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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 (CDA) 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 report².

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 attorneys⁴. Surveys were received from 343 defense attorneys, providing a 52 percent response rate.⁵ Sixty-one

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."

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,

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 sanctions¹⁰ 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

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 Court¹¹

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.

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,

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/pdf/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

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 to 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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