



## MULTNOMAH COUNTY OREGON DETENTION REFORM INITIATIVE

### Juvenile Justice Council (JJC)

March 10, 2008 (Monday)

12:00 pm – 1:30 pm

Juvenile Justice Complex - large conference room

1401 NE 68th Avenue

Portland, Oregon 97213

### MEETING MINUTES

#### Council Members:

Kathy Brennan	Lisa Fithian-Barrett	Linda Hughes	Julie McFarlane	Carla Piluso	Jim Stegmiller	Heather Updike	Donna Henderson
Loren Calkins	Joanne Fuller	Rick Jensen	Keith Meisenheimer	Lorenzo Poe	Diane Stuart	Nan Waller	Ed Hamann
Tom Cleary	Carolyn Graf	Dave Knofer	Thach Nguyen	Charlene Rhyne	Susan Svetkey	Michael Ware	
Tracey Cordes	Rob Halverson	David Koch	Louise Palmer	Tom Ryan	Scott Taylor	Carol Wessinger	
Tina Edge	Debbie Hansen	Paula Kurshner	Dana Pearman	Wayne Scott	Katherine Tennyson	Sara Westbrook	
William H. Feyerherm	Carol Herzog	Michael Loy	Christine Pedersen	Brett Smith	Rod Underhill	Merri Wyatt	

#### Guests:

Kelly Dedel, Director of One in 37 Research, Inc.

AGENDA TOPIC:	NOTES:	PLAN OF ACTION CONTACT INFORMATION
Welcome & Introductions  Judge Waller	Judge Waller welcomed everyone and participants introduced themselves. She stated that the RAI validation was completed through a consensus of all stakeholders and it was important that it be supported by the RAI policy. It is also critical that all parties understood and supported the decisions that were made.	Judge Waller <b>Family Court Judge</b> 1021 SW 4th Avenue Portland, OR 97204-1123 Interoffice 101/362 (503) 988-3038 (503) 988-3425 fax <a href="mailto:nan.waller@ojd.state.or.us">nan.waller@ojd.state.or.us</a>  or contact her assistant, Gloria Martin at: <a href="mailto:'Gloria.J.MARTI@ojd.state.or.us'">'Gloria.J.MARTI@ojd.state.or.us'</a>
Review of the RAI validation & data from its implementation  Rob Halverson / Kelly Dedel	Rob reviewed data from the first four months of using the validated detention Risk Assessment Instrument. Results are preliminary, but encouraging. Though based on small numbers, outcomes for released youth are better under the new RAI. This includes an 8% reduction in recidivism, and warrant rates holding steady. Decision results show an evening out of the detention rate for African American youth so	If you have questions or need more information, contact:  Rob Halverson, Supervisor <b>BIST Team</b> Juvenile Service Division

AGENDA TOPIC:	NOTES:	PLAN OF ACTION CONTACT INFORMATION
<p><a href="#">Handouts attached</a></p>	<p>that it more closely resembles that of other demographic groups. Overrides are better-documented under the new RAI and its accompanying draft policy.</p> <p>Rob also introduced a policy approach to dealing with serious behaviors using a traffic light metaphor. This follows the thinking that there are some behaviors that are automatic red lights: the score is not considered because the behavior is so serious. Other behaviors are serious enough for a yellow light – that is they merit a discretionary override if certain criteria are present. If no red or yellow light concerns exist, we have a green light to go by the score.</p> <p>Kelly reviewed the purpose and major findings of the RAI validation study, including the fact that the score for the current offense on the old RAI was found to predict in the wrong direction (e.g. the more severe the offense, the less likely the youth was to reoffend or FTA if released). She stressed the importance of considering the youth's current behavior in making detention decisions, but also the importance of doing that in a way that allows the score to be as powerful as possible for guiding decision making. Options for dealing with the youth's current offense include policy overrides, a matrix or grid, and decision trees.</p> <p>Kelly complimented the council on how this process was worked out and discussed. Judge Waller supported that statement and highlighted the importance of finding agreement between the stakeholders on this issue.</p>	<p>1401 NE 68th Street Portland, OR 97213 (503) 988-4603 <a href="mailto:Robert.p.halverson@co.multnomah.or.us">Robert.p.halverson@co.multnomah.or.us</a></p> <p>Kelly Dedel, Director <b>One in 37 Research, Inc.</b> 408 NW 12<sup>th</sup> Ave. No. 512 Portland, OR 97209. (503) 235-4053 <a href="mailto:kdj@onein37.com">kdj@onein37.com</a></p>
<p>Detention Screening and Preliminary Hearing Recommendation Policy (including RAI override criteria)</p> <p><b>Rob Halverson / Tom Cleary</b></p> <p><a href="#">Handouts attached</a></p>	<p>Rob described the Juvenile Justice Council Executive Subcommittee's recent efforts to better define how to address the youth's current behavior through policy. That work has centered on mapping the current offense categories from the previous version of the RAI to policy decisions – either automatic decisions, or discretionary override decisions if certain criteria are present.</p> <p>The council reviewed the mapping both for detention intake decisions and preliminary hearing recommendations. The mapping is still in draft form. Tom Cleary is hopeful that the approach will be accepted by his office, though there are still some particulars to work out. Once all stakeholders agree on the mapping, it will be incorporated into the Detention Screening Decisions and Preliminary Hearing</p>	<p>If you have questions or need more information, contact:</p> <p>Rob Halverson, Supervisor <b>BIST Team</b> Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-4603 <a href="mailto:Robert.p.halverson@co.multnomah.or.us">Robert.p.halverson@co.multnomah.or.us</a></p> <p>Tom Cleary <b>District Attorney</b></p>

AGENDA TOPIC:	NOTES:	PLAN OF ACTION CONTACT INFORMATION
	<p>Recommendations Policy.</p> <p>Feedback from the Council on the mapping was positive, particularly regarding the clarity of the mapping for decision making.</p>	<p>1401 NE 68th Street Portland, OR 97213 (503) 988-3460 <a href="mailto:david.m.koch@co.multnomah.or.us">david.m.koch@co.multnomah.or.us</a></p>
<p>Human Trafficking</p> <p>MSCO Deputy Bickford</p>	<p>MSCO Deputy Bickford was not in attendance so Judge Waller gave an overview of this issue. She stated that FBI, state, and federal agencies developed a taskforce to look at juvenile prostitution which is currently not a "holdable" offense. They would like to invoke a 36-hour detain measure to allow time to troubleshoot resources and potential placement for these youth the majority of which are high need and risk. Some of the options mentioned were placement in RAD and 6 month treatment, Rosemount, etc. DHS, OYA and Reception Center also working with this population. The task force would also like to identify the "johns".</p> <p>Judge Waller asks the council for their suggestions on what can be done to assist with accessing services for these youth to help break the hold on their addictive lifestyle.</p>	<p>If you have questions or suggestions for the task force, please contact:</p> <p>Judge Waller <b>Family Court Judge</b> 1021 SW 4th Avenue Portland, OR 97204-1123 Interoffice 101/362 (503) 988-3038 (503) 988-3425 fax <a href="mailto:nan.waller@ojd.state.or.us">nan.waller@ojd.state.or.us</a></p>
<p>General topic</p> <p>Model Court of Excellence Workgroup Update - Julie McFarlane</p> <p>Handouts attached</p>	<p>Julie McFarlane gave an update on the Model Court of Excellence workgroup - next meeting March 31st. They will be talking about the Victim Rights issue and invite everyone to join them. They have not yet received a response on their proposal for 1 Judge - 1 Family. They need to develop the memorandum of understanding and set a target date for implementation.</p>	<p>If you would like more information on the Model Court of Excellence subcommittee, contact:</p> <p>Julie McFarlane Supervising Attorney <b>Juvenile Rights Project, Inc.</b> 401 NE 19th Avenue, Suite 200 Portland, OR 98232 phone (503) 232-2540 ext. 227 fax (503) 231-4767 <a href="mailto:Julie@jrplaw.org">Julie@jrplaw.org</a></p>

AGENDA TOPIC:	NOTES:	<b>PLAN OF ACTION</b> <b>CONTACT INFORMATION</b>
		<p>If you are not receiving email notifications, agendas, or minutes and would like to - please contact:</p> <p style="text-align: center;">Tina Edge  <b>JSD Treatment &amp; Specialized Services</b>  Juvenile Service Division  1401 NE 68th Street  Portland, OR 97213  (503) 988-3083  <a href="mailto:tina.a.edge@co.multnomah.or.us">tina.a.edge@co.multnomah.or.us</a></p>

Facilitator: David Koch    Note taker: Tina Edge

*Next meeting ...*

April 21, 2008 Monday  
 12:00noon - 1:30pm  
**Juvenile Justice Complex**  
 Large conference room  
 1401 NE 68th Avenue   Portland, OR 97213

**\*\* Meetings normally take place 3rd Monday of every month 12:00noon - 1:30pm\*\***

Mapping the Instant Offense and Victim Protection to Automatic, Override, and Scored Decisions

**Automatic Decision:** The behavior is so serious that there’s nothing to think about - the decision is automatic.  
**Override Decision:** The behavior is serious enough that override criteria should be considered in making the decision.  
**Scored Decision:** The youth passes the policy test and we can rely on the validated assessment score to indicate the best placement option

MOST SERIOUS INSTANT OFFENSE OR WHAT WE’RE PROTECTING THE VICTIM FROM	DETENTION SCREENING Policy Mapping	Criteria for Overrides (Access to the threatened person is prerequisite)	What is necessary to protect the community?  What is Reasonable Victim Protection?
Intentional homicide (aggravated murder, murder)	1	A. Youth makes stated threats against the victim or another person  B. The youth’s behavioral patterns indicate similar behavior is likely to happen again  C. The victim states a credible, serious concern about what the youth might do to her/him  D. The youth’s behavior is volatile, impulsive, unstable  E. Youth’s behavior can’t be controlled by an adult/ placement  F. No Safety Plan possible	1. Automatic Detention  2. Override to Detain  3. Automatic Added Conditions  4. Override to Add Conditions  5. Go by the Score
Attempted Murder or Class A Felonies involving violence or use or threatened use of a weapon (including Rape I, Sodomy I, and Unlawful Sexual Penetration I involving forcible compulsion)	1		
Class B Felonies involving violence or use or threatened use of a weapon	1		
Rape I, Sodomy I, Sexual Penetration I <u>not</u> involving forcible compulsion	1 or 2 (more discussion needed)		
Class C Felony involving violence or use or threatened use of a weapon	2 (more discussion needed)		
All other Class A and B Felonies	2		
All other Class C Felonies	4		
Misdemeanor involving violence, or possession, use or threatened use of a weapon	5		
All other Misdemeanors	5		
Probation/Parole Violation			
Other, e.g., status offense (MIP, runaway, curfew, etc.)			

## Mapping the Instant Offense and Victim Protection to Automatic, Override, and Scored Decisions

**Automatic Decision:** The behavior is so serious that there’s nothing to think about - the decision is automatic.  
**Override Decision:** The behavior is serious enough that override criteria should be considered in making the decision.  
**Scored Decision:** The youth passes the policy test and we can rely on the validated assessment score to indicate the best placement option

MOST SERIOUS INSTANT OFFENSE OR WHAT WE’RE PROTECTING THE VICTIM FROM	PRELIM RECOMMENDATION  Policy Mapping	Criteria for Overrides  (Access to the endangered person is prerequisite)	What is necessary to protect the community?  What is Reasonable Victim Protection?
Intentional homicide (aggravated murder, murder)		A. Youth makes stated threats against the victim or another person  B. The youth’s behavioral patterns indicate similar behavior is likely to happen again  C. The victim states a credible, serious concern about what the youth might do to her/him  D. The youth’s behavior is volatile, impulsive, unstable  E. Youth’s behavior can’t be controlled by an adult/ placement  F. No Safety Plan is possible	1. Automatic Detention  2. Override to Detain  3. Automatic Added Conditions  4. Override to Add Conditions  5. Go by the Score
Attempted Murder or Class A Felonies involving violence or use or threatened use of a weapon (including Rape I, Sodomy I, and Unlawful Sexual Penetration I involving forcible compulsion)			
Class B Felonies involving violence or use or threatened use of a weapon			
Rape I, Sodomy I, Sexual Penetration I <u>not</u> involving forcible compulsion			
Class C Felony involving violence or use or threatened use of a weapon			
All other Class A and B Felonies			
All other Class C Felonies			
Misdemeanor involving violence, or possession, use or threatened use of a weapon			
All other Misdemeanors			
Probation/Parole Violation			
Other, e.g., status offense (MIP, runaway, curfew, etc.)			

## Addressing Victim Protection

ORS 419C.145 (1) A youth may be held or placed in detention before adjudication on the merits if one or more of the following circumstances exists:

(g) The youth is required to be held or placed in detention for the reasonable protection of the victim.

We need to determine what we are protecting the victim from and what is reasonable protection. Mapping youth behaviors against the victim to Automatic, Override and Scored decisions may help us set the standards for upholding the new law.

What Behaviors We Are Protecting the Victim From	Policy Mapping	Criteria for Overrides (Access to the Victim is prerequisite)	What is Reasonable Protection?
Murder		A. Youth makes stated threats against the victim or another person	1. Automatic Detention
Assault/Robbery		B. The youth’s behavioral patterns indicate similar behavior is likely to happen again	2. Override to Detain
Menacing		C. The victim states a credible, serious concern about what the youth might do to her/him	3. Automatic Added Conditions
Felony Property Crimes		D. The youth’s behavior is volatile, impulsive, unstable	
Misdemeanor Property Crimes		E. Youth’s behavior can’t be controlled by an adult/ placement	4. Override to Add Conditions
Harassment		F. No Safety Plan is possible	5. Go by the Score
Contact			

## RAI 4 Implementation Fact Sheet - First Four Months - March 1, 2008

On October 19, 2007 DCJ implemented the validated RAI 4 Detention Risk Assessment Instrument. In doing so we hoped the accomplish the following:

**Improved Outcomes.** We hoped for better recidivism and appearance rates for released youth by connecting detention decisions to items most strongly connected with favorable outcomes.

**Discover and correct built-in bias.** We hoped to find and correct any racial/ethnic and gender disparity in detention decisions and outcomes by using the fairest combination of assessment items.

**Clearer Policy.** We hoped to better understand and control detention decisions by carefully defining automatic and override decision criteria.

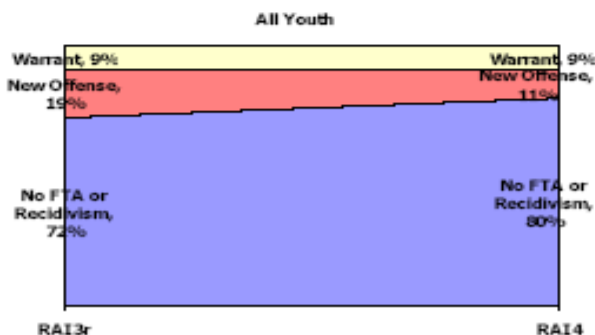
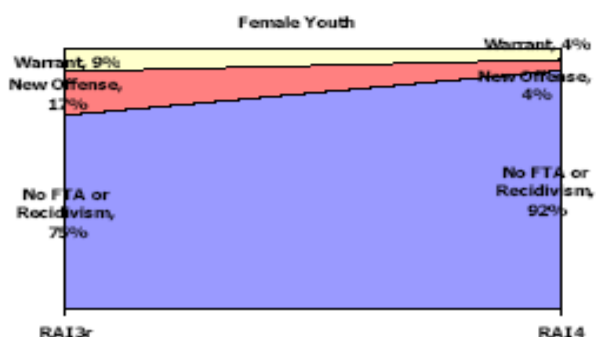
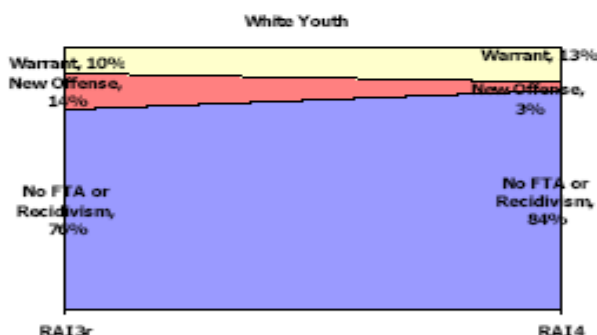
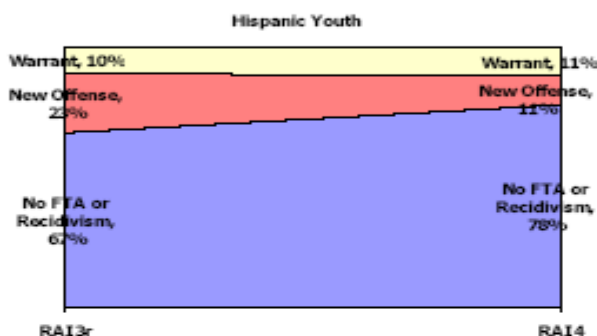
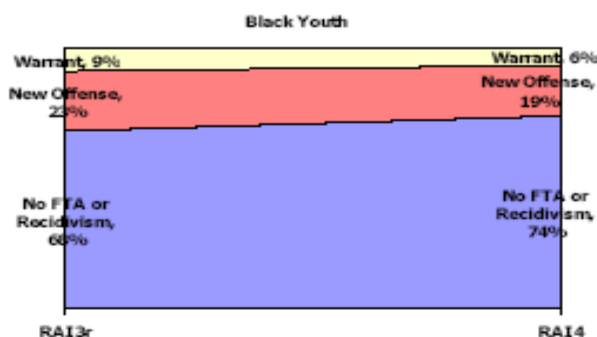
### Improved Outcomes

The following tables compare outcome results for youth released under the RAI 3r and the RAI 4. Each opportunity in the community while awaiting a hearing on a law violation or probation violation is counted separately. Opportunities are considered ended when the youth is admitted to detention, the youth receives a new criminal referral, the youth fails to appear for any hearing, or disposition is done on the youth's case. A youth can have multiple release opportunities while awaiting disposition on a law violation or probation violation.

Three outcomes are possible: Success, New Offense, and Warrant.

The charts below show improved outcomes across demographic groups for the first four months of using the RAI 4 vs. the prior 12 months using the RAI 3r. This looks very promising, though caution should be used in making early conclusions because the number of RAI 4 cases in this study is small enough that a few successes or failures can have a large influence on the outcome rates.

But we seem to be making gains both in overall outcomes and in reducing racial/ethnic and gender disparity in the results for our detention decisions.

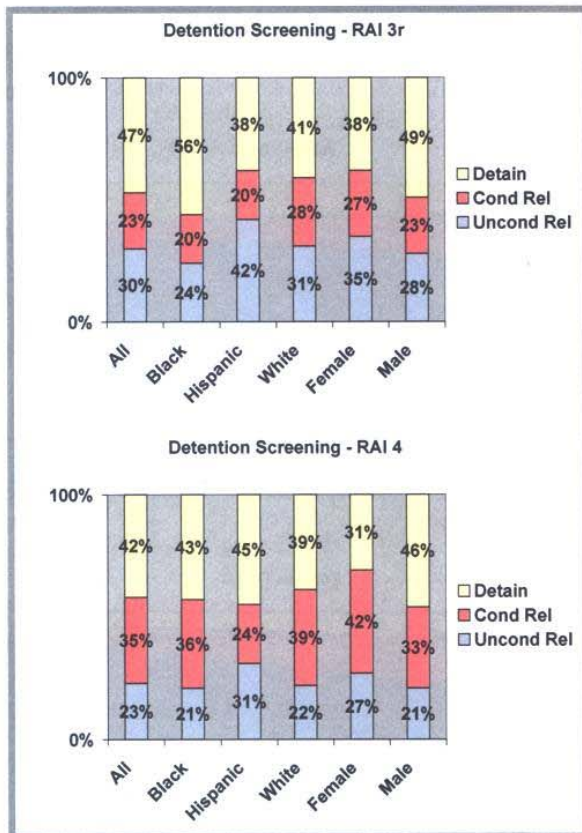
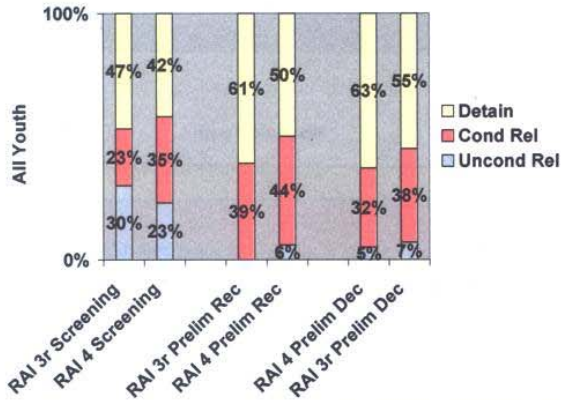




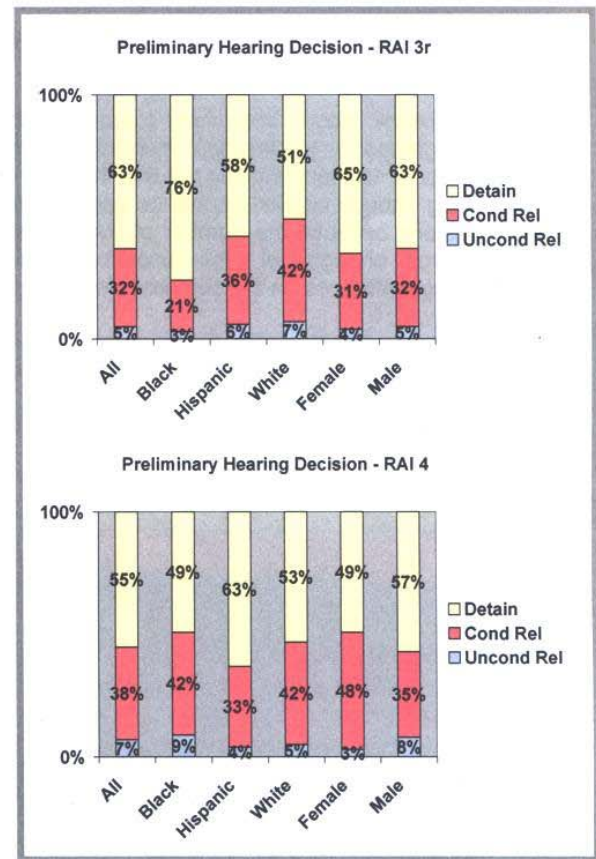
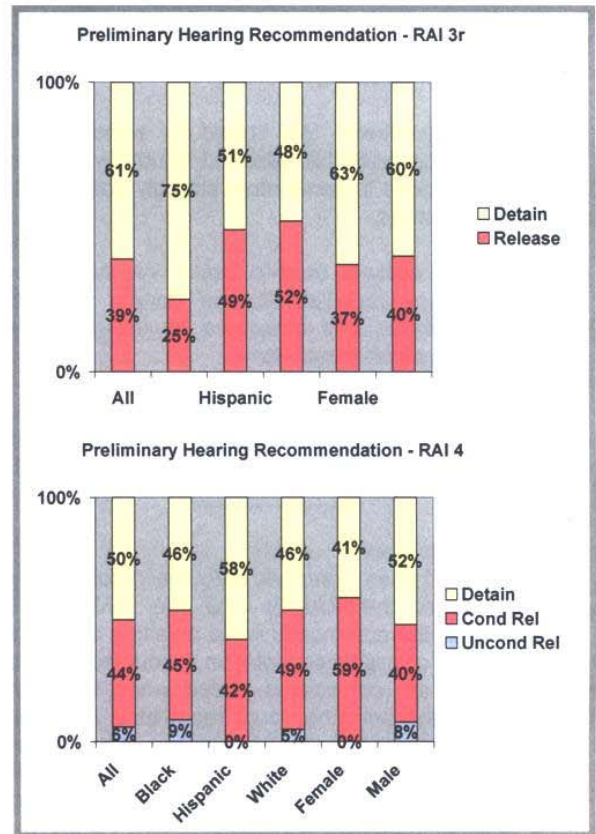
## RAI 4 Implementation Fact Sheet – First Four Months – March 1, 2008

### Discover and correct any built-in bias.

The charts below compare decision results between the RAI 3r and the RAI 4 for Detention Screenings, Preliminary Hearing Recommendations, and Preliminary Hearing Decisions. Four months of RAI 4 decisions are compared to the prior 12 months of RAI 3r decisions. The first chart shows that Detention use decreases and Conditional Release use increases under the RAI 4. The next charts compare demographic groups and reveal a substantial adjustment from the RAI 3r to RAI 4 for Black youth.



**Note:** On the next chart Conditional and Unconditional Release Recommendations are combined into one Release category because these two recommendations were not distinguished on the RAI 3r.



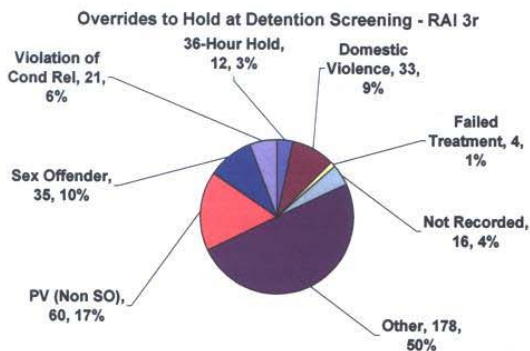
## RAI 4 Implementation Fact Sheet – First Four Months – March 1, 2008

### Clearer Policy

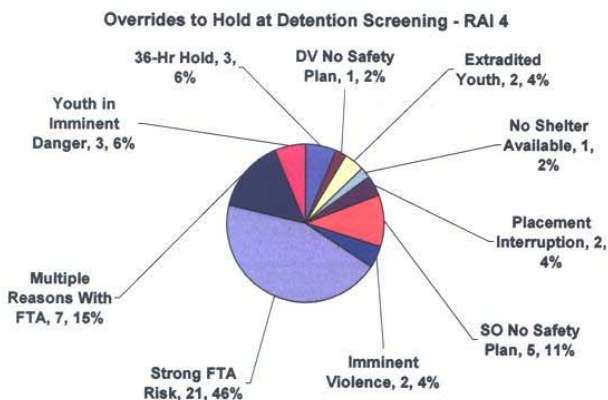
The RAI 4 was implemented with a companion draft policy.

Under the RAI 3r, override and automatic decisions were not well-documented or well-understood, and thus overrides were not controlled as well as they might have been. This was revealed in the RAI Validation Study when we found that more than half of all youth detained were held on overrides, and for half of those youth the override reason was "Other." Additionally, some of the specific override reasons were designed more for categorizing youth in need of detention alternatives than for guiding decisions. The RAI 4 adds policy and data collection to guide and monitor detention decisions.

The chart below shows override decisions at Detention Screening under the RAI 3r for a period of two years.



The next chart shows the policy-driven override decisions under the RAI 4 for the first 4 months. "Other" is no longer used.



A few key issues remain to be resolved before moving the policy to finalization, including detention for the reasonable protection of the victim (what is reasonable? what are we protecting the victim from?), and how to most appropriately include the seriousness of the current offense in the RAI.

To appropriately address the seriousness of the youth's current offense, we have to separate the youth's recent behavior from the likelihood of failure. They are not the same, and our RAI validation study found that they do not mix well in the calculation of a score intended to measure risk of failure.

They both belong in the decision process, but in a way that allows us to be honest about what we intend to do about serious behavior - that is, don't bury it in a score, but instead state clearly in policy what we're doing with different types of serious behavior.

Where serious behavior is a concern, policy should direct the detention decision. For youth who pass the policy test on serious behavior, the results we're getting with the validated RAI 4 assessment should allow us to feel confident that the score will indicate the best placement option for the youth.

Including the current offense in the RAI can mean mapping it to automatic and override decision policy based on how serious the offense is. Some offenses are so serious the decision should be automatic. Red light. Others are serious, but staff discretion in seeking an override is appropriate. Yellow light. If no serious behavioral concerns exist, we have a green light to rely on the validated score.



## Multnomah County Risk Assessment Instrument Validation Re-Cap

**PURPOSE:** Items on the RAI had never been validated—meaning their statistical relationship to recidivism/FTA had never been assessed. Validation is essential for making sure that the scored instrument gives sound guidance on who to release (those at low-risk) and who to detain (those at high risk).

**PROCEDURE:** We compared each item's statistical relationship to the outcome measures (i.e., whether the youth committed a new offense or FTAed).

- Only those with a strong, positive relationship to the outcome measures were considered for inclusion on the “new RAI.”
- Even though an item may have had a strong, positive relationship, at times, its inclusion on the new RAI would not result in a better instrument. In these situations, the issue of workload drove the decision about whether to include it on the new RAI or not.

**RESULTS:** the new RAI consists of 7 items that collectively showed the strongest relationship to recidivism and FTA, both for the population as a whole and across race and gender.

- The new RAI's relationship to these outcomes is significantly stronger than the original RAI (Beta 0.398 versus 0.271; Exp(B) 1.488 versus 1.311).
- The new RAI's effect on the detention population was to move greater numbers of youth into “conditional release” and reduced the numbers who were released unconditionally and detained.



To: Juvenile Justice Council  
From: Subcommittee on the Juvenile Delinquency Court of Excellence  
Re: Proposal for Adoption of Integrated One Family – One Judge Case Assignments  
Date: January 20, 2008

As directed by the Juvenile Justice Council, the Subcommittee on the Juvenile Delinquency Court of Excellence is working on implementing principles identified by the National Council of Juvenile and Family Court Judges for improving court practice in juvenile delinquency cases and providing the foundation for the Multnomah County Juvenile Court to be a Juvenile Delinquency Court of Excellence. The Subcommittee identified five of the Key Principles of a Juvenile Delinquency Court of Excellence developed by the NCJFCJ to work on.

#### One Judge – One Family Introduction

Our first work project is implementation of Principle 3 of the Key Principles: Juvenile Delinquency Courts and Juvenile Abuse and Neglect Courts Should have Integrated One Family-One Judge Case Assignments. One Family – One Judge case assignments mean that one juvenile court judge should handle the delinquency and abuse and neglect hearings on all members of one family from the beginning to the end of the delinquency process.

One Family – One Judge provides consistency and increased knowledge of the youth and family. When an alleged delinquent youth is also adjudicated abused or neglected, the same judge or referee should, at a minimum, oversee disposition planning and monitoring to ensure consistency and avoid contradictory responses. It may be necessary for the one judge or referee assigned to a family to be recused or disqualified from hearing an adjudication to preserve the impartiality of adjudicatory decision-making.

One of the frustrations experienced by judicial officers occurs when a youth, whose dependency case they have, gets a delinquency and that judicial officer may not even be aware of the new delinquency case, let alone assigned the case. This problem resonated with other players in the system as well. A DHS caseworker may not be informed about a new delinquency on an open dependency case, and the Juvenile Court Counselor may not be aware of hearings or placement changes being made in the dependency case. Further, the role of the DHS caseworker in the delinquency case and the JCC in the dependency case are unclear. The Subcommittee recognizes the benefits to children, youth and families of better information sharing, coordination and less siloed planning. We believe that in order to achieve the One Family – One Judge goal, it is necessary to also address information sharing and coordination between the major agencies involved in the Juvenile Court.

The Subcommittee agreed that a family should include all the siblings living in the same home, so if there is a dependency case on younger siblings and an older sibling gets a delinquency, that delinquency should go to the same judicial officer as has been hearing the dependency, or if a sibling has a delinquency and another sibling has a dependency case filed, that case should be heard by the same judicial officer as has been hearing the sibling's delinquency.

The Subcommittee recognizes that timeliness may be of equal importance to the consistency provided by a One Family – One Judge policy. The challenge in implementing this policy is to assure access to the "One Judge" of the family for as many hearings involving the family as possible, while continuing the efficient use of judicial time, and the time of the other agencies and individuals involved in these cases. We recognize that for the youth, children and families, who are the subject of these cases, timely resolutions are essential.

Lastly, the proposed policy changes will need to be adopted by each of the involved agencies, primarily the Juvenile Department, the Department of Human Services and the Judicial Department (both the Clerk's Office and the Judges). The Presiding Juvenile Judge should enter into a Memorandum of Understanding with each of these agencies to assure implementation of need policy changes. For the Clerk's Office specifically, the Presiding Juvenile Judge should issue a general order allowing the Clerk's Office to give case specific information to the Juvenile Department about dependency cases, to DHS about delinquency cases and to other partners as needed to effectuate this policy change.

#### **Recommendations for New Delinquency Cases**

##### **A. At Intake**

1. The Juvenile Department Intake Worker should ascertain whether the youth has an ongoing or closed dependency case by asking the youth and parents, but also by accessing DHS data to check for information on the youth and the youth's family. The results should be documented in a manner that will be accessible to those accessing information about the case, including the Clerk's Office and the Judicial Officers.
2. If there is an ongoing child welfare case (either formal or voluntary), the Department should notify the child welfare case worker of the new delinquency matter. If a new delinquency petition will be filed, and there is a formal dependency case, the Judicial Officer assigned to the dependency case should be notified of the new delinquency and should be designated as the Judicial Officer of the case.
3. The Department and DHS should exchange information as needed concerning the youth's placement, or need for placement, existing safety plans, upcoming hearings, etc.
4. DHS policy should specify actions that should be taken regarding placement of the youth, safety planning and appearance at the detention/shelter hearing. If the youth is in the custody of DHS, a caseworker or substitute must be present at the detention/shelter hearing.
5. If a petition will be filed, the Judge of the case should be designated in OJIN.
6. If there will be a detention/shelter hearing the docket should include a column for the initials of the Judge of the case.

**B. At the Detention/Shelter Hearing**

1. The name of the DHS caseworker should be identified by Department Staff and should be included in the order, so that a copy of the order can be routed to them.
2. Prior to detention/shelter hearings, the Clerk's Office should determine a plea date and time that a plea can be set before the Judge of the case within 7 days of the detention/shelter hearing if the youth is in custody and within 14 days of the detention/shelter hearing if the youth is out of custody. The Presiding Juvenile Judge should arrange Judicial Officer's schedules to allow for scheduling these hearings and make the holding of these hearings a priority

case. The date and location of the hearing should be included in the order.

3. If the Judge of the case is at the downtown courthouse on the date set for the plea, any needed arrangements or orders for transportation of the youth should be made.
4. The Judge of the case should be notified of the Trial Readiness date.

#### **C. Other Delinquency Petitions**

1. When a petition is filed and the youth does not have a detention/shelter hearing, the Department should ascertain whether there is an ongoing formal or voluntary dependency case by accessing DHS data. The results should be documented in a manner that will be accessible to those accessing information about the case, including the Clerk's Office and the Judicial Officers.
2. If there is an ongoing dependency case, the Department should notify the caseworker of the existence of the case. If a new delinquency petition will be filed, and there is a formal dependency case, the Judicial Officer assigned to the dependency case should receive a copy of the petition and summons, be notified of the new delinquency and should be designated as the Judicial Officer of the case.

#### **D. At Call/Trial Readiness**

1. The Call docket should include the initials of the Judge of the case.
2. Parties should be encouraged to get a special set as far in advance if the case will be heard by the Judge of the case.

#### **E. Plea , Adjudication and Disposition**

1. Every effort should be made to schedule all pleas and dispositions before the Judge of the case. If a Judicial Officer will be unavailable to do an in-custody plea and disposition in a timely manner (within 7 days), the Judge of the case or the Presiding Juvenile Judge should authorize the matter to be heard by another Judicial Officer.
2. If the Judge of the case was unavailable to conduct the plea and disposition, the case should be returned to the Judge of the case for subsequent matters such as probation violation hearings and review hearings.

3. An adjudicatory hearing may be heard by the Judge of the case, unless there is a motion for recusal or disqualification filed by the Youth.
4. If an adjudicatory hearing is conducted by a Judicial Officer other than the Judge of the case, the matter should be scheduled at the end of the adjudicatory hearing for a dispositional hearing before the Judge of the case.

#### **F. Post-Adjudication Matters**

1. Review hearings on a youth's case should be set before the Judge of the case, preferably at the dispositional hearing or at a prior review hearing.
2. Uncontested probation violation hearings and dispositions should be set before the Judge of the case, unless the youth is in custody and the Judge of the case is unavailable to conduct the hearing in a timely manner.
3. Contested probation violation hearings may be heard by the Judge of the case, unless there is a motion for recusal or disqualification filed by the Youth.

#### **Recommendations for New Dependency Cases**

##### **A. At Child Welfare Intake**

1. The DHS Protective Services Worker should ascertain whether a child or sibling of a child for whom a voluntary case or a formal case is being initiated has an open or closed delinquency case by asking the child and parents, but also by accessing Juvenile Department data to check for information on the child and siblings.
2. The Juvenile Department should document the fact of the new dependency case and notify the Juvenile Court Counselor and the Judge of the case.
3. If a petition is filed, OJIN should identify the Judge of the case.
4. Department policy should specify actions that should be taken regarding youth who have new dependency cases opened, including participation in decision-making concerning placement, safety planning and appearance at hearings on the dependency case.



5. The Department should assure that Juvenile Court Counselors are notified of all hearings on dependency cases of youth on their caseload.

**B. At the Shelter Hearing**

1. The name of the JCC should be identified by Department staff and should be included in the order for notification of future hearings.
2. The PTC/SLC should be set before the Judge of the case.

**C. Adjudication and Disposition**

1. A contested adjudicatory hearing may be heard by the Judge of the case, unless there is a motion for recusal or disqualification that is granted by the court.
2. If the adjudication is conducted by a judicial officer other than the Judge of the case, a dispositional hearing should be scheduled at the end of the adjudicatory hearing before the Judge of the case.

- D. Review and Permanency Hearings, Termination of Parental Rights –** the JCC should receive notice by e-mail or written notice of all post-adjudicatory dependency hearings.

**Recommendations for Training on New Procedure**

Training on new procedures to implement the One Judge policy should be required for Judges, JCCs, Attorneys, DHS Caseworkers and Supervisors and Clerk's Office staff.