s not like that, but it’s what it seems like to us, you know?

Underlying youth’s sense that probation sets them up to fail is the feeling of being misunderstood by having been defined by only their mistakes and not by their successes. They reported feeling as though they are being told who they are rather than asked who they are. One participant stated, “They don’t ask; they tell you what you’re doing. You know what I’m saying? And I don’t like that.” Mimicking her probation officer—“you were doing this, you were doing that”—this youth went on to say that half of what was in the probation report was not accurate. She reported that even her birthday was wrong—yet correcting the information had its own obstacles. “They just think they just know everything, and they don’t. And when you do tell them [that something in the report is wrong], you’re being disrespectful.”

Youth in one focus group even felt as though probation officers deliberately try to confuse them. One youth stated that her probation officer “likes to come up here and torment me, make me think things that are not true, trying to get me confused about [my] case.” Youth in other focus groups reported that probation officers did not inform youth of their recommendations for their cases. Some reported that they were surprised by what happened once they got to court and believed that their probation officer had told them things that were different from what was in the report submitted to the court.

Some youth also talked about assumptions that probation officers made about their families. One youth talked about an experience with her probation officer who compared her own family life to that of the youth she was supervising, saying, “You’re just like me; my mother was a crackhead.” The young woman said she wanted to tell her probation officer, “Check this out: I ain’t from no projects, my mom and my daddy is there for me. Unfortunately, yeah, some people don’t have any parents, but I do, and it’s like I got my grandma, I got more than just them. I got more.”

Youth also discussed their perceptions of the attorneys. Youth in multiple focus groups commented that, in their view, the prosecutor runs the courtroom, having more control than the judge. Further, youth in one county felt as though the public defender just goes along with the deputy district attorney. In some counties, the youth believe that the public defender provides more effective representation than a private attorney. Alternatively, in one county, youth reported that the public defender seemed inexperienced and not very committed to their cases; they felt that a private attorney would have been more committed and more experienced. In other study counties, youth reported having disappointing experiences with private attorneys.

Perceptions About the Juvenile Justice System

Surfacing in all 5 focus groups was the belief that the juvenile justice system exists to generate money for itself and to ensure job security for the professionals working in it—judges, attorneys, and probation officers—and in other services such as group homes. In their discussions, youth paid attention to money and the costs of services such as detention, probation, court, and group homes. In talking about group homes and other out-of-home placements, one youth identified the services provided as helpful—such as counseling for psychological issues and drug rehabilitation—but also stated that youth should not have to go to a group home to receive such counseling. She said, "You ought to be at home. I can go home and take those classes. My family's fine. I don't have a corrupt family. And [the court is] paying for this extra stuff."

Youth spent a fair amount of time discussing group homes and out-of-home placements. They admitted that some of the services provided by out-of-home placements were beneficial but felt that almost all of these services and resources could be delivered while they were living with their families. They see out-of-home placement as a punishment that is counterproductive if the family is functioning and stable. They also reported wanting more resources, such as programs that can help them find jobs and living arrangements.

Many also believe that the system as a whole is designed for youth to fail. This belief was woven throughout the discussions in all focus groups with youth. One example of a tactic that youth see as leading to failure involves being threatened with harsh punishments or other placement such as the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (DJJ). Youth reported feeling as though they need to prepare themselves for DJJ by getting ready to protect themselves. One youth stated,

> You're going to have to defend yourself in there to survive. . . . They tell you, 'Oh we don't want you to be around gangs,' but they're putting you with a group of gang members, and you're going to be in there for like two or three years. And then they're talking about 'We want the best for you.' They don't want the best."

In another example, some youth in detention recalled examples of staff placing youth across the table from rival gang members or someone they were known not to get along with and then directing them to talk and interact with that person, threatening to drop their program level if they do not do so. In addition, youth believe that group homes for delinquent youth only encourage them to go deeper into the system. Some stated that probation officers place youth in group homes knowing that they will eventually run away and get caught.

A few youth were able to look beyond the system or the professionals as sources of blame but still focused on external factors for their problems with the law. In one focus group, participants agreed

with a youth's statement that "trouble seems to find you." Some youth identified getting into trouble as a habit and an attraction and alluded to the challenges they have in following the law, but once someone mentioned that the system is a setup for failure, multiple youth agreed.

A statement by another youth covered a few themes, but in the end she seemed to conclude that the purpose of the juvenile court system is just to process cases and that the consequences and court orders seem arbitrary:

> I guess it's [the juvenile court system] for the bad kids, as they call it, but it's also to help you do the right thing, and it lets you see . . . the road that you're going down—if you just keep coming back. But they don't technically always do their job, because sometimes they just call the case, they don't even ask you what's up, they just be, like, okay we'll do this, going to give this to her, she going to be on 6 months probation, a year probation, and you're just sitting here . . . for what? And they give you this just so you can just get the hell out of their face, and your case will be done, and they get another case. And I just be like, dang, why? I swear that's what it is.

The perception that judicial consequences are arbitrary and inconsistent also surfaced in other youth focus groups. In one, youth were specifically asked if they felt sentences were consistent. "No, heck no" was the response from the group. "They have different expectations for everyone. That's what the PO told me straight up; he was like 'I have different expectations for everyone. What happens to one person won't necessarily happen to another.' . . . And that's not right." When participants were asked if they understood why people might be treated differently, one youth responded that it might be things like the charges or the youth's attitude, but most youth did not respond. Although youth stated their desire for uniformity in expectations and consequences, they also expressed a desire for the court to look at them and their offenses, families, and personal issues individually. On one hand, youth want uniformity, which they equate with fairness; on the other, they clearly want to be seen as individuals. They also want to be better understood.

Understanding of the Impact of Crime

Just as important to the findings are areas where attempts at discussion failed. Youth were essentially silent on their understanding of how their offenses had affected victims or the community. In the first focus group, the facilitators asked youth during the first half of the discussion whether they understood the impact their offenses had on others. Even with probing, there were few responses, and the facilitators assumed that the group did not have enough time to warm up to the difficult topic of victim impact and having empathy for others. In subsequent focus groups, the questions were not asked until the latter half of the discussion in the hope that youth would feel more comfortable talking about this topic. Repositioning the questions had little effect, however. Youth were not able to express any understanding of the impact their offenses had on their victims. The youth in one focus group identified their primary responsibility to victims as making sure it does not happen again. Youth also did not seem to think much about the impact that crime has on the overall community. Their focus was on themselves and their families. In-custody youth talked of the hardship and disappointment that being in custody had caused their families, particularly their younger siblings. Discussions of the impact on the family were common. Some youth better recognized the hardship they had caused their own families after they heard the stories from other youth in the group.

Youth did express a desire to have more opportunities to learn from their mistakes. This was particularly true of youth in juvenile hall. It was also clear that many of them do not feel that they are a threat to anyone's safety.

Parents' Perspective

Focus groups with parents of youth involved in the juvenile court were conducted in 3 counties with a total of 36 participants. The largest focus group had 19 participants. The majority of participants in this group were Latino and African American. One Asian-Pacific Island couple participated in the largest focus group. The smallest focus group consisted of only 6 participants, primarily Caucasian parents and grandparents. Latino participants in the 2 smaller groups made up about one-third of each group. Focus groups also included grandparents and other close relatives of youth who were on probation. One Latina mother did not speak English, and she participated by using another Spanish-speaking parent to translate. There was little variation in the feelings of participants across the 3 focus groups. The majority felt left out of the juvenile court process and unsupported in their desire to understand the events that took place in their child's case.

Understanding of What Happens in Court

Like the focus groups with youth, each parent focus group began with a discussion of how much the participants understood in court. In the 3 parent focus groups, parents stated that, like youth, they had little to no understanding of what happened in the courtroom. Parents in 2 focus groups reported feeling that their children actually knew more than they did about what went on in the courtroom. One parent commented,

> It seems like a lot of times she has more information about what's going to happen than I do . . . because they talk to the other kids, they already know what's going to happen, and they seem to be more accurate.

Parents reported receiving minimal to no help in understanding the process—what was said and what was decided—and feeling as though the court hearings were so short and so rushed that they had trouble keeping up with the information presented to the court. As a result, parents felt disempowered. When asked if there was anyone who helped them understand, parents consistently answered "no." Parents in one focus group stated that they had a "wonderful judge," but even with a judicial officer who made a concerted effort to explain matters, they found the process overwhelming and confusing.

Parents want someone to explain the process and what is happening in court. When asked who would be the best person to help, answers ranged from attorneys and probation—entities that currently provide some level of information to parents—to a specially assigned advocate who would help parents understand what was happening, answer questions, and provide an appropriate means for parents to be involved with their child's case.

Parents also stated that the language was foreign to them and that no one explained it:

> It's all talk in code, you know, we don't know what's going on. It's funny, when court gets out that guy walks out that way, our kids either go in there or come home, and we're none the wiser to what really happened.

Along with more education, parents feel that efforts should be made to simplify the language used in court so that parents and youth can better understand for themselves what is happening.

Comprehension is further complicated when English is not the parents' first language. A Spanish speaker in one focus group reported through another parent who translated that when in court the interpreter asked only the parent's name and whether she was related to the minor; that was the only information exchanged with the court. The mother reported that the interpreter spoke very quickly, summarizing what was being said in the court with no time for any questions. After the hearing, her son explained the little bit that he understood. The mother recognized, however, that the youth's account was not necessarily the most accurate report of what happened. Another parent described communication problems with the probation officer, who spoke only English. Although non-English speakers without an adequate court interpreter are at a clear disadvantage in terms of understanding a hearing, English speakers indicated that they did not understand the proceedings much better.

Even though parents in the aggregate reported little to no understanding of what happened due to the complicated nature of the process and proceedings, a variety of efforts were recognized as attempts to help court users understand the juvenile court. According to parents, these attempts, such as flyers and pamphlets, helped only a little. One parent reported that a video explaining the court process that was running outside the courtroom demonstrated a desire on the part of the courts to aid court users in understanding the process. That was of limited utility to the parent, though, because she was in need of information specific to her child's case.

Parents, like their children, did not feel as though they had the resources to clear up their confusion or get their many questions answered. They reported that they often felt so in the dark that they did not even know the right questions to ask. Some parents said that they went to the Internet to learn more about juvenile court. Parents in different focus groups commented on the challenge of getting questions answered. In the words of one, "Do we go to our attorney on this? Do we ask probation? They scare us—do we ask them?"

Even when a judicial officer asked if they had any questions, parents expressed a reluctance to speak up. One parent commented,

> Do you actually stand up in the court when the judge says, 'Do you have any questions?' and you're like, wow, do I cut my losses now, or do I ask the question? We all have questions when he asks us. Few are brave enough to ask him. I'm usually stupid enough to do it.

Parents gave the impression that they felt the question by the judge was rhetorical; from their perspective, the judge did not really want parents to ask, and whoever was on the bench was not really interested in answering. Although no parents reported any negative consequences as a result of asking a question, parents said they felt as though they might be perceived as rebellious or disrespectful by asking the judge a question. Another parent in a different focus group responded similarly: "'Do you have any questions?' It's like A to Z, yeah, you know, tell us why and what and how and when, and that kind of stuff." Another parent said, "I felt like 'Do you have any questions?' was the wrong question. What I wanted to hear was 'Do you have any comments?'" Parents feel as though they have few resources available to gain clarity and that there are few avenues to provide input and feedback.

Participation in Court

According to parents, the court experience was not a positive one. Parents found it generally difficult to identify avenues for participating in their child's court process. It was clear that some parents did not realize that in delinquency proceedings the attorney represents the youth, not the parent. Even when

the roles were explained, parents expressed frustration because they recognized that their children are still, in fact, children, and could benefit from their involvement. One of the main things parents want is for their children to be treated like children and for the court to allow parents to play a more active role in their child's experience with court and probation. In general, parents want more communication with the court before, during, and after hearings.

Parents often reported feeling confused about why their child's attorney did not necessarily go along with their decisions and were surprised to learn that the defense attorney represented their child exclusively. Some parents indicated that they felt left out of their child's case since they were not included in decision making. One parent stated, "The public defender represented our son and he wasn't really going to share anything with us." Parents felt that the dynamic among the parent, the child, and the child's attorney created barriers to maintaining their parental role. One parent who had a better relationship with her son's attorney than most of the parents in the focus group explained that, as a parent,

> You're really not allowed to participate. You're not allowed into the process. The only reason we got involved is, in our case, because our public defender, our lawyer allowed us, he would sit with us. But once your son is taken into custody, that's it, you're not [involved]—our attorney represented our son. They're supposed to be in the juvenile system at that point, but it's like they're an adult. I mean, that's it, you don't see them, you can't; they're not your child anymore.

Although a few parents did describe being asked about dispositional options for their son or daughter by the probation officer or the judicial officer, the majority felt that they were not consulted regarding decisions made in court on behalf of their child. Parents stated that they want an opportunity to present information on what they see as their child's nature, strengths, and challenges. They want to be able to give the court what they feel would be a more balanced perspective. A number of parents reported making failed attempts to bring in others from the community and their church to provide the court with more background information. Parents understand that their children are attracted to immediate gratification (such as being released from custody and returned home), and although the defense attorney represents only the youth, they expressed a desire to be consulted in any plea bargain options presented to their child. Parents would like to collaborate both with their child's attorney and with the probation officer to advocate for their child's best interest.

A major barrier to parent participation is schedule conflicts between work and court hearings. Most parents reported that the judicial officer did not ask if hearings conflicted with the parents' work schedules. One parent explained the conflict between juggling work, raising her children, and making time for court hearings:

> The reason we have kids in trouble is because we're struggling, too. If you had everything all perfect in your house, maybe your kids wouldn't have some hard times. I had two jobs. I'm a teacher. I'm not somebody that doesn't take care of my kids. I have seven districts that trust me with their children; I'm not a bad mom. But my kids get in trouble because I'm gone all the time, and because [they] have a deadbeat dad. I would like the option to be able to come to court at a time so I don't lose my job.

This parent went on to describe a snowball effect that results from having to spend long periods of time at court during working hours. She said that when a parent must miss work to attend court for extended

and often unknown amounts of time, it creates the risk of losing a job, which increases stress in the household. She expressed the fear that the increased household stress could trigger drug use for her son. From her perspective, the courts don't see the big picture. "The courts just go, too bad; you're a bad mom because you're not in court."

Parents also feel as though they waste a lot of time waiting for their child's case to be called. Once it is called, they feel as though they are not able to participate, advocate, or represent their child. They also feel that their child is being judged before the hearing even begins. One parent stated,

> It's horrible, because you never have the chance to defend your son. It's all going on between the DA and the public defender, and they're just going back and forth. . . . You don't get to present anything, you don't get to say, 'Hey, well look at this' and then make the decision. No, it's all made on the assumption that you're guilty until proven innocent; there's no such thing as innocent until proven guilty.

Parents stated that they felt punished for not showing up to court. All of the parents in each focus group attended most of their child's hearings. Many expressed frustration at the expectation that they should sit and wait hours for a 5-minute hearing, and they were especially aggravated if they received a court order forcing them to do so. One parent commented, "If you don't come, you get threatened that you're going to be locked up."[5] A number of parents shared similar experiences. Another parent reported that after going to court with her daughter she could not make the next hearing because of work. The court responded with a court order saying the parent must attend.

A factor that can complicate participation by parents is the failure of some courts to notify them of hearings. Parents collectively reported inconsistencies in notification, even within the same counties. Although some parents did receive formal notification of court hearings, most recalled receiving it informally from the probation officer. Many parents stated that they could not recall being notified of their child's hearings and said that they had to ask the probation officer when they should expect to be in court.

Several parents reported having experiences with professionals who did encourage their participation. Some also reported that they had taken the opportunity to ask questions and as a result felt more a part of the process. Probation officers who involved parents from the beginning and throughout a youth's probation period improved satisfaction among parents. Parents found it comforting when a probation officer asked their opinion about what should happen to their child during the initial interview and indicated that this got the court experience started on a positive and productive course. A proactive and communicative probation officer seems to make a big difference for parents, encouraging their involvement and increasing their understanding of their child's case.

Perceptions About Court Professionals

The question about the purpose of the juvenile court led, in all focus groups, to a discussion of the professionals who work in the juvenile justice system—primarily judicial officers, probation officers, district attorneys, and public defenders. The views expressed varied greatly, with some parents stating that they did not think anyone in the system was acting maliciously and others who seemed to believe

[5] It was not clear whether this parent was threatened in some specific way or whether someone in the court made a reference to potential consequences. Regardless, parents cannot be "locked up" for not attending their child's hearing.

that the system as a whole was not acting in the best interest of their child. Comments such as, “You can’t even trust anybody,” received affirmation from members in the group.

Although there were examples of helpful probation officers, the general feeling among parents in the focus groups was that probation is primarily punitive; they feel that probation officers don’t really try to help and are not on the same side as parents. A number of references were made to inaccuracies in probation reports and the effect that misinformation had on some youth. One parent gave an example:

> Well, my experience with ours was very bad. We only saw him twice, then when he sent the report to court there was nothing in there but lies. He had the wrong school—my son never even attended that school. He had a thing there that my son had hit me and he was arrested for beating me up, which never happened. . . . They still transferred him to adult court, and there was nothing [right], not even the school. He had no information right in that report but his name and his date of birth—that was it; everything else that was there was lies.

Attorneys on both sides play important roles, and parents had strong, varying opinions regarding the impact they had on their child’s experience in court. One parent shared personal observations based on his son’s experience in court:

> You know, we were in court for about 10 months, and we got to observe a lot of the public defenders, and I think the one thing I noticed about them is they look exhausted. They’re carrying files like one file after another, and the DAs look like they’re all fresh and just walking out of the shower when they come in. The public defenders—they’re just overtaxed, overburdened, and I think it’s just overwhelming for them and that’s why they’re having a hard time defending the kids because their workload is just extreme. That’s how it appeared to us.

Other parents echoed this perspective that the public defender is overburdened and the deputy district attorney has control of the courtroom. Another parent said, “It seems like the DA has all the power—even above the judge.” Given this perception, parents reporting feeling frustrated in seeing the prosecutor ignoring positive information about their child. Some parents stated that the district attorney did not really care about their child’s character or about his or her performance in school or participation in community programs. Others commented that they felt as though the prosecutor dismissed facts that could have added an element of doubt to their child’s case. Parents stated that it seemed as though the district attorney viewed the juvenile court as the playing field for a game and the goal was to try to get the most punitive sanctions possible, irrespective of the evidence or the child’s character. Parents also reported that the prosecutor used the threat of charging a youth as an adult as a bargaining tool.

Parents cited specific examples of individual professionals who kept them informed of what was happening in court. Among those receiving praise were a defense attorney who took time to explain things and a probation officer who clarified what was expected while on probation. One parent said that her son’s attorney took time to ensure that she was kept aware of what was happening, but she admitted that the picture was still not completely clear. Another parent stated that the probation officer helped her understand the terms and conditions of her child’s probation, but that the court process remained confusing:

> I don't understand what's going on in court, but I make sure I follow those rules that [were] given by her probation officer, like about 20 things that she needs to do. So that's the only thing I understand. I don't understand the court, but I know she's going to be there on her court date.

This enabled her to assist the probation officer in holding her daughter to the terms of her probation.

At one point, after participants in one of the larger focus groups expressed frustration with probation officers, one parent offered a very different experience with her son's probation officer and public defender:

> I didn't have any problems. His probation officer and I have a really good relationship and talk all the time. And his public defender, we spoke all the time. So I mean it went well for me; I didn't have the experience that you guys had. It went pretty well.

Parents reported that it was the fact that individuals took the time to explain things to them that helped them understand. Some parents discussed specific instances in which a public defender or a probation officer made an effort to talk to them.

Perceptions About the Juvenile Justice System

Parents were asked what they thought was the purpose or intention of the juvenile court in their county. Although discussions in each focus group on this topic took many different directions, some common themes arose in all of the focus groups. Parents believe that the court tries to help youth and to have a positive impact on the youths' lives, but they also feel that the focus of the court is on punishing youth. In addition, parents think that the intention of the juvenile court and the juvenile justice system is to make money and that the purpose of the court has turned from addressing problems to processing cases. They feel that neither the court nor the professionals working within it appear to be interested in the root of the problem. Some parents noted a need for more services for youth, particularly in rural areas. Others focused specifically on the need for services that would help their particular situation or child. Some parents also reported on the helpfulness and importance of services such as parenting classes. Several parents mentioned the benefits of classes and counseling in which the parent and child get together to explore what is going on and ways to work on doing things in a better way.

A few parents in the focus groups reported that they went to probation to seek help for their child, thinking that probation would assist them in establishing some discipline or would connect them to substance abuse and mental health services. One parent reported that after asking for help following her son's overdose, her call for help was used against her. She reported feeling that, as a result of asking for help, she has become disconnected from what is happening with her son's situation and less able to make supportive decisions for her son. She reported that when she asks the attorney questions, he replies, "Oh don't worry about it. I'll see you next week in court." This parent said, "I went to them and asked them for help; they said we're going to get help. . . . They stuck him in a group home." The parent's idea of help for her 15-year-old son, who is addicted to drugs, "was to get him actual alcohol and drug treatment. And that isn't what's happened. He's been in the system locked up for four months with no counseling, no treatment, nothing at all." She reported feeling shut out of the process despite the fact that she was the one who initiated contact with probation.

Parents reported feeling like criminals because their role in their child's case is restricted; this feels like a punishment to them. They also feel that their children's involvement in the juvenile court makes

them feels as though their ability to parent is being questioned. One parent, talking about feeling blamed for her child's behavior, stated that when the court takes over, "it certainly does no better job with them, because the kids get out worse than [they were] in the first place."

Some parents expressed a desire for court orders and stated consequences to be enforced consistently. Parents indicated that it is difficult to hold their child to the terms of probation or to remind him or her of the consequences mentioned either in court or by the probation officer because their child knows that many of these threatened sanctions or placements will not be imposed. Parents see this as a large problem. Youth begin to believe that they can get away with not following the terms of their probation and with committing minor offenses. Then, seemingly all of a sudden, they may unknowingly cross a line and be severely punished. In the eyes of parents (and youth), creating a belief that misbehavior will be tolerated, only to reverse positions and mete out punishment creates an image of a justice system that is designed for youth to fail.

The lack of understanding, the feeling of oppression, and the perceived ineffectiveness of the court's intervention create a sentiment that the purpose of the system is to make money and maintain job security. Parents questioned the use of the money received from both public taxes and the bills and fines that they pay. They do not understand where the money goes. Parents that had or have a youth in juvenile hall reported being shocked when they received a bill for their child's time spent there.[6]

Most parents reported having a dismal view of the juvenile justice system. They believe that the system is in over its head and that it is just trying to get people in and out and process one case so it can move on to the next. Some don't see any real rehabilitation or punishment happening, and they don't see any problems being fixed for the offender, the victim, or the community. Some parents reported that after a couple of days their children don't really mind juvenile hall.

Understanding of the Impact of Crime

Parents generally feel that youth do not understand the impact that their crime had on others. Some parents stated that they believe the youth's normal stage of development is the reason for their child's lack of empathy; others cited punishments imposed on the youth that they believe were too harsh:

> When the punishment is so out of step with what they have committed, it's hard to feel empathy for others because you're just feeling so oppressed by what you're going through. It's like, why am I going through this, I didn't do this, why is the system treating me this way? It's hard to get to that point where you feel empathy for others. And then if you were involved in any way [with] a victim it's almost impossible to get to the point where you're feeling for the victim because you feel a victim yourself.

Overall, parents generally do not think their children have much understanding of the impact that the situation had on their victim(s), their family, or the community at large. Other parents feel as though their child does recognize the impact to some degree, but that the juvenile justice system does not create opportunities for youth to understand the impact of their decisions. One parent said that it was the judge who helped her son understand by explaining the impact the crime might have had on the victim, who was a neighbor and known to the youth.

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[6] Cal. Welf. & Inst. Code § 900 et seq. deal with the financial support of wards and the liability of parents and guardians for the costs of housing, supervision, legal representation, and other support costs.

In 2 of the 3 focus groups, parents thought that a dialogue between the victim and offender would be beneficial to both the victim and their child, even though no one reported having actually participated in such a dialogue. Parents recognized a need for their children to understand what the victim was going through as a result of the child's offense, and also believed that it would help the victim understand more about what happened.

Some parents believe that many of the youth in juvenile hall are innocent of the crimes of which they were convicted. They believe these youth are incarcerated because they refused to "snitch" on their friends; they would rather do the time than face the social and in some cases physical consequences of doing something that is perceived by their friends as cooperating with law enforcement. One parent stated,

> They're not going to snitch on their friends; that's kids. I'm keeping it real: whether your kids tell you or not, they are not going to tell on their [friend]—especially a boy. "I'm not telling on him, I don't care, I'll do two months, three months in jail."

Victims' Perspective

A goal of the JDCA project was to explore what would make the experience better for victims of crime. Focus groups with victims proved to be a challenge in terms of recruiting participants. Individuals who had been victimized by crime committed by youth were sought through contacts at state agencies, county agencies, and community-based victim/witness services in 4 counties. This cohort included both victims and, in 2 focus groups, victim advocates whose work focused on crimes committed by youth. A total of 15 participants took part in the 4 focus groups, with group sizes ranging from 6 participants to one group with only 3 participants—1 victim and 2 victim advocates. Across all focus groups, participants were split nearly equally between male and female. Compared to the demographics of victims in the state, the study drew a disproportionate number of Caucasian participants.

Participants in most of the focus groups indicated that they felt generally frustrated with their experience in juvenile court and the juvenile justice system. Despite the small number of participants, information obtained was consistent across 3 of the focus groups. One group proved to be an anomaly. The 6 participants from this county all reported having superior service and satisfaction. The findings from this focus group demonstrate ways to better serve this population.

A number of the victims reported being very surprised to have been contacted to participate in the research. Some said it was the first time anyone from "the system" had actually called them, and they were impressed that the organizations that recruited them did so, knowing that they would have many criticisms. "This is the first time we really had a chance to talk about it or discuss these things," one said. Yet, with this opportunity to share their experiences and opinions also came another time commitment. Victims who participated stated that they spent so much time preparing paperwork and waiting for the case to be heard, which they ended up feeling was wasted, that they understood why turnout for the focus groups was low.

Understanding of What Happens in Court

When victims receive the necessary information enabling them to attend court, there is still the hurdle of understanding what happens while there. Once again, participants reported that little help is available for a layperson to understand what happens in court. One woman stated that her knowledge

came from watching the crime drama *Law & Order* on TV. Others reported that access to friends who are professionals in the system provided some assistance and helped them understand what had happened. The victims in one county felt differently because their advocate explained the process, helping them manage their expectations and feel less isolated.

Victim focus groups began with questions about their general understanding of what happened in court. Many victims responded by highlighting communication problems that prevented or discouraged them from even participating in court. Most victims in the focus groups reported receiving limited information about their offender's case despite the rights afforded to them by California law.[7] Many of the victims who actively pursued the information themselves found it challenging to get any response from the people they contacted. According to many, victim services or the deputy district attorney assigned to their case never contacted them. A number of the victims were surprised that a victim services office or advocate even existed. When asked if anyone from the district attorney's office had contacted them, one participant said, "There was no information from anybody. So it would be nice to have that sense that there is somebody who's going to be an advocate and dispense information." An advocate working at the state level in the final focus group with this cohort confirmed what had been expressed in other focus groups: "Most of the crime victims that I have worked with never had a victim advocate from the district attorney's office." Since no one contacted most victims, one of the primary issues that surfaced was that victims did not know where to turn or whom to contact. Some felt as though the appropriate person for a victim to contact was always changing as the offender moved from one stage in the system to another. In the words of one participant,

> I don't know the system at all. So I don't even know the roles that these people play in the system. I mean, I certainly can figure out that a probation officer has to do with probation. But in terms of much past that, I wouldn't know. So if I get a form letter that has a name on there, I think that's who I call. . . . They say no, now they're in a different part of the system. . . . Every step of the way there's somebody different. There's somebody who checks them in. . . .Then it's somebody different who's going to do the other processing. . . . You can't get information and you don't know who you can go to for information because they're always being handed off to somebody else.

Many victims reported not being notified of any of the hearings. Participants repeatedly stated that they had initiated all contact that led to any notification of hearing dates. Victims reported having to ask when the hearings were going to take place even after they had requested notification. One participant said, "If you didn't, you'd never hear."

The probation department was uniformly described as unhelpful. Many of the participants reported being angry and feeling as though more rights were afforded to the perpetrator than to them. Some participants attributed their challenges to perceived incompetence on the part of probation. Others felt that the people they dealt with were very nice but unhelpful—their hands were tied. The belief that the system exists for job security and money surfaced with victims, just as it did with parents and youth. One stated,

[7] See Cal. Pen. Code § 679.02 and Cal. Welf. & Inst. Code §§ 656.2 and 676.5.

> Well, every time I deal with the probation department, it's like no one knows nothing; they can't enforce anything and they have no answers for you. It's like they just want to be a high-priced babysitter and take the money and run.

Victims of crime almost uniformly reported challenges in getting basic information about their offender's case.

In sharp contrast, the participants in the fourth focus group felt differently and credited their relative satisfaction to the outstanding work of their victim advocate. Victims reported that a victim advocate contacted each of them by phone or letter after being notified of the crime and offered herself as a reliable contact for information, notification, and support. Victims stated that they were informed of their rights and information about the case, and they were notified of all court dates and what they should expect to happen. Having one person to contact who was able to give them information about their cases was said to be useful.

Participation in Court

When participants who were actively involved in their offender's hearings were asked what encouraged them to continue participating in the juvenile justice process, most victims mentioned internal motivation. One victim said that his initiative came from feeling as though the professionals were not doing their job; he wanted the offender to understand how the crime had affected him and wanted him to be held accountable so others would not be victimized. External factors that encouraged involvement were limited in the counties that did not have active victim advocacy. Some victims mentioned that being asked about convenient court dates encouraged them to continue being involved. In most of the focus groups, victims reported that the opportunity to make an impact statement in court provided motivation to participate. In one county, however, participants reported that they were never offered this opportunity. Speaking on the value of the victim impact statement, one victim explained,

> It feels good to have a voice, or to have a say-so, or at least to have somebody have some sort of an idea that this person isn't just a name flowing on a docket. It's not just a number coming through on a hearing. This has impacted somebody in some fashion.

Although the primary motivation to become involved seemed to be internal, one victim indicated that there are a number of internal factors that can discourage participation in the court process. This victim found it too difficult to attend the hearings. She said, "It's just a slap in the face every time you attend those," and indicated that she felt forced to relive and reexperience one of the most painful events in her life every time she attended a hearing.

Victims did not report an overall positive experience with the hearings they attended or tried to attend. They expressed major frustration over long waits, changes to court dates and times without notification, disorganization, and the lack of attention paid to the rights that are supposed to be afforded to victims.

Many victims reported that they spent substantial amounts of time waiting to be invited into court. One victim stated that this situation made him feel as though he was put on the same plane as, or below, the person who robbed him. He stated,

> I'd sit out there in the hall and wait until I got invited in, which frankly didn't sit well with me. I mean, I was the victim, and yet I was treated like a criminal basically, or not treated like I had many rights.

Another victim reported that he wanted to attend the disposition hearing and was told to be at court at 9 a.m. By 10:30 a.m. the case still had not been called, so he left. Since that experience, he had not heard anything until he was offered the opportunity to participate in the focus group. Another participant talked about being subpoenaed and enduring continuances and the hardship the experience caused him:

> All of a sudden I'm getting subpoenaed to court, and I show up to court and I sit around. I have my own business and this is a real hardship to just take up and leave. . . . I got a subpoena one time and I had to show up in court the next day. I readjust the whole schedule so I can be out of [my] store, and I show up and I sit there for like 45 minutes. . . . The public defender gets some kind of continuance, so let's just go home, and so I do. I get subpoenaed again, I show up, and we sit in court and sit in court and sit in court, because it's not just me and this kid and his public defender, but there [were] like 15 other kids who come trooping in, and I'm sitting out in the hallway waiting, waiting, and then finally they call me in and the public defender says we need a continuance, so go home. This went on and on and on; it's just to the point it's ridiculous. When they finally come up, I said I'm prepared to at least have my day in court, at least be able to say how they impacted me. . . I never even got that. And then one day we have a restitution hearing and I got to show up, and they asked me a whole bunch of questions, stick me on the stand like I'm trying to screw these two kids. All I want is just restitution for what they did to my store.

Stories such as these were not the exception. Participants did not seem surprised at hearing other victims' similar accounts. In many cases, one account generated a comparable story from another individual. Victims' descriptions of being on the stand and feeling as though *they* were the criminal resonated in all the focus groups, including descriptions from those who reported having had adequate advocacy and support.

Focus group participants attributed their long waits, changing court dates, and poor communication to a general disorganization in the juvenile court. Victims reported that this made involvement difficult, even for those who wanted to actively participate. One said,

> It just seems like there wasn't a lot of coordination between any of the agencies, and, you know, they'd say that the court date was set for this date and then it was canceled, or it wasn't really this date it was this time, you know. I got a business to run, too, and I wanted to be there, I wanted to be involved in the process, and they made it very difficult. They certainly weren't helpful, in my opinion.

Another disappointment expressed by a number of participants was the lack of enforcement of victims' rights. Those who were informed of their rights or who found information on their own felt embittered when their rights were not upheld or when they were not provided opportunities to exercise their rights. One victim, who was told that he would be able to make a victim impact statement but then was never given the opportunity, stated,

> There were certain things I was told that you really could do, like I was told that I would have a chance to make a victim's statement in court. I never got that chance. I mean I came prepared, I had it all written out, I knew exactly what I wanted to say, and I never was given that opportunity.

Additionally, some victims reported that probation officers refused to release information to which they were in fact entitled. In all focus groups, victims reported that juvenile probation officers did not seem to have a clear understanding of victims' rights.

When one participant was asked what he would want other victims to know about their rights, the participant laughed and responded, "Basically, [you] have none. Everything they say you have a right to is just a bunch of bull." Later, in the same focus group, a participant who has been a victim advocate for several years confirmed his statement:

> None of their rights are enforceable, not one of them. So if they miss the sentencing hearing, even because they weren't informed of it, even if they had requested notification of it and weren't able to deliver their impact statement, then—oh well, that's really an unfortunate thing.

A number of victims reported feeling as though the rights of the juvenile were more important than their rights as victims. Even in the county where the victims felt supported, the victim advocate does not have control over the information she receives from probation, and so she often cannot give victims the information they are entitled to by law. One unique example of victims not being able to access information they are entitled to involved a couple who wanted to know the offender's last name. They were victims of burglary and identity theft. They reported that no one would provide them with the offender's last name or that of his parents. All they received was his first name and last initial. They stated that someone had made a mistake with the paperwork, and that the victims' information—full names, address, telephone numbers, and other personal information—was obtained by the offender. The victims stated that they received telephone calls every five minutes from a number of different jails after they reported that they would attend the dispositional hearing. They also stated that they felt threatened and did not attend the dispositional hearing or any future hearings and have been traumatized by the event. One of them said, "We would've been better off letting those guys just disappear into the night."

Some victims felt that the lack of access to information was unique to juvenile cases. One participant reported that it was "a pervasive attitude across the board. No matter what part of the system you're dealing with. It could be someone answering the phone, it could be an investigator. . . . the moment a minor is involved, it's hands off." The lack of cooperation these victims experienced and the feeling that their rights were not upheld, combined with a generally negative experience, made some victims feel angry.

Victims reported that costs were another factor that discouraged them from participating in court and in the juvenile justice process. One victim estimated that he has made "probably about 10 trips" and spent "maybe 20 hours" on the juvenile court process alone. Victims reported that there are many costs for participating in court as a result of the crime that are difficult to sum up, such as the time it takes to complete the restitution paperwork.

Perceptions About Court Professionals

Victims discussed their experiences and perceptions of the professionals they encountered throughout the process. These discussions ended up being focused on probation officers, but victims did comment positively on efforts made by judicial officers to bring the human impact of crime into the courtroom.

Victims generally reported that professionals treated them politely and with respect. This was coupled, however, with grievances discussed earlier regarding a lack of follow-through, a lack of knowledge, a failure to provide help or information, and a general feeling that the system as a whole is uncoordinated. Victims uniformly reported experiences with people not following through, whether it was related to notification of hearings or final dispositions, getting an answer to a question, or providing information on the case. All 4 focus groups initiated discussions related to a lack of follow-through on the part of probation. One participant, speaking about the professionals, stated,

> They were just going through the motions of their job. . . . They were just way too busy to really get involved in anything. . . . The end result was—it may sound bitter—but from Victim Witness to the probation department to the DA's department, they all batted a thousand: not one agency or one person in any one of those agencies did anything they said they were going to do when they said they were going to do it.

The general feeling expressed in the majority of the groups was that there was a façade of help and support. When one participant was asked how he felt he was treated by probation, he responded, "Nicely, but there was just no help, no information: 'I can't do nothing,' 'I don't know.' The right hand doesn't know the left hand, and when they do meet each other they're tied, can't help you anyway." Participants in other focus groups related similar experiences. Some victims felt that the people they dealt with wanted to help but couldn't due to a lack of knowledge or the lack of communication within the juvenile justice system. Others complained that the professionals were not doing their job. Still others described everyone they dealt with as overworked and coming across as though they did not have time to deal with the victim of the crime.

Victims also discussed the basic challenge of dealing with professionals who may have become inured to the effects of crime because they work in the system on a day-to-day basis. Disturbed by the idea that his sister's death would become just another case, one victim questioned how the professionals perceive the cases that come across their desks:

> We went [to court] because we want there to be a face attached to this. We want somebody to recognize that my sister was somebody; she's not just a name coming across somebody's desk. Poof—she's buried, okay, it's done. Does it become mundane to them at some point? Does it become routine?

Other victims questioned how the professionals feel when dealing with victims of crime. One said, "They probably feel pretty darn hopeless or helpless when they respond back to you, 'Yeah, there's nothing you can do, there's nothing I can do.'"

Amidst all the questions about the perceived lack of empathy of court professionals, victims acknowledged that probation officers did empathize with them to a degree. And the feeling that someone cared seemed to be valued almost as much as the more substantive things, such as access to information and restitution. Although not explicitly stated, the victims who had an advocate to walk them through the experience seemed to appreciate the empathy as much as the advocacy and information. One participant referred to the advocate as "a godsend." Another told the advocate, "I just could not imagine going through this without you." In talking about other people they worked with in the system, one victim stated, "By no means [did others respond on] the same scale and with the same personal attention that we received from [the advocate] in any capacity."

Perceptions About the Juvenile Justice System

Victims had varied perceptions of the juvenile court's purpose, most of them negative. One victim stated,

> My impression [of] the court system from my experience is that their intent is just to process and keep the process as simple, quick, and easy [as possible]. [The juvenile court is] in the job of processing. Everybody just does their bit of the processing and then a politician gets up and says we need more money to do better processing and then that's the way everything works.

Similarly, a victim in another focus group felt that the courts were "just fulfilling the basic requirements of the law." He went on to further explain,

> They're not interested really in rehabilitating these kids. I don't think they're really involved enough in making sure these kids understand the severity of a crime they commit, and the impact that it has on the victims of that crime. I think they just pretty much go through the motions of what the law says.

Another victim reporting feeling that the court just defers its responsibility: "I think the court's whole mindset is to just pacify the kid until he's 18, and then it becomes the adult system's problem."

Victims also discussed communication problems, inefficiencies, and general disorganization that left them feeling discouraged. They reported that they have a real lack of knowledge of how the system operates. When this lack of knowledge is coupled with no help or poor help and disorganization, people feel revictimized:

> You're into a system that you're not familiar with, and you're relying on people like Victim Witness or the probation department to help you along and give you advice and feed you through the system, and if you got people who just are just so busy doing their job they can't help you, then I guess you just, you become a victim too. And it just, I don't know, it's not a very good situation. It wasn't very pleasant.

A participant in another focus group put it succinctly: "Unfortunately, the victim gets victimized twice: once by the person that actually did the crime and then [again] going through the criminal justice system."

The theme in many focus groups with victims seemed to be that the system does not go into any depth in addressing the problem that brought the offender before the court or in understanding what issues the victim may have. It just goes through the motions and applies fairly standard consequences without looking at extenuating circumstances and without creating a response that addresses the issues and needs of either the victim or the offender. One participant stated, "It's not really about rehabilitation. It's not really about punishment. It's just processing." In one focus group, participants had no answer to the question of what they think the purpose or the intent of the juvenile court is. When asked if it served public safety, the answer was "no." One participant said, "It shows them they can get away with anything." When asked if it focused on the punishment of youth, the answer was "no."

Some victims expressed a desire for harsher dispositions and for the courts to follow through with punishments. The idea that youth "just get a slap on the wrist" surfaced for participants advocating both for harsher punishment and for holding youth accountable or responsible for their actions. One victim explicitly stated that he had gotten to the point where he did not care about restitution; he just

wanted the youth's probation violated and for the court to follow through with its threats of punishment, which in his case, it never did. The lack of follow-through appeared to bother victims in all focus groups. Victims reported from both personal experience and stories they had heard that judicial officers and probation officers try to scare youth with threats of time at DJJ, the state-run detention center, if they reoffend or do not follow through on conditions of probation. Victims feel that these threats are rarely carried out, however, even after multiple violations.

Several victims felt that the punishment for certain crimes was extremely inconsistent, depending on whether the offender was an adult or a juvenile, and that these inconsistencies need to be addressed. Some speculated that adults were using and encouraging youth to burglarize homes for them as a result of the more lenient consequences for youth offenders.

Throughout the focus groups, as the conversations regarding punishment progressed, the desire for retribution subsided for many participants. In talking about how to make things right for the victim, one participant went from talking about how his offender "hasn't been punished enough" to, when asked specifically what the offender could do, saying,

> Get rehabilitated. And, as much and as angry as I am at him, it would put a smile on my face just to know he's getting treatment or rehabilitation [to be] a better person, knowing he won't go out and hurt other people.

Victims overwhelmingly wanted to ensure that their offender does not victimize someone else in the same way they were victimized. Although some advocated for punishment to accomplish that goal, the majority felt that a more rehabilitative approach, if it would ensure that the individual does not reoffend, would be more effective. "If I could change anything, that's what I would change. That would outweigh the punishment for me . . . some type of rehabilitation," one said. Victims generally expressed a feeling that the consequences for youth who commit crimes are not adequate. They believe that the consequences imposed do not hold accountable, adequately punish, or rehabilitate youth.

Victims had a lot to say about what they desired from the services designed to advocate, support, and assist them. Their self-identified needs focused on safety, protection of personal information, access to information, opportunities to be heard, restitution, and offender accountability.

Most importantly, victims reported a need to feel safe. In terms of services and professionals who come in contact with victims, this begins with law enforcement. One victim recalled that, after her home was robbed, a law enforcement officer said that the people who broke into her house would probably come back, yet offered no advice or method for regaining a sense of safety or security.

Victims reported the need for some safeguards to protect their personal information. As was mentioned previously, one couple had their personal information mistakenly released to the offender. They reported that their lives have not been the same since. They have had to change their telephone number to an unlisted number. They have become more reclusive. The snowball effect of that one mistake was enormous for the lives of this couple. They suggested that an advocate, separate from probation, shield all personal information of victims. This couple now refuses to provide personal information to anyone in the probation department.

With respect to the court, participants' wishes were fairly straightforward. They reported wanting phone calls to be returned, wanting to be kept informed with advance notice of hearings and advance notice of continuances, and wanting to be heard. One victim was clear that he did not need to have the

final say on the offender's disposition; he just wanted his experience to be known and his opinion to be heard:

> I wish they would have asked my opinion on this sentencing, and, you know, not saying that I had the right to make the judgment, but some kind of input, they would ask my opinion of what this has really done to me before the last court date, so maybe I would have changed someone's mind and opinion.

A suggestion that emerged in all focus groups with victims was to have a single point of contact for victims of crime. One victim stated, "I think it would've been good to have one person to talk to, to answer questions, instead of us having to call sergeants on the case, intake officers, the county jail itself, the probation officer." She suggested having "one person who is able to give us the information that we need." There was no clear consensus regarding which office this single point of contact should work from, but in one focus group it was suggested that they should work directly for the court, since there are clear biases with both defense and prosecution-based victim advocacy. One stated,

> If the truly neutral player, the court, were to provide a victim service, then regardless of whether or not the petition is sustained, the victim should still have someplace to go, somebody to help them, somebody wherever the kid goes—on probation, not on probation, state care, local care—you'd still have somebody there to help them out.

In the county where focus group participants had a single point of contact, the conversations focused on ensuring that the probation department provides the victim advocate with up-to-date and accurate information about the cases so that victims can be kept informed.

Understanding of the Impact of Crime

A major theme throughout all focus groups with victims was the need for victims to have an opportunity to express how the crime had affected them. Much of the conversation was focused on increasing opportunities for the youth in particular to understand how the crime had affected their victim. Some participants also expressed the need for law enforcement and professionals in the court to understand the impact of the crime. In short, victims want to be heard. Victims also expressed a desire for a genuine apology. The apology would ideally make it clear that the offender understood the impact and took responsibility, even if he or she did not have the desire to fix the harm.

Victims would also like the system to do more to enforce the payment of restitution. They reported the need to know—from the beginning—the many obstacles they will encounter when trying to collect restitution. Many victims reported that when their case began, they initially believed that a restitution check would just arrive, but they discovered that the reality is very different. Practically speaking, victims stated that they would like to receive a monthly amount, no matter how small it is. Regular payment would demonstrate accountability. If for some reason the payment could not be made in one particular month, victims feel they should be informed of the extenuating circumstances and told when they can expect payment to resume.

The desire for restitution seemed, for many victims, to be rooted in the desire for the youth and, in some cases, the parents to take some form of responsibility for what was done. One victim stated,

> It isn't the money. I knew when I walked out of there I'll never see a red cent out of these people. But it would have been nice to have some kind of an outcome that they feel a little pinched. . . . I mean, financially they hurt me. . . . Maybe he's going to have to go

> work his days off at his job and come up with 50 bucks a month; anybody could do that. It might not be easy, and it might kind of impinge on his free time, you know, where he can't sit around drinking beer or something, but I think that's what they should have done. And then they should enforce it.

A number of victims commented on the importance of probation upholding the court's order for restitution. Many victims came to the conclusion quickly that payment of restitution is, in their words, "a joke." Victims feel that the lack of follow-through with restitution and other threatened sanctions weakens the integrity of the court and thus public safety. They expressed little interest in filing a civil claim to collect restitution and feel that the courts should do a better job of enforcing restitution orders rather than making the victim do more work and navigate another confusing court system.

Victims generally have very limited contact with their offenders. In small, rural communities, victims reported seeing the offenders on occasion. In just about all cases, victims do not believe that their offender has an understanding of the impact the crime has had on them or the community. In one case, however, a victim told a different story. A young man who admitted to vehicular manslaughter made a creative and unique plea deal with the prosecutor, supported by the victim's family. In addition to some restrictive sanctions, he talks to students in schools about his offense and its impact. He retells the story of how he took the life of another person and shares what he went through as a result of the poor choices he made. The brother of the woman who lost her life reported that he appreciates the coordination that took place to develop a court disposition that forces the youth to explore his decisions and possibly influence the decisions of other youth:

> I applaud their efforts . . . To hear it out of his mouth and even to hear it more than once, that's really—I mean, as much as it's been kind of tough sometimes, I think for me personally that makes me feel it's not in vain.

Community Members' Perspective

Participants in the focus groups of community stakeholders included a diverse group of individual community members. Some represented community-based organizations, or CBOs. Others included people who feel affected by crime in their community, relatives of youth involved in the juvenile justice system, and representatives from local schools and faith-based institutions. Three focus groups were conducted in 3 different counties. The average size of these groups was 11. In one focus group, the majority of the participants were Latino; in another, the majority were Asian; and the third had a Caucasian majority. No attempt was made to solicit participation by any particular racial or ethnic group or specific cultural community organization.

Throughout these focus groups, multiple definitions of community emerged. At various points in their conversations, the focus groups highlighted (1) the community of CBOs, (2) the communities where youth live, and (3) the broader community—the general public. .

Understanding of What Happens in Court

Community stakeholders in the focus groups recognized the challenges that families face when they have a child involved in the juvenile delinquency court. Since many of the participants in the community focus groups work with families, they get to observe them in and around the court. Participants feel that families in court generally have no idea what is happening there. One participant who works as a full-time advocate for families remarked, "[Families] need orientation, they need

packets, there's no handouts, they're just sitting in the waiting room and they have no idea what's happening." A number of participants echoed these sentiments. One stated, "The family doesn't know what happened in court, they have no idea—they were in there for 10 seconds." Another participant noted, "You have a system that even individuals that are [highly educated] can't maneuver!" One community member pointed to the potential for misinformation being given to parents after the court hearings:

> I've worked in three different counties in the juvenile justice arena, and for the most part I've noticed that you come into court with the judge, decisions are made, then as the information trickles down to the child—the youth—and the family it gets really diluted by staff passing it on—whether it be probation, child welfare—and the more layers it goes through the more diluted it gets. By the time it gets down to the family, a lot of times it's incorrect information.

An important change that participants feel should be made is a greater effort to inform youth and their families about what is happening in court. Participants in one focus group suggested that an orientation be developed prior to the youth's court hearing. When talking about who should educate parents and youth, some participants felt strongly that it should not be a professional from the court. One participant with a child previously involved with the juvenile court said, "I think when it's presented [by] a professional they feel threatened, not necessarily because the professional's coming across that way, but families just are incredibly intimidated, they're just very intimidated." Focus group participants also remembered a book put out by the Administrative Office of the Courts, Center for Families, Children & the Courts, titled *What Is Happening in Court.*[8] The book brings the complex juvenile court process down to a level that a grade-schooler can relate to; participants suggested that there is a need for a similar publication for teenage youth.

Participants also feel that there should be an effort to use language that the youth and their families can understand in the courtroom, for both English-speaking and non-English-speaking youth and their families.

Participation in Court

Supporting the findings in the focus groups with parents, family advocates oppose the way the courts schedule hearings. They find the long periods of waiting unproductive not only for families but also for advocates and support people. They reported that the court may schedule cases at 8:30 a.m. and 1:30 p.m. A youth who is scheduled for 8:30 a.m. needs to be present at 8:30 a.m., but the case may not be heard until noon. One participant stated,

> Parents will wait at least an hour, two hours, sometimes even three hours to go into court for five minutes. . . . If you're going to be an advocate for the parents—to go into a hearing, to accompany them for five minutes—you need to wait at least an hour, maybe three, so your whole morning is there waiting.

This is reported to be a challenge for advocates and parents, and they believe that the juvenile courts should take family schedules into consideration when setting court dates. Focus groups participants

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[8] Admin. Office of the Courts, Center for Families, Children & the Courts, *What is Happening in Court* (1999); available at *http://www.courtinfo.ca.gov/programs/children.htm*.

reported that some judicial officers tend to ask families about time and dates that are convenient and some do not.

Community focus group participants suggested that the courts work to improve the level of court users' engagement with the court and also that the courts become more connected with the community. To improve the level of involvement by youth and their families, participants said that these stakeholders need to have access to information about the court and their particular case. Participants in community focus groups recommended a single point of contact for youth and families to get information. Participants also feel that schools should have a single point of contact with the courts, which would allow them to better serve youth in the juvenile justice system, particularly youth in detention.

Participants in the community focus groups feel that the juvenile court is complicated and that this makes it inaccessible to most people. Professionals who work alongside the court have an advantage in that they generally have a better understanding of its structure. One county has developed a policy management team for the juvenile court, which involves some CBOs. Although not all participants in this county's focus group were aware of the policy management team, the general feeling among those who took part in the discussion was that their juvenile court is generally more accessible than most due to the increased collaboration between the court and community-based organizations that participate in the policy management team meetings.

Collaboration With the Court

Participants discussed how well they thought the court collaborated with other potential justice partners in the community. Discussions focused on the courts' collaboration with community organizations serving youthful offenders by providing advocacy and support to families, schools, and faith-based organizations. Participants also discussed the types of services they can provide. Although CBOs spent some time critiquing probation's and the court's lack of awareness of community resources, they recognized that they too are often unaware of all the resources that could be of benefit to the populations with which they work.

Some community focus group participants felt that the need for confidentiality in the juvenile system hinders collaboration between CBOs and the court. One participant representing a program that attempts to provide information to families about court reported challenges in getting information from the court to support the families with whom she works.

Court-Community Relationship. Different communities clearly have different relationships with their courts. For CBOs, the amount of time they have been in existence seemed to influence the degree to which they collaborate with the juvenile court. Some individuals in the group pointed out that once a relationship is developed with the probation department, the probation department tends to use the program. In some communities, CBOs interested in offering their services to youth who come into contact with the court did not know whom to contact in order to get youth referred to their program.

There was a general feeling among the organizations already working with probation and the courts that the relationship should be more collaborative. The organizations do not feel the mutual exchange and benefit of a true collaboration. CBOs do feel the need to be involved for the benefit of the youth and families, though. One representative said that his CBO is motivated to participate to ensure that the court has the correct information on the youth with whom they work. Focus group participants felt that CBOs need training on the juvenile justice system and the process that youth and victims go through. If

CBOs are more informed about the process and understand what the next hearing is about, they can help in the preparation and thus be more engaged in their client's experience.

CBO providers talked about the intimidation they feel in court, indicating that it sometimes prevents them from relaying information to the court. A case manager for a CBO that serves youth on probation stated that sometimes, when he has information important to the case or what is being discussed, he refrains from speaking due to the perceived hierarchy in the courtroom: "Sometimes I feel like I can't raise my hand. . . . I got to respect this person because he's higher than me in a sense." Another person in a separate focus group, also working for a nonprofit, described her struggle with how to inform the court about challenges she was having assisting a youth with a condition of probation ordered by the court:

> For a long time I thought about the fact that I wanted to make that communication with the court. Had it been anyone else or had it been in a corporate environment that letter would have been out months before. But I didn't know if it was okay to do that letter.

In some cases, this communication gap was created by the perception of a hierarchy, and in others it was because the person simply did not know who the appropriate contact was.

Another issue raised in the community focus groups was a sense that CBOs and probation are on different "sides." There were involved discussions on the degree to which probation officers check in with the CBOs that work closely with the youth on probation. Some participants reported that there is a lack of trust between probation and many CBOs, with one commenting,

> It feels like the public defender and the youths' families and the service providers are on the side of, sort of at all costs, protecting this kid—so you're on the kid's side. And then, the police officers and the POs are on the other side. I feel like it's such a this side versus this side that I'm not going to tell the POs stuff even if I know stuff that's going on about a kid that might not be positive. . . . I'm not going to tell that PO because I feel like that PO does not have the youth's best interest at heart. I feel like the PO wants to lock up the kid. . . . I don't trust them.

When defining community as the area in which youth live, the relationship between the community and the courts can be seen from 2 different perspectives: (1) the community of people who identify with the youthful offender and (2) the community of people indirectly affected by the delinquent behavior. In both cases, focus group participants felt that the relationship between the courts and the community is strained. On one hand, participants reported that there really is no relationship. They feel ignored, as explained by one participant in the latter category:

> The community feels frustrated because as these kids go through the court, [the community is] left out of the justice system. The focus is on the minor, on the defendant—but the community doesn't feel like they were made whole. The graffiti is still there, the little burglaries are still going on in the homes, the local grocery stores—they don't know what happened to that kid or what didn't happen to that kid. So they feel kind of left out in the process.

A person in the same group who has been working with delinquent youth for more than 30 years said that the juvenile justice system needs to "get the community involved. We can help probation; we can help probation immensely."

The relationship between the court and the community of people who identify with the youthful offender is strained for different reasons, according to participants in one focus group. They felt that many members of some communities don't want to work with the system. Participants reported that many people view the whole system as the enemy; the courts are seen as a threat. One participant stated that the juvenile justice system is seen by some people as something that is taking away the community's future "because there's still a certain level of hope that you could still turn that young person around and that he's not going to end up like one of his uncles or *tios* or father or whoever went before him."

These 2 starkly different views were expressed during the same focus groups, and the reality seems to be that within the same community are individuals who want nothing to do with the system, viewing it as the enemy, and individuals who want to become more involved.

In each of the community focus groups there was at least one representative who reported working closely with schools. These participants felt that very little, if any, communication was going on between the schools and the court or the schools and probation. Participants in one focus group knowledgeable about Welfare and Institutions Code section 827 stated that the schools do not receive the information they should according to the statute.[9] They stated that if schools do receive information, the youth's probation officer provides it informally and it is not done on a consistent basis. Participants reported that schools generally do not know who is on probation. According to one participant, individualized education plans (IEPs) do not get sent to the juvenile hall when a youth is in custody and therapists are not notified as is required by Assembly Bill 3632 if a youth receiving certain educational services goes to juvenile hall.[10]

In the midst of the discussion about the courts not communicating with the schools, a community member, speaking as a parent, brought up the perspective that most family members and youth want some privacy and are not convinced that the sharing of this information is in the best interest of their child. Many parents are fearful that if the school finds out that their child has been in trouble, he or she will be treated differently and the situation will create a self-fulfilling prophecy of failure for their child.

One focus group participant indicated that he believes the same conditions that resulted in the passage of a bill protecting the educational rights of youth in the dependency system also exist in juvenile delinquency, and that a similar measure is necessary.[11]

Participants in one of the focus groups brought up the communication that does exist between the schools and law enforcement, which they felt was counter to the interests and rights of youth due to the

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[9] The intention of the statute is "to promote more effective communication among juvenile courts, family courts, law enforcement agencies, and schools to ensure the rehabilitation of juvenile criminal offenders as well as to lessen the potential for drug use, violence, other forms of delinquency, and child abuse" (Cal. Welf. & Inst. Code § 827(b)). This section also stipulates that the court shall provide written notice to the superintendent of the school district of attendance, indicating the offense committed and the disposition of the minor's case.

[10] Assem. Bill 3632 took effect on July 1, 1986. It requires that local education agencies create an interagency agreement with other specified agencies to provide related services for children with disabilities. The bill stipulates that a local plan that describes the process for coordinating and providing services to children with exceptional needs placed in juvenile court schools or county community schools must be developed.

[11] Assem. Bill 490, passed in 2003, was intended to ensure that youth in foster care, including delinquent youth in foster care, have access to the same academic resources, services, and extracurricular and enrichment activities available to all other pupils.

pressure a youth may feel to make a statement admitting guilt without consulting an attorney or a parent. One participant explained,

> When something bad happens at school . . . when it turns into a crime, then the school calls the police and [the youth] gets hauled away to juvenile hall. . . . The kid's just gone, no longer at school—they're maybe detained, maybe they're at home facing their sentencing. . . . This is going to be where they do communicate . . . they send the interviews that they did in the school with the kid and the forms are called "What's Happening." They give it to the kid to write down what they did and they hand that over to the police and courts. . . . So that is the interaction that I see . . . is that coordination?

A brief discussion in one community focus group paralleled an issue raised in one of the focus groups with youth in detention. Participants in both focus groups reported that the level of schoolwork provided in detention and alternative schools is too easy. According to one participant, success in these schools for expelled youth seems to be defined as simply going to school and not hurting anyone. Many of these youth are very smart, and "the programs are too easy for them and they have no homework."

Participants in focus groups had little knowledge of communication or collaboration between the courts and faith-based institutions or groups. One participant recalled that in another county the superior court had reached out to the faith community. "The superior court there invited clergy to understand for a day, everybody was there, judges were there—everybody." He recalled,

> The room was packed with people. The superior court set aside a chunk of money and had a lot of people there and used real effort. The point is that the clergy showed up. There must've been 250 people in that room for an entire day.

He went on to indicate that most people present knew little about the juvenile court but obviously had an interest. The point was to educate leaders in the faith community about the juvenile justice system and encourage them to get their congregations involved.

This discussion prompted a priest, who initially felt he had nothing to offer, to tell a story about a family in his congregation. He recalled,

> Their children were starting to get into trouble, and then I hear this one is going to juvenile hall and so I say, "What's happening?" . . . And the answer always was, "I don't know Father, I don't know." . . . And it was always the same . . . "I don't know." And I just thought, well, maybe they're not very together people, I guess. You know, there's not much I can do about this, just let it go; but [after participating in the focus group] I'm realizing that no, that's not the case—[understanding] really is a problem.

After listening to discussions in the focus group, he realized that the family's lack of knowledge is the norm and that he had made an assumption that prevented him from providing support to a family that needed it. Wondering how to facilitate support among congregation members, he went on,

> How do we deal with that? There's no real sense of involvement in that immediate area around the church; it's extremely difficult to get people involved. How do we deal with that reality? What is it that we do to get people involved?

Focus group participants from faith-based organizations felt as though they were a part of a largely untapped resource for support and guidance. These representatives believe that in order to serve as a resource, their clergy and congregations needed to be educated about the court.

Providing Services. Some CBOs in one focus group shared another perspective of feeling that they are doing the work of probation. One participant said,

> CBOs are given a lot of the work—case management, treatment, therapy. But you get very little power in the court system itself. And the power goes much more to the probation officer but they do less of the work, a lot less of the work.

Other members in this focus group also reported feeling frustrated with this imbalance and illuminated potential pitfalls of collaborating with the courts and public agencies tied to the juvenile court. According to one, "The danger of getting involved is that they use your services, and where's your money come from to give them these services? I mean, really, they should put this in their budget and see this as a central component." This participant felt that the probation department in particular takes advantage of some of the services the CBO provides, such as cultural competency training and language translation of specific forms, without paying for them. From the perspective of this participant, probation is then able to allocate funds in their budget for other uses that should be available for these important services. This issue surfaced in other focus groups as well. One participant stated,

> Nonprofits, the ones that are doing the good work, the one-on-one [work], run out of money. They're doing it on shoestrings, paper clips, you name it. They struggle constantly for funding, they have no assurance for funding, or they get 12 months of funding.

Community members felt that the system could improve if the juvenile justice system funded prevention programs and programs that work closely with people in the neighborhoods. Community members in one focus group talked a lot about the juvenile justice system and law enforcement funding crime suppression efforts, but said that such funding is rarely available for prevention programs.

One participant also brought up the need to hold CBOs accountable for the services they say they are providing. This participant reported, "Unfortunately, some CBOs are taking money to provide these services, [yet] they're not providing [the services]—especially to immigrant families. [Immigrant families] don't get services, but the CBO gets the money."

Participants in the community focus groups had a number of suggestions for improving services for juvenile offenders. The need for opportunities for facilitated dialogue between victim and offender was suggested as a possible benefit to youth, victims, and the community. Talking about her own son, a parent in a community focus group said,

> He continues to this day to have a very difficult time coming back in the neighborhood because he feels embarrassed. It would have been really cool to have that face-to-face and for him to have redeemed himself and said I'm sorry. Because I know that he's remorseful and regrets what he had done, but he's never had that opportunity, and he'll never, maybe not in any near point in time will he seek them out and do that on his own.

With regard to the back end of the system, community participants identified a need for reentry support, specifically with regard to the hurdles youth face when they are released from detention and don't have parents motivated to enroll them in school. One stated,

> There's no structure, we send them right back to the same family, the same chaos, the same everything and the kid doesn't know what to do. They don't want to go back to juvenile hall, nor do they want to go back to that lifestyle—well, where do they go? A lot of them call us: 'Help me—I don't want to do something.' But when you have a minor, I can't enroll them in school. I have to have a parent come. I can't enroll them in substance abuse [counseling] because I need a parent's permission, so all of that plays a part. So the support once a young person gets out, it's not there.

Another participant felt that the court could play a more active role in cases like these and appoint someone to act as a guardian for the youth. Some community stakeholders took this discussion to a higher level, advocating for more authority over parents and a need for legislation that would allow the courts to intervene sooner to work with the parents of youth whom people believe will end up in the court anyway.

An additional need identified by the focus groups was for mental health services. One participant reported, "The availability of mental health services, particularly bilingual mental health services—someone who has a master's degree in therapy is so hard to find. I'm finding [it's] the key to not getting them confined." She went on to say that access to a therapist willing to work with youth at risk of incarceration would dramatically increase the chances of a youth being allowed to stay in the home.

Perceptions About Court Professionals

Participants expressed some sympathy for judicial officers, recognizing that many of them have a desire to help and want to know what the root problems are, but, as one participant remarked, "They have maybe five minutes with the family and then they're moving on. They get their analysis of an entire difficult multigenerational issue in five minutes." Participants noted that, given the time constraints in court, the judicial officer is limited in his or her understanding of the case and thus is limited in his or her understanding of what would truly be in the best interest of the youth.

Community members also spoke of the positive impact that judicial officers and other professionals can have by including justice partners and community members in the process. In one focus group, a participant spoke of the positive effect a judge had when she asked if anyone had anything to add, even during very short hearings.

Participants also want judicial officers and the court to be more community oriented. They expressed concern about this perceived gap. One participant stated, "It's time for the courts to have community specialists who are going to sit at the table with us and say, 'Okay it's broken, it's not working, how do we fix it together?'" In spite of community members' awareness of confidentiality issues, they believe it is possible for the courts to respond collaboratively to community crime committed by youth without violating confidentiality. One community focus group also discussed the importance of training police to work with youth, parents, and community members, since they are at the front end of the system.

The feeling that probation officers have a desire for youth to fail, which emerged in both the youth and parent focus groups, surfaced in the community focus groups as well. One community focus group concentrated on the topic and identified a number of instances in which probation officers seemed to

desire failure over success. For example, participants agreed with one case manager's observation that if a youth is ordered to a less restrictive environment than the probation officer wanted, the probation officer's "agenda is to prove that they're right: 'I told you they should have gone to . . . .'" Case managers from CBOs and others who advocate for youth and families detect differences in terms of the level of communication they have with the probation officer. Some participants felt that probation officers routinely focus on negative behaviors rather than positive ones. One said,

> If I have something positive to say, then I don't really hear from them again. But if it's something negative like, oh, she hadn't shown up for a week or she had to miss this, this, and this . . . they'll ask for copies of their timesheets to see the exact dates that they were at work or whatnot. But if I say such-and-such was real good, very responsible, punctual . . . sometimes I won't hear from that PO again.

Community members perceive that arresting and incarcerating youth is a way for professionals to earn promotions and move on to more "important" and more exciting cases and assignments within their agencies. They also believe that there are disincentives for professionals to focus on prevention and rehabilitation within the culture of probation and law enforcement.

Case managers who work closely with youth felt that probation officers should do a better job of recognizing the small accomplishments of the youth they are involved with. One example they provided was that if a youth fills out a job application but does not go to the interview, the officer should focus on the fact that he or she filled out the application, and not on the missed interview.

An added factor that participants felt creates another type of distance is the lack of ethnic and racial diversity on the bench and among prosecutors. One noted, "When people come and they see prosecutors and they don't see anyone that looks like them, or they look at the judiciary and they don't see anyone that looks like them, that's a problem."

Perceptions About the Juvenile Justice System

Participants in the community focus groups were asked what they see as the purpose or the intention of the juvenile court. Like other stakeholder groups, these groups felt that the courts are focused on processing cases. One participant said that the purpose is to "get them in, get them out, do what they have to do, okay, next! Get them in, get them out, next!" Participants felt that this was largely due to the courts being overwhelmed. There was acknowledgment that the juvenile court has a challenging job. One participant said,

> I think what they're trying to do is just manage whatever they have out there. . . . They're afraid of kids, so they want to lock them up and put them away. And sometimes rightly so, because kids are carrying guns, they're beating each other up . . . there's just a lot of stuff that's going on there, so I think they're just trying to—they're in crisis management is what I think.

The other dominant perspective was that the intention or purpose of the juvenile court is punishment. Community members said that youth think of the juvenile justice system as being very punitive. A community member in one group also stated that society, at this point, seems to accept the idea of incarcerating youth and is willing to pay for it.

Community members partially blame the structure that the professionals must work in for what they see as an overly punitive system. One participant stated,

> The best within the police department, within the DA's office, within some of these organizations, they aren't applauded. . . . If you want to move up and be promoted, you're going to go to the gang unit where you go ahead and put all the kids away, where you get as many arrests as you possibly can.

There are also other structural problems that community members feel drive youth deeper into the system than necessary. Some participants expressed the feeling that the system is beyond its capacity to be effective. As in the parents' focus groups, participants in the community focus groups stated that law enforcement tends to ignore low-level offenses, believing that nothing meaningful will be done with the youth. After having police contact several times with no repercussions, the youth get a false sense that no one will hold them accountable. They then go on to commit more serious crimes, for which the consequences are severe and less inclined toward rehabilitation.

With a macro perspective, community focus group participants see inconsistency in the juvenile justice system. Some of the inconsistency is created due to the complicated nature of the juvenile delinquency court. One participant highlighted an unintended consequence of having such a complicated system: "Unless you're [a professional]—do you really understand the court system, how it actually works, what you can do, and how you can intervene?" He continued, explaining that at-risk families are hopelessly lost when they try to navigate it. "They don't even know what number to call to find out information about what's going to happen to the kid. They don't even know where to start." Even if parents do get to speak to someone, the complicated nature of the system makes them feel hopeless and they give up. He asked, "What happens to that child? Who advocates for the child? Nobody." This participant, receiving group agreement, also said that it seems as though individuals with resources can pay for an attorney and access to people who know the system and thus receive better advocacy.

Inconsistency within the system can also create feelings of being treated unfairly. With agreement from the group, one participant who works with both youth and victims stated,

> The offenders' families obviously talk to each other, and if there are inconsistencies that they've experienced in the system, the parents can get indignant and begin to view themselves, and perhaps even their child who is an offender, as a victim.

Community members said that the juvenile court should actively make an effort to address inconsistencies in the court.

When English is a second language, community members felt that youth and their families are at even more of a disadvantage in terms of the advocacy they receive. Participants talked about rights that they feel get ignored. "I strongly believe they have a right to interpretation, the families do; in court they don't get it," said one. An advocate who spends a considerable amount of time in the court reported that sometimes 5 cases in need of an interpreter would come before the court. She indicated that "they just go on and have the hearing anyway, knowing the parents don't understand what's going on." It was also observed that sometimes families will have an advocate from the community interpret but that most of these advocates are not properly trained, and the interpreter may not completely understand what is transpiring due to the complexity of the juvenile court. This "totally shuts out the parents to even know what's going on in their child's case," according to one participant.

Participants in all focus groups said that the juvenile delinquency court does not pay enough attention to prevention and intervention. One participant felt as though this is a gaping hole. Another participant talked about a community that decided to focus resources on prevention:

> Prevention and intervention works. The reason it works there is because the community has made it a priority. They put their very best police officers in the schools, they make sure that they staff youth-type programs with the best. They have come up with a youth master plan—there's parks, there's swimming pools, there's things for kids to do.

This is not the case everywhere, he reported, stating that in many communities, "prevention is on the back burner."

There was also the feeling among some participants that the system is beyond its capacity to be effective. They observed that the juvenile justice system often threatens punishment and consequences that it does not follow through on. Participants associate these unfulfilled warnings with youth getting deeper into the juvenile and adult criminal justice system:

> When police officers go out there and they say to a young man or young lady, 'If you don't straighten up, we're going to put you in the hall,' the kids very well know that that's not going to happen, and so they don't fear it. And what ends up happening is they get themselves more and more involved in drugs and alcohol, more involved in gang activity, until it's too late and they get filed upon as an adult and then they serve time in a prison.

Conclusion and Suggestions for System Improvements

This study explored the perspectives and experiences of users of the juvenile delinquency court in California. Researchers conducted focus groups with stakeholders of the state's juvenile delinquency court in 6 study counties. Focus groups with youth, parents, and victims of crime committed by youth generally covered 6 topics: (1) court users' ability to understand their experience in court and what or who influenced their ability to understand, (2) court users' ability to participate in court, (3) general satisfaction with the court, (4) offenders' understanding of the impact of crime, (5) perceptions of the juvenile court, and (6) suggestions for ways to improve services. Focus groups made up of community stakeholders in the juvenile court discussed the accessibility of the court, community collaboration with the juvenile court, community perceptions of the juvenile court, and suggestions for improving services linked to the court. Discussions in these focus groups also covered all topics from the youth, parent, and victim focus groups, but from a community perspective. A number of themes emerged across all 4 types of stakeholder groups and merit further attention.

Although the JDCA is the first comprehensive assessment of juvenile delinquency courts in California, several findings paralleled those found in the recent Trust and Confidence in the California Courts study (Trust and Confidence study) conducted by the Administrative Office of the Courts in 2005 and 2006.[12] Both studies indicate that the public's and nonprofessional court users' understanding of the court process is low. Furthermore, both studies suggest that more resources to help court users understand court processes would be beneficial. The Trust and Confidence study found that having a sense that court processes are fair is the strongest predictor of whether the public approves of or has confidence in California courts. Non-English-speaking court users, African Americans, Latino/Hispanic Americans, low-income court users, and users of high-volume courts such as family court perceive the courts as less fair than do other court users. The Trust and Confidence study also

[12] Admin. Office of the Courts, *Trust and Confidence in the California Courts, Phases I and II* (2005, 2006).

found that when courts are perceived to be in touch with their communities—a desire that was expressed by focus group participants in this study—they are also perceived as more procedurally fair.

Lack of Understanding in the Court

Court users reported not being able to understand much of what happens in court. This was true for adjudicated youth, parents of youth, and victims of crime. In focus groups, the lack of understanding seemed linked to several poor outcomes for court users, but it also negatively affected perceptions of the court. A lack of understanding limits one's ability to participate in a meaningful way, exacerbating the feeling of powerlessness and magnifying the hierarchy already inherent in the structure of court. As was expressed in one community focus group, feelings of powerlessness can contribute to the community's feeling that the court and the whole justice system are the enemy. A lack of understanding and the feeling of powerlessness also often lead to misperceptions about the court. For a number of the court users who participated in this study, it may have led to the conclusion that the court and the juvenile justice system are just out to make money from those who come into contact with them.

Being uninformed and not knowing where to obtain information or get answers also has other indirect and unintended consequences. As demonstrated by the words of a priest in one of the community focus groups, families who come out of court confused and unable to explain what happened can be perceived as not caring about their child or as being unintelligent. This observation could just as easily apply to a victim who appears at a disposition hearing. This perception potentially limits the support that youth, parents, and victims might receive in a number of ways. Those who provide support may be less inclined to provide it if the court participant comes across as uninvolved or unconcerned. In addition, court users may be less likely to ask for help and support when they feel powerless and don't know how and from whom to seek help.

Professionals in the juvenile court can immediately benefit court users by using plain language whenever possible and by explaining the technical words, terms, and code sections that are sometimes required for legal accuracy. Professionals can also provide court users with an idea of what to expect prior to entering the courtroom and make an active effort to ensure that court users understand their rights and the content of court proceedings. More strategic and long-term ways to address the lack of understanding in the juvenile court include developing and providing resources to help court users understand the court process, providing improved training for professionals on how to work with court users, and seeking opportunities to educate and offer outreach to local community groups and the general public.

Participation and the Desire to Be Heard and Understood

All court users expressed a desire to play a more active role in their experience with the court. Youth expressed a desire for the court and people working with them to understand where they are coming from and to know them as individuals rather than by reports outlining the mistakes they have made. Parents want to continue to play the role of parent, to be consulted, and to be involved in the decision-making process. Victims want to be heard as well. They want people to understand what they went through.

Youth, parents, victims, and community members want notice, information, and also opportunities to provide their input. They want their needs and experiences to be considered by the court. Professionals should understand that most court users do not know when they can contribute or ask questions;

professionals can help to both identify and create opportunities for court users to provide input and participate. As participants in several focus groups suggested, an orientation for youth and families could help them both understand the court process and learn when it is appropriate to be actively involved in the process. The court should also consider creative ways to involve parents that minimize interruptions in work schedules and to involve victims while ensuring their sense of safety and minimizing the impact on their time.

Perceptions About Court Professionals

Members of the community focus groups perceived a division in the interests of the juvenile court with law enforcement, prosecutors, and probation on one side and defense attorneys, CBOs, and youth and their families on the other. This split is complex. Probation officers have increasingly become brokers of services and thus are possibly less connected to the youth they supervise. CBOs from one focus group felt as though probation officers have an interest in youth failing, especially when it confirms an initial assessment and they are proven right. Regardless of the reasons for the perception of opposing interests, efforts to improve communication and collaboration between probation and CBOs providing services to youth on probation should be explored.

Professionals who come into contact with victims need education on victims' rights. Courts can explore alternatives to the norm of housing victim services in the district attorney's office, which can be limiting for victims. The court can play a more active role in providing victim support, but limitations, due to possible ex-parte communication, need to be considered. Community groups can also play a larger role in meeting the needs of victims.

Perceptions of the Juvenile Justice System

The idea that the court and the probation department are seen by youth, parents, and the community as a setup for youth to fail needs further exploration. Victims also wondered whether the system's inability to hold youth accountable perpetuates the offender's continued failure. It is clear that a majority of the court users who participated feel that youth do not receive the support and guidance they need to encourage success, but it is not clear from the focus groups what might change that thinking. A couple of focus groups made a connection between seeing a desire on the part of the system for youth to fail and a belief that the main purpose of the court is to employ the professionals working within it (for example, a sense that if the court is not effective, its existence must be driven by money). More research focused specifically on understanding why participants feel that the juvenile justice system sets youth up to fail is needed.

Focus group participants in each study county and among each cohort felt that the juvenile court was focused on processing cases rather than addressing the root of any problems or taking steps to prevent further offenses. Court users are in court due to a difficult and stressful moment in their lives. To see the event handled like just another case appears to send the message that no one is sincerely concerned about the case.

A general lack of follow-through within the juvenile justice system was mentioned in a number of focus groups. Such lapses can send messages damaging to the integrity of the court and can undermine the sanctions and conditions of probation that are in place. Victims feel that a failure to follow through allows offenders to ignore court orders and the law. It also demonstrates that the capacity of the juvenile justice system to respond is limited. Finally, it helps to substantiate the belief that the court is just processing the cases rather than addressing the problems that come before the court.

According to the focus group participants, the current way that cases are calendared in the juvenile court is inefficient for all court users. Each cohort expressed frustration at the time they wasted waiting for cases to be called. Courts should consider the unintended consequences of calendaring many cases in large blocks of time. Parents who are under financial pressure are forced to take considerable time off from work, which may increase the risk of losing their job. As one parent explained, some youth may be involved in the juvenile justice system because the parents are not at home and are struggling to put food on the table and improve the well-being of their families. If long hours waiting for court during working hours cause them to risk being fired, the courts can be seen as yet another force negatively affecting their lives. Victims also reported spending hours in the halls with youthful offenders waiting for their cases to be called and not knowing whether they will have an opportunity to speak. The uncertainty of whether they will be allowed to participate, what will happen in court, and what it will be like to see the offender, as well as the extensive amounts of time victims have lost because of the offense, should all be considered when scheduling hearings and granting continuances. Courts should also make an effort to provide separate waiting areas for victims and to reduce the time that victims must wait.

Courts should explore alternative ways of calendaring cases that consider the population they serve and the potential unintended consequences of keeping court users away from their other responsibilities for long periods of time. Efforts should be made to reduce the likelihood of continuances. Additional research on the local level may be required to determine common reasons for continuances in the juvenile court and the best methods for reducing the number of continuances.

It is interesting that in all the focus groups there was only one story of a disposition imposed by a court that tried to directly teach a youthful offender about the impact of his or her poor decision. For youth, imposing sanctions for offenses without the offender understanding the impact on the victim does nothing to help them empathize with the people they have harmed. Victims also expressed a desire to have youth and their parents understand the impact of the crime. Juvenile courts should explore practices that provide both opportunities for victims to express the hardship and harm a crime has created in their lives and opportunities for offenders to understand the impact of their crime on the victim. The needs of victims should be considered in offering and developing these opportunities. The impact that crime committed by youth has on the community should also be taken into account. Victim-offender dialogue or mediation, restorative conferencing, victim impact panels, impact of crime classes, and victim impact statements are all practices that can address this concern.

Court users in the focus groups reported being unhappy with their experience in the juvenile delinquency court; the life event that brings people to the court is not usually a positive one. That said, it is also clear that the experience for most users was less satisfactory than participants felt it needed to be. A negative experience for youth and parents may make it difficult for them to empathize with the victim because they feel somewhat mistreated by the system themselves.

Addressing the concerns expressed here would likely improve the satisfaction of all court users as well as improve court users' perceptions of the procedural fairness of the delinquency court system. In addition, being realistic with victims about restitution but also demonstrating an active effort to collect it could improve victim satisfaction. Regular restitution payments, even small ones, made by the offender would demonstrate that both the courts and the offenders are making efforts toward accountability.

Court users suggested ways to improve the justice system, but more research is required to comprehensively understand the needs of court users and to find ways to collaboratively improve the administration of justice. There is recognition among youth, families, victims, and the community that the courts alone cannot improve the justice system. The court needs to engage with its users on the local level to understand their needs and to be aware of and connect with resources in the community

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CHAPTER 6

Facilities Report

ResearchUpdate

ADMINISTRATIVE OFFICE OF THE COURTS
CENTER FOR FAMILIES, CHILDREN & THE COURTS

April 2008

Juvenile Delinquency Court Assessment: Facilities Report

This report covers information about the Juvenile Delinquency Court Assessment (JDCA) project and its findings about court facilities, which include both buildings and operations. The JDCA explored issues related to court facilities in various ways, including surveys, interviews, focus groups, and a checklist designed to assess facilities. Some key findings are related to safety and security, protecting rights, accessibility, and adequate workspace:

- Judicial officers should have a separate and secure entrance to the courthouse and courtrooms.
- Delinquency courthouses should have a separate waiting area for victims.
- Defense attorneys should have access to confidential, separate meeting space to confer with youth in the courthouse.
- Courts should create policies to call cases in a confidential manner.
- Courts and justice partners should consider the proximity of the detention center to the courthouse.
- Justice partners should have workspace located in or near the courthouse.

The delinquency court has unique needs, which include needs related to due process and safety. These needs must be addressed when designing new facilities to ensure that justice is served and court users are encouraged to participate in the system.

Results from all assessment tools used in the JDCA are discussed in the *Juvenile Delinquency Court Assessment 2008*. A copy of the surveys and the facilities checklist can be found in chapter 7 of this volume, Research Instruments.

About the JDCA

The Judicial Council of California's Family and Juvenile Law Advisory Committee, in conjunction with the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), conducted the JDCA. The Family and Juvenile Law Advisory Committee convened a working group composed of members of the advisory committee and experts drawn from state entities and the major participants in the juvenile delinquency court: judicial officers,[1] court staff, probation officers, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross section of the state in terms of geographic location and county size. The working group helped develop the study plan, guide the research, and interpret the findings. A list of working group members can be found at the beginning of volume 1 of the *Juvenile Delinquency Court Assessment 2008*.

[1] "Judicial officers" refers to judges, commissioners, and referees.

The JDCA marks the first major assessment of California's delinquency courts. This assessment was designed to gather and provide information to help improve the juvenile delinquency system by making recommendations for changes in laws and rules of court; improvements in hearing management, judicial oversight, court facilities, and other aspects of court operations; caseload changes; and improvements in court services for all court users. The assessment covered the following general topics:

- Hearings and other court processes;
- Court facilities;
- Court collaboration with justice system partners;
- Service and sanction options for youth;
- Perspectives of court users, including youth, parents, victims, and community members;
- Education and training;
- Accountability; and
- Professional background and experience.

The primary mode of investigation was to communicate directly with justice partners and court users. The JDCA project conducted surveys with all juvenile judicial officers, all court administrators, a random sample of juvenile probation officers, all juvenile division prosecutors, and all court-appointed juvenile defense attorneys, including public defenders, alternate public defenders, and contract attorneys who were identified as handling cases in delinquency court.[2] The JDCA project chose six counties to study in depth to learn about issues facing delinquency courts: Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. These six counties were selected for their size and geography in order to study a range of California's local delinquency courts. Interviews were conducted in each of these study counties with the presiding judge of the juvenile court, the chief probation officer or the juvenile probation division designee, the managing or supervising juvenile deputy district attorney and public defender, and court administration staff such as the supervising juvenile court clerk, court executive officer, or manager. Focus groups were also conducted with justice partners such as probation officers, prosecutors, and defense attorneys, and with court users such as youth, parents, victims, and community members. An assessment of delinquency court facilities across the state was also conducted as part of the JDCA project. The ultimate goal of this project was to improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system.

About Court Facilities

Court facilities refer to both buildings and operations, and are important to ensuring the effective administration of justice and respect for justice partners and court users in the delinquency court system. As California's Chief Justice, Ronald George, noted,

> Buildings are more than mere physical settings. They signal how we value what is transacted inside. Courts do not need or want ornamentation or ostentation in their quarters. But courts—and the public—do deserve buildings in which the business of

[2] "Contract attorneys" refer to contract or panel conflict defenders only and does not include attorneys who contract as a public defender.

> administering justice can be transacted effectively, efficiently, and with appropriate dignity.[3]

The Trial Court Facilities Act of 2002 transferred the responsibility for court facilities from the counties to the state. The AOC's Office of Court Construction and Management (OCCM) is responsible for the planning and design of court facilities. This includes the renovation or replacement of delinquency court facilities. According to the judicial branch's Five-Year Infrastructure Plan, [4] 14 juvenile delinquency courts (or juvenile delinquency and dependency courts combined) are scheduled to be remodeled or replaced.[5] These projects have been grouped into five levels of priority: immediate, critical, high, medium, and low. The prioritization was calculated using a formula created by OCCM, which includes criteria such as seismic, security, and physical condition needs.

The OCCM set forth standards for building new courthouses, including those specific to juvenile cases. Some of these standards involve security, courtroom configuration, and waiting areas for law enforcement and the general public. The California Trial Court Facilities Standards, adopted by the Judicial Council effective April 2006, govern the design of new court buildings throughout the state.[6] The National Council of Juvenile and Family Court Judges' Juvenile Delinquency Guidelines[7] also have standards for facilities that focus on issues unique to delinquency courts such as confidentiality of cases,[8] the importance of a colocated juvenile hall, and separate waiting areas for victims, youth, and families.

Having the necessary components of a court facility is essential in creating effective administration of justice and conveying respect for judicial officers, court justice partners, and court users. As the judicial branch's Five-Year Infrastructure Plan notes, "California's court facilities are in a state of significant disrepair . . . 90 percent require significant renovation, repair, or maintenance." As one example, a courthouse in one of the study counties was without heat for a portion of winter. In some facilities visited, youth, parents, victims, attorneys, and probation officers must wait together in a crowded hallway for cases to be called. Many justice partners believe that closed, small spaces facilitate tension in an already tense environment. Justice partners who previously worked in this type of space commented that in the new facility there seems to be a "lack of chaos," which is spacious and allows for natural light.

Over the course of the JDCA project, court justice partners and court users also weighed in on issues related to delinquency facilities in surveys, interviews, and focus groups. For example, a survey of court administrators identified courthouse features that need to be developed or improved in courts

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[3] Ronald M. George, Riverside Courthouse Transfer Address, Indio, October 21, 2004.

[4] Judicial Council of Cal., *Judicial Branch (AB 1473) Five-Year Infrastructure Plan, Fiscal Year 2008–2009* (2007); available at *http://www.courtinfo.ca.gov/programs/occm/documents/final_to_dof_5yr_plan_fy0809_07_06_01.pdf.*

[5] This number includes only juvenile-specific courthouses, or those that hear delinquency only or delinquency and dependency cases. Other courthouses that hear many case types, including delinquency, (for example, in small counties) are also scheduled to be remodeled or replaced.

[6] Judicial Council of Cal., *California Trial Court Facilities Standards* (2006); available at *http://www.courtinfo.ca.gov/programs/occm/documents/06_April_Facilities_Standards-Final-Online.pdf.*

[7] National Council of Juvenile and Family Court Judges, *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases* (2005); available at *http://www.ncjfcj.org/content/view/411/411/* (accessed Feb. 17, 2008).

[8] The Cal. Welf. & Inst. Code § 827 ensures the confidentiality of youth in juvenile court with an exception for youth who are at least 14 years old and whose offense is listed in Welf. & Inst. Code § 602.

across the state, and defense attorneys, in response to an open-ended question, pointed out that to be more effective they need more meeting rooms than are available.

The Facilities Checklist was developed to assess the attributes and needs of delinquency court facilities related to various issues relevant specifically to delinquency courts. The items on the checklist are based on issues addressed by the Trial Court Facilities Standards, the planning and design guide from the National Center for State Courts,[9] the Juvenile Delinquency Guidelines, and the JDCA working group. The checklist includes items related to transportation, parking, and accessibility; waiting areas; separate and secure entrances for judges and courthouse staff; safety and security; proximity to the detention center; and workspace for judges, bailiffs, clerks, attorneys, and probation officers.

Some court attributes are not included on the checklist but were pointed out by justice partners when visiting facilities. For example, one facility has designated space to provide appropriate clothing in various sizes for youth who are not in compliance with the court's dress code. In addition, Government Code section 15813 states that "California has a responsibility for expanding public experience with art," and a tour guide in one facility highlighted the artwork there in reference to the Code. That court worked to ensure that the art selected would be meaningful to youth. For example, tiles on the floor have engraved positive quotes from youth and artwork from youth at a local school is also on display.

Court Facilities Findings

Throughout the course of the JDCA project, many courts and justice partners discussed facilities issues in relation to their impact on court effectiveness, efficiency, safety, and treatment of court users in surveys, interviews, and focus groups. Additionally, nine delinquency courthouses were visited for in-depth tours to complete the Facilities Checklist. These courthouses were chosen based on convenience; they were not randomly selected. Two of the nine courthouses visited are considered new—built within the last five years—and exemplify good models of delinquency court facilities based on the Trial Court Facilities Standards, the Juvenile Delinquency Guidelines, and delinquency court justice partners. The results of all of the findings related to delinquency facilities are reported in the sections that follow.

Accessibility

Although all court facilities should be accessible to court users and to the public, delinquency court facilities have unique needs. For example, many justice partners believe that the detention center, or juvenile hall, should be in close proximity or adjacent to the courthouse for efficiency and cost effectiveness. When the detention center is not adjacent, youth must be transported to the courthouse. The transportation often occurs first thing in the morning, and youth must wait in a holding room for their cases to be called. Regardless of whether a youth's case is called immediately or later in the afternoon, he or she may have to wait in the courthouse for all of the cases to be called before being transported back to the detention center. This is time that the youth could be spending in school, in a vocational program, or receiving treatment. In addition, the cost of transporting youth between facilities can be considerable. In one of the counties visited, the youth are detained in a neighboring county approximately 50 miles away. In several other counties, youth must be transported by bus from the detention center to the courthouse. In both of the new delinquency court facilities, a tunnel system

[9] D. Hardenbergh, R. Tobin, and C. Yeh, *The Courthouse: A Planning and Design Guide for Court Facilities* (National Center for State Courts, 1998).

facilitated the quick, secure transfer of youth from the detention center to the adjacent courthouse so that the youth are missing school for only the time necessary to go to court.

It is also important for delinquency facilities to be accessible by public transportation since some court users may not have cars. Most of the facilities visited are accessible by public transportation and have parking available for court users.

An additional factor that may affect accessibility is supervision of younger children when their family members are in court. Some judicial officers will not allow young children in the courtroom, and siblings of detained youth need to be supervised while their parents are in court. The Trial Court Facilities Standards call for "provision of a safe place for children to play while their parents conduct court business." In addition, standard 10.24 of the Standards of Judicial Administration states,

> Each court should endeavor to provide a children's waiting room located in the courthouse for the use of minors under the age of 16 who are present on court premises as participants or who accompany persons who are participants in court proceedings. The waiting room should be supervised and open during normal court hours. If a court does not have sufficient space in the courthouse for a children's waiting room, the court should create the necessary space when court facilities are reorganized or remodeled or when new facilities are constructed.

Only three facilities visited have a supervised children's waiting room that is safe, secure, and not accessible to the public. Two of these three facilities are new facilities. In one of the new facilities, the waiting room is supervised by a court employee and in the other new facility the waiting room is supervised by the county's office of education. According to the National Center for State Courts, only 67 courthouses in California have children's waiting rooms.[10]

Safety and Security

The Facilities Checklist includes items related to the safety and security of the courthouse and its courtrooms. Some items are also discussed in the Trial Court Facilities Standards, such as security and weapons screening at the front door, security in the courtrooms, and a separate entrance to the courthouse and courtrooms for judicial officers. These items are relevant to all courthouses. The Trial Court Facilities Standards point out that access to and from the courthouse must be safe and convenient. Judicial officers and at-risk court staff should have secure parking adjacent to the courthouse and public parking must not be beneath the courthouse. In one interview, a juvenile presiding judge pointed out the fact that judicial officers in that courthouse do not have a separate entrance to their courtrooms and that they share a parking lot with the public. This same county courthouse has a courtroom that cannot be used because its window faces the street and does not have ballistic-resistant glass, which impedes physical safety.[11]

Delinquency court justice partners noted that delinquency courts should have a separate waiting area for victims, a secure holding area for in-custody youth, and a direct, secure path from the holding area to the courtroom. These points are also addressed in both the Trial Court Facilities Standards and the

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[10] National Center for State Courts, "Day Care in the Courts," *http://www.ncsconline.org/WC/CourTopics/StateLinks.asp?id=22&topic=DayCar#California* (accessed Feb. 25, 2008).
[11] The AOC has approved funding for the installation of ballistic-resistant glass for this court, and the installation should be completed soon.

Juvenile Delinquency Guidelines. In only one of the new court facilities is there a separate waiting area for victims; in the other new facility, as in other facilities visited, the district attorney's office is used as a waiting area for victims. In a statewide survey of court administrators, a third of respondents indicated that a separate waiting area for victims is a feature that needs to be developed or improved. Forty percent of court administrators also checked as important a waiting room for out-of-custody youth. In an interview, a member of the court staff at one of the JDCA study counties noted that "[facilities] need rooms for victims to be separate from minors and their families; it can get very volatile."

In some facilities, the only waiting area for out-of-custody youth and their families is the hallway outside of the courtrooms. This situation does not provide safety or security as offenders, victims, witnesses, and their families are crowded into the same waiting space. In addition, youth must confer with their attorneys in this hallway within earshot of the other people waiting. In one facility, court users wait for cases to be called in the same hallway where people called for jury duty wait, further hindering safety and security and violating confidentiality, as discussed in the next section.

Only one of the visited facilities has neither a secure holding cell for in-custody youth nor a secure path to the courtroom; the other eight facilities have both items. Both new facilities have secure holding cells for in-custody youth as well as secure paths from the holding cells to the courtrooms as called for in both the Trial Court Facilities Standards and the Juvenile Delinquency Guidelines. All of the facilities visited have security in the courtroom. Youth are also often shackled for transportation while en route and in the courtroom. Having a blanket policy of shackling youth, however, was recently found to be impermissible by two California Courts of Appeal.[12] The opinion noted, "The juvenile delinquency court may not, as it did here, justify the use of shackles *solely* on the inadequacy of the courtroom facilities or the lack of available security personnel to monitor them."

Protecting Rights

The Juvenile Delinquency Guidelines call for delinquency facilities to have private meeting space for youth and their counsel. In addition, the Trial Court Facilities Standards note that interview rooms should be provided for attorneys and clients and for meeting with victims and witnesses. More than half of the facilities visited do not have a meeting or interview room for out-of-custody youth to meet with their attorneys. When asked in a survey what the court's top needs for improvement are, defense attorneys noted that they need more meeting rooms for their clients. In a separate survey, 36 percent of court administrators reported that attorney-youth interview rooms need to be developed or improved. A common practice in courthouses without meeting space is for attorneys to confer with their juvenile clients as quietly as possible in a potentially crowded hallway or waiting area, which can hinder confidentiality. In one interview, a member of the court staff noted that "the attorneys are forced to interview their clients in public space where everyone waits for court." In another interview in a study county, a deputy public defender pointed out that "even when located with the detention facility, they [youth] don't have appropriate privacy or setting for interviewing. It's especially hard with mental health cases or sex offenders."

An additional way that facilities are not complying with confidentiality laws is in the means used to call cases into the courtrooms. In eight of the nine facilities visited, youth's full names are called out into the waiting area when their cases are ready to be heard. In one of these facilities, the names are

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[12] See *Tiffany A. v. Superior Court (People)* (2007) S.O.S. 2524 and *In re DeShaun M.* (2007) 148 Cal.App.4th 1384.

broadcast through a speaker into the hallways and the parking lot. One new courthouse has remedied this by issuing to youth and their families restaurant-style pagers that vibrate when the youth's case is ready to be heard. Interpreters, when necessary, also receive a pager for their cases.

Workspace

The Trial Court Facilities Standards point out that "related justice agencies have significant business each day within the trial court." Since juvenile prosecutors, public defenders, probation officers, and interpreters must be in the courtroom on a regular basis, and since victims and witnesses often wait in the district attorney's office for their cases to be called, courthouses in which delinquency matters are heard should have office space in or near the courthouse for these justice partners. More than half of the facilities visited do not have colocated offices, or offices inside the courthouse. In a few of the counties, the district attorney's and public defender's offices are located across the street from the courthouse or within a short walking distance. One courthouse assigns a Spanish interpreter to each courtroom every day, essentially colocating the interpreters. In one new facility all of the juvenile division justice partners are colocated, and the probation department is adjacent to the courthouse. In the other new facility, public defenders and interpreters are colocated and prosecutors and probation officers have "convenience centers" in the courthouse and access to computers in the courtroom.

Several court users and community members in focus groups noted that having a single point of contact or court liaison to answer questions about their cases would be helpful. One of the two new facilities has space set aside for information windows at which court users can obtain information. In addition, out-of-custody youth and their parents can go to these windows for an explanation of court orders.

Adequate workspace, including computer access, for the courtroom clerk, judge, and probation officer was also assessed in the facilities visited. A problem in some facilities is a lack of workspace for the probation officer in the courtroom. Sometimes the probation officer must sit at the prosecutor's table, which may exacerbate the stereotype of probation being aligned with the district attorney's office. In one of the new facilities, the probation officer has a workstation in the courtroom that includes a computer on which he or she can access information for the judge, prosecutor, or defense attorney immediately. The probation officer can also use the computer to access instant minute orders and reports and can see which cases will be called next so that those parties in attendance can be called early and the courtroom can manage its calendar efficiently.

Also addressed in the checklist was adequate space at the defense table for the youth, his or her attorney, parents, and an interpreter. Courts have varying practices and policies regarding where parents sit in the courtroom. Court justice partners involved in the JDCA project noted that allowing parents to sit at the attorney's table with the youth may help the parents to be an active part of the system and the youth's rehabilitation. In two of the facilities visited, defense tables allow room for only the youth and attorney.

Adequate space for an interpreter on the witness stand is important as well. The Trial Court Facilities Standards specify that witness boxes should be designed to comfortably seat the witness and an interpreter in addition to accommodating a wheelchair. Two of the facilities visited do not have adequate physical space in the witness box for an interpreter. Courtrooms should also be sized adequately to accommodate the youth, his or her family, the victim, his or her support persons, and any

witnesses. Two of the facilities visited have courtrooms that are not adequate to accommodate all of these people.

Conclusion

The quality of the physical setting of facilities can impact operations and effectiveness of the court. Issues related to accessibility, safety and security, protecting rights, and adequate workspace are important to consider when designing or remodeling facilities.

When building new facilities, courts should take into consideration the proximity of the detention center to delinquency court facilities to avoid unnecessary transportation costs and delays and to eliminate the need for youth to wait for court in holding rooms for several hours. For safety reasons, they should also have a separate waiting area for victims, a secure holding area for in-custody youth, and a direct, secure path from the holding area to the courtroom.

Protecting youth's confidentiality rights is another common concern when evaluating delinquency facilities and operations. In addition to having confidential meeting space for out-of-custody youth and their attorneys, delinquency facilities must provide ways to call cases into court in a confidential way in accordance with the law. One good example is the restaurant-style pager system that one of the new courthouses utilizes.

Since justice partners such as prosecutors, defense attorneys, probation officers, and interpreters play such an integral role in the delinquency system, they should have workspace in or near the courthouse. This is especially important if victims do not have a safe and separate area and must wait in the district attorney's office for their case to be called, and it will reduce delays in these situations. Other technology issues, such as data exchange, are important areas of study but are beyond the scope of this report.

According to the judicial branch's Five-Year Infrastructure Plan, "The state's court facilities require a renewed and continuing investment to ensure that they serve the public safely, efficiently, and effectively, and that they provide equal access to the law and the judicial system." The unique needs of delinquency court facilities must continue to be addressed, and the results of the JDCA project point to a need for facility designs and operations that ensure safety and confidentiality and encourage victims to participate in court.

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CHAPTER 7

Research Instruments

2006 CFCC Survey of Juvenile Court Judges, Commissioners, and Referees

I. BACKGROUND

1. Are you a:

   - ❑ Presiding Judge of the Superior Court
   - ❑ Presiding Judge of the Juvenile Court
   - ❑ Judge
   - ❑ Commissioner
   - ❑ Referee

2. In which county is your court? _____

3. Which of the following cases do you hear? Please check all that apply.

   - ❑ Juvenile Dependency
   - ❑ Juvenile Delinquency
   - ❑ Juvenile Traffic
   - ❑ Child Support
   - ❑ Family
   - ❑ Probate
   - ❑ Adult Criminal
   - ❑ Adult Traffic
   - ❑ Civil
   - ❑ Other _____

If you do not hear dependency or delinquency cases, please complete this page only and return it in the enclosed envelope or fax to the AOC at 415-865-7217 so that we can correct our records. You do not need to complete the remainder of this survey. Thank you for your time.

Please call Iona Mara-Drita at 415-865-7563 with any questions.

4. Please skip to **Q. 7** if you do not hear dependency cases.

When did you begin this dependency assignment? _____ (month) _____(year)

5. When do you think it will conclude? _____ (month) _____(year)

- ❑ Indefinite, or at retirement
- ❑ Do not know

6. Would you choose to continue past the probable end date if you could?

- ❑ Yes
- ❑ No
- ❑ Not sure

7. Please skip to **Q.10** if you do not hear delinquency cases.

When did you begin this delinquency assignment? _____(month) _____(year)

8. When do you think it will conclude? _____(month) _____(year)

- ❑ Indefinite, or at retirement
- ❑ Do not know

9. Would you choose to continue past the probable end date if you could?

- ❑ Yes
- ❑ No
- ❑ Not sure

10. What is the total amount of time that you have been in:

Dependency assignments: _____ Years _____ Months

Delinquency assignments: _____ Years _____ Months

11. In total, how many years have you been in the following positions, regardless of case type (please enter 0 for titles that you have not held):

Judge	_____ Years	_____ Months
Commissioner	_____ Years	_____ Months
Referee	_____ Years	_____ Months

12. Apart from judge, commissioner, and referee, what professional roles have you had in juvenile court matters? Please check all that apply.

- ❑ None
- ❑ Child's attorney in dependency
- ❑ Child's attorney in delinquency
- ❑ Parent's attorney in dependency
- ❑ County counsel or city attorney in dependency
- ❑ Prosecutor in delinquency
- ❑ Probation Officer
- ❑ Social Worker
- ❑ GAL, in dependency
- ❑ Pro-tem
- ❑ CASA volunteer
- ❑ Other _____

13. How much of your time do you spend on delinquency and dependency matters? If it varies significantly, please estimate based on last month.

Dependency

- ❑ None
- ❑ Full time
- ❑ More than 1/2 time, less than full time
- ❑ About 1/2 time
- ❑ More than 1/4 time, less than 1/2 time
- ❑ About 1/4 time
- ❑ Less than 1/4 time

Delinquency

- ❑ None
- ❑ Full time
- ❑ More than 1/2 time, less than full time
- ❑ About 1/2 time
- ❑ More than 1/4 time, less than 1/2 time
- ❑ About 1/4 time
- ❑ Less than 1/4 time

14. What types of juvenile court calendars do you regularly hear? Check all that apply.

Dependency

- ❑ None
- ❑ General
- ❑ Detention or Initial
- ❑ Drug Court (for youth)
- ❑ Drug Court (for adults)
- ❑ Mental Health Court
- ❑ Other _____

Delinquency

- ❑ None
- ❑ General
- ❑ Detention or Initial
- ❑ Deferred Entry of Judgment
- ❑ Traffic
- ❑ Drug Court
- ❑ Mental Health Court
- ❑ Domestic Violence
- ❑ Youth/Peer Court
- ❑ Other _____

II. CROSSOVER PROCESSES IN YOUR COURTROOM

15. Please rate your satisfaction with how your court handles cases involving children who are moving from one part of the juvenile court to the other by circling the number that best corresponds to your satisfaction level.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied

The frequency with which probation and child welfare reach agreements	5	4	3	2	1
Information sharing between the two agencies	5	4	3	2	1
Information presented to you when agencies' viewpoints diverge	5	4	3	2	1
The appropriateness of the recommendations, given youth's offense, strengths, and challenges	5	4	3	2	1

16. In addition to public safety and child's best interest concerns, which of the following are considerations when deciding on moving youth from one part of the juvenile court to the other? Please check all that apply.

- ❑ There is an interruption in services for dependent youth who enter the delinquency system
- ❑ Services for youth in the delinquency system are not as extensive as services in the dependency system
- ❑ Delinquent youth who cannot be sent home are kept on probation longer than delinquent youth who can be sent home
- ❑ Dependent youth with delinquency referrals can lose their ability to return to their prior placement
- ❑ None of the above
- ❑ Other _____

17. When a dependent youth in your court has a delinquency filing, as a rule, are you assigned to that case as well?

- ❑ Yes
- ❑ No
- ❑ Not applicable

18. When a delinquent youth in your court has a dependency filing, as a rule, are you assigned to that case as well?

- ❑ Yes
- ❑ No
- ❑ Not applicable

III. EDUCATION AND TRAINING

19. Did you receive specialized training early in your first **dependency** assignment? Please check all that apply.

    - ❑ Yes, before I started the assignment
    - ❑ Yes, within one year of starting the assignment
    - ❑ No
    - ❑ Not applicable
    - ❑ Do not recall

20. Did you receive specialized training early in your first **delinquency** assignment? Please check all that apply.

    - ❑ Yes, before I started the assignment
    - ❑ Yes, within one year of starting the assignment
    - ❑ No
    - ❑ Not applicable
    - ❑ Do not recall

21. In the last year, about how many hours of specialized training related to juvenile dependency, juvenile delinquency, or related subjects did you participate in as a learner? (Note: please exclude hours spent as an instructor.)

    _____ hours

    ❑ Do not know

22. Which, if any, are significant work-related barriers to your attending more trainings? Check all that apply.

    - ❑ I have no significant work-related barriers to attending trainings
    - ❑ Few juvenile trainings are available in my area
    - ❑ Travel is difficult from my court's geographical location
    - ❑ Court has trouble covering my time away
    - ❑ Available trainings do not meet my needs
    - ❑ Court budget constraints
    - ❑ Other work-related reasons

If you hear delinquency cases, please continue with the survey.

If you hear dependency, but not delinquency cases, please stop here. You are done with the survey.

Thank you for the time you have taken to fill out this important survey. Please return this survey in the enclosed envelope by June 30, 2006. Please call Iona Mara-Drita at 415-865-7563 with any questions.

For the remainder of this survey, please consider only your delinquency cases.

IV. HEARING MANAGEMENT

23. Please check the description that best suits your courtroom regarding continuances and other hearing delays. They are:

- ❑ Not a problem
- ❑ A minor problem
- ❑ A moderate problem
- ❑ A major problem

24. How often do you have enough time to complete your calendar and hear each case to your satisfaction?

- ❑ Always or nearly always
- ❑ Often
- ❑ Sometimes
- ❑ Occasionally
- ❑ Never or rarely
- ❑ Not applicable

25. What are the top causes of hearing delays in uncontested matters? **Please check the top 3.**

- ❑ Hearings need more than allocated time
- ❑ Lack of or improper notice
- ❑ Youth not present
- ❑ Parent not present
- ❑ Attorney not present
- ❑ Attorney not ready
- ❑ Probation not present
- ❑ Probation report not available or filed on time
- ❑ Evaluation reports not available or filed on time
- ❑ Other reports, persons, or information not available

26. What are the top causes of hearing continuances in contested matters, or trials? **Please check the top 3.**

- ❑ Hearing needs more than allocated time
- ❑ Lack of or improper notice
- ❑ Youth not present
- ❑ Parent not present
- ❑ Attorney not present
- ❑ Attorney not ready
- ❑ Probation not present
- ❑ Probation report not available or filed on time
- ❑ Evaluation reports not available or filed on time
- ❑ Evidentiary information or witness not available
- ❑ Other reports, persons, or information not available

27. Which factors must be met before you will terminate wardship? Check all that apply.

- ❑ None. There are no pre-determined standards for dismissal
- ❑ No recent re-offenses
- ❑ No recent violations of probation
- ❑ Community service fulfilled
- ❑ Restitution fulfilled
- ❑ Other court-ordered terms fulfilled
- ❑ Youth able to return home
- ❑ Other. Please specify _____

V. QUALITY OF INFORMATION AND ADVOCACY

28. Please check the box that best describes your belief about pre-petition diversion (WIC 654, informal probation).

- ❑ I believe that diversion is over-utilized. Too many matters that should have judicial oversight do not come to court.
- ❑ I believe that diversion is underutilized. I dismiss or order informal supervision for a high number of cases that should not have come to court.
- ❑ I believe that diversion is utilized appropriately.

29. Please rate your satisfaction with the quality of information in **detention/initial hearing probation reports** by circling the number that best corresponds to your satisfaction level.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Prior delinquency record	5	4	3	2	1	X
School attendance and adjustment	5	4	3	2	1	X
Home life	5	4	3	2	1	X
Alcohol and drug use	5	4	3	2	1	X
Parent's feeling about detaining the youth	5	4	3	2	1	X
Risk assessments	5	4	3	2	1	X
Indian ancestry	5	4	3	2	1	X

30. Please rate your satisfaction with quality of information in **jurisdiction and disposition hearing probation reports** by circling the number that best corresponds to your satisfaction level.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Prior delinquency record	5	4	3	2	1	X
School attendance and adjustment	5	4	3	2	1	X
Home life	5	4	3	2	1	X
Mental health	5	4	3	2	1	X
Physical health	5	4	3	2	1	X
Alcohol and drug use	5	4	3	2	1	X
Mental health assessments	5	4	3	2	1	X
Risk and needs assessments	5	4	3	2	1	X
IEP	5	4	3	2	1	X
Special needs	5	4	3	2	1	X

31. Please rate your satisfaction with the quality of information in probation review reports for **post-disposition probation youth who are at home** by circling the number that best corresponds to your satisfaction level.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Progress in community service, restitution, and fines	5	4	3	2	1	X
Progress in meeting other terms of probation	5	4	3	2	1	X
Provision of court-ordered services	5	4	3	2	1	X
Effectiveness of court-ordered services	5	4	3	2	1	X
School attendance and adjustment	5	4	3	2	1	X
Home life	5	4	3	2	1	X
Mental health	5	4	3	2	1	X
Physical health	5	4	3	2	1	X
Alcohol and drug use	5	4	3	2	1	X
IEP	5	4	3	2	1	X
Special needs	5	4	3	2	1	X

32. Please rate your satisfaction with the quality of information in probation review reports for **youth placed in foster or group homes** by circling the number that best corresponds to your satisfaction level.

❑ I do not send youth to that type of facility at all (skip to next question)

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Progress in community service, restitution, and fines	5	4	3	2	1	X
Progress in meeting other terms of probation	5	4	3	2	1	X
Suitability to be returned home	5	4	3	2	1	X
Safety of the youth at the placement	5	4	3	2	1	X
Provision of court-ordered services	5	4	3	2	1	X
Effectiveness of court-ordered services	5	4	3	2	1	X
School attendance and adjustment	5	4	3	2	1	X
Connections with family	5	4	3	2	1	X
Mental health	5	4	3	2	1	X
Physical health	5	4	3	2	1	X
Alcohol and drug use	5	4	3	2	1	X
Independent living services	5	4	3	2	1	X
IEP	5	4	3	2	1	X
Special needs	5	4	3	2	1	X

33. Please rate your satisfaction with the quality of information in probation review reports for youth placed in **camps and ranches** by circling the number that best corresponds to your satisfaction level.

❑ I do not send youth to that type of facility at all (skip to next question)

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Suitability to be returned home	5	4	3	2	1	X
Safety of the youth at the facility	5	4	3	2	1	X
Whether court-ordered services are being provided	5	4	3	2	1	X
Whether services have been effective	5	4	3	2	1	X
School attendance and adjustment	5	4	3	2	1	X
Connections with family	5	4	3	2	1	X
Mental health	5	4	3	2	1	X
Physical health	5	4	3	2	1	X
Alcohol and drug use	5	4	3	2	1	X
Independent living services	5	4	3	2	1	X
IEP	5	4	3	2	1	X
Special needs	5	4	3	2	1	X

34. Please rate your satisfaction with the quality of information in status reports for youth placed at **CDCR, DJJ (formerly,CYA) facilities** by circling the number that best corresponds to your satisfaction level.

❑ I do not send youth to that type of facility at all (skip to next question)

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Suitability to be returned home	5	4	3	2	1	X
Safety of the youth at the facility	5	4	3	2	1	X
Whether court-ordered services are being provided	5	4	3	2	1	X
Whether services have been effective	5	4	3	2	1	X
School attendance and adjustment	5	4	3	2	1	X
Connections with family	5	4	3	2	1	X
Mental health	5	4	3	2	1	X
Physical health	5	4	3	2	1	X
Alcohol and drug use	5	4	3	2	1	X
Independent living services	5	4	3	2	1	X
IEP	5	4	3	2	1	X
Special needs	5	4	3	2	1	X

35. Thinking now about the range of activities that occur **post-dispositionally,** please rate your satisfaction with them by circling the number that best corresponds to your satisfaction level.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

The frequency of post-disposition review hearings for non-placement youth	5	4	3	2	1	X
Probation review reports	5	4	3	2	1	X
Probation visits with youth	5	4	3	2	1	X
Child's attorney visits with youth	5	4	3	2	1	X
Child's attorney requests to amend probation terms	5	4	3	2	1	X

36. How often do probation officers do the following when working with youth for whom Title IV-E money is drawn?

5: Always or nearly always, 4: Often, 3: Sometimes, 2: Occasionally, 1: Never or rarely
X: Do not know

Involve youth in case plans	5	4	3	2	1	X
Try to locate relatives	5	4	3	2	1	X
Help youth make adult connections	5	4	3	2	1	X
Secure ILP services	5	4	3	2	1	X
Notice tribes when Indian status is in question	5	4	3	2	1	X

37. Please rate your satisfaction with the performance of **prosecutors** in the following areas by circling the number that best corresponds to your satisfaction level.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (Prosecutors do not do this at all)

Pre-disposition advocacy	5	4	3	2	1	X
Post-disposition advocacy	5	4	3	2	1	X
Appearing for scheduled hearings	5	4	3	2	1	X
Making sound legal arguments	5	4	3	2	1	X
Being knowledgeable about the facts of the case	5	4	3	2	1	X
Being knowledgeable about the law	5	4	3	2	1	X
Being knowledgeable about community resources	5	4	3	2	1	X
Providing timely discovery	5	4	3	2	1	X
Calling witnesses	5	4	3	2	1	X
Direct examination	5	4	3	2	1	X
Cross examination	5	4	3	2	1	X
Motion practices	5	4	3	2	1	X
Trial briefs	5	4	3	2	1	X

38. Please rate your satisfaction with the performance of **defense attorneys** in the following areas by circling the number that best corresponds to your satisfaction level.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (Defense attorneys do not do this at all)

Pre-disposition advocacy	5	4	3	2	1	X
Post-disposition advocacy	5	4	3	2	1	X
Conferring with child clients	5	4	3	2	1	X
Visiting child clients	5	4	3	2	1	X
Appearing for scheduled hearings	5	4	3	2	1	X
Making sound legal arguments	5	4	3	2	1	X
Being knowledgeable about the facts of the case	5	4	3	2	1	X
Being knowledgeable about the law	5	4	3	2	1	X
Being knowledgeable about community resources	5	4	3	2	1	X
Providing timely discovery	5	4	3	2	1	X
Calling witnesses	5	4	3	2	1	X
Direct examination	5	4	3	2	1	X
Cross examination	5	4	3	2	1	X
Motion practices	5	4	3	2	1	X
Trial briefs	5	4	3	2	1	X

VI. SANCTIONS AND SERVICES

39. Please rate your level of satisfaction with the range of options available to you for sanctions and services for the following populations by circling the number that best corresponds to your level of satisfaction.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not have options for these youth at all)

Sanctions for low risk youth	5	4	3	2	1	X
Sanctions for intermediate risk youth	5	4	3	2	1	X
Sanctions for high risk youth	5	4	3	2	1	X
Services for low risk youth	5	4	3	2	1	X
Services for intermediate risk youth	5	4	3	2	1	X
Services for high risk youth	5	4	3	2	1	X

40. Please rate your satisfaction with the performance of youth given a disposition of **court-ordered informal probation or DEJ** on the following outcomes:

- ❑ I do not order these dispositions (skip to next question)

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Recidivism	5	4	3	2	1	X
Educational progress or improvement	5	4	3	2	1	X
Mental health improvement	5	4	3	2	1	X
Substance abuse improvement	5	4	3	2	1	X
Payment of restitution	5	4	3	2	1	X
Completion of community service	5	4	3	2	1	X

41. Please rate your satisfaction with the performance of youth given a disposition of **probation with wardship** on the following outcomes:

- ❑ I do not order this disposition (skip to next question)

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Recidivism	5	4	3	2	1	X
Educational progress or improvement	5	4	3	2	1	X
Mental health improvement	5	4	3	2	1	X
Substance abuse improvement	5	4	3	2	1	X
Payment of restitution	5	4	3	2	1	X
Completion of community service	5	4	3	2	1	X

42. Please rate your satisfaction with the performance of youth given a disposition of **intensive supervision or electronic monitoring** on the following outcomes:

- ❑ I do not order these dispositions (skip to next question)

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Recidivism	5	4	3	2	1	X
Educational progress or improvement	5	4	3	2	1	X
Mental health improvement	5	4	3	2	1	X
Substance abuse improvement	5	4	3	2	1	X
Payment of restitution	5	4	3	2	1	X
Completion of community service	5	4	3	2	1	X

43. Please rate your satisfaction with the performance of youth given a disposition of **camp, ranch, or private placement** on the following outcomes. **Note: please consider only those placements that are located in California.**

- ❑ I do not order this disposition (skip to next question)

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Recidivism	5	4	3	2	1	X
Educational progress or improvement	5	4	3	2	1	X
Mental health improvement	5	4	3	2	1	X
Substance abuse improvement	5	4	3	2	1	X
Payment of restitution	5	4	3	2	1	X
Completion of community service	5	4	3	2	1	X

44. Please rate your satisfaction with the performance of youth given a disposition of **CDRC-DJJ (formerly CYA)** on the following outcomes:

- ❑ I do not order this disposition (skip to next question)

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (I do not receive this information at all)

Recidivism	5	4	3	2	1	X
Educational progress or improvement	5	4	3	2	1	X
Mental health improvement	5	4	3	2	1	X
Substance abuse improvement	5	4	3	2	1	X
Payment of restitution	5	4	3	2	1	X
Completion of community service	5	4	3	2	1	X

45. Please rate your satisfaction with the following supervision programs.

5: Very satisfied, 4: Satisfied, 3: Neither satisfied nor dissatisfied, 2: Dissatisfied, 1: Very dissatisfied
X: Not applicable (We do not have this program at all)

Restorative justice – focused programs	5	4	3	2	1	X
Intensive supervision	5	4	3	2	1	X
Day Reporting Centers	5	4	3	2	1	X
Day Treatment Centers	5	4	3	2	1	X
House Arrest	5	4	3	2	1	X
Short stay in juvenile hall	5	4	3	2	1	X
Foster homes	5	4	3	2	1	X
Group homes	5	4	3	2	1	X
Residential treatment facilities	5	4	3	2	1	X
Camps	5	4	3	2	1	X
Ranches	5	4	3	2	1	X
CDCR, DJJ (formerly CYA) facilities	5	4	3	2	1	X

46. Some youth are particularly difficult to match with appropriate supervision, treatment, and placements. Which are the most difficult to match in your court? **Please check all that apply.**

- ❑ Low risk youthful offenders
- ❑ Very young children
- ❑ Youth with troubled home lives
- ❑ Developmentally delayed youth
- ❑ Youth with mental health issues
- ❑ Pregnant girls
- ❑ Girls
- ❑ Native American youth
- ❑ Immigrant youth
- ❑ Gang youth
- ❑ Runaways
- ❑ Beyond control youth
- ❑ High risk/low need youth
- ❑ Youth with violent backgrounds
- ❑ Youth with arson backgrounds
- ❑ Youth with sex crime backgrounds
- ❑ Other _____

VII. ASSESSING NEEDS

47. Regarding collaboration, please indicate which activities you would like to see improve by circling the number that best describes your belief:

    3: This activity should happen more often or its quality should be improved
    2: We are doing well regarding this activity and it should stay as it is
    1: We should engage in this activity less

Meetings of stakeholders in which the courts participate	3	2	1
Meetings of stakeholders without the courts	3	2	1
Court collaborating with the community (e.g., public relations, programs for youth and victims)	3	2	1
Other agencies collaborating with the community	3	2	1
Court-probation cross-training/briefings on procedures and policies	3	2	1
Training/briefing the court on treatment options	3	2	1
Training/briefing the court on placement options	3	2	1

48. Please describe the current level of court-stakeholder meetings (with probation, child welfare, etc.) that you yourself are involved in. Check all that apply.

    - ❑ I meet regularly with other stakeholders
    - ❑ I meet with them on an as-needed basis
    - ❑ I never or rarely meet with them

49. If you meet, what topics do you confer on? Please check all that apply.

    - ❑ Procedure and policy
    - ❑ Supervision, treatment and placement issues (not case specific)
    - ❑ Other, please specify _____

50. Please rate the court's working relationship with the following stakeholders by circling the number that best corresponds to the quality of the working relationship.

5: Very good, 4: Good, 3: Fair, 2: Poor, 1: Very poor
X: Not applicable (the court does not have a working relationship with this group at all)

Probation	5	4	3	2	1	X
Public Defender's Office	5	4	3	2	1	X
Alternative Public Defender's Office	5	4	3	2	1	X
District Attorney's Office	5	4	3	2	1	X
County Mental Health	5	4	3	2	1	X
Child Welfare	5	4	3	2	1	X
Juvenile Hall management	5	4	3	2	1	X
Camps and Ranches management	5	4	3	2	1	X

51. Please rate the court's working relationship with the following stakeholders by circling the number that best corresponds to the quality of the working relationship.

5: Very good, 4: Good, 3: Fair, 2: Poor, 1: Very poor
X: Not applicable (the court does not have a working relationship with this group at all)
Y: Varies too much to say (e.g., depends on the specific unit, district, etc.)

Law enforcement	5	4	3	2	1	X	Y
School districts	5	4	3	2	1	X	Y
Substance Abuse service providers	5	4	3	2	1	X	Y
Domestic violence service providers	5	4	3	2	1	X	Y

52. How strongly do you agree that your court needs these system improvements?

5: Agree strongly, 4: Agree, 3: Neither agree not disagree 2: Disagree, 1: Strongly disagree

More time for hearings	5	4	3	2	1
More time for pre-hearing preparation	5	4	3	2	1
More judicial positions	5	4	3	2	1
More research attorneys	5	4	3	2	1
More case managers	5	4	3	2	1
More probation officers	5	4	3	2	1
Improving quality of probation reports	5	4	3	2	1
Improving timeliness of probation reports	5	4	3	2	1
Improving attorney attendance or performance	5	4	3	2	1

Access/better access to victim-offender mediation	5	4	3	2	1
Access/better access to family group conferencing	5	4	3	2	1
Access/better access to court volunteers	5	4	3	2	1
Access/better access to juvenile drug court	5	4	3	2	1
Access/better access to juvenile mental health court	5	4	3	2	1
Access/better access to juvenile traffic court	5	4	3	2	1
Access/better access to truancy court	5	4	3	2	1
Access/better access to youth/peer court	5	4	3	2	1
Access to same- or next-day Spanish language interpreters	5	4	3	2	1
Access to same- or next-day interpreters for other languages	5	4	3	2	1

Improvements in juvenile custody options	5	4	3	2	1
Improvements in probation-supervised services	5	4	3	2	1
Availability of victim and restitution services	5	4	3	2	1

More time and opportunity to collaborate with probation and other stakeholders	5	4	3	2	1
More time and opportunity to meet with community members	5	4	3	2	1
More time and opportunity to visit placements	5	4	3	2	1

Improvements in post-disposition reports	5	4	3	2	1
Improvements in post-disposition review hearings	5	4	3	2	1

53. What, do you believe, are the top three strengths of your juvenile court?

54. What, do you believe, are the top three needs for improvement in your juvenile court?

Thank you for filling out the survey.

CFCC truly appreciates the time and effort that you have spent taking this survey. We will make the results available to you in reports generated by the Juvenile Delinquency Court Assessment, in other Center publications, and in upcoming trainings.

Please return by September 7, 2006 to:

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Center for Families, Children & the Courts
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660
Iona.Mara-Drita@jud.ca.gov
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Juvenile Delinquency Court Assessment Project

PART A: 2006 CFCC COURT OPERATIONS SURVEY

Who should complete this survey?

This survey collects data on a wide range of topics concerning the administration of a California delinquency court, such as technology, hearings, and staffing. The survey should be filled out by the person who directly oversees the administration of the delinquency court.

If you have any questions regarding this survey, please contact Amy Bacharach at CFCC (415-865-7913). Thank you for your participation.

PLEASE SAVE THIS FILLABLE DOCUMENT BEFORE BEGINNING

1. What is your position in the court?

   ☐ Chief Executive Officer
   ☐ Clerk of the Court
   ☐ Court Administrator/Manager
   ☐ Presiding Judge of the Superior Court
   ☐ Presiding Judge of the Juvenile Court
   ☐ Other: *Specify* _____

2. In what county are you located? _____

3. What is your court's usual case assignment procedure for delinquency court? *Check all that apply.*

   ☐ Cases are assigned to judicial officers for the duration of the case prior to or at the time of the initial hearing
   ☐ Cases are assigned to judicial officers for the duration of the case after the initial hearing is complete
   ☐ Different judicial officers handle cases during different stages of the juvenile proceedings
   ☐ Other: *Specify* _____
   ☐ Do not know

4. Considering all courthouse locations, please check the top 3 delinquency courthouse features that need to be developed or improved.

☐ Holding cells for in-custody youth
☐ Secure path from holding cell to courtroom
☐ Waiting rooms for out-of-custody youth
☐ Supervised children's waiting rooms
☐ Juvenile hall that is near or at the courthouse
☐ Attorney-youth interview room
☐ Separate waiting area for victims
☐ Separate waiting area for witnesses
☐ Separate waiting area for youths' families
☐ Security at the front door
☐ Security inside each courtroom
☐ Video conferencing
☐ Cafeteria or vending machine area
☐ Other: *Specify* _____

5. Please indicate how satisfied you are with the following support for the delinquency court.

	Very satisfied	Satisfied	Neither satisfied nor dissatisfied	Dissatisfied	Very dissatisfied	We do not have this at all
Number of courtroom clerks	☐	☐	☐	☐	☐	☐
Number of other clerk's office staff	☐	☐	☐	☐	☐	☐
Number of case managers in courthouse	☐	☐	☐	☐	☐	☐
Number of research attorneys	☐	☐	☐	☐	☐	☐
Number of bailiffs	☐	☐	☐	☐	☐	☐

6. For the following hearing types, please indicate how hearings are usually scheduled in your court.

	Full-day block	1/2-day block	Less than 1/2-day block	Time-certain scheduling	Varies too much to say	Not applicable
Detention	☐	☐	☐	☐	☐	☐
Uncontested hearings	☐	☐	☐	☐	☐	☐
Contested hearings	☐	☐	☐	☐	☐	☐
Progress/Status reviews	☐	☐	☐	☐	☐	☐

7. Which of the following court operations tasks are performed or can be performed using your delinquency case management system? *Check all that apply.*

	Our system is capable of performing this task	We regularly use the system to perform this task
Assigning cases to judicial officers	☐	☐
Scheduling hearings	☐	☐
Flagging hearings that are out of compliance with timeliness	☐	☐
Producing completed minute orders	☐	☐
Producing blank minute orders to be filled in by hand	☐	☐
Producing DOJ 8716 forms	☐	☐
Producing completed restraining orders	☐	☐
Producing case/daily calendars	☐	☐
Tracking physical location of hard copy files	☐	☐
Other: *Specify*	☐	☐

8. Which of the following court management statistics are generated or can be generated using your delinquency case management system? *Check all that apply.*

	Our system is capable of generating these statistics	We regularly use our system to generate these statistics
Judicial caseload	☐	☐
Judicial findings and orders	☐	☐
Timeliness of hearings	☐	☐
Reasons for continuances	☐	☐
Other: *Specify*	☐	☐

9. Can judicial officers or their clerks access any of the following automated systems? *Check all that apply.*

☐ Juvenile delinquency court case management system
☐ Juvenile dependency court case management system
☐ Criminal court case management system
☐ Child welfare agency system (CWS/CMS)
☐ Local probation department system
☐ County mental health records
☐ Sheriff or other local law enforcement
☐ CLETS restraining order system
☐ Other: *Specify* _____

10. How are parents informed that they may be responsible for costs arising out of their children's delinquency case (e.g. fines, fees, cost of restitution)? *Check all that apply.*

- ☐ Generally they are not informed of these costs
- ☐ Printed on the petition
- ☐ The judge tells them
- ☐ It is in our informational brochures/videos
- ☐ Another agency (e.g. probation, defense, prosecution) informs them
- ☐ Other: *Specify* _____
- ☐ Do not know

11. What types of orders are available to parties before they leave the courtroom? *Check all that apply.*

	Youth	Victim
None	☐	☐
Minute orders	☐	☐
Restraining or stay away orders	☐	☐
Probation conditions	☐	☐
Notice of future hearing	☐	☐

12. How does your court work towards improving customer service for parties involved in the delinquency process and members of the public? *Check all that apply.*

- ☐ The courthouse has a suggestion box and the court routinely reads submissions
- ☐ We periodically survey the public about their perceptions
- ☐ We hold public hearings where the public may discuss their concerns
- ☐ We have a formal grievance procedure that court users can access
- ☐ We train our court employees on respectfully working with the public
- ☐ We train our judicial officers on respectfully working with the public
- ☐ Performance reviews of court staff include the question of customer service
- ☐ Other: *Specify* _____

13. When does your court primarily use each of the following restorative procedures for resolving issues in juvenile delinquency proceedings? *Please choose one timeframe for each procedure.*

	Not available	As diversion	Before jurisdiction	Before disposition	Post disposition	Do not Know
Neighborhood accountability boards	☐	☐	☐	☐	☐	☐
Victim-offender mediation	☐	☐	☐	☐	☐	☐
Family group conferencing	☐	☐	☐	☐	☐	☐
Other: *Specify*	☐	☐	☐	☐	☐	☐

14. Does your court use any of the following collaborative courts for resolving issues in juvenile delinquency proceedings? *Check all that apply.*

☐ Drug court
☐ Mental health court
☐ Peer court
☐ Truancy court
☐ Other: *Specify* _____

15. Does your court have an informal juvenile traffic court? If so, what kinds of cases does it handle? *Check all that apply.*

☐ No, we do not have an informal juvenile traffic court
☐ Traffic, except DUI & felonies
☐ Infractions
☐ Other select misdemeanors

16. In the last year, which of the following types of professionals have heard cases in informal juvenile traffic court? *Check all that apply.*

☐ Not applicable; we do not have an informal juvenile traffic court
☐ Judge
☐ Commissioner
☐ Referee
☐ Attorney (who does not have any of the above appointments)
☐ Probation officer
☐ Retired probation officer
☐ Other: *Specify* _____

17. When language interpreter services are needed, how often does your court provide them for the following people?

	Nearly Always or Always	Often	Sometimes	Occasionally	Never or Rarely	Don't know
Youth	☐	☐	☐	☐	☐	☐
Parents/ Guardians	☐	☐	☐	☐	☐	☐
Witnesses	☐	☐	☐	☐	☐	☐
Victims	☐	☐	☐	☐	☐	☐
Other: *Specify*	☐	☐	☐	☐	☐	☐

18. Please list the top languages (up to 3) for which people coming into the delinquency courtroom need interpreters. For each language, how long does it take to find an interpreter when one is needed?

☐ Not applicable; we do not provide interpreter services

Language	Same Day	1-3 work days	4-5 work days	More than a week	Varies too much to say
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐

19. Please list the top languages (up to 3) for which people coming into the delinquency courtroom need interpreters. For each language, how often are hearings postponed because an interpreter is not available?

☐ Not applicable; we do not provide interpreter services

Language	Nearly Always or Always	Often	Sometimes	Occasionally	Never or Rarely	Don't Know
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐

Crossover Processes

20. How well do you think your current process for handling cases that come within the jurisdiction of both the juvenile dependency and delinquency courts works to address the needs of children in your county?

Very well	Somewhat well	Not very well	Not well at all	Don't know
☐	☐	☐	☐	☐

21. Which of the following problems exist with your W & I 241.1(a) protocol? *Check all that apply.*

- ☐ None
- ☐ Returning children from probation to the dependency system
- ☐ Children are kept in delinquency placement longer than necessary
- ☐ Continuity of services for the child
- ☐ Continuity of services for the family
- ☐ Lack of consequences for the child
- ☐ Lack of probation oversight
- ☐ Appropriate services for children
- ☐ Lack of communication/coordination among child welfare, probation, and the court
- ☐ Lack of ongoing coordinated case assessment
- ☐ Net widening (more children entering the delinquency system)
- ☐ Lack of structured decision making
- ☐ Lack of consequences for the child
- ☐ Lack of services oversight
- ☐ Other: *Specify* _____

22. Has your county developed an AB 129 protocol (a written protocol under W & I 241.1(e) permitting a child who meets specified criteria to be designated as both a dependent child and a ward of the juvenile court)?

- ☐ Yes (Please stop here, you are finished with the survey)
- ☐ No (Continue to #23)

23. Has your county engaged in any discussions about implementing an AB 129 (W & I 241.1(e)) protocol?

- ☐ Yes (Continue to #24)
- ☐ No (Please stop here, you are finished with the survey)

24. What were the 3 most challenging issues or concerns that arose during those discussions? Please respond regardless of whether your county has actually developed a protocol.

- ☐ Allocation of responsibilities among the court and agencies
- ☐ General resources (e.g. services, staff)
- ☐ Allocation of IVE funds
- ☐ Information sharing
- ☐ How to identify or screen for appropriate cases
- ☐ ASFA issues
- ☐ Determining the most effective model
- ☐ Net widening (more children entering the delinquency system)
- ☐ Resistance from one of the parties required to sign off on the protocol
- ☐ Other: *Specify* _____

25. Has your county decided against implementing a protocol, or are discussions ongoing?

☐ Decided against implementing a protocol (Continue to #26)
☐ Discussions are ongoing (Please stop here, you are finished with the survey)
☐ Other: *Specify* _____

26. What is the primary reason your county has decided against implementing a protocol? *Please select one.*

☐ Don't have enough cases to merit creating a protocol
☐ Could not gain buy in from all parties required to sign off on protocol
☐ Could not agree on specifics of how protocol would work
☐ Unsure how protocol would impact other state or federal requirements
☐ Other: *Specify* _____

Thank you for participating.

CFCC truly appreciates the time and effort that you have spent taking this survey. We will make the results available to you in reports generated by the Juvenile Delinquency Court Improvement Program Assessment, in other CFCC publications, and in upcoming trainings.

Please return by Friday, September 29, 2006 to:

Amy Bacharach
Center for Families, Children & the Courts
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660
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ID #

Juvenile Delinquency Court Assessment Project

2007 CFCC Survey of Juvenile Probation Officers

This anonymous survey is part of a project with the Administrative Office of the Courts, Center for Families, Children & the Courts (CFCC), that is examining how to improve the juvenile court process. The questions ask about a wide range of topics concerning juvenile probation officers' experiences with the juvenile court. Questions should be answered based on your own, current experience.

If you have any questions regarding this survey, please contact Amy Bacharach at the CFCC at 415-865-7913 or amy.bacharach@jud.ca.gov. Thank you for your participation.

A. What is your current role in your county's juvenile probation department? *Check all that apply.*

- ☐ Intake officer
- ☐ Investigation officer
- ☐ Placement officer
- ☐ Court officer
- ☐ Supervision/Field officer
- ☐ DPO at an institution or facility

- ☐ Manager/Supervisor (with no caseload) of people who work in juvenile probation
- ☐ Institutional or Facilities (Detention or Commitment) officer with no caseload
- ☐ Other *(Specify)*: _____

- ☐ I do not work in juvenile

ATTENTION:

IF YOU CHECKED A CIRCLE ABOVE, PLEASE COMPLETE THE REMAINDER OF THIS SURVEY.

IF YOU CHECKED A SQUARE, YOU DO NOT NEED TO FILL OUT THIS SURVEY.
PLEASE RETURN THIS PAGE ONLY BY MAIL OR FAX TO 415-865-7217 TO THE ATTENTION OF AMY BACHARACH SO THAT WE CAN CORRECT OUR RECORDS.

THANK YOU VERY MUCH FOR YOUR PARTICIPATION.

DEPARTMENT AND BACKGROUND INFORMATION

1. In which county do you work? _____

2. What types of caseloads do you have? *Check all that apply.*

   - ☐ Not applicable; I do not supervise
   - ☐ General caseload
   - ☐ Placement
   - ☐ Informal supervision
   - ☐ Intensive supervision
   - ☐ Drug court
   - ☐ Family preservation
   - ☐ Gangs
   - ☐ Sex offenders
   - ☐ Other *(Specify)*: _____

3. For how long have you been in probation in any capacity?

   _____Years _____Months

4. For how long have you been in juvenile assignments?

   Current assignment: _____Years _____Months

   Total in your career: _____Years _____Months

5. Where would you like to be in 2 years?

   - ☐ In the juvenile division
   - ☐ Another division of the probation department
   - ☐ Working outside of probation
   - ☐ Out of the workforce
   - ☐ Other *(Specify)*: _____
   - ☐ Do not know

6. Under what circumstances do you expect to leave the juvenile division? *Check only 1.*

   - ☐ I expect to remain in the juvenile division
   - ☐ I will request to leave the juvenile division
   - ☐ I will be re-assigned
   - ☐ I will leave probation (e.g., for another position or to leave the workforce)
   - ☐ Do not know

7. Approximately how much time do you spend doing each of the following?

	Rarely/ Never 0%-5%	Occasionally 6%-35%	Sometimes 36%-65%	Often 66%-95%	Nearly Always/ Always 96%-100%
Preparing court reports	☐	☐	☐	☐	☐
Preparing review reports	☐	☐	☐	☐	☐
Supervising youth in the community	☐	☐	☐	☐	☐
Supervising youth in camps/ranches	☐	☐	☐	☐	☐
Supervising youth in placement	☐	☐	☐	☐	☐
Attending court	☐	☐	☐	☐	☐
Coordinating services or programs (e.g., education liaison, aftercare)	☐	☐	☐	☐	☐
Providing victim services	☐	☐	☐	☐	☐
Other *(Specify)*:	☐	☐	☐	☐	☐

8. In the space below, please indicate the top 3 things you enjoy about your juvenile assignment.

9. In the space below, please indicate the top 3 things you would change about your juvenile assignment.

SANCTIONS AND SERVICES

10. Please rate your satisfaction with the effectiveness of the following options available to youth and victims.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable to my role, do not know, or do not have enough experience to answer

Restitution collection	5	4	3	2	1	X	Y
Victim-offender mediation	5	4	3	2	1	X	Y
Neighborhood/Youth Accountability Boards	5	4	3	2	1	X	Y
Family group conferencing	5	4	3	2	1	X	Y

11. Please rate your satisfaction with the range of options available to you for sanctions and services for the following populations.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable to my role, do not know, or do not have enough experience to answer

Sanctions for low risk youth	5	4	3	2	1	X	Y
Sanctions for intermediate risk youth	5	4	3	2	1	X	Y
Sanctions for high risk youth	5	4	3	2	1	X	Y

Services for low risk youth	5	4	3	2	1	X	Y
Services for intermediate risk youth	5	4	3	2	1	X	Y
Services for high risk youth	5	4	3	2	1	X	Y

12. Please rate your satisfaction with the effectiveness of the following sanction options available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable to my role, do not know, or do not have enough experience to answer

Counsel & dismiss	5	4	3	2	1	X	Y
Informal supervision	5	4	3	2	1	X	Y
Community service	5	4	3	2	1	X	Y
Home on probation	5	4	3	2	1	X	Y
Electronic monitoring	5	4	3	2	1	X	Y
Placement	5	4	3	2	1	X	Y
Camps/Ranches	5	4	3	2	1	X	Y
CDCR, DJJ (formerly CYA)	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

13. Please rate your satisfaction with the effectiveness of the following services available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable to my role, do not know, or do not have enough experience to answer

Outpatient substance abuse programs	5	4	3	2	1	X	Y
Drug testing	5	4	3	2	1	X	Y
Mental health services	5	4	3	2	1	X	Y
Independent living programs	5	4	3	2	1	X	Y
Anger management programs	5	4	3	2	1	X	Y
After school programs	5	4	3	2	1	X	Y
Parent education	5	4	3	2	1	X	Y
Wraparound	5	4	3	2	1	X	Y
Community or youth service centers	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

14. Please rate your satisfaction with the effectiveness of the following collaborative court options available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable to my role, do not know, or do not have enough experience to answer

Drug court for youth	5	4	3	2	1	X	Y
Mental Health court for youth	5	4	3	2	1	X	Y
Truancy court	5	4	3	2	1	X	Y
Peer, Teen, or Youth court (affiliated with the court)	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

15. Please rate your satisfaction with the following types of formal assessments (those that include a standardized instrument and scoring method, e.g., MAYSI).

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable to my role, do not know, or do not have enough experience to answer

Assessments used to determine youth's risk to the community	5	4	3	2	1	X	Y
Assessments used to determine youth's risk to themselves	5	4	3	2	1	X	Y
Assessments used to determine youth's service needs	5	4	3	2	1	X	Y

16. What types of re-entry or aftercare services do you provide? *Check all that apply.*

- ☐ Not applicable to my role
- ☐ None
- ☐ Anger management referral
- ☐ Family counseling referral
- ☐ Housing referral
- ☐ Independent living skills referral
- ☐ Job training referral
- ☐ Mental health services referral
- ☐ Substance abuse referral
- ☐ Mentoring referral
- ☐ Parent education referral
- ☐ Record sealing assistance
- ☐ School enrollment assistance
- ☐ Other *(Specify)*: _____

CROSSOVER PROCESSES

17. In the delinquency system, do you see youth with any of the following characteristics? *Check all that apply.*

- ☐ Youth who lack a suitable home or family to which they can go home on probation or return upon completion of probation
- ☐ Dependent youth charged with offenses related to their placement (e.g. acting out in a group home)
- ☐ Youth who have parents with substance abuse problems
- ☐ Youth who have parents with mental health problems
- ☐ I have not encountered youth with these issues

18. If you see youth with any of the above characteristics, what difficulties, if any, do you face in serving these youth? *Check all that apply.*

- ☐ Not applicable; I have not encountered youth with any of the above characteristics
- ☐ Finding suitable placement
- ☐ Holding youth with these particular issues appropriately accountable
- ☐ Holding parents accountable for their children's behavior/getting parents to cooperate with case plans
- ☐ Finding a mechanism to return youth to the dependency system upon completion of probation (where appropriate)
- ☐ I don't face any particular difficulties serving these youth

COURT PROCESSES

19. Please indicate in what capacity you personally work with victims. *Check all that apply.*

- ☐ Not applicable; I do not work with victims
- ☐ I notice victims of hearings
- ☐ I explain the court process to victims
- ☐ I organize offender work repayment programs
- ☐ I recommend restitution and an amount to the court
- ☐ I explain the process of collecting restitution
- ☐ I refer victims to available services (e.g., victim-offender mediation)
- ☐ Other *(Specify)*: _____

20. Please rate your working relationship with the following stakeholders.

5=Very good; 4=Good; 3=Fair; 2=Poor; 1=Very poor; X=Stakeholder not available at all; Y=Not applicable to my role, do not know, or do not have enough experience to answer

The court	5	4	3	2	1	X	Y
Probation–juvenile hall	5	4	3	2	1	X	Y
Probation–camps and ranches	5	4	3	2	1	X	Y
Public Defender's Office	5	4	3	2	1	X	Y
Alternative Public Defender's Office	5	4	3	2	1	X	Y
Contract or panel attorneys	5	4	3	2	1	X	Y
District Attorney's Office	5	4	3	2	1	X	Y
County Mental Health	5	4	3	2	1	X	Y
Child Welfare	5	4	3	2	1	X	Y

21. Please rate your satisfaction with each of the following.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X= Not applicable to my role, do not know, or do not have enough experience to answer

The amount of time you spend preparing court reports or social studies	5	4	3	2	1	X
The amount of time you spend preparing court-ordered parte reviews (e.g., DEJ, drug test results)	5	4	3	2	1	X
The amount of time you spend preparing legally mandated reviews (e.g., placement, IV-E)	5	4	3	2	1	X

The number of times you are generally required to attend court (if you are not a court officer)	5	4	3	2	1	X
How well you are trained to testify	5	4	3	2	1	X

The time it takes the DA's office to file a petition or notify you of their decision not to file a petition	5	4	3	2	1	X
The number of hours you wait for court hearings in one day	5	4	3	2	1	X
The number of hearing continuances	5	4	3	2	1	X

22. Please rate your satisfaction with each of the following when in court.

☐ Not applicable; I do not go to court

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X =Not applicable to my role, do not know, or do not have enough experience to answer

Weight given by the court to probation recommendations	5	4	3	2	1	X

Prosecutors' handling of cases	5	4	3	2	1	X
Defense attorneys' handling of cases	5	4	3	2	1	X

How you are treated by the court	5	4	3	2	1	X
How you are treated by the prosecutor	5	4	3	2	1	X
How you are treated by defense attorneys	5	4	3	2	1	X

23. In your opinion, how big of a problem are continuances and other hearing delays in your county's juvenile court?

☐ Not a problem
☐ A minor problem
☐ A moderate problem
☐ A major problem
☐ Do not know

24. What are the top causes of hearing delays in uncontested matters? *Check the top 3.*

☐ Hearings need more than allocated time
☐ Lack of or improper notice
☐ Youth not present
☐ Parent not present
☐ Prosecutor not present
☐ Prosecutor not ready
☐ Defense attorney not present
☐ Defense attorney not ready
☐ Probation not present
☐ Probation report not available or filed on time
☐ Evaluation reports not available or filed on time
☐ Other reports, persons, or information not available

25. What are work-related challenges to writing reports or reviews in the time allotted? *Check all that apply.*

- ☐ Not applicable; I do not write reports or reviews
- ☐ Report writing takes too much time away from other responsibilities
- ☐ Not notified by the court in time
- ☐ Cannot interview the youth in time
- ☐ Cannot interview parents/guardians
- ☐ Cannot obtain risk or needs assessment results
- ☐ Cannot obtain necessary information from school in time
- ☐ Cannot obtain necessary information from mental health in time
- ☐ Cannot obtain necessary information from placements in time
- ☐ Cannot obtain necessary court-ordered evaluations in time
- ☐ Other *(Specify)*: _____

26. Youth are informed about court-related matters by probation, attorneys, and the court. What information do you think is conveyed <u>well</u> to youth? *Check all that apply.*

- ☐ The general court process
- ☐ What to expect at court hearings
- ☐ Possible outcomes
- ☐ Ramifications of a plea
- ☐ Financial obligations
- ☐ Process for paying restitution
- ☐ Youth's responsibilities while on probation
- ☐ Record sealing
- ☐ Other *(Specify)*: _____

27. What information do you think is conveyed <u>well</u> to parents/guardians? *Check all that apply.*

- ☐ The general court process
- ☐ What to expect at court hearings
- ☐ Possible outcomes
- ☐ Ramifications of a plea
- ☐ Financial obligations
- ☐ Process for paying restitution
- ☐ Parents'/guardians' responsibilities while on probation
- ☐ Youth's responsibilities while on probation
- ☐ Record sealing
- ☐ Other *(Specify)*: _____

28. In the space below, please list the top 3 strengths of the juvenile court.

29. In the space below, please list the juvenile court's top 3 needs for improvement.

30. In the space below, please list the top 3 ways the court could help probation be more effective.

Thank you for participating. CFCC truly appreciates the time and effort that you have spent taking this survey. We will make the results available to you in reports generated by the Juvenile Delinquency Court Assessment, in other CFCC publications, and in upcoming trainings.

Please return survey by April 13, 2007 to

Dr. Amy Bacharach
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Center for Families, Children & the Courts
455 Golden Gate Avenue
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ID #

Juvenile Delinquency Court Assessment Project

2007 CFCC Survey of Juvenile Prosecutors

This anonymous survey is part of a project of the Administrative Office of the Courts, Center for Families, Children & the Courts (CFCC), that is examining how to improve the juvenile court process. The questions ask about a wide range of topics concerning juvenile prosecutors' experiences with the juvenile court. Questions should be answered based on your own, current experience.

If you have any questions regarding this survey, please contact Amy Bacharach at the CFCC at 415-865-7913 or amy.bacharach@jud.ca.gov. Thank you for your participation.

A. What is your current role in your county's district attorney's office? *Check all that apply.*

- ☐ Administrative/Supervisor and I handle juvenile cases
- ☐ I handle juvenile cases only

- ☐ Administrative/Supervisor only
- ☐ I do not work in juvenile

ATTENTION:

IF YOU CHECKED A CIRCLE ABOVE PLEASE COMPLETE THE REMAINDER OF THIS SURVEY. IF YOU HANDLE BOTH ADULT AND JUVENILE CASES, PLEASE RESPOND TO THIS SURVEY BASED ONLY ON YOUR JUVENILE CASES.

IF YOU CHECKED A SQUARE, YOU DO NOT NEED TO FILL OUT THIS SURVEY.
PLEASE RETURN THIS PAGE ONLY BY MAIL OR FAX TO 415-865-7217 TO THE ATTENTION OF AMY BACHARACH SO THAT WE CAN CORRECT OUR RECORDS.

THANK YOU VERY MUCH FOR YOUR PARTICIPATION.

DEPARTMENT AND BACKGROUND INFORMATION

1. In which county do you work? _____

2. What types of juvenile cases do you handle? *Check all that apply.*

- ☐ General
- ☐ Gangs
- ☐ Sex offenders
- ☐ Truancy
- ☐ Mental Health court
- ☐ Drug court
- ☐ Informal Juvenile and Traffic court
- ☐ Other *(Specify)*: _____

3. In what year did you pass the bar? _____

4. In what year did you first become a prosecutor? _____

5. For how long have you been in juvenile assignments?

Current assignment: _____Years _____Months

Total in your career: _____Years _____Months

6. How much of your time do you spend in delinquency or doing delinquency-related work?

- ☐ Full time
- ☐ More than 1/2 time, less than full time
- ☐ About 1/2 time
- ☐ More than 1/4 time, less than 1/2 time
- ☐ About 1/4 time
- ☐ Less than 1/4 time

7. Apart from prosecutor, what professional roles have you had in juvenile court matters? *Check all that apply.*

- ☐ None
- ☐ Defense attorney
- ☐ Child's attorney in dependency
- ☐ Parent's attorney in dependency
- ☐ County counsel or city attorney in dependency
- ☐ Probation officer
- ☐ Social Worker
- ☐ Pro-tem
- ☐ CASA volunteer
- ☐ Other *(Specify)*: _____

8. Where would you like to be in 2 years? *Check only 1.*

- ☐ The juvenile division of the DA's office
- ☐ Another division of the DA's office
- ☐ Practicing in another public office
- ☐ Practicing in the private sector
- ☐ Working as a judicial officer
- ☐ Out of the workforce
- ☐ Other *(Specify)*: _____
- ☐ Do not know

9. Under what circumstances do you expect to leave the juvenile division? *Check only 1.*

- ☐ I expect to remain in the juvenile division
- ☐ My predetermined rotation length will be complete
- ☐ I will request a different assignment
- ☐ I will be re-assigned; we do not have predetermined rotations
- ☐ I will leave the DA's office (e.g., for another position or to leave the workforce)
- ☐ Do not know

10. In the space below, please indicate the top 3 things you enjoy about your juvenile assignment.

11. In the space below, please indicate the top 3 things you would change about your juvenile assignment.

SANCTIONS AND SERVICES

12. Please rate your satisfaction with the effectiveness of the following outcomes for youth and victims.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Restitution collection	5	4	3	2	1	X	Y
Victim-offender mediation	5	4	3	2	1	X	Y
Neighborhood/Youth Accountability Boards	5	4	3	2	1	X	Y
Family group conferencing	5	4	3	2	1	X	Y

13. Please rate your satisfaction with the range of options available to you for sanctions and services for the following populations.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Sanctions for low risk youth	5	4	3	2	1	X	Y
Sanctions for intermediate risk youth	5	4	3	2	1	X	Y
Sanctions for high risk youth	5	4	3	2	1	X	Y

Services for low risk youth	5	4	3	2	1	X	Y
Services for intermediate risk youth	5	4	3	2	1	X	Y
Services for high risk youth	5	4	3	2	1	X	Y

14. Please rate your satisfaction with the effectiveness of the following sanction options available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Counsel & dismiss	5	4	3	2	1	X	Y
Informal supervision	5	4	3	2	1	X	Y
Community service	5	4	3	2	1	X	Y
Home on probation	5	4	3	2	1	X	Y
Electronic monitoring	5	4	3	2	1	X	Y
Placement	5	4	3	2	1	X	Y
Camps/Ranches	5	4	3	2	1	X	Y
CDCR, DJJ (formerly CYA)	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

15. Please rate your satisfaction with the effectiveness of the following services available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Outpatient substance abuse programs	5	4	3	2	1	X	Y
Drug testing	5	4	3	2	1	X	Y
Mental health services	5	4	3	2	1	X	Y
Independent living programs	5	4	3	2	1	X	Y
Anger management programs	5	4	3	2	1	X	Y
After school programs	5	4	3	2	1	X	Y
Parent education	5	4	3	2	1	X	Y
Wraparound	5	4	3	2	1	X	Y
Community or youth service centers	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

16. Please rate your satisfaction with the effectiveness of the following collaborative court options available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Drug court for youth	5	4	3	2	1	X	Y
Mental Health court for youth	5	4	3	2	1	X	Y
Truancy court	5	4	3	2	1	X	Y
Peer, Teen, or Youth court (affiliated with the court)	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

17. Please rate your satisfaction with the following types of formal assessments (those that include a standardized instrument and scoring method, e.g., MAYSI).

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Assessments used to determine youth's risk to the community	5	4	3	2	1	X	Y
Assessments used to determine youth's risk to themselves	5	4	3	2	1	X	Y
Assessments used to determine youth's service needs	5	4	3	2	1	X	Y

CROSSOVER PROCESSES

18. In the delinquency system, do you see youth with any of the following characteristics? *Check all that apply.*

- ☐ Youth who lack a suitable home or family to which they can go home on probation or return upon completion of probation
- ☐ Dependent youth charged with offenses related to their placement (e.g. acting out in a group home)
- ☐ Youth who have parents with substance abuse problems
- ☐ Youth who have parents with mental health problems
- ☐ I have not encountered youth with these issues

19. If you see youth with any of the above characteristics, what difficulties, if any, does the delinquency system face in serving these youth? *Check all that apply.*

- ☐ Not applicable; I have not encountered youth with any of the above characteristics
- ☐ Finding suitable placement
- ☐ Holding youth with these particular issues appropriately accountable
- ☐ Holding parents accountable for their children's behavior/getting parents to cooperate with case plans
- ☐ Finding a mechanism to return youth to the dependency system upon completion of probation (where appropriate)
- ☐ The delinquency system doesn't face any particular difficulties serving these youth

COURT PROCESSES

20. Please rate your satisfaction with each of the following when in court.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not applicable, do not know, or do not have enough experience to answer

Weight given by the court to my arguments	5	4	3	2	1	X

Probation officers' handling of cases	5	4	3	2	1	X
Defense attorneys' handling of cases	5	4	3	2	1	X

How you are treated by the court	5	4	3	2	1	X
How you are treated by probation	5	4	3	2	1	X
How you are treated by defense attorneys	5	4	3	2	1	X

21. Please rate your satisfaction with each of the following.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not applicable, do not know, or do not have enough experience to answer

The timeliness with which affidavits alleging delinquent acts are brought to you by probation	5	4	3	2	1	X
The amount of time available for preparing cases	5	4	3	2	1	X
The number of hours you wait for court hearings in one day	5	4	3	2	1	X
The number of hearing continuances	5	4	3	2	1	X

22. In your opinion, how big of a problem are continuances and other hearing delays in your county's juvenile court? *Check only 1.*

- ☐ Not a problem
- ☐ A minor problem
- ☐ A moderate problem
- ☐ A major problem
- ☐ Do not know

23. What are the top causes of hearing delays in uncontested matters? *Check the top 3.*

- ☐ Hearings need more than allocated time
- ☐ Lack of or improper notice
- ☐ Youth not present
- ☐ Parent not present
- ☐ Prosecutor not present
- ☐ Prosecutor not ready
- ☐ Defense attorney not present
- ☐ Defense attorney not ready
- ☐ Probation not present
- ☐ Probation report not available or filed on time
- ☐ Evaluation reports not available or filed on time
- ☐ Other reports, persons, or information not available

24. Please indicate in what capacity you personally work with victims. *Check all that apply.*

- ☐ I do not work with victims at all
- ☐ I notice victims of hearings
- ☐ I explain the court process to victims
- ☐ I explain the process of collecting restitution
- ☐ I take statements from victims
- ☐ I prepare victims for testifying
- ☐ I refer victims to available services (e.g., victim-offender mediation)
- ☐ Other *(Specify)*: _____

25. Please rate your working relationship with the following stakeholders.

5=Very good; 4=Good; 3=Fair; 2=Poor; 1=Very poor; X=Stakeholder not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

The court	5	4	3	2	1	X	Y
Probation–juvenile division	5	4	3	2	1	X	Y
Probation–juvenile hall	5	4	3	2	1	X	Y
Probation–camps and ranches	5	4	3	2	1	X	Y
Public Defender's Office	5	4	3	2	1	X	Y
Alternative Public Defender's Office	5	4	3	2	1	X	Y
Contract or panel attorneys	5	4	3	2	1	X	Y
District Attorney's Office–other divisions	5	4	3	2	1	X	Y
County Mental Health	5	4	3	2	1	X	Y
Child Welfare	5	4	3	2	1	X	Y

26. In the space below, please list the top 3 strengths of the juvenile court.

27. In the space below, please list the juvenile court's top 3 needs for improvement.

28. In the space below, please list the top 3 ways the court could help the DA's office be more effective.

Thank you for participating. CFCC truly appreciates the time and effort that you have spent taking this survey. We will make the results available to you in reports generated by the Juvenile Delinquency Court Assessment, in other CFCC publications, and in upcoming trainings.

Please return survey by April 19, 2007 to

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ID #

Juvenile Delinquency Court Assessment Project

2007 CFCC Survey of Juvenile Defense Attorneys

This anonymous survey is part of a project of the Administrative Office of the Courts, Center for Families, Children & the Courts (CFCC), that is examining how to improve the juvenile court process. The questions ask about a wide range of topics concerning juvenile defense attorneys' experiences with the juvenile court. Questions should be answered based on your own, current experience.

If you have any questions regarding this survey, please contact Amy Bacharach at the CFCC at 415-865-7913 or amy.bacharach@jud.ca.gov. Thank you for your participation.

A. What is your current role in your county? *Check all that apply.*

- ☐ I handle juvenile cases in the county's public defender's office
- ☐ I contract with the county as the county's public defender
- ☐ I handle juvenile cases in the county's alternate public defender's office
- ☐ I handle conflict juvenile cases on a contract basis

- ☐ Administrative/Supervisor only; Do not handle cases at all
- ☐ I do not work in juvenile court at all

ATTENTION:

IF YOU CHECKED A CIRCLE ABOVE PLEASE COMPLETE THE REMAINDER OF THIS SURVEY. IF YOU HANDLE BOTH ADULT AND JUVENILE CASES, PLEASE RESPOND TO THIS SURVEY BASED ONLY ON YOUR JUVENILE CASES.

IF YOU CHECKED A SQUARE ONLY, YOU DO NOT NEED TO FILL OUT THIS SURVEY. PLEASE RETURN THIS PAGE ONLY BY MAIL OR FAX TO 415-865-7217 TO THE ATTENTION OF AMY BACHARACH SO THAT WE CAN CORRECT OUR RECORDS.

THANK YOU VERY MUCH FOR YOUR PARTICIPATION.

DEPARTMENT AND BACKGROUND INFORMATION

1. In which county do you work? _____

   Note: If you work in more than 1 county, please answer this survey based on the county in which the majority of your cases are.

2. What types of juvenile cases do you handle? *Check all that apply.*

- ☐ General
- ☐ Gangs
- ☐ Sex offenders
- ☐ Truancy
- ☐ Mental Health court
- ☐ Drug court
- ☐ Informal Juvenile and Traffic court
- ☐ Other *(Specify)*: _____

3. In what year did you pass the bar? _____

4. In what year did you first become a defense attorney? _____

5. For how long have you been handling juvenile cases?

Total in your career:	_____Years	_____Months
Current PD or APD assignment:	_____Years	_____Months
Current, as a contractor:	_____Years	_____Months

6. How much of your time do you spend in delinquency or doing delinquency-related work?

- ☐ Full time
- ☐ More than 1/2 time, less than full time
- ☐ About 1/2 time
- ☐ More than 1/4 time, less than 1/2 time
- ☐ About 1/4 time
- ☐ Less than 1/4 time

7. Apart from defense attorney, what professional roles have you had in juvenile court matters? *Check all that apply.*

- ☐ None
- ☐ Prosecutor
- ☐ Child's attorney in dependency
- ☐ Parent's attorney in dependency
- ☐ County counsel or city attorney in dependency
- ☐ Probation officer
- ☐ Social Worker
- ☐ Pro-tem
- ☐ CASA volunteer
- ☐ Other *(Specify)*: _____

8. Where would you like to be in 2 years? *Check only 1.*

- ☐ The juvenile division of a public defense office (e.g., PD or APD)
- ☐ Handling juvenile cases in a private setting
- ☐ Other public sector work
- ☐ Other private sector work
- ☐ Working as a judicial officer
- ☐ Out of the workforce
- ☐ Other *(Specify)*: _____
- ☐ Do not know

9. If you work in the public defender's or alternate public defender's office, under what circumstances do you expect to leave your current juvenile assignment? *Check only 1.*

- ☐ I do not work in the public defender's or alternate public defender's office
- ☐ I expect to remain in the juvenile division
- ☐ My predetermined rotation length will be complete
- ☐ I will request a different assignment
- ☐ I will be re-assigned; we do not have predetermined rotations
- ☐ I will leave the public defender's or alternate public defender's office (e.g., for another position or to leave the workforce)
- ☐ Do not know

10. In the space below, please indicate the top 3 things you enjoy about handling juvenile cases.

11. In the space below, please indicate the top 3 things you would change about handling juvenile cases.

SANCTIONS AND SERVICES

12. Please rate your satisfaction with the effectiveness of the following outcomes available to youth and victims.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Restitution collection	5	4	3	2	1	X	Y
Victim-offender mediation	5	4	3	2	1	X	Y
Neighborhood/Youth Accountability Boards	5	4	3	2	1	X	Y
Family group conferencing	5	4	3	2	1	X	Y

13. Please rate your satisfaction with the range of disposition options available for sanctions and services for the following populations.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Sanctions for low risk youth	5	4	3	2	1	X	Y
Sanctions for intermediate risk youth	5	4	3	2	1	X	Y
Sanctions for high risk youth	5	4	3	2	1	X	Y

Services for low risk youth	5	4	3	2	1	X	Y
Services for intermediate risk youth	5	4	3	2	1	X	Y
Services for high risk youth	5	4	3	2	1	X	Y

14. Please rate your satisfaction with the effectiveness of the following sanction options available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Counsel & dismiss	5	4	3	2	1	X	Y
Informal supervision	5	4	3	2	1	X	Y
Community service	5	4	3	2	1	X	Y
Home on probation	5	4	3	2	1	X	Y
Electronic monitoring	5	4	3	2	1	X	Y
Placement	5	4	3	2	1	X	Y
Camps/Ranches	5	4	3	2	1	X	Y
CDCR, DJJ (formerly CYA)	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

15. Please rate your satisfaction with the effectiveness of the following services available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Outpatient substance abuse programs	5	4	3	2	1	X	Y
Drug testing	5	4	3	2	1	X	Y
Mental health services	5	4	3	2	1	X	Y
Independent living programs	5	4	3	2	1	X	Y
Anger management programs	5	4	3	2	1	X	Y
After school programs	5	4	3	2	1	X	Y
Parent education	5	4	3	2	1	X	Y
Wraparound	5	4	3	2	1	X	Y
Community or youth service centers	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

16. Please rate your satisfaction with the effectiveness of the following collaborative court options available to youth.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Drug court for youth	5	4	3	2	1	X	Y
Mental Health court for youth	5	4	3	2	1	X	Y
Domestic Violence court for youth	5	4	3	2	1	X	Y
Truancy court	5	4	3	2	1	X	Y
Peer, Teen, or Youth court (affiliated with the court)	5	4	3	2	1	X	Y
Other *(Specify)*:	5	4	3	2	1	X	Y

17. Please rate your satisfaction with the following types of formal assessments (those that include a standardized instrument and scoring method, e.g., MAYSI, RAI).

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

Assessments used to determine youth's risk to the community	5	4	3	2	1	X	Y
Assessments used to determine youth's risk to themselves	5	4	3	2	1	X	Y
Assessments used to determine youth's service needs	5	4	3	2	1	X	Y

CROSSOVER PROCESSES

18. In the delinquency system, do you see youth with any of the following characteristics? *Check all that apply.*

- ☐ Youth who lack a suitable home or family to which they can go home on probation or return upon completion of probation
- ☐ Dependent youth charged with offenses related to their placement (e.g., acting out in a group home)
- ☐ Youth who have parents with substance abuse problems
- ☐ Youth who have parents with mental health problems
- ☐ I have not encountered youth with these issues

19. If you see youth with any of the above characteristics, what difficulties, if any, does the delinquency system face in serving these youth? *Check all that apply.*

- ☐ Not applicable; I have not encountered youth with any of the above characteristics
- ☐ Finding suitable placement
- ☐ Holding youth with these particular issues appropriately accountable
- ☐ Holding parents accountable for their children's behavior/getting parents to cooperate with case plans
- ☐ Finding a mechanism to return youth to the dependency system upon completion of probation (where appropriate)
- ☐ The delinquency system doesn't face any particular difficulties serving these youth

COURT PROCESSES

20. Please rate your satisfaction with each of the following when in court.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not applicable, do not know, or do not have enough experience to answer

Weight given by the court to my arguments	5	4	3	2	1	X

Probation officers' handling of cases	5	4	3	2	1	X
Prosecutors' handling of cases	5	4	3	2	1	X

How you are treated by the court	5	4	3	2	1	X
How you are treated by probation	5	4	3	2	1	X
How you are treated by prosecutors	5	4	3	2	1	X

21. In your opinion, how big of a problem are continuances and other hearing delays in your county's juvenile court? *Check only 1.*

- ☐ Not a problem
- ☐ A minor problem
- ☐ A moderate problem
- ☐ A major problem
- ☐ Do not know

22. What are the top causes of hearing delays in uncontested matters? *Check the top 3.*

- ☐ Hearings need more than allocated time
- ☐ Lack of or improper notice
- ☐ Youth not present
- ☐ Parent not present
- ☐ Prosecutor not present
- ☐ Prosecutor not ready
- ☐ Defense attorney not present
- ☐ Defense attorney not ready
- ☐ Probation not present
- ☐ Probation report not available or filed on time
- ☐ Evaluation reports not available or filed on time
- ☐ Other reports, persons, or information not available

23. Please rate your satisfaction with each of the following.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not applicable, do not know, or do not have enough experience to answer

The timeliness with which you receive reports and reviews by probation	5	4	3	2	1	X
The amount of time available for preparing cases	5	4	3	2	1	X

The adequacy of time available for meeting with clients	5	4	3	2	1	X
The adequacy of the location available for meeting with clients	5	4	3	2	1	X

The number of hours you wait for court hearings in one day	5	4	3	2	1	X
The number of hearing continuances	5	4	3	2	1	X

The frequency of post-disposition review hearings for non-placement youth	5	4	3	2	1	X
The amount of time available to meet with clients postdispositionally	5	4	3	2	1	X

24. How often do you or a designee (e.g., social worker, paralegal) do each of the following after the disposition hearing?

	Rarely/ Never 0%-5%	Occasionally 6%-35%	Sometimes 36%-65%	Often 66%-95%	Nearly Always/ Always 96%-100%
Appear at review hearings (e.g., placement, restitution)	☐	☐	☐	☐	☐
Represent client on violation of probation hearings	☐	☐	☐	☐	☐
Represent client on new petitions	☐	☐	☐	☐	☐

Provide client with information to contact me	☐	☐	☐	☐	☐
Maintain contact with client via phone or e–mail	☐	☐	☐	☐	☐
Maintain contact with client's probation officer via phone or e–mail	☐	☐	☐	☐	☐
Visit client	☐	☐	☐	☐	☐

Review probation conditions and treatment plan with client	☐	☐	☐	☐	☐
Keep track of implementation of plan	☐	☐	☐	☐	☐
Calendar hearings to modify probation conditions or treatment plan	☐	☐	☐	☐	☐

Inform client of record sealing process	☐	☐	☐	☐	☐
Assist clients or former clients with record sealing process	☐	☐	☐	☐	☐

Advocate for clients' interests beyond the scope of the juvenile proceedings (e.g., IEP, immigration)	☐	☐	☐	☐	☐

25. Has the implementation of Rule 1479 (now Rule 5.663) in 2004 changed the way you (you, your agency, or your firm) work for youth postdispositionally?

- ☐ I am not aware of Rule 1479
- ☐ Not applicable; I did not handle juvenile cases before 2004
- ☐ Yes, I do more postdispositional work now
- ☐ Yes, I do less postdispositional work now
- ☐ No, the level of postdispositional work has stayed the same

26. What are any obstacles to working with clients postdispositionally? *Check all that apply.*

- ☐ There are no obstacles
- ☐ I don't believe it is my responsibility
- ☐ My office does not believe it is my responsibility
- ☐ Lack of communication of my office's expectations
- ☐ Lack of communication of court's expectations
- ☐ Lack of funding allocated for postdisposition period
- ☐ Lack of time available to follow up
- ☐ Lack of other resources available to follow up
- ☐ Other *(Specify)*: _____

27. Please rate your satisfaction with the information you are able to obtain about youth given the following dispositions.

5=Very satisfied; 4=Satisfied; 3=Neither satisfied nor dissatisfied; 2=Dissatisfied; 1=Very dissatisfied; X=Not applicable, do not know, or do not have enough experience to answer

Home on probation	5	4	3	2	1	X
Placement	5	4	3	2	1	X
Camps/Ranches	5	4	3	2	1	X
Foster or Group homes	5	4	3	2	1	X
CDCR, DJJ (formerly CYA)	5	4	3	2	1	X

28. Please rate your working relationship with the following stakeholders.

5=Very good; 4=Good; 3=Fair; 2=Poor; 1=Very poor; X=Stakeholder not available at all; Y=Not applicable, do not know, or do not have enough experience to answer

The court	5	4	3	2	1	X	Y
Probation–juvenile division	5	4	3	2	1	X	Y
Probation–juvenile hall	5	4	3	2	1	X	Y
Probation–camps and ranches	5	4	3	2	1	X	Y
Public Defender's Office (other divisions if you work in the public defender's office)	5	4	3	2	1	X	Y
Alternate Public Defender's Office (other divisions if you work in the alternate public defender's office)	5	4	3	2	1	X	Y
Contract or panel attorneys	5	4	3	2	1	X	Y
District Attorney's Office	5	4	3	2	1	X	Y
County Mental Health	5	4	3	2	1	X	Y
Child Welfare	5	4	3	2	1	X	Y

29. Youth are informed about court-related matters by probation, attorneys, and the court. What information do you think is conveyed well to youth? *Check all that apply.*

- ☐ The general court process
- ☐ What to expect at court hearings
- ☐ Possible outcomes
- ☐ Ramifications of a plea
- ☐ Financial obligations
- ☐ Process for paying restitution
- ☐ Youth's responsibilities while on probation
- ☐ Record sealing
- ☐ Other *(Specify)*: _____

30. What information do you think is conveyed well to parents/guardians? *Check all that apply.*

- ☐ The general court process
- ☐ What to expect at court hearings
- ☐ Possible outcomes
- ☐ Ramifications of a plea
- ☐ Financial obligations
- ☐ Process for paying restitution
- ☐ Parents'/guardians' responsibilities while on probation
- ☐ Youth's responsibilities while on probation
- ☐ Record sealing
- ☐ Other *(Specify)*: _____

31. In the space below, please list the top 3 strengths of the juvenile court.

32. In the space below, please list the juvenile court's top 3 needs for improvement.

33. In the space below, please list the top 3 ways the court could help juvenile defense attorneys office be more effective.

Thank you for participating. CFCC truly appreciates the time and effort that you have spent taking this survey. We will make the results available to you in reports generated by the Juvenile Delinquency Court Assessment, in other CFCC publications, and in upcoming trainings.

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JUVENILE DELINQUENCY COURTHOUSE FACILITIES CHECKLIST
PAGE 1

NAME OF TOURER _____

DATE OF TOUR _____

COUNTY _____

CITY _____

ADDRESS OR NAME OF FACILITY _____

YEAR FACILITY BUILT _____

JUVENILE DELINQUENCY COURTHOUSE FACILITIES CHECKLIST
PAGE 2

COURTHOUSE ITEM	YES ✓	NO ✓	DNK ✓	COMMENTS *adequacy, special concerns, etc.*
Public Transportation available				
Parking available				
Building wheelchair accessible				
Security at front door				
Waiting room or lobby for out-of-custody youth and their families				
Supervised children's waiting rooms				
Separate waiting rooms for witnesses				
Separate waiting rooms for victims				
Public restrooms				
Separate entrance to **courthouse** for judges				
Separate entrance to **courthouse** for courthouse staff (including co-located people)				
Separate entrance to **courthouse** for personnel (not co-located)				
Separate entrance to **courtroom** for judges				
Separate entrance to **courtroom** for courthouse staff (including co-located people)				
Separate entrance to **courtroom** for personnel (not co-located)				

JUVENILE DELINQUENCY COURTHOUSE FACILITIES CHECKLIST
PAGE 3

COURTHOUSE ITEM	YES ✓	NO ✓	DNK ✓	COMMENTS *adequacy, special concerns, etc.*
Secure restrooms for personnel				
Security in courtroom				
Detention Center adjacent to Courthouse				
Secure holding cell for in-custody youth in Courthouse				
Direct, secure path from holding cell to courtroom				
Separate and secure holding cell for in-custody adults				
Witness stand wheelchair accessible				
Adequate physical space for interpreter on witness stand				
Enough space at table for attorney, youth, interpreter, and parent				
Adequate work space and computer for courtroom clerk				
Adequate workspace and computer for judge				
Adequate space and location for bailiff				
Adequate workspace and location for probation officer				
Adequate number of meeting/conference rooms				
Separate interview rooms for in-custody youth and attorneys or probation				
Separate interview rooms for out-of-custody youth and attorneys or probation				

JUVENILE DELINQUENCY COURTHOUSE FACILITIES CHECKLIST
PAGE 4

COURTHOUSE ITEM	YES ✓	NO ✓	DNK ✓	COMMENTS *adequacy, special concerns, etc.*
Other types of cases heard in same building as delinquency court				*(e.g. Dependency, Family, Criminal)*
Adequate number of courtrooms for courthouse/county				
Courtrooms adequate size				
Confidential way of calling cases, witnesses, etc.				
Juvenile Clerk's office easily accessible to public				*(Hours of operation?)*
Records storage area				
Cafeteria/Vending area				
Videoconferencing				

Office/Work space (including computer access) for the following people:

	YES		NO	DNK	COMMENTS
	Co-located	Drop in			
Probation Officers					
	Co-located	Drop in			
Defense attorneys					
	Co-located	Drop in			
Prosecutors					
	Co-located	Drop in			
Interpreters					
	Co-located	Drop in			
Bailiff					
	Co-located	Drop in			
Other (Specify)					