

## Applying the National Council of Juvenile and Family Court Judges' Resolution to Juvenile Probation Reform

Naomi E. S. Goldstein,  
Elizabeth Gale-Bentz, and Jeanne McPhee  
Drexel University

Amanda NeMoyer  
Massachusetts General Hospital, Boston,  
Massachusetts, and Harvard Medical School

Sarah Walker  
University of Washington

Steve Bishop  
Annie E. Casey Foundation, Baltimore, Maryland

Mark Soler and Jason Szanyi  
Center for Children's Law and Policy, Washington, DC

Robert G. Schwartz  
Temple University Beasley School of Law

In 2017, the National Council of Juvenile and Family Court Judges (NCJFCJ) passed a resolution advocating for empirically supported juvenile probation reform nationwide. Here, we review the adolescent development and behavioral decision-making research underlying the principles enumerated in the NCJFCJ resolution and describe several of its critical elements. Then, to provide guidance to jurisdictions seeking to revise local policy and practice, we suggest a series of steps that would help juvenile justice professionals translate NCJFCJ resolution principles into innovative probation reform. Finally, we describe how two jurisdictions—Pierce County, Washington and Philadelphia County, Pennsylvania—have engaged in ongoing juvenile probation reform efforts to provide real-world models of how this translational work can be carried out successfully.

### *What is the significance of this article for the general public?*

In 2017, the National Council of Juvenile and Family Court Judges passed a resolution advocating for nationwide juvenile probation reform; the resolution was developed to align with findings from adolescent development and behavioral decision-making research. This article reviews the research underlying the principles of the resolution and provides step-by-step guidance to jurisdictions seeking to make such changes to local juvenile probation policy and practice. It also highlights the ongoing juvenile probation reform efforts in Pierce County, WA and Philadelphia County, PA to provide examples of two counties currently carrying out this translational work.

**Keywords:** juvenile probation, policy reform, adolescent development

*Editor's Note.* Erika Fountain served as the action editor for this article.

Naomi E. S. Goldstein, Elizabeth Gale-Bentz, and Jeanne McPhee, Department of Psychology, Drexel University; Amanda NeMoyer, Disparities Research Unit, Department of Medicine, Massachusetts General Hospital, Boston, Massachusetts, and Department of Health Care Policy, Harvard Medical School; Sarah Walker, Department of Psychiatry and Behavioral Sciences, University of Washington; Steve Bishop, Annie E. Casey Foundation, Baltimore, Maryland; Mark Soler and Jason Szanyi, Center

for Children's Law and Policy, Washington, DC; Robert G. Schwartz, Temple University Beasley School of Law.

Research reported in this publication was supported by the Annie E. Casey Foundation, National Institute of Mental Health (T32MH019733), and Stoneleigh Foundation. The content is solely the responsibility of the authors and does not necessarily represent the official views of the funders.

Correspondence concerning this article should be addressed to Naomi E. S. Goldstein, Department of Psychology, Drexel University, 3141 Chestnut Street, Stratton Hall, Suite 119, Philadelphia, PA 19104. E-mail: [neg23@drexel.edu](mailto:neg23@drexel.edu)

With recognition that the surveillance-based juvenile probation approach of the past three decades has contributed to mass incarceration of youth, increases in recidivism rates, and high costs to taxpayers, many jurisdictions are seeking more effective approaches to juvenile probation. Relying heavily on the structure of the adult probation system, juvenile probation case management typically emphasizes monitoring of youths' adherence with court orders, reporting noncompliance to the court, and imposing sanctions for technical violations of probation. However, research has repeatedly identified flaws in this approach, including the high frequency with which youth fail to successfully complete probation (e.g., NeMoyer et al., 2014); these flaws likely arise, at least in part, from the misalignment between probation expectations and youths' developmental decision-making capacities. And, although there also have been efforts to address many other factors that can impact young people's engagement with the juvenile justice system (e.g., poverty, racism, mental health, social support, peer influences), of late, researchers, advocates, and justice-related organizations have pushed for courts and probation departments to address the misalignment described by adjusting juvenile probation policies and practices to better incorporate modern understanding of adolescent development (Goldstein, NeMoyer, Gale-Bentz, Levick, & Feierman, 2016; Schwartz, 2018; The Annie E. Casey Foundation, 2018). These efforts—including a 2017 resolution from an organization of juvenile and family court judges—form the focus of this article.

In 2017, the National Council of Juvenile and Family Court Judges (NCJFCJ) passed a landmark resolution supporting robust juvenile probation reform guided by an empirical understanding of adolescent development. In addition to describing the components of this resolution, we will review the research evidence base supporting it. We will then offer guidance for juvenile justice professionals seeking to modify their existing probation practices to align with the resolution's principles and describe ongoing reform efforts in two jurisdictions that serve as real-world examples of how such translational work can be carried out successfully. Implementing large-scale juvenile probation reform can be a challenging endeavor, as much of the work involves creating and sustaining organiza-

tional culture change, a task far greater than simply instituting new policies and procedures. Furthermore, creating effective mechanisms to track youths' outcomes and probation completion rates will likely require changes to many jurisdictions' existing case management systems. Practitioners should anticipate—but not be discouraged by—such challenges and can look to jurisdictions currently implementing reform efforts for guidance.

### NCJFCJ Resolution

By adopting the July 2017 resolution, NCJFCJ implicitly rejected probation practices that emphasize monitoring compliance with onerous conditions—practices that frequently lead to youths' incarceration in secure facilities after failing to comply with probation conditions (e.g., NeMoyer, Brooks Holliday, Goldstein, & McKitten, 2016). The policy itself represents a paradigm shift, affirming that

Modernizing juvenile probation approaches to incorporate knowledge on adolescent development and behavioral decision making will (1) help youths understand, appreciate, and remember their probation requirements; (2) emphasize short-term, positive outcomes for probation compliant behaviors; (3) deliver sanctions for noncompliant behaviors in ways that enable youths to learn from their mistakes and modify their behaviors in the future; and (4) promote affiliation with positive peers. (NCJFCJ, 2017, p. 2)

Since passing the resolution, the NCJFCJ has sought to disseminate this information to juvenile and family court personnel across the country, in the hopes that their members will adjust local policies to align with the innovative juvenile probation goals and strategies described. Given that judges typically serve in a leadership capacity in juvenile courts and can lead major reform efforts, the NCJFCJ membership is a prime audience for this resolution. Furthermore, this resolution was adopted and publicized within months of several other pieces calling for juvenile probation reform (e.g., Goldstein et al., 2016; Schwartz, 2018; The Annie E. Casey Foundation, 2018), making it one piece of a growing movement to establish juvenile probation policies and practices grounded in principles of adolescent development and behavioral decision-making research.

### Adolescent Development Research Underlying the NCJFCJ Resolution

Over the past several decades, researchers have identified strategies that encourage positive behaviors and outcomes for youth in a variety of settings, both in and out of the justice system (see Goldstein et al., 2016 for further discussion). Concurrently, researchers and scholars have identified many ways in which adolescent development impacts youths' abilities to navigate the justice system (e.g., Steinberg, 2009; Viljoen & Roesch, 2005). The NCJFCJ resolution and its foundational monograph (Schwartz, 2018) incorporate and rely on these two bodies of work to support recommended probation reforms.

Recent developments in neuroscience research have provided new insights into adolescent brain development, helping to improve our understanding of the complex relationships between changes occurring in the brain and young people's behaviors during this developmental period (see, e.g., Steinberg, 2008, 2009). For example, cerebral white matter—specifically in parts of the brain like the prefrontal cortex, which controls much of the executive functioning processes—matures throughout the adolescent years, only reaching maximum volume in the early to mid twenties (Groeschel, Vollmer, King, & Connelly, 2010). At the same time, gray matter begins to decrease during adolescence as synaptic pruning—the cutting back of unused neural networks to increase efficiency in neural connectivity—occurs (Paus, 2005), as does the myelination process, which bolsters neural connections responsible for higher-level cognitive processing (Chambers, Taylor, & Potenza, 2003). Together, these structural and connective changes are thought to be related to many of the behaviors that characterize adolescence.

Compared to adults, adolescents also demonstrate elevated activity in the brain regions responsible for processing rewarding stimuli (Casey, Jones, & Hare, 2008; Cauffman et al., 2010; Chein, Albert, O'Brien, Uckert, & Steinberg, 2011). Therefore, behavioral modification techniques that incorporate incentives appear to successfully encourage positive behavior change in young people (e.g., Corepal, Tully, Kee, Miller, & Hunter, 2018; Kazdin, 2005). Based on these established principles, the

NCJFCJ resolution promotes the use of “incentives and rewards to motivate youth to meet expectations and goals that enable youth to learn from their noncompliant behaviors” (NCJFCJ, 2017, p. 2). Systems might also build “opportunities [for youth] to take part in prosocial activities and engage with positive peers” (NCJFCJ, 2017, p. 3) into their probation incentive structures, as increasing justice-involved youths' engagement with positive activities and prosocial peers has been linked to reduced re-offending behaviors (Cottle, Lee, & Heilbrun, 2001). Additionally, researchers who study adolescents' social and emotional development have noted that positive influences from prosocial peers is associated with lower rates of serious problem behaviors, such as substance use (Coyle, Bramham, Dundon, Moynihan, & Carr, 2016) and aggression (Huefner, Smith, & Stevens, 2018), and increased positive outcomes such as academic success (DeLay et al., 2016) and self-reliance (Smith, Faulk, & Sizer, 2016). In a similar vein, sanctions that remove justice-involved youth from activities and interactions with positive peers can increase the intensity and frequency of negative behaviors (Dishion & Tipsord, 2011; Leve & Chamberlain, 2005).

Many states explicitly embrace a rehabilitative model of juvenile justice, yet use sanctions in response to undesirable behaviors (e.g., non-compliance) from justice-involved youth. Although using aversive responses to discourage unwanted behavior is a core component of operant conditioning, criminological and child behavior modification research suggests that the use of punishment is only beneficial when it is immediate, consistent, and proportionate to the precipitating behavior (e.g., Nagin & Pogarsky, 2001; Rosén, O'Leary, Joyce, Conway, & Piffner, 1984; Zettler, Morris, Piquero, & Cardwell, 2015). Furthermore, overly punitive responses can lead to worse outcomes for youth, including the development of new unwanted behaviors (e.g., Gershoff, 2002). For example, the frequent use of incarceration as a sanction—especially for low-risk forms of noncompliance—can be detrimental to future academic and psychosocial success (Hjalmarsson, 2008; Mendel, 2011) and has been linked with increased rates of recidivism among justice-involved youth (Gatti, Tremblay, & Vitaro, 2009). Finally, the effects of punitive responses tend to diminish over time, as adolescents be-

come habituated to negative consequences or the threat of negative consequences (Phillips, Phillips, Fixsen, & Wolf, 1971). Taken together, this evidence suggests that sanctions are often an ineffective long-term method of promoting behavior change for youth on probation. Thus, jurisdictions adhering to the NCJFCJ resolution are encouraged to promote “the use of incentives—rather than sanctions—to modify youth behavior” (NCJFCJ, 2017, p. 2).

Compared to adults, adolescents demonstrate specific deficits in decision making when facing complex tasks (see Blakemore & Robbins, 2012), and/or in emotionally laden situations or situations involving peers (e.g., Gardner & Steinberg, 2005; Steinberg & Monahan, 2007). For example, justice-involved adolescents frequently make decisions against their best interest when presented with the opportunity for real or imagined social approval (Kambam & Thompson, 2009; Viljoen, Klaver, & Roesch, 2005). Additionally, when making decisions, youth often weigh the potential for short-term positive outcomes more heavily than the possibility of long-term negative outcomes (Pokhrel et al., 2013). Over time, as adolescents age into early adulthood, their executive functioning skills (e.g., abilities to judge and evaluate risk and reward) and psychosocial maturity improve (Steinberg & Scott, 2003). In recognition of the limits of youth decision-making capacities, the NCJFCJ resolution (2017) encourages juvenile probation personnel to design systems to “help youth improve their decision making.” (NCJFCJ, 2017, p. 2).

Traditionally, youth on probation receive a list of multiple requirements with which they must comply over the course of several months or years; periodically, they appear before a juvenile court judge who reviews their progress under supervision (NeMoyer et al., 2016). Given their still-developing executive functioning skills, youth can face tremendous difficulty engaging in the logical decision making required to consistently adhere to probation conditions, foregoing impulses for immediate gratification on a daily basis over a long time period, and making consistently rational decisions, particularly when faced with social or emotional situations that may feel overwhelming (for a review, see Goldstein et al., 2016). Because adolescents are less capable than adults of considering long-term consequences (such as

receiving a sanction at a probation review hearing several months in the future), they focus far more on short-term outcomes, especially positive rewards like the social acceptance that might come from engaging in prohibited behaviors with peers (Steinberg, 2009; Steinberg, Cauffman, Woolard, Graham, & Banich, 2009). As a result, researchers, reform advocates, and the NCJFCJ resolution encourage judges and juvenile probation personnel to limit the number of court and probation conditions imposed upon youth to make it easier to remember and act on those requirements, thereby improving the likelihood of adherence (NCJFCJ, 2017). Empirical work on behavior shaping among children and adolescents supports this suggestion, as success has been linked to programs that ask youth to focus on one or two behaviors at a time (Flick, 2010; Manassis, 2008). For youth, success—especially if it occurs soon after beginning a program—can serve as a powerful form of positive reinforcement, bolstering desire to change and continuing to motivate even when goals become more difficult (Van Hasselt & Hersen, 1998). As a result, programs that adhere to evidence-based practices frequently encourage facilitators to set realistic short-term goals with youth to encourage early incremental successes (O’Leary & O’Leary, 1977; Van Hasselt & Hersen, 1998). Accordingly, adherence to the NCJFCJ resolution requires “emphasiz[ing] short-term, positive outcomes for probation-compliant behaviors” and “enabl[ing] youths to experience success almost immediately” (NCJFCJ, 2017, p. 2).

### **Translating the NCJFCJ Resolution Into Policy and Practice**

The recent NCJFCJ resolution represents national recognition of the need to ensure juvenile probation practices align with principles of adolescent development. However, because juvenile justice systems operate on a local level, it is important to consider how jurisdictions across the country might translate the resolution’s principles into meaningful policy and practice change. Whether these principles serve as the catalyst for a complete system overhaul or a more modest modification of existing practices, courts and probation departments may find the prospect of translating the conceptual resolution into applied reality overwhelming and could

benefit from a translational framework guide. Drawing on the conceptual framework of Goldstein, Kemp, Leff, and Lochman's (2012) guidelines for adapting manualized treatments for new populations and the content in the Center for Children's Law and Policy's [CCLP] (2016) Graduated Responses Toolkit, we suggest a series of steps that will help juvenile justice personnel translate the resolution principles into their own juvenile probation system operations.

**Step 1. Identify and engage stakeholders.** National juvenile justice reform efforts have often recognized the importance of collaboration and consensus building among relevant stakeholders (e.g., Feely, 1999; National Research Council, 2014). When working to translate the resolution's principles into local policy and practice change, jurisdictions should develop a team consisting of individuals who work within the system (e.g., judges, probation officers, district attorneys, public defenders, law enforcement) as well as those who are affected by the system (e.g., justice-involved youth, parents, community leaders; CCLP, 2016). Key system decision makers will provide diverse points of view on desired outcomes and effective strategies for attaining them, while youth, parents, and community leaders will offer perspectives based on lived experience and an urgency for reform. Consistent with community-based participatory research (CBPR) methodologies, including community voices in this translational work can help promote meaningful engagement and buy-in, address issues of power and privilege, and lessen disparities (Wallerstein & Duran, 2006) when developing new juvenile justice policies and practices. Roles of relevant individuals involved in reform efforts should be defined at the outset of reform work; clarifying responsibilities early on will inform when feedback is sought from various stakeholders. Thought should be given to the timing of stakeholder involvement, as agencies and individuals added late in the process may question or actively resist decisions that have already been made by other stakeholders. Bringing stakeholders together early on also offers the opportunity for leaders or community partners to present research underscoring important principles of adolescent development and evidence-based behavior change,

which can increase buy-in from new team members (CCLP, 2016).

**Step 2. Agree on reform effort goals.** Before initiating efforts to change established policies and practices, leadership from agencies that will implement reforms should jointly identify the intended purposes of any potential changes. In one or two sentences, these leaders should be able to identify the goals of the reform effort. Although this may appear straightforward, rationales for system reform vary widely from jurisdiction to jurisdiction and can even differ between and within agencies in a single jurisdiction. For example, some agencies might seek reform to increase understanding of and compliance with probation requirements, others may want to reduce the use of confinement for technical violations, and others might aim to promote young peoples' positive youth development. Goal agreement represents a foundational component of successful reform efforts—failure to identify clear, shared goals can lead to splintered activities and disruption among stakeholders (Feely, 1999; National Research Council, 2014). Furthermore, without a common understanding of the end goals of potential changes, reform leaders will struggle to develop meaningful measures of success (CCLP, 2016).

**Step 3. Concretely define relevant concepts.** In order to translate the resolution's principles into meaningful policy and practice change, jurisdictions must create specific, measurable, and operationalized definitions of the concepts delineated in those principles. For example, through the resolution, NCJFCJ advocates for juvenile probation systems to help youth improve their decision-making skills. To translate this idea from an abstract concept to a concrete plan, jurisdictions might instruct probation officers to help youth break down complicated requirement-related tasks (e.g., complete community service hours) into a series of smaller action steps (e.g., identify community service location, secure transportation, complete assigned service, obtain proof of attendance). Similarly, the resolution prompts juvenile probation systems to develop expectations and goals that address fewer behaviors simultaneously; to operationalize this principle, systems might limit the number of probation conditions that can be imposed upon youth at one time.

**Step 4. Gather baseline data.** To implement changes consistent with jurisdictions' identified reform effort goals, probation administrators must gather relevant baseline data to illustrate their current practices. This step establishes a starting point for reform, may demonstrate the need for policy or practice changes, and allows for subsequent measurement to show the effects of implemented reforms through changes from baseline. The specific issues that guide data-gathering efforts may vary across jurisdictions. For example, some jurisdictions may identify frequent use of detention for technical violations as an area of concern, so they would collect baseline data on the number of youth detained for technical violations, nature or type of violations that result in detention, and length of detention stays that follow such violations. Other jurisdictions might focus on promoting consistency in probation officer responses to youth misbehavior in court-ordered programs, in which case they could collect baseline data on the nature of youths' misbehaviors, how programs respond, and how probation officers respond to the misbehavior. Gathering data can also illuminate the strengths and limitations of a jurisdiction's current efforts, which might then guide reform strategies.

**Step 5. Develop policies and procedures to support and sustain reforms.** To create new policies and procedures that will sustain reforms, jurisdictions must first identify, in writing, the new ways their agencies and personnel will address the identified areas of reform (e.g., if promoting positive behavior change is a priority, the jurisdiction must develop clear instructions regarding specific behaviors, processes, and timing of incentive delivery). Additionally, when designing these new policies and procedures, leaders should integrate innovative ideas into the system's existing framework when possible. Leaders should be mindful to clarify any potential inconsistencies that new guidelines could create with existing protocols and ensure that policies and procedures are neither vague nor confusing.

In addition to developing foundational policies and procedures to execute reform strategies, jurisdictions must also identify any new procedures that will support and sustain the new policies (e.g., if counties use incentives, they must build associated costs into their budgets).

They should provide training to probation administrators, case managers, supervisors, and anyone else involved in implementing the reforms to foster a common understanding of system-wide changes and address any questions or concerns. These trainings should include discussions of the conceptual foundation for reform efforts, as well as role plays, case vignettes, and practice using newly developed materials with actual case examples. Other stakeholders should also be educated about reforms, including youth and families, as well as judges, prosecutors, and defense counsel—support from all of these groups will increase the likelihood of successful reform (CCLP, 2016). Finally, jurisdictions must embed data tracking in their new policies and procedures. Ongoing data collection enables jurisdictions to evaluate program effectiveness, described in further detail below.

**Step 6. Evaluate effectiveness.** After identifying and engaging key stakeholders, agreeing on reform effort goals, defining relevant concepts, gathering baseline data, and developing new policies and procedures to support and sustain reform efforts, jurisdictions must then engage in ongoing monitoring and program evaluation. This step is critical to ensuring that system reforms achieve their stated goals and to providing information for ongoing quality improvement. Juvenile justice systems might begin evaluating outcomes early by piloting changes on a smaller scale before implementing a widespread rollout. During the piloting phase, jurisdictions should collect both quantitative (e.g., number of youth whose probation dispositions are revoked, number of youth detained for technical probation violations) and qualitative data (e.g., reports from case managers, supervisors, and administrators about challenges encountered; feedback from youth and families). Gathering data and feedback to compare program outcomes with baseline data collected in Step 4 enables jurisdictions to determine whether reform efforts are effective and identify areas for improvement (CCLP, 2016). Ideally, to enhance feasibility, information recorded for court processing and case management purposes can also serve as data for tracking and evaluation purposes, thereby reducing the burden on justice system personnel. Evaluation should occur from both a quality assurance standpoint (i.e., are probation staff and other

key personnel correctly implementing system changes?) and an outcome perspective (e.g., are the reform efforts positively impacting the lives of youth?). Using feedback gathered during the pilot phase to improve definitions, materials, and/or data tracking, jurisdictions can then implement the resolution's principles with meaningful, system-wide policy and practice change—and evaluate longer-term outcomes for youth, the system, and communities.

### **Models for Translating NCJFCJ Principles Into Policy and Practice**

The following examples from Pierce County, WA and Philadelphia, PA exemplify the translation of NCJFCJ resolution principles into local probation policy and practice. Although these counties reformed their probation systems prior to the drafting of the NCJFCJ resolution, the content and process of their reform efforts strongly reflect resolution principles and the six-step process described above. A comprehensive description of their reform efforts is beyond the scope of this article. Instead, to provide models for other jurisdictions, we offer a brief overview of each county's development approach, touching on each of the six translation steps, and provide greater detail and specific examples of how each county operationalized a core NCJFCJ principle (Step 3) and memorialized it in policies and procedures (Step 5).

**The Annie E. Casey Foundation's probation transformation initiative and Pierce County's Opportunity-Based Probation.** After two decades of contributing to the successful reduction in the U.S. juvenile detention population through the Juvenile Detention Alternatives Initiative (JDAI; The Annie E. Casey Foundation, 2014), the Annie E. Casey Foundation launched a probation transformation initiative aimed at narrowing the scope and reach of probation, encouraging developmentally appropriate behavior change and positive growth, and strengthening community and family partnerships. In line with the initiative's goals, Pierce County, WA was selected as one of two sites funded by the Foundation to increase family involvement, improve wraparound support for youth at highest risk of out-of-home placement, and develop an incentive and opportunity-based model of probation for moderate- and high-risk youth. Pierce County's alternative

probation model, known as Opportunity-Based Probation (OBP), provides one example of how NCJFCJ resolution principles have been implemented.

OBP is the result of a codesign process facilitated by the University of Washington (Walker, Valencia, Pearson, & Miller, 2019). Recognizing the importance of stakeholder engagement and reflecting a CBPR approach (e.g., Wallerstein & Duran, 2006), the codesign model adopts a partnership stance between research and practice, respecting the expertise of both areas of knowledge (Ramaswamy & Ozcan, 2014). In the present case, academic researchers provided the local probation workgroup with syntheses of research covering family engagement (McKay & Bannon, 2004; Walker, Muno, & Sullivan-Colglazier, 2015), positive youth development (Bonell et al., 2016), and behavior modification principles (Goh & Bambara, 2012; Rief, 2016). The workgroup then compared research-based recommendations and promising probation models to their existing model of probation, known as the Case Management Assessment Process (CMAP), to examine appropriateness and fit. Agreeing early on that reform efforts should focus on promoting positive youth development, the resulting OBP model also addressed many of the other points outlined in the NCJFCJ resolution, including setting short-term, reasonable goals, providing incentives, and using restorative plans for addressing probation-violating behaviors without sanctions. The full OBP model, which emphasizes community-based opportunities (e.g., activities, internships, jobs) and early discharge from probation as incentives for positive behavior, is described elsewhere (Walker et al., 2019). In this article, we highlight the ways in which county probation administrators operationalized relevant concepts and created comprehensive policies and procedures to incorporate family engagement, goal setting, and rewards into existing system structures to produce meaningful change in ways that align with NCJFCJ principles.

Given its focus on family engagement, the OBP model incorporates early caregiver involvement, requiring probation officers to reach out to the parent/guardian (hereafter "parent") prior to engaging in case planning with a youth. Parent meetings incorporate principles of family engagement found to be effective in chil-

dren's mental health treatment (McKay & Bannon, 2004). The meetings are structured around three goals. First, probation officers aim to build a positive working relationship by validating parents' concerns and struggles and recognizing the efforts they are already making to support their child. The officers then develop a plan with the parents for managing difficult or non-compliant youth behaviors within the probation process rather than through the use of court hearings and additional sanctions. Finally, the probation officer and parent identify youth behaviors that the parent will monitor and reward at home. Parents are subsequently included when probation officers check in with youth to report on how their child performed in the preceding week(s) and award points earned.

During the early implementation phase of OBP, workgroup members evaluated program effectiveness by gathering feedback from stakeholders, including probation officers and parents. Probation officers found the family engagement component to be one of the most impactful and successful pieces of the model. They reported that parents and youth experienced fewer conflicts in the home, they received fewer angry phone calls from parents about youth behaviors, and parents attended to youths' positive behaviors at home. Parents involved in the model similarly reported positive experiences with the OBP process and with probation officers (Walker et al., 2019). Given the success of this pilot program, Pierce County now requires all probation officers, not just those involved in OBP caseloads, to conduct a parent meeting prior to case planning when it is feasible to do so. The OBP model is currently being evaluated, and we do not know how well this model might transfer to other court environments. However, a few lessons from this pilot may be instructive for others attempting similar reforms. Implementing practice changes based on adolescent developmental science requires a shift in perspective for many probation officers. This may elicit confusion, fear of failure, concerns that practice changes are not really supported by leadership (i.e., that the officer is not doing their "job"), and feeling overwhelmed. In the pilot, visible support from management was critical for supporting change. This included public recognition for officers involved in the pilot and some benefits for participation (e.g., officers in the OBP pilot were

the first to receive tablets). Furthermore, even with probation officer motivation and confidence, the skills needed to implement these approaches require practice to develop and ongoing coaching. For sustaining change, we found that working with an internal supervisor who was strongly bought in and could provide day-to-day coaching and support as probation officers tried new practices was a large, if not the central, feature of successful implementation. Ongoing data collection and subsequent analysis will further illustrate the effectiveness of parent engagement, as well as other components of the OBP reform efforts, and will continue to identify additional areas for improvement.

**Philadelphia's Graduated Response approach to juvenile probation.** As a JDAI site, Philadelphia successfully reduced the number of youth entering detention immediately after arrest. However, key stakeholders (e.g., Philadelphia Family Court Administrative and Supervising Judges, Chief of Probation, Department of Human Services leadership, juvenile justice leaders in the Offices of the District Attorney and Defender Association) recognized that preventing probation violations should also reduce the use of detention and placement, prevent recidivism, and promote positive long-term outcomes for youth. Like Pierce County, the Philadelphia Juvenile Probation Department identified and engaged system stakeholders to prioritize goals and partnered with academic researchers to create a new approach to juvenile probation case management—one grounded in research on adolescent development and effective youth behavior change (see Goldstein et al., 2016).

This approach, recognized locally and statewide as Graduated Response, sought to create a structured system that provides incentives for youths' positive behaviors and delivers predictable, proportionate, and targeted interventions to address misbehavior. Shifting probation practice away from a focus on compliance monitoring, this proactive approach involves setting meaningful short- and long-term goals with youth, developing actionable steps to accomplish short-term goals, recognizing progress toward those goals, and engaging in collaborative problem solving when goals are not met. Quantitative and qualitative baseline data were gathered through existing case management

databases and via surveys and focus groups with probation officers and youth. These data helped to identify and refine targets for reform and led to the inclusion of a structured incentive system to motivate youths' positive behaviors.

When developing an incentive structure, probation administrators and workgroup members sought to promote consistency of interpretation across probation officers and judges by concretely defining key concepts. For example, to encourage the use of incentives to motivate youth progress toward short-term goals, the workgroup had to first determine the scope of potential incentives, such as whether both tangible (e.g., public transit tokens) and nontangible (e.g., later curfew) incentives could be used. Additionally, they met to define progress toward goals—whether perfect performance (e.g., attending school every day) or improvement over time (e.g., attending school three days per week after not attending for a full month) would suffice.

Policies and procedures were then created to guide implementation of the operationalized system. For instance, the workgroup and administrators determined that, although youth and probation officers should set goals and action steps together, youth should be able to select any available incentive (from a list preapproved by parents), so that it would be sufficiently motivating. Additionally, to facilitate the power of immediate incentives, the workgroup and administrators created policies to allow awarding of incentives during supervision meetings—including procedures regarding access to securely stored tangible incentives, documentation of youths' receipt of incentives, and probation officers' return of incentives if not earned by youth during the meeting. These policies and procedures were designed to promote consistent and predictable execution of the theoretically grounded and operationally defined Graduated Response system across probation officers as they meet with multiple youth.

Following a field trial and two pilot phases, officers from Philadelphia's Juvenile Probation Department provided feedback to the academic research partner (the first two authors of this article) about the use and feasibility of the Graduated Response system, their thoughts about various components, and youths' responses to incentives and other aspects of the system. Based on qualitative survey data, overall, pro-

bation officers reported that by using the Graduated Response system, they increased their emphasis on short- and long-term goal setting with youth and paid greater attention to youths' positive behaviors and progress. Probation officers also identified challenges to implementation, requesting simplified paperwork and additional training to help them communicate more effectively with other juvenile court professionals about the new Graduated Response approach. Additional data were collected regarding youths' progress toward short- and long-term goals while on probation, youths' receipt of incentives for positive behaviors, and the use of targeted interventions when goals were not met. Philadelphia's Juvenile Probation Department plans to implement the Graduated Response system city-wide in the coming year, and implementation and outcome data will be collected on an ongoing basis to track changes from baseline with the dual goals of continuous quality improvement and system evaluation.

### Conclusion

The NCJFCJ resolution represents an important piece of the national call for juvenile probation systems to become grounded in modern understanding of adolescent development. As jurisdictions seek to align with the principles enumerated in this resolution, they should strive to engage relevant stakeholders, agree on reform goals, collect baseline data, concretely define relevant concepts, develop necessary policies and procedures, and continuously evaluate program effectiveness. As more jurisdictions engage in this work, they can share model systems and approaches with other jurisdictions seeking to translate these empirically based principles into local policy and practice change.

### References

- Blakemore, S.-J., & Robbins, T. W. (2012). Decision-making in the adolescent brain. *Nature Neuroscience*, *15*, 1184–1191. <http://dx.doi.org/10.1038/nn.3177>
- Bonell, C., Dickson, K., Hinds, K., Melendez-Torres, G. J., Stansfield, C., Fletcher, A., . . . Campbell, R. (2016). The effects of Positive Youth Development interventions on substance use, violence and inequalities: Systematic review of theories of change, processes and outcomes. *Public Health*

- Research*, 4, 1–218. <http://dx.doi.org/10.3310/phr04050>
- Casey, B. J., Jones, R. M., & Hare, T. A. (2008). The adolescent brain. *Annals of the New York Academy of Sciences*, 1124, 111–126. <http://dx.doi.org/10.1196/annals.1440.010>
- Cauffman, E., Shulman, E. P., Steinberg, L., Claus, E., Banich, M. T., Graham, S., & Woolard, J. (2010). Age differences in affective decision making as indexed by performance on the Iowa Gambling Task. *Developmental Psychology*, 46, 193–207. <http://dx.doi.org/10.1037/a0016128>
- Center for Children's Law and Policy. (2016). *Graduated responses toolkit: New resources and insights to help youth succeed on probation*. Washington, DC: Author. Retrieved from <http://www.cclp.org/wp-content/uploads/2016/06/Graduated-Responses-Toolkit.pdf>
- Chambers, R. A., Taylor, J. R., & Potenza, M. N. (2003). Developmental neurocircuitry of motivation in adolescence: A critical period of addiction vulnerability. *The American Journal of Psychiatry*, 160, 1041–1052. <http://dx.doi.org/10.1176/appi.ajp.160.6.1041>
- Chen, J., Albert, D., O'Brien, L., Uckert, K., & Steinberg, L. (2011). Peers increase adolescent risk taking by enhancing activity in the brain's reward circuitry. *Developmental Science*, 14, F1–F10. <http://dx.doi.org/10.1111/j.1467-7687.2010.01035.x>
- Corepal, R., Tully, M. A., Kee, F., Miller, S. J., & Hunter, R. F. (2018). Behavioural incentive interventions for health behaviour change in young people (5–18 years old): A systematic review and meta-analysis. *Preventive Medicine*, 110, 55–66. <http://dx.doi.org/10.1016/j.ypmed.2018.02.004>
- Cottle, C. C., Lee, R. J., & Heilbrun, K. (2001). The prediction of criminal recidivism in juveniles: A meta-analysis. *Criminal Justice and Behavior*, 28, 367–394. <http://dx.doi.org/10.1177/0093854801028003005>
- Coyle, C., Bramham, J., Dundon, N., Moynihan, M., & Carr, A. (2016). Exploring the positive impact of peers on adolescent substance misuse. *Journal of Child & Adolescent Substance Abuse*, 25, 134–143. <http://dx.doi.org/10.1080/1067828X.2014.896761>
- DeLay, D., Zhang, L., Hanish, L. D., Miller, C. F., Fabes, R. A., Martin, C. L., . . . Updegraff, K. A. (2016). Peer influence on academic performance: A social network analysis of social-emotional intervention effects. *Prevention Science*, 17, 903–913. <http://dx.doi.org/10.1007/s11121-016-0678-8>
- Dishion, T. J., & Tipsord, J. M. (2011). Peer contagion in child and adolescent social and emotional development. *Annual Review of Psychology*, 62, 189–214. <http://dx.doi.org/10.1146/annurev.psych.093008.100412>
- Feely, K. (1999). *Collaboration and leadership in juvenile detention reform*. (Pathways to Juvenile Detention Reform). Baltimore, MD: Annie E. Casey Foundation. Retrieved from <http://www.aecf.org/m/resourcedoc/AECF-CollaborationandLeadership-1999.pdf>
- Flick, G. L. (2010). *Managing ADHD in the K-8 classroom: A teacher's guide*. Thousand Oaks, CA: Corwin.
- Gardner, M., & Steinberg, L. (2005). Peer influence on risk taking, risk preference, and risky decision making in adolescence and adulthood: An experimental study. *Developmental Psychology*, 41, 625–635. <http://dx.doi.org/10.1037/0012-1649.41.4.625>
- Gatti, U., Tremblay, R. E., & Vitaro, F. (2009). Iatrogenic effect of juvenile justice. *Journal of Child Psychology and Psychiatry*, 50, 991–998. <http://dx.doi.org/10.1111/j.1469-7610.2008.02057.x>
- Gershoff, E. T. (2002). Corporal punishment by parents and associated child behaviors and experiences: A meta-analytic and theoretical review. *Psychological Bulletin*, 128, 539–579. <http://dx.doi.org/10.1037/0033-2909.128.4.539>
- Goh, A. E., & Bambara, L. M. (2012). Individualized positive behavior support in school settings: A meta-analysis. *Remedial and Special Education*, 33, 271–286. <http://dx.doi.org/10.1177/0741932510383990>
- Goldstein, N. E. S., Kemp, K. A., Leff, S. S., & Lochman, J. E. (2012). Guidelines for adapting manualized interventions for new target populations: A step-wise approach using anger management as a model. *Clinical Psychology: Science and Practice*, 19, 385–401. <http://dx.doi.org/10.1111/cpsp.12011>
- Goldstein, N. E., NeMoyer, A., Gale-Bentz, E., Levick, M., & Feierman, J. (2016). You're on the right track: Using graduated response systems to address immaturity of judgment and enhance youths' capacities to successfully complete probation. *Temple Law Review*, 88, 803–836. Retrieved from <https://www.templelawreview.org/lawreview/assets/uploads/2016/08/Goldstein-et-al-88-Temp.-L.-Rev.-803.pdf>
- Groeschel, S., Vollmer, B., King, M. D., & Connelly, A. (2010). Developmental changes in cerebral grey and white matter volume from infancy to adulthood. *International Journal of Developmental Neuroscience*, 28, 481–489. <http://dx.doi.org/10.1016/j.ijdevneu.2010.06.004>
- Hjalmarsson, R. (2008). Criminal justice involvement and high school completion. *Journal of Urban Economics*, 63, 613–630. <http://dx.doi.org/10.1016/j.jue.2007.04.003>
- Huefner, J. C., Smith, G. L., & Stevens, A. L. (2018). Positive and negative peer influence in residential care. *Journal of Abnormal Child Psychology*, 46,

- 1161–1169. <http://dx.doi.org/10.1007/s10802-017-0353-y>
- Kambam, P., & Thompson, C. (2009). The development of decision-making capacities in children and adolescents: Psychological and neurological perspectives and their implications for juvenile defendants. *Behavioral Sciences & the Law*, 27, 173–190. <http://dx.doi.org/10.1002/bsl.859>
- Kazdin, A. E. (2005). *Parent management training: Treatment for oppositional, aggressive, and antisocial behavior in children and adolescents*. New York, NY: Oxford University Press.
- Leve, L. D., & Chamberlain, P. (2005). Association with delinquent peers: Intervention effects for youth in the juvenile justice system. *Journal of Abnormal Child Psychology*, 33, 339–347. <http://dx.doi.org/10.1007/s10802-005-3571-7>
- Manassis, K. (2008). *Keys to parenting your anxious child*. Hauppauge, NY: Barron's.
- McKay, M. M., & Bannon, W. M., Jr. (2004). Engaging families in child mental health services. *Child and Adolescent Psychiatric Clinics of North America*, 13, 905–921. <http://dx.doi.org/10.1016/j.chc.2004.04.001>
- Mendel, R. A. (2011). *No place for kids: The case for reducing juvenile incarceration*. Baltimore, MD: The Annie E. Casey Foundation. Retrieved from <http://www.aecf.org/resources/no-place-for-kids-full-report/>
- Nagin, D. S., & Pogarsky, G. (2001). Integrating celerity, impulsivity, and extralegal sanction threats into a model of general deterrence: Theory and evidence. *Criminology*, 39, 865–892. <http://dx.doi.org/10.1111/j.1745-9125.2001.tb00943.x>
- National Council of Juvenile and Family Court Judges. (2017). *Resolution regarding juvenile probation and adolescent development*. Reno, NV: Author. Retrieved from [https://www.ncjfcj.org/sites/default/files/Fnl\\_AdoptedProbationPolicyResolution\\_7-2017\\_1.pdf](https://www.ncjfcj.org/sites/default/files/Fnl_AdoptedProbationPolicyResolution_7-2017_1.pdf)
- National Research Council. (2014). *Implementing juvenile justice reform: The federal role*. Washington, DC: The National Academies Press. Retrieved from [http://www.njcn.org/uploads/digital-library/Implementing-JJ-Reform-federal-Role\\_September-2014.pdf](http://www.njcn.org/uploads/digital-library/Implementing-JJ-Reform-federal-Role_September-2014.pdf)
- NeMoyer, A., Brooks Holliday, S., Goldstein, N. E., & McKitten, R. L. (2016). Predicting probation revocation and residential facility placement at juvenile probation review hearings: Youth-specific and hearing-specific factors. *Law and Human Behavior*, 40, 97–105. <http://dx.doi.org/10.1037/lhb0000162>
- NeMoyer, A., Goldstein, N. E., McKitten, R. L., Prelic, A., Ebbecke, J., Foster, E., & Burkard, C. (2014). Predictors of juveniles' noncompliance with probation requirements. *Law and Human Behavior*, 38, 580–591. <http://dx.doi.org/10.1037/lhb0000083>
- O'Leary, K. D., & O'Leary, S. G. (1977). *Classroom management: The successful use of behavior modification* (2nd ed.). Oxford, England: Pergamon Press.
- Paus, T. (2005). Mapping brain maturation and cognitive development during adolescence. *Trends in Cognitive Sciences*, 9, 60–68. <http://dx.doi.org/10.1016/j.tics.2004.12.008>
- Phillips, E. L., Phillips, E. A., Fixsen, D. L., & Wolf, M. M. (1971). Achievement Place: Modification of the behaviors of pre-delinquent boys within a token economy. *Journal of Applied Behavior Analysis*, 4, 45–59. <http://dx.doi.org/10.1901/jaba.1971.4-45>
- Pokhrel, P., Herzog, T. A., Black, D. S., Zaman, A., Riggs, N. R., & Sussman, S. (2013). Adolescent neurocognitive development, self-regulation, and school-based drug use prevention. *Prevention Science*, 14, 218–228. <http://dx.doi.org/10.1007/s11121-012-0345-7>
- Ramaswamy, V., & Ozcan, K. (2014). *The co-creation paradigm*. Stanford, CA: Stanford University Press.
- Rief, S. F. (2016). *How to reach and teach children and teens with ADD/ADHD* (3rd ed.). San Francisco, CA: Jossey-Bass.
- Rosén, L. A., O'Leary, S. G., Joyce, S. A., Conway, G., & Piffner, L. J. (1984). The importance of prudent negative consequences for maintaining the appropriate behavior of hyperactive students. *Journal of Abnormal Child Psychology*, 12, 581–604. <http://dx.doi.org/10.1007/%2FBF00916852>
- Schwartz, R. G. (2018). A 21st century developmentally appropriate juvenile probation approach. *Juvenile & Family Court Journal*, 69, 41–54. <http://dx.doi.org/10.1111/jfcj.12108>
- Smith, E. P., Faulk, M., & Sizer, M. A. (2016). Exploring the meso-system: The roles of community, family, and peers in adolescent delinquency and positive youth development. *Youth & Society*, 48, 318–343. <http://dx.doi.org/10.1177/0044118X13491581>
- Steinberg, L. (2008). A social neuroscience perspective on adolescent risk-taking. *Developmental Review*, 28, 78–106. <http://dx.doi.org/10.1016/j.dr.2007.08.002>
- Steinberg, L. (2009). Adolescent development and juvenile justice. *Annual Review of Clinical Psychology*, 5, 459–485. <http://dx.doi.org/10.1146/annurev.clinpsy.032408.153603>
- Steinberg, L., Cauffman, E., Woolard, J., Graham, S., & Banich, M. (2009). Are adolescents less mature than adults? Minors' access to abortion, the juvenile death penalty, and the alleged APA "flip-flop." *American Psychologist*, 64, 583–594. <http://dx.doi.org/10.1037/a0014763>

- Steinberg, L., & Monahan, K. C. (2007). Age differences in resistance to peer influence. *Developmental Psychology, 43*, 1531–1543. <http://dx.doi.org/10.1037/0012-1649.43.6.1531>
- Steinberg, L., & Scott, E. S. (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. *American Psychologist, 58*, 1009–1018. <http://dx.doi.org/10.1037/0003-066X.58.12.1009>
- The Annie E. Casey Foundation. (2014). *Juvenile detention alternatives initiative progress report 2014*. Baltimore, MD: Author. Retrieved from <http://www.aecf.org/m/resourcedoc/aecf-2014JDAIProgressReport-2014.pdf>
- The Annie E. Casey Foundation. (2018). *Transforming juvenile probation: A vision for getting it right*. Baltimore, MD: Author. Retrieved from <http://www.aecf.org/m/resourcedoc/aecf-transformingjuvenileprobation-2018.pdf>
- Van Hasselt, V. B., & Hersen, M. (1998). *Handbook of psychological treatment protocols for children and adolescents*. Abingdon, United Kingdom: Routledge. <http://dx.doi.org/10.4324/9781410601957>
- Viljoen, J. L., Klaver, J., & Roesch, R. (2005). Legal decisions of preadolescent and adolescent defendants: Predictors of confessions, pleas, communication with attorneys, and appeals. *Law and Human Behavior, 29*, 253–277. <http://dx.doi.org/10.1007/s10979-005-3613-2>
- Viljoen, J. L., & Roesch, R. (2005). Competence to waive interrogation rights and adjudicative competence in adolescent defendants: Cognitive development, attorney contact, and psychological symptoms. *Law and Human Behavior, 29*, 723–742. <http://dx.doi.org/10.1007/s10979-005-7978-y>
- Walker, S. C., Muno, A., & Sullivan-Colglazier, C. (2015). Principles in practice: A multistate study of gender-responsive reforms in the juvenile justice system. *Crime & Delinquency, 61*, 742–766. <http://dx.doi.org/10.1177/001128712449712>
- Walker, S. C., Valencia, E., Pearson, K., & Miller, S. (2019). *Opportunity-based probation: Using a research-practice partnership to develop a positive youth development model for juvenile probation*. Manuscript submitted for publication.
- Wallerstein, N. B., & Duran, B. (2006). Using community-based participatory research to address health disparities. *Health Promotion Practice, 7*, 312–323. <http://dx.doi.org/10.1177/1524839906289376>
- Zettler, H. R., Morris, R. G., Piquero, A. R., & Cardwell, S. M. (2015). Assessing the celerity of arrest on 3-year recidivism patterns in a sample of criminal defendants. *Journal of Criminal Justice, 43*, 428–436. <http://dx.doi.org/10.1016/j.jcrimjus.2015.05.003>

Received June 30, 2018

Revision received February 7, 2019

Accepted February 26, 2019 ■