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NEBRASKA COMMISSION ON
LAW ENFORCEMENT AND
CRIMINAL JUSTICE

Madison County Juvenile Services Plan
For
January 1st, 2009 to December 31st, 2011

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Madison County Juvenile Services Community Team

The Madison County Juvenile Services Community Team was formed in early 2006 and and has held regular meeting since that time. Members include participants from the county attorney's office, juvenile accountability office, law enforcement, schools, probation, juvenile services, mental health and regional strategic planning. There is one chairperson for the team but otherwise everyone is an equal participant in discussing and planning for juvenile services for Madison County.

The Chair of the Community Team, who is also the Chief Juvenile Accountability Officer, meets with individuals of the team throughout the year by having at least one contact a month with school officials, probation and the Office of Juvenile Services. In December of 2008 a Community Team meeting was held for all members to attend.

Team Participants

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Juvenile Justice System Analysis For Madison County

Arrest and Citation and Initial Detention

- Whether report should be filed
- Whether to cite or arrest as a juvenile or adult
- Whether to take juvenile into custody or send home
- Whether juvenile should be detained or released

Charge Juvenile

- Whether to prosecute juvenile
- Whether youth should be prosecuted as an adult or a juvenile
- What offense should be charged on the juvenile

Pre-Adjudication Matters

- Whether juvenile should continue in detention
- Whether a probable cause hearing should be held

Competency Evaluation

- Whether juvenile is competent to participate in proceedings
- Whether juvenile is legally responsible for his acts

Adjudication

- Whether juvenile committed act beyond a reasonable doubt
- Whether to order a Pre-Disposition Investigation
- Whether to order an Office of Juvenile Services Evaluation
- Whether to order a PDI or OJS evaluation

Disposition

- Whether to place juvenile on probation
- Whether to commit juvenile to the Office of Juvenile Services
- Whether to place juvenile on probation and with DHHS

Post Disposition

- Whether to impose administrative sanctions on a probationer
- Filing of a motion to revoke probation
- Modification or revocation of probation
- Setting Aside Adjudication
- Discharge from OJS

SYSTEM POINT: ARREST/ CITATION PARTY RESPONSIBLE: Police/Law Enforcement STATUTE REFERENCE: NRS §§ 43-247 (1), (2), (4)	
Decision: Whether an information report should be filed, or what offense, if any, with which juvenile should be cited or arrested.	
Formal Determining Factors a. Sufficient factual basis to believe offense was committed . b. Underlying support for a particular offense.	Informal Determining Factors a. Law Violation Committed b. Cooperation by Juvenile or witnesses c. Victim's Interests d. Curfew warnings vs. citations
Notes: Responses from law enforcement agencies in Madison County indicate that a juvenile who has committed a law violation will receive a citation. A copy of the citation and the law enforcement officer's report will be forwarded to the Madison County Attorney's Office. The citation will most likely not include a date to appear or will otherwise be noted as "to be set." This allows the county attorney's office to decide if the case should be forwarded to diversion or if the juvenile should receive an appearance date for either juvenile court or traditional county court. Law violations are treated seriously by law enforcement officers and reports are written. Alcohol offenses are treated seriously if there is probable cause to believe that a minor is in possession or consumption of alcoholic liquor. Status in the community is not considered. Law enforcement will take into consideration the views of the victim but it is not the main determining factor as a law violation may still be reported to the county attorney's office even if the victim is reluctant to pursue prosecution. There are times when the cooperation of the juvenile is a factor on whether or not the juvenile receives a citation or what type of citation is issued however it will not necessarily excuse a law violation if there is evidence to support it. Curfew cases may be impacted by the circumstances. A juvenile may get warned before receiving a citation.	

Decision: Whether to cite or arrest juvenile for juvenile or adult offense.	
Formal Determining Factors a. Seriousness of Offense b. Is there a warrant?	Informal Determining Factors a. Seriousness of Offense b. Is there a warrant?
Notes: Law enforcement generally defer to the county attorney's office as to whether a juvenile is ultimately charged in juvenile court or in "adult" court. If a citation is issued, the citation does not usually give a time and date to appear. That way the county attorney's office can make the final decision. As part of the investigation, an officer may discuss the options with the juvenile but is not binding on the county attorney's office. There are times that a warrant is sought by law enforcement and, in those instances, the juvenile is likely the subject of a serious offense and that will often be filed in traditional "adult" court (i.e. robbery, first degree assault, etc.).	

Appendix A

Decision: Whether to take juvenile into custody or to cite and release (NRS § 43-248 and § 43-250)	
Formal Determining Factors under NRS § 43-248 & 250: a. Violated law in presence of officer b. Committed a felony c. Protection of the juvenile d. Mental illness or dangerousness e. Runaway f. Locate parents g. Whether juvenile signs citation h. Whether probation officer is needed i. Whether DHHS is needed	Informal Determining Factors a. Preference for cite and release b. Committed a serious felony c. Juvenile's behaviors d. Whether juvenile signs citation e. Whether juvenile is on restricted status f. Family circumstances g. Mental illness or dangerousness h. Whether probation officer is needed i. Whether DHHS is needed

Notes:

Law enforcement in Madison County follow Nebraska law when it comes to determining whether to cite and release. The preferred method is to cite and release to the parents after a juvenile has been temporarily detained for purposes of a law violation or status offense (i.e. runaway). Cite and release is the least restrictive method of initially dealing with juveniles. However, possible further detention can occur depending on the circumstances. If the juvenile is experiencing trouble at home (i.e. runaway), the officer will investigate whether the juvenile can be safely placed back home. The officer will visit with the juvenile and the parent. If the officer is of the opinion that placing the juvenile back home would cause further turmoil at the present time, then the officer can either contact the probation office (who may authorize placement in the staff-secure portion of the detention center in Madison) or the Department of Health and Human Services (who may place the juvenile in any of a number of shelters in Nebraska which includes the Norfolk Group Home. Another significant factor is whether or not the juvenile is cooperative. If the juvenile refuses to sign a citation promising to appear in court, then the officer is left without an alternative and will likely detain the juvenile for further placement. In addition, the legal status of the juvenile is important. If the juvenile is already on a restricted status (probation, pre-disposition court orders, DHHS, or OJS), then the officer will make a decision if the juvenile needs to be detained based on the juvenile's level of restriction. For instance, if the juvenile was on an electronic monitor at the time of committing the offense, then the juvenile will more than likely be detained. If the juvenile has runaway from a placement authorized by DHHS or OJS, then the juvenile will more than likely be detained. If the juvenile was previously released from the detention center under a pre-disposition court order and then commits a new offense or runs away, then the juvenile will more than likely be detained. In the latter instances, the juvenile is under a previous court order that future violations will result in immediate detention so the law enforcement officer does not necessarily have a choice. There have been other situations where the family circumstances warrant a removal from the family home – parents are unable to be located, juvenile is from another state or faraway county, safety issues in the home for both juvenile and parent. The offense itself may warrant detention. For instance, serious felonies will more than likely end up with the juvenile being detained. Lastly, if the juvenile is suffering from an apparent mental illness and is in an acute situation of dangerousness, an officer can take such juvenile first to Faith Regional Hospital in Norfolk. After medical clearance, the officer will transport to a hospital in Nebraska that accepts adolescent psychiatric patients. Currently, Bryan LGH Hospital in Lincoln and Richard Young Hospital in Kearney accept such youth.

SYSTEM POINT: INITIAL DETENTION

PARTY RESPONSIBLE: State of Nebraska Probation

STATUTE REFERENCE: NRS § 43-250(3), § 43-260, § 43-260.01

Decision: Whether juvenile should be detained or released.

Formal Determining Factors	Informal Determining Factors
a. Risk assessment outcome	a. Can decision be made on initial call?
b. Accessibility of placement options:	b. Does parent want juvenile back home?
i. Parents/Guardians	c. Does juvenile want to stay home?
ii. Emergency Shelter	d. Is situation/offense serious?
iii. Staff Secure Facility	e. Are there alternatives to detention?
iv. Secure Detention Facility	f. Does juvenile need to be detained?

Notes:

Madison County is served by the State Probation Office in Norfolk but that office also serves other counties in this region. As per Nebraska law, a probation officer may be called by a law enforcement officer in a situation as described in the previous section. Once a probation officer is called, the probation officer will first visit with the law enforcement officer over the phone to determine the nature of the arrest and whether or not the juvenile can be returned home. Often, the probation officer can make an initial decision to have the officer cite and release during that phone conversation. If the law enforcement officer believes it is necessary to detain (particularly if the juvenile will runaway if released back home or if the parent does not want the juvenile back home), then the probation officer will conduct a face-to-face intake of the juvenile at the police station. First, the probation officer obtains critical background information from the juvenile and the law enforcement officer. A detention-screening instrument is used. Points are assessed if the probation officer finds that certain factors are present. Those factors are weighted depending: (1) type and seriousness of the offense, (2) prior arrest history, (3) prior adjudications, (4) current case status, (5) pending cases, and (6) whether juvenile is an absconder or had a warrant. If the juvenile's score is high (10 or more), then the juvenile can be placed in secure detention (Northeast Nebraska Juvenile Services detention center in Madison). If the juvenile's score is low, the juvenile may be eligible for non-secure options. In the latter case, a juvenile can be sent home by the probation officer, placed with DHHS or placed in the staff-secure portion of the detention center in Madison. The probation officer will usually consult with the parent and often encourage a resolution of issues between the juvenile and the parent if it will result in a return to the family home. In the event of a decision to detain, the probation officer will submit the detention authorization and the intake information to the law enforcement agency, the detention center and the county attorney's office. According to the Chief Probation Officer for this district, probation officers conducted 91 juvenile face-to-face intakes in 2007 in Madison County. Of those 70 intakes 6 juveniles were returned home to the parents, 14 were placed in staff secure detention and 50 were placed in staff-secure placement.

SYSTEM POINT: CHARGE JUVENILE
PARTY RESPONSIBLE: County Attorney
STATUTE REFERENCE: NRS § 43-274(1), § 43-275, § 43-276

Decision: Whether to prosecute juvenile.

Formal Determining Factors under NRS § 43-276:	Informal Determining Factors
a. Type of treatment to which juvenile would be most amenable b. Evidence that offense was violent, aggressive, or premeditated c. Motivation for commission of offense d. Age of juvenile and co-offenders e. Previous offense history, especially patterns of prior violence or antisocial behavior f. Juvenile's sophistication and maturity g. Juvenile's prior contacts with law enforcement and the courts h. Whether there are facilities particularly available to the juvenile court for the treatment and rehabilitation of the juvenile i. Whether best interests of juvenile and public safety dictate supervision extending beyond his or her minority j. Victim's inclination to participate in mediation k. "Such other matters as the county attorney deems relevant to his or her decision"	a. Prior History b. Probable Cause c. Seriousness of the Offense d. At-Risk Youth e. Age of the Juvenile f. Distance of the Juvenile's Residence

Notes:

The Madison County Attorney's Office practices a policy of consistency when making prosecutorial decisions. Reports and citations are sent to our office by area law enforcement agencies. The juveniles named in the reports are checked in our card file to see if there have been prior incidents or cases in our county. Prior history is the first factor in determining whether to prosecute the juvenile. A juvenile who has received their first citation for a law violation is routinely referred to the Madison County Juvenile Diversion Program. There are exceptions to that referral. If the citation is for a minor offense (curfew, littering, or smoking tobacco). Those offenses will be charged in juvenile court so that the juvenile will still be eligible in the future for diversion for other offenses (theft, assault, etc.). In addition, traffic offenses will not be referred to diversion. Felonies are also not eligible for diversion (Burglary, Auto Theft, Sexual Assault). However, there have been times where the damage amount will be adjusted to a misdemeanor range in order to qualify for diversion in such cases as theft or criminal mischief. Of course, probable cause that the offense occurred is still the most important consideration. If there is no probable cause that the juvenile committed the offense, then our office does not file the matter. There have been occasions when an officer has sent in a report where they believe a crime has been committed but, upon further review, the evidence will not support a conviction. The seriousness of the offense makes it more likely to be prosecuted. Obviously, felony offenses are the most serious. Offenses against property and person are highly likely to be prosecuted (Theft, Criminal Mischief and Assault). However, any violation of the law is still worthy of prosecution if it is supported by probable cause. There are limited circumstances where our office may decline prosecution if the offense was not only minor but the victim has asked our office to decline prosecution after satisfactory restitution has occurred. Another important consideration is whether the juvenile is already involved in a pending juvenile court matter or is an at-risk youth who needs the structure that can be provided by a juvenile court petition. Juveniles who are already on probation have a standard condition that they are not to violate any laws. In other words, those juveniles are on notice through their probation orders that they are required to obey all laws. So future law violations

are highly likely to be prosecuted when a juvenile is already on probation. At-risk youth are juveniles who have committed a law violation but also have severe behaviors that could result in their removal from home. In those cases, the law violation is highly likely to be prosecuted if the goal is to get the at-risk juvenile some needed structure and supervision. Age of the juvenile is another important factor as children of a tender age may not understand juvenile court or its goals if they are prosecuted. There have been occasions where law enforcement will issue a citation to a juvenile as young as eight years old. In those circumstances, it may be of limited value to prosecute a juvenile who would not appreciate the significance of probation. However, our office has brought juveniles of tender age if that juvenile is in need of structure that cannot be provided but for a juvenile court petition. On the upper age factor, juveniles who are sixteen or seventeen years old can be prosecuted either as an adult or as a juvenile. That factor will be explained more in a separate section. One more practical factor is the distance from which the juvenile resides. If a juvenile who has committed an offense in Madison County lives within 15 miles of the county, they can be referred to the diversion program. Those who live outside of that limit are charged in juvenile court, although an exception can be granted from time to time by the county attorney. In addition, there have been occasions where a youth can participate in a diversion program in another county if it is approved ahead of time by our office. If a youth lives out of state or at a great distance (for example, Scottsbluff), there have been occasions where our office has declined prosecution than go through the expense of prosecuting someone where our office would have to rely upon a sheriff service. In 2007, there were 232 participants in the juvenile diversion program (see attached appendix). The offenses which generated the highest cases handled by diversion were:

- Minor in Possession/Consumption of Alcohol – 45
- Assault/Disorderly Conduct/Disturbing the Peace – 47
- Theft/Shoplifting – 49
- Criminal Mischief – 13

Decision: Whether youth should be prosecuted as juvenile or adult.	
Formal Determining Factors under NRS § 43-261 include the same criteria under NRS § 43-276 as listed in the previous section. In addition, NRS § 43-247 provides when charges can be brought in either court according to their ages or crime. a. Misdemeanors (16 or 17 years of age) b. Felonies (any age below 18) c. Traffic Offenses (any age below 18)	Informal Determining Factors a. Type of offense b. Age and maturity c. Living Independently d. Pending matters e. Prior history

Notes:

The Madison County Attorney's Office receives citations and investigative reports on juveniles. The citations and reports are divided between the prosecutors who handle their respective areas of responsibility. Michael Long receives the Felony reports. Joseph Hurd receives the Misdemeanor and Traffic reports. Gail Collins receives the Juvenile reports. Misdemeanor charges can be filed in either juvenile court or "adult" court when the individuals were sixteen and seventeen years old at the time of the incident. Those reports can sometimes end up on the desk of either Mr. Hurd or Ms. Collins. Traditionally, alcohol offenses will be given to Mr. Hurd who has the option of still referring to the diversion program or charging in county court. Other offenses (theft, assault, etc.) will usually be decided by Ms. Collins if the juvenile is sixteen years old and Mr. Hurd if the juvenile is seventeen years old. However, that can be adjusted given other circumstances. For instance, if the juvenile has pending matters in juvenile court, then it makes more sense to have the new charge or charges in juvenile court. However, if there is a significant prior history in juvenile court, the juvenile may more likely be charged as an adult if juvenile has "exhausted" most of the options available in juvenile court. Traffic offenses can also be charged in either court when the individuals are fourteen and above. If the juvenile already has a driver's license or other type of permit, then the juvenile will be charged as an adult. If the juvenile does not have a license or permit and the traffic offense is likely to result in a small fine, then the juvenile will likely still be charged as an adult. There are times when a youth (perhaps fourteen years old) has driven a vehicle without a license and sometimes without the permission of the owner then it makes more sense to charge it in juvenile court. As to the felony reports, a juvenile will be charged as an adult if the felony is serious or involves serious injury. For instance, a First Degree Assault will likely be charged as an adult due to the seriousness of the injuries. A Burglary charge may be charged as an adult if the juvenile has a significant prior history and the damage amount is significant. However, there are many occasions that a Burglary will be charged in juvenile court to give the juvenile a chance to rehabilitate. A major consideration is the maturity of the juvenile. If the youth is living independently or has graduated from high school, then it is highly likely that the juvenile will be charged as an adult. If the youth has already had the opportunity to have rehabilitation, then it is more likely that the juvenile will be charged as an adult. Consideration will also be given to the amount of parental support and supervision the juvenile receives at home.

Decision: Offense for which juvenile should be charged.	
Formal Determining Factors under NRS § 43-279 include whether there is proof beyond a reasonable doubt the juvenile has committed the offense charged in the juvenile court petition.	Informal Determining Factors a. Evidence Beyond a Reasonable Doubt b. Plea Agreement Negotiations

Notes:

The Madison County Attorney's Office charges individuals based on evidence. If there is evidence to support a juvenile court finding that the juvenile committed the offense beyond a reasonable doubt, then the juvenile will be charged with the offense that was committed. During the normal process of plea agreement negotiations, there may be compelling reasons to amend the charges to encourage a resolution of the matter that meets the goals sought by the State and the juvenile.

According to the statistics from the Nebraska Crime Commission, Madison County had a total of 382 records for 2007 (see attached appendix). Some of the offenses that had significant numbers were:

- Theft – 53
- Curfew – 30
- Assault – 32
- Possession of Alcohol – 45
- Drug offenses – 6
- Criminal Mischief – 13
- Burglary – 1
- Uncontrollable – 18
- Truancy –6

SYSTEM POINT: PRE-ADJUDICATION DETENTION

PARTY RESPONSIBLE: Juvenile Court Judge

STATUTE REFERENCE: NRS § 43-253(2)

Decision: Whether juvenile detained at the time of citation/arrest should continue in detention or out-of-home placement pending adjudication.

Options:

1. Parents/Guardians
2. Emergency Shelter
3. Staff Secure Facility
4. Secure Detention Facility
5. Electronic Monitoring
6. Tracker Services

Formal Determining Factors under NRS § 43-253	Informal Determining Factors
a. Whether there is an "immediate and urgent necessity for the protection of such juvenile"	a. Seriousness of the Offense.
b. Whether there is an "immediate and urgent necessity for the protection of…the person or property of another"	b. Protection of the Public.
c. Whether juvenile is likely to flee the jurisdiction of the court	c. Protection of the Juvenile.
	d. Need for Supervision.
	e. Flight Risk.
	f. Trust.

Notes:

Juveniles in detention are brought before the judge within the next juvenile court day and the court must decide whether the juvenile remains in detention. Counsel for the State typically offers to the Court copies of the arrest affidavit from the law enforcement agency and the detention authorization and intake information from the probation office. Counsel for the State usually visits with the parent ahead of time to determine if the parent has concerns for the juvenile and those concerns are relayed to the Court. Based on the seriousness of the offense and the need to protect the public and/or the juvenile, the Court can order that the juvenile (1) remain in detention pending another hearing, (2) be released to the custody of the parent or custodian, or (3) authorize the Department of Health and Human Services to find suitable placement. If the juvenile is released to the parent, the Court can issue Conditions of Release which are temporary court orders that govern the behavior and whereabouts of the juvenile. An electronic monitor can be ordered and that is administered by the Madison County Juvenile Accountability Office. The Juvenile Accountability Officer can also perform tracker services where the juvenile can be subject to random visits to verify compliance with the Conditions of Release. If the juvenile remains in detention, the youth is placed in the Northeast Nebraska Juvenile Services detention center in Madison. This detention center has both Secure Detention and Staff Secure Detention. If the Department of Health and Human Services needs to place a youth in an emergency shelter, they may place females in the Norfolk Group Home or males may in different shelters in Nebraska. Other factors that affect the detention status are the juvenile's need for supervision and risk to flee the jurisdiction. A youth may also have a record of non-compliance with previous orders of the court. During the calendar year of 2007, Madison County juveniles were "booked-in" 240 times in the detention center in Madison. Some of those bookings were juveniles that were taken to the detention center after having been released previously. Others were "adults" who are still under the age of 18 and may be serving time on an adult charge.

SYSTEM POINT: PROBABLE CAUSE HEARING

PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-256	
Decision: Whether state can show that probable cause exists that juvenile is within the jurisdiction of the court.	
Formal Determining Factors under NRS § 43-253 a. Whether Probable Cause Exists	Informal Determining Factors a. Whether Probable Cause Exists
Notes: Whether an actual determination if probable cause exists to charge a juvenile with an offense is dependent upon whether a request for a probable cause hearing has been made. If a juvenile is charged with a felony as an adult, the juvenile is advised that there is a right to a preliminary hearing. At the detention hearing in juvenile court, the Court is typically provided with a copy of an arrest affidavit. In non-detention hearings, there is usually no request for a preliminary hearing. If there is any request made by the juvenile, it is to hold an adjudication hearing where a hearing can be held on the charges.	

SYSTEM POINT: COMPETENCY EVALUATION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-258(1(b))	
Decision: Whether juvenile is competent to participate in the proceedings.	
Formal Determining Factors under NRS § 43-258 a. Concern for the Competency of the Juvenile	Informal Determining Factors a. Concern for the Competency of the Juvenile
Notes: If anyone involved in the juvenile court proceedings believes that there is a question whether the juvenile understands the proceedings or appreciates the nature of the offense, then a competency evaluation will be ordered. Not only will an evaluation be ordered but the Court will appoint a Guardian ad Litem to the juvenile and direct the Guardian ad Litem to meet with the juvenile and assist the juvenile in understanding the proceedings. Competency evaluations are not that common, but, when ordered, the evaluation can be done locally because there are several qualified psychologists. There have been referrals to psychologists who specialize in doing competency evaluations and adolescent evaluations that have been consulted. Those specialists reside in cities such as Lincoln.	

Decision: Whether juvenile is "responsible" for his/her acts NRS § 43-258(1(c) and (2))	
Formal Determining Factors under NRS § 43-258 a. Physician, Surgeon, Psychiatrist, Community Health Program, Psychologist b. "Complete evaluation of the juvenile including any authorized area of inquiry requested by court." (NRS § 43-258(2))	Informal Determining Factors a. Mental Health Professional. b. Evaluation submitted to the Court.
Notes: The experience in Madison County is that competency evaluations or evaluations to determine if a juvenile is "responsible" for the acts that led to the offense are not common. During the competency evaluation, the psychologist or psychiatrist will make a determination whether the juvenile knew right from wrong and knew whether the acts were done with an intended result.	

SYSTEM POINT: ADJUDICATION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-279 (2) and (3)	
Decision: Whether the juvenile is, beyond a reasonable doubt, "a person described by section 43-247."	
Formal Determining Factors under NRS § 43-279 a. Legal sufficiency of evidence presented during adjudication hearing b. Whether juvenile admits the allegations of the petition (or, "pleads to the charges")	Informal Determining Factors a. Is Evidence Beyond a Reasonable Doubt? b. Juvenile has the Right to Counsel. c. Rules of Evidence Apply. d. Admissions are Intelligent and Voluntary.

Notes:

The juvenile court in Madison County operates under the statutory framework and Nebraska case law. If a juvenile denies the charges in the juvenile court petition, an adjudication hearing is held where the State must present evidence beyond a reasonable doubt. Even though this is not "criminal" court, the State's evidence is still bound by the rules of evidence. For example, the State cannot just present hearsay evidence unless it falls within one of the permitted exceptions to the hearsay rule. Juveniles have the right to counsel – court appointed if they cannot afford it. There is a general assumption that juveniles cannot afford counsel of their own due to their dependency on their parents. There have been occasions when a parent who has the financial wherewithal to afford counsel has been taxed with some of the costs of court-appointed counsel if they have chosen not to retain counsel for their children. In those cases, a parent has filled out a financial affidavit and the court has made a determination that they need to pay a portion of the court appointed costs. In many cases, the juvenile does admit to the charges instead of going to trial. In those cases, the judge will inquire of the juvenile if their admission is made freely and voluntarily with a full knowledge of the possible dispositions available. The judge will also ask the juvenile if he or she knows that he or she is giving up the right to an adjudication hearing and all the other trial rights. The judge will then ask the juvenile what it is that he or she has done to commit the act alleged in the juvenile court petition. This ensures that the juvenile is making an intelligent plea and that there is an adequate factual basis to support the plea.

Decision: Whether to order probation to conduct a pre-disposition investigation.	
Formal Determining Factors under NRS § 43-286 a. Whether to Place Juvenile on Probation b. Whether to Permit the Juvenile to Remain in the family home or other suitable home. c. Whether to Commit to OJS or DHHS.	Informal Determining Factors a. Is Additional Information Needed? b. What is the Risk Level? c. What is the Appropriate Supervision Level? d. Whether to Order Restitution.

Notes:

It is the practice of the juvenile court of Madison County to determine the appropriate disposition for a juvenile after adjudication. Sometimes, the court has sufficient information following the adjudication to make a disposition immediately. For instance, if there is little to none prior history of delinquency and the juvenile is otherwise behaving at home and at school, the court will not order a pre-disposition investigation by the probation office. The dispositions available to the court range from the least restrictive (i.e. probation while residing in the family home) to the most restrictive dispositions (i.e. out-of-home placement in an institution). If the court believes it needs additional information in order to make a decision at disposition, then the juvenile is often ordered to submit to a pre-disposition investigation (PDI) at the local probation office in Norfolk. The PDI generally takes 6 to 8 weeks to complete. If the court utilizes the PDI to determine the risk level and supervision level needed for the juvenile. Restitution may be an issue and information will be gathered for the PDI. If the juvenile has committed a felony, it is the general practice to order a PDI. If the juvenile has an extensive prior history, the juvenile is often ordered to submit to a PDI to determine what other options are left for the juvenile court.

Decision: Whether to order OJS evaluation NRS § 43-281	
Formal Determining Factors under NRS § 43-281 a. Need evaluation before committing to OJS	Informal Determining Factors a. What is the Appropriate Supervision Level? b. What Services are Needed? c. Further Insight into the Juvenile and Family

Notes:

There are times when the juvenile court of Madison County needs additional insight into the juvenile and the juvenile's family in order to make an appropriate disposition. If one of the viable options for the juvenile is a commitment to the Office of Juvenile Services for appropriate placement, then the juvenile court must order an OJS evaluation prior to the commitment. Because the OJS evaluation contains a psychological evaluation as well as assessments for chemical dependency and psychiatric care, it is a valuable tool to gain insight on the juvenile. Because juvenile services are for the most part managed by Magellan Managed Care, juveniles cannot access care without the OJS evaluation. The OJS evaluation coordinator also scores the juvenile for risks and needs and ultimately makes a recommendation to the court for the appropriate supervision level and set of services. OJS evaluations are particularly ordered if the court believes that out-of-home care is in the juvenile's best interests. Serious offenses like Sexual Assault will almost always trigger an order for an OJS evaluation.

Decision: Whether to order a PDI or OJS Evaluation	
Formal Determining Factors under NRS § 43-286 a. Presumably supplement each other b. Uncertainty about whether probation or commitment to OJS is in the juvenile's best interest	Informal Determining Factors a. Nature of the Offense b. Prior History c. Behaviors d. Family Circumstances
Notes: It is the practice of the juvenile court of Madison County to order the PDI before making any order for an OJS evaluation. If the probation officer makes a recommendation in the PDI for an OJS evaluation, the court will likely order an OJS evaluation. There are times when an OJS evaluation is ordered first if the court believes that a juvenile is in an emergency set of circumstances. There are only rare occasions that a PDI and an OJS evaluation are ordered at the same time. That is viewed as a duplication of efforts even though each process has its own distinction. Another reason why the PDI would be ordered first is that many times an OJS evaluation is not needed if the PDI recommends probation. In addition, the OJS evaluators like to have access to the PDI as a part of their collateral sources. Whether a PDI or OJS evaluation is ordered is often dependent on the nature of the offense, the juvenile's prior history, the juvenile's current behaviors and the family's circumstances.	

SYSTEM POINT: DISPOSITION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-286 (1)	
Decision: Whether to place juvenile on probation	NRS § 43-286(1)(a)(i)
Formal Determining Factors under NRS § 43-286 a. Whether Probation is Appropriate.	Informal Determining Factors a. Nature of the Offense b. Prior History c. Behaviors d. Family Circumstances
Notes: Most dispositions in the juvenile court of Madison County end with an order of probation. It is the preferred option because it is the least restrictive rehabilitation plan. However, probation is only ordered if it is appropriate for the juvenile. The court takes the recommendations of the Madison County Attorney's Office, the juvenile's counsel and/or guardian ad litem and even the parents. As stated earlier, the court may need additional information that can be provided by a PDI or an OJS evaluation to determine if probation is appropriate. Whether probation is ordered is often dependent on the nature of the offense, the juvenile's prior history, the juvenile's current behaviors and the family's circumstances. The standard terms of the probation include such orders as restricting the juvenile's curfew, requiring the juvenile to obey all laws and rules of the family home, requiring attendance at school and compliance with school rules, making apologies and restitution to the victims, and the performance of community service hours. In some cases, a juvenile may need to be placed on intensive supervised probation (ISP). In order to qualify for ISP, the juvenile must meet the criteria as designated by the ACDI. The ACDI is standardized assessment that the juvenile would take at the probation office. According to the Nebraska Crime Commission, there were 106 records for 2007 where formal probation was ordered at disposition. According to the Chief Probation Officer for this district, 303 youth were placed on supervised probation in Madison County in 2007. The judges do rotate doing juvenile court in Madison County. Judge Ross Stoffer is currently working with juvenile court for Madison County. In curfew cases, probation is almost always unsupervised.	
Decision: Whether to commit such juvenile to the Office of Juvenile Services NRS § 43-286(1)(b)	

Formal Determining Factors under NRS § 43-286	Informal Determining Factors
a. Whether OJS Commitment is Appropriate. b. Whether Out-Of-Home Care is Needed. c. Whether Juvenile Should Go to YRTC.	e. Nature of the Offense f. Prior History g. Behaviors h. Family Circumstances i. Risk and Supervision Level j. Need for Services

Notes:

If an OJS evaluation has been ordered prior to disposition, the juvenile court of Madison County will receive a comprehensive evaluation by one or more mental health professionals. The OJS evaluation will not only consistent of a diagnosis and a set of recommendations for care but a risk assessment. The OJS evaluation coordinator will make an ultimate recommendation based on all the factors. Those recommendations may range from probation to OJS commitment. If the recommendation for an OJS commitment is made, the OJS evaluation will advise what type of supervision level. Those levels can include a least restrictive method such continuation in the family home with the legal custody ordered to OJS to the most restrictive method of placement at one of the two Youth Rehabilitation and Treatment Centers in Nebraska. In between, the Office of Juvenile Services has access to placements such as foster homes, agency-based foster homes, group homes, treatment group homes, enhanced treatment group homes and residential treatment centers. All of these possible dispositions within the Office of Juvenile Services are very dependent on the nature of the offense, the juvenile's prior history, the juvenile's current behaviors, the family's circumstances and the juvenile's need for services. According to the YRTC-Kearney 2006-2007 annual report, there were 21 commitments from Madison County and per the YRTC-Geneva 2006-2007 annual report, 7 were committed from Madison County.

Decision: Whether to place juvenile on probation and commit juvenile to HHS or OJS	
Formal Determining Factors under NRS § 43-286	Informal Determining Factors
a. No apparent authority for delinquent in the legal custody of parents/guardian. b. Gives probation responsibility of supervision, but opens access to HHS/OJS funds for treatment or rehabilitation.	a. Need for Structure. b. Need for Supervision. c. Need for Services.

Notes:

The juvenile court of Madison County never commits a juvenile to the Office of Juvenile Services and places them on probation. However, a juvenile may be placed on probation and have their legal custody with the Department of Health and Human Services if the juvenile has been adjudicated under NRS Section 43-247 (3)(b). It can be duplication of services by having a juvenile supervised by both the State Probation Office and DHHS. However, there are times when it is appropriate to place the juvenile under the structure of a probation order but also have access to services that are best provided by the Department of Health and Human Services. The State Probation Office does not have the funding available to it to provide services like the Department of Health and Human Services. In Madison County, efforts are made to locate agency help without accessing DHHS. Madison County is in the Region IV mental health district. Region IV has the Professional Partners Program (PPP). PPP has caseworkers that can meet with families on a regular basis and design "wrap-around" services. The Professional Partners Program has a very good working relationship with the probation office.

SYSTEM POINT: ADMINISTRATIVE SANCTIONS

PARTY RESPONSIBLE: Probation
STATUTE REFERENCE: NRS § 29-2266

Decision: Whether to impose administrative sanctions on a probationer

Formal Determining Factors (NRS § 29-2266 (2))	Informal Determining Factors
a. Probation officers has reasonable cause to believe that probationer has committed or is about to commit a substance abuse violation or a non-criminal violation b. Substance abuse violation refers to a positive test for drug or alcohol use, failure to report for such a test, or failure to comply with substance abuse evaluations or treatment c. Non-criminal violation means: i. Moving traffic violations; ii. Failure to report to his or her probation officer; iii. Leaving the jurisdiction of the court or leaving the state without the permission of the court or his or her probation officer; iv. Failure to work regularly or attend training school; v. Failure to notify his or her probation officers of change of address or employment; vi. Frequenting places where controlled substances are illegally sold, used, distributed, or administered; vii. Failure to perform community service as directed; viii. Failure to pay fines, courts costs, restitution, or any fees imposed pursuant to section 29-2262.06.	a. Whether violation is major or minor b. Whether violation can be handled informally through administrative sanction c. Whether juvenile cooperates in agreeing to the administrative sanction d. Whether parent agrees to assist juvenile in complying with sanction e. Whether an extension of probation is needed to handle violation

Notes:

The State Probation Office in Norfolk follows Nebraska law and its own rules and regulations regarding whether to impose an administrative sanction. If the probationer has violated the probation order but the type of violation can be handled informally, then the probation officer has the authority to request that the probationer submit to the administrative sanction. The probationer would sign a standard administrative sanctions form that requires them to agree that they violated their probation and requires them to agree to comply with an additional request of the probation officer. In the case of a substance abuse violation, the probation officer may request that the juvenile submit to a drug and alcohol evaluation and follow the recommendations. That may mean enrolling in a drug and alcohol education course or engaging in substance abuse counseling. The probation may also be instructed to report more frequently for drug testing. Such a sanction will avoid the necessity of reporting to court for a motion to revoke probation. Future violations may require the filing of a motion to revoke probation. Violations of affirmative duties such as paying restitution or performing community service hours may require the probationer to enter into an agreement to apply for an extension of the probation. That agreement is then sent down to the court for approval. Administrative sanctions have proved useful in handling minor probation violations rather than needing to go to back to court for every issue.

SYSTEM POINT: MOTION TO REVOKE PROBATION PARTY RESPONSIBLE: County Attorney STATUTE REFERENCE: NRS § 43-286(4)(b)(i)	
Formal Determining Factors under NRS § 43-286 a. Probation Office Files Alleged Violation b. Law Enforcement Citation is a Violation	Informal Determining Factors a. Nature of the Violation. b. Severity of the Violation. c. Necessity for Accountability. d. Need for Alternative Disposition.
Notes: The Madison County Attorney's Office is notified of probation violations generally in one of two ways. The State Probation Office may send an alleged probation violation to the county attorney's office. The document sent by the probation office sets forth the nature of the violation of probation. The other way for the county attorney's office to be notified is if there is a citation and/or report from a law enforcement agency and the internal records show that the juvenile is still on probation. Also, the county attorney's office may be notified of probation violations if contacted by the parent of the juvenile or contacted by the school where the juvenile attends. In any of these circumstances, the Madison County Attorney's Office may file a motion to revoke probation alleging which conditions of probation have been violated. A hearing is set up by the juvenile court and the juvenile has a first hearing similar to the first hearing conducted on the original petition. In other words, the juvenile will be advised of his or her rights, possible consequences and possible pleas. Before filing a motion to revoke probation, the Madison County Attorney's Office may consult with the probation office to determine if the motion should be filed or if there are other alternatives to handling the violation such as administrative sanctions.	

SYSTEM POINT: MODIFICATION/REVOCATION OF PROBATION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-286(4)(b)(v)	
Formal Determining Factors under NRS § 43-286 a. Should probation be modified? b. Should probation be extended? c. Should new disposition be entered?	Informal Determining Factors a. Recommendations by probation office. b. Recommendations by counsel. c. Recommendations by other professionals.
Notes: Once a juvenile has been found in violation of the probation order, then the juvenile court of Madison County has a number of different options. The critical question is whether the juvenile is a good candidate to remain on some form of probation. Often, the juvenile court will order a letter report from the probation office in order to obtain recommendations. In addition, letters of recommendation from professionals (counselors, social workers, school officials) working with the juvenile will be obtained. During the disposition hearing, counsel of record will make recommendations to the court. If the juvenile court is under the belief that the juvenile is still making progress and making amends for the probation violation, then the court is more than likely going to keep the juvenile on some form of probation. That order can include an extension on probation. The probation order can be modified to include an additional condition such as counseling. There are also times where a probation order can be made more restrictive by either tightening the curfew conditions or implementing an order of intensive supervised probation. In the event that probation is revoked by the court, the juvenile court can either terminate the probation unsatisfactorily or institute a new order such as commitment to the Office of Juvenile Services. In that event, an OJS evaluation would be ordered first.	

SYSTEM POINT: SETTING ASIDE ADJUDICATION PARTY RESPONSIBLE: Juvenile Court Judge STATUTE REFERENCE: NRS § 43-2,104	
Decision: Whether juvenile has satisfactorily completed his or her probation and supervision or the treatment program of his or her commitment NRS § 43-2,102	
Formal Determining Factors under NRS § 43-2,103 a. Juvenile's post-adjudication behavior and response to treatment and rehabilitation programs b. Whether setting aside adjudication will depreciate seriousness of juvenile's conduct or promote disrespect for law c. Whether failure to set aside adjudication may result in disabilities disproportionate to the conduct upon which the adjudication was based.	Informal Determining Factors a. Whether juvenile requests a set-aside. b. Whether State objects to set-aside.
Notes: There is a procedure for a juvenile to have the adjudication set-aside after a successful completion of probation. However, an adjudication is set-aside only if the juvenile requests. There have been only a few requests for setting aside the adjudication. Typically, the juvenile is now older and is seeking to clear the record of a specific finding in the juvenile court. Absent any significant problems with the juvenile or the underlying case, the State typically does not object.	

Decision: Whether juvenile should be discharged from the custody and supervision of OJS	
Formal Determining Factors a. OJS authority under NRS § 43-412 b. OJS to file discharge under NRS § 43-289 c. Court jurisdiction continues under NRS § 43-295	Informal Determining Factors a. Whether juvenile has achieved goals. b. Whether OJS requests discharge. c. Whether further need for court involvement.
Notes: When juveniles are committed to the Office of Juvenile Services, the juvenile is required to complete whatever goals have been designed by the Office of Juvenile Services. The OJS worker will create a case plan of goals and services and will implement recommendations made in the OJS evaluation. A key feature of the rehabilitation plan is a treatment plan in which the juvenile is involved in some type of therapeutic intervention. Typically, OJS will not discharge a juvenile until the juvenile has met the goals of the case plan and the treatment plan. In addition, the juvenile will need to show compliance with the Conditions of Liberty Agreement. If the juvenile has been discharged from an out-of-home placement, the juvenile must demonstrate stability back in the family home or in some home in which permanency will be established. When OJS believes the juvenile is ready for discharge, a letter will be sent to the court requesting discharge and a hearing will be set. If the juvenile has been committed to one of the State's Youth Rehabilitation and Treatment Centers, then the Office of Juvenile Services can discharge the juvenile from their custody without a court order. However, OJS will often follow the practice of requesting a discharge when the juvenile is deemed to have met all the expectations while on parole from the YRTC. There may be occasions when a request for discharge from OJS is entered but the juvenile may remain under the court's jurisdiction for a period of time to ensure that the transition back to the family home has been successful or in the event that a guardianship needs to be entered to provide the juvenile with permanency.	

MADISON COUNTY, NEBRASKA

Madison County is located in the northeast section of Nebraska and consists of the towns and cities of Norfolk, Madison, Battle Creek, Newman Grove, Meadow Grove and parts of Tilden, NE. Madison County has two major highways going through it, HWY 81 and HWY 275. The County population in July of 2007 was 34,134 which would be 70% Urban and 30% Rural.

The City of Norfolk would be in Madison County and as of July 2007 had a population of 23,146 people. The race of people that reside in the City of Norfolk would be White 88.6%, Hispanic 7.6% , Other 4.2, American Indian 1.9%, Two or more races 1.2% and Black 1.2%. Those figures are also very close to the statistics for all of Madison County.

Madison County has several schools with the majority being in the City of Norfolk. The City of Norfolk has several Elementary schools, a Middle School, a Junior High and a Senior High. Also located in the City of Norfolk is a Catholic and a Lutheran Elementary through High School. The Northeast Nebraska Community College is housed in Norfolk and is to home approximately 2,2732 students who reside on Campus.

The average household size in Madison County would be 2.5 people with an estimated household income of $42,954.00. Madison County employment stats would show that the Manufacturing Field would have 20.4% employment while Educational, Health and Social Services would have 19.8% and the retail trade 13.5%. The majority of these business are located in the Norfolk area.

The City of Norfolk would be the largest city in the county and has the majority of the population of different races. Madison County also has a great deal of agriculture surrounding it, several of the smaller communities are farming communities. Currently Madison County has one packing plant that attracts other cultures to the area.

Madison County offers a variety of options for almost any one no matter their age or race. The local attractions surrounding Madison County would be the Elkhorn River with the Cowboy Trail that runs along the river. The City of Norfolk has several different parks for recreation and activities for families.

Madison County provides several opportunism for Education, Health Services and employment. The variety attracts people for all ages and race to our communities.

Community Planning Tool

The Community Team met in December of 2008 and reviewed the amendments to the Madison County Juvenile Services Plan. The Community Team reviewed the progress we have made over the last 3 years and continue to identify the strengths, weaknesses and gaps for juvenile services in Madison County. The Community Team stressed the importance of the grant funds that we receive so we can continue to provide much needed services for juveniles in our communities.

Priority 1-Addressing Juvenile Delinquency by Maintaining and Strengthening the Juvenile Diversion Program

The Madison County Juvenile Diversion Program has been in existence since 1975. In 2007, approximately 236 youth were served in that program. This effort is primarily funded through the United Way. The Diversion Program helps juvenile justice by reducing the number of juvenile court filings. The process first starts when law enforcement has contact with a youth who has committed a crime. The Madison County Attorney's Office receives the citations and reports from the law enforcement agencies and makes referrals to the Madison County Diversion Program when the particular youth's citation is a first offense. The Diversion Officers who are under the authority of the Madison County Attorney's Office have to first approve whether the referred youth is eligible to enroll in the diversion program. If approved, the juvenile and parent(s) are invited to a first meeting where the program is explained. Among the program's requirements is compliance with a behavior contract. The particular youth must agree to abide by the provisions of the contract and the family agrees to hold the youth accountable to the rules. The youth must meet with the diversion officer monthly to assess compliance. The youth is then forwarded on to the Juvenile Accountability Office.

The Community Team believes that the Diversion Program is a valuable tool in the juvenile justice system. The Team supports the continuation of the Diversion Program and supports efforts to continue to strengthen it.

Strategies

Madison County Juvenile Services will continue to monitor youth that have been placed on Diversion with the main focus on increasing the number of curfew checks and home contacts that are made with the juveniles and their families. Madison County Juvenile Services would like to expand their program, by increasing the hours worked, to improve these services. The Juvenile Accountability Officers will be working to try and increase the contacts they have with youth who have been placed on Diversion. The increase in time or manpower will be addressed in the 2009-2010 grant application.

While diversion youth have been referred to outside agencies for help (i.e. alcohol education classes, counseling), one newer program has been utilized in recent years is the No Regrets Program. Some diversion youth have been referred to the No Regrets Program which is run by the Community Character Development Coalition in Norfolk. The No Regrets Program is

a 16 week course where youth receive education in a group discussion setting by a qualified instructor-facilitator. Over the past 3 years several juveniles have been referred to this program as it provides a very positive message to youth.

The Diversion Officers will continue to refer youth who have been placed into the Diversion Program due to an alcohol or drug offense to the Community Character Development Coalition in regards to the No Regrets Program.

Priority 2- Maintain and Strengthen the Juvenile Accountability Office.

The Juvenile Accountability Office was started in 1999 and is grant funded. Under the Madison County Attorney's Office, the Juvenile Accountability Officers are assigned the responsibility of checking on youth in the juvenile justice system. A JAO can be any qualified individual but often, they are full-time law enforcement officers who contribute anywhere from five to twenty-five hours per week to monitor youth. These youth are either in the Madison County Diversion Program or are under Pre-Adjudication or Pre-Disposition Orders in Juvenile Court. Diversion youth need monitoring from time to time to determine whether they are abiding by their behavior contracts (school, curfew, abstinence from drugs, etc.). Some juveniles who have a pending case in juvenile court need monitoring due to their ongoing behaviors that are putting them at-risk of being removed from the family home. For example, a particular youth may have problems with curfews or associations with other delinquent youth. The JAO can do home checks or the youth can be hooked up to an electronic monitor. The electronic monitor is a less-expensive and least-restrictive alternative to holding the juvenile in detention.

The JAO also is in contact with the schools in the communities to assist them with juveniles they are having problems with. The schools are also made aware of juveniles that are on Diversion, Tracker or Electronic Monitoring so they can assist in monitoring these juveniles while at school. In turn if the school is having problems with a youth, they can contact our office for assistance .

The Community Team supports the continuation of the Juvenile Accountability Office and the grant application for continued funding. The Community Team notes that the JAO has grown with experience and sophistication. Much of the JAO functions are maintained on its own computerized database system. The system is accessible through computers in office as well as laptops where data on juvenile contacts can be maintained. Schools and other providers can pass along information quickly via e-mail to the JAO. The juvenile accountability officers are also accessible through cell phones so they can be reached in the case of an emergency. While JAO has had traditional electronic monitors and GPS monitors, recently the JAO Office implemented the use of their first Sobriety Monitor. These improvements have allowed the juvenile accountability officers to maintain a strong presence in the community. The Community Team notes that the Juvenile Accountability Office has the reputation among youth to be on top of the activities of monitored youth. Many youth know that whatever happens in school gets reported to the JAO.

During 2008 the Juvenile Accountability Office has worked very closely with the Madison County Juvenile Court. The Chief Juvenile Accountability Officer prepares reports on

youth who have been placed on tracker services or Electronic Monitoring and presents that information to the Juvenile Court Judge. This service has greatly benefited the Juvenile Court System and due to this the court continues to ask for assistance.

Strategies

During the 2007-2008 Budget Year the Juvenile Accountability Office provided over 15,480 hours of Electronic Monitoring to youth. During the 2008-2009 Budget Year, during the first 6 months we have increased that number to 25, 924 hours.

The Juvenile Accountability Office started receiving requests during 2008 to assist Probation and the Office of Juvenile Services in electronically monitoring youth. This was in addition to the youth that we are assigned to monitor through the court. The funds that we have budgeted for this service has fallen short and we have had to move funds from other areas of the budget. The Juvenile Accountability Office will also be working on expanding the type of monitoring services provided such as Sobriety Monitoring. During the first few months of 2009 the Juvenile Accountability Office will be reviewing the amount of funds used in 2008 compared to 2006-2007 in order to budget for additional funds to continue and expand this service.

While preparing the 2007-2008 budget one of the recommendations from the Crime Commission was that they felt that the Madison County Juvenile Office would be more efficient if it was ran with one full time position rather than 3 part time people. In looking at the funds that we receive through the County Aid Grant this would only be possible if we cut several other things from that budget. These funds could be requested in the County Aid Enhancement grant but the concern that we have is if they will be available in the future. The Juvenile Accountability Office will be researching this while preparing the 2009-2010 budget. The Juvenile Accountability Office is currently staffed with two part time employees and we are unable to keep up with monitoring all of the juveniles that we have been assigned.

The amount of drug testing done by the Juvenile Accountability Office has also increased. During the 2006-2007 budget year the Juvenile Accountability Office performed 80 drug tests and found 21 juveniles testing positive for marijuana. During the 2007-2008 budget year we performed 164 drug tests and found 31 juveniles who tested positive for marijuana By increasing the amount of tests that we are giving we have been able to detect drug use in youth sooner and offer help before the problem gets worse. The Juvenile Accountability Office will be striving over the next year to find a way to increase our follow-up in the home for additional testing on a regular basis with youth who have had a positive test for some type of drug. To accomplish this the Juvenile Accountability Office will have to be able to provide more man hours to be able to have contact with those youth. This will also be addressed in preparing the next grant application.

The Juvenile Accountability Office will continue to provide the services as they were described. Over the next 3 years if our numbers continue to rise in the youth we are monitoring we will be researching additional funding needs.

Priority 3-Parent Assist Program

To further aid the Juvenile Accountability Office, the Community Team supports the continuation of the Parent Assistance Program. The effect of the juvenile accountability officers can be hindered by uncooperative parents. In addition, parents often look to the juvenile accountability officers to "parent" their child when it comes to tough issues like curfew and showing respect. Such parents need to know that the juvenile accountability officers are only temporary agents in the juvenile justice system. These parents need assistance to become more responsible for monitoring their children's activities and enforcing the rules at home.

The Community Team has reviewed the progress we have made over the past 3 years with the Parent Assist Program. The program has been very beneficial to several families with trouble youth. During 2007 we budgeted $10,072.00 for the parent assist program. All of the funds were used and we had to stop making referrals until the new budget started. I believe this program is very beneficial to the school system also, as they are able to refer youth to our office that are having problems. The Parent Assist Program then provides the youth and their families by assisting in counseling troubled youth which benefits the school, youth and their families.

Discussions during the meetings with the Community Team concluded that there continues to be a need to assist parents who have had trouble with their children. Sometimes it is a parent who has a youth in the juvenile justice system (diversion, probation, OJS) who does not properly take on the role of a responsible parent. Other times, it may be a frustrated parent who has contact with a school official about their child's behaviors but the youth is not in the juvenile justice system. In the case of deep-seeded problem, agencies can provide family counseling or family support to strengthen the parenting. In other cases, the parent just needs a person who can assist in setting rules and enforcing consequences.

The Community Team supports the continuation of a Parent Assistance Effort and supports a grant application for that purpose. The Community Team believes the Parent Assist Program is more of a "trouble-shooter" who could be accessed easily and quickly to remedy immediate problems. If the parent-youth problems were more severe, then the family would be referred on to other agencies. This Parent Assistance Effort would not require an evaluation unlike other therapeutic approaches. This would be more "hands-on" and practical help. For instance, if a frustrated parent does not want to report their child as uncontrollable to police and does not have the funds to go to a counseling agency, they should be able to access a "Parent Assistance Program" where a person can help them with their immediate need. In another example, a parent has a juvenile on diversion but has never had the experience of setting household rules or given consistent consequences, then they could meet with a counselor from the Parent Assistance Program who would work with the youth and the family in learning how to deal with these problems and assist parents in learning how to follow through with consequences for behaviors. The hopes of the Community Team would be that the Parent Assist Program will be able to assist youth and their families and prevent the need for court intervention.

Strategies

During the first few months of 2009, the Chief Juvenile Accountability Officer will be looking into additional funding options to help this service continue. Also we will be contacting

the service providers to change or add services to youth only whose parents may not want to participate at first but the youth have no other services to assist them.