
Technical Assistance Brief



NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES
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KEY PRINCIPLES FOR IMPROVING COURT PRACTICE IN JUVENILE DELINQUENCY CASES

Congressional leaders, federal agencies, and private foundations have long-recognized the need for a national effort focusing on improving court practice in juvenile delinquency cases. In response to this need, the NCJFCJ, with funding from the Office of Juvenile Justice and Delinquency Prevention, launched a national initiative to develop, refine, publish, and disseminate a set of comprehensive guidelines for improved court and systems handling of juvenile delinquency cases. After three years of work by over 100 experts in juvenile justice and allied fields, the *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases (DELINQUENCY GUIDELINES)* was published in 2005 for use by judges, prosecutors, defense counsel, child advocates, probation officers, law enforcement, and service providers nationwide. The Guidelines are framed as sixteen key principles.

1. JUDICIAL LEADERSHIP

Juvenile delinquency court judges should engage in judicial leadership and encourage system collaboration.

The juvenile delinquency court judge should regularly convene system stakeholders and the community to promote mutual respect and understanding within the juvenile delinquency court system, and to work together to improve the system.

2. ADEQUATE RESOURCES

Juvenile delinquency systems must have adequate staff, facilities, and program resources.

Juvenile delinquency courts must have sufficient numbers of qualified judicial officers and staff, adequate courtrooms, separate and safe waiting areas for victims and offenders, secure holding facilities, private meeting space, and the necessary array and quantity of services.

3. ONE FAMILY, ONE JUDGE

Juvenile delinquency courts and juvenile abuse and neglect courts should have integrated one family-one judge case assignments.

One juvenile court judge should handle the delinquency and abuse and neglect hearings of all members of one family from the beginning to the end of all juvenile delinquency court processes.

4. JUDICIAL STATUS

Juvenile delinquency court judges should have the same status as the highest level of trial court in the state and should have multiple year or permanent assignments.

The *DELINQUENCY GUIDELINES* recommends six continuous years as the minimum time for a judge or

judicial officer to spend on the juvenile delinquency court bench.

5. RESPECT AND UNDERSTANDING

All members of the juvenile delinquency court shall treat youth, families, crime victims, witnesses, and others with respect, dignity, courtesy and cultural understanding.

The juvenile delinquency court must be accessible, understandable, and respectful to persons of all ages, cultures, and abilities, in its processes, its written materials, and its verbal and non-verbal communications.

6. DIVERSION

Juvenile delinquency court judges should ensure their systems divert cases to alternative systems whenever possible and appropriate.

Juvenile delinquency courts should encourage law enforcement and prosecutors to consider diversion for every status offender, every first-time, non-violent misdemeanor offender, and other offenders as appropriate.

7. LEGAL REPRESENTATION

Youth charged in the formal juvenile delinquency court must have qualified and adequately compensated legal representation.

Alleged and adjudicated delinquent youth must be represented by well trained attorneys with cultural understanding and manageable caseloads. Juvenile delinquency court administrative judges should ensure that counsel is available to every youth at every hearing, including post-disposition reviews and reentry hearings.

8. VICTIM ACCESS

Juvenile delinquency court judges should ensure crime victims have access to all phases of the juvenile delinquency court process and receive all services to which they are entitled by law.

Juvenile delinquency court judges should ensure that crime victims are encouraged to participate in the juvenile delinquency court process by providing safe and separate waiting rooms, providing assistance in submitting victim impact statements, and making enforced orders of restitution.

9. TIMELY AND JUST DECISIONS

Juvenile delinquency courts should render timely and just decisions and trials should conclude without continuances.

Timeliness includes the days between when a youth is charged, adjudicated, and disposition orders are made and implemented as well as the hours parties wait between the time their hearing is scheduled and when it actually begins.

10. ENGAGE AND ENCOURAGE FAMILIES

Juvenile delinquency system staff should engage parents and families at all stages of the juvenile delinquency court process to encourage family members to participate fully in the development and implementation of the youth's intervention plan.

The juvenile delinquency court judge should strongly encourage delinquency system staff to involve the family in developing the case plan and make sure that the case plan includes services for the family that will enhance family skills to improve the youth's chances of success.

11. ENGAGE COMMUNITY SUPPORT SYSTEMS

The juvenile delinquency court should engage the school and other community support systems as stakeholders in each individual youth's case.

The juvenile delinquency court enhances a youth's chance for success by working with school systems and other community support systems.

12. INDIVIDUALIZED DISPOSITIONS

Juvenile delinquency court judges should ensure court dispositions are individualized and include graduated responses, both sanctions and incentives.

Juvenile delinquency court staff should hold youth and families accountable for illegal behavior, deliver clear consequences when youth violate the law, and teach youth necessary behavior change.

13. EFFECTIVE POST-DISPOSITION REVIEW

Juvenile delinquency court judges should ensure effective post-disposition review is provided to each delinquent youth as long as the youth is involved in any component of the juvenile justice system.

Active and meaningful post-disposition review should occur until all court requirements are completed, including the process of successful reentry into the community if the youth has been placed.

14. SYSTEM AND STAKEHOLDER ACCOUNTABILITY

Juvenile delinquency court judges should hold their systems and the systems of other juvenile delinquency court stakeholders accountable.

Juvenile delinquency court judges should ensure that the juvenile delinquency system has measurable goals, key principles, and objectives that serve as standards against which system performance is measured, and that an annual delinquency system "report card" is made available to stakeholders and the public.

15. ADEQUATE INFORMATION SYSTEM

Juvenile delinquency court judges should ensure the court has an information system that can generate the data necessary to evaluate performance, facilitate information sharing with appropriate agencies, and manage operations information.

Juvenile delinquency court staff should regularly generate aggregate data for monitoring and managing court performance.

16. TRAIN JUDGES AND COURT STAFF

The juvenile delinquency court judge is responsible to ensure that the judiciary, court staff, and all system participants are both individually trained and trained across systems and roles.

The focus of all training should not only be on knowledge transfer, but also attaining demonstrable skills so that system participants not only know what to do, but how to do it.