



## **RESOLUTION ON STRENGTHENING THE ROLE OF JUDGES WHO HANDLE JUVENILE JUSTICE CASES STATEWIDE**

**WHEREAS**, the National Council of Juvenile and Family Court Judges (NCJFCJ) recognizes that each child under court jurisdiction is unique, valued, and entitled to individualized attention; and

**WHEREAS**, several hundred thousand delinquency cases are handled by juvenile courts annually;<sup>1</sup> and

**WHEREAS**, juvenile court judges are responsible for making decisions that impact the safety and well-being of children under their jurisdiction; and

**WHEREAS**, only through a dedicated system of statewide education, training, and support will all judges who handle juvenile justice/delinquency cases statewide have access to the research and best practices that properly inform these decisions; and

**WHEREAS**, the NCJFCJ recognizes that judges play a central role in increasing public safety and improving outcomes for youth in the juvenile justice system because their decisions determine:

- whether youth become court involved and for how long,
- whether youth are involuntarily removed from their homes and communities and for how long,
- the programs of rehabilitation to which youth are committed;<sup>2</sup> and

**WHEREAS**, in many states, judges also directly oversee local juvenile probation officers, shaping the culture, policies, and practices determining how most of the juvenile justice system operates; and

**WHEREAS**, research conducted by the NCJFCJ, in partnership with the Council of State Governments (CSG)<sup>3</sup>, establishes that many states have not developed the structure, tools, and supports needed to position these judges for success, including ensuring that judges statewide are consistently able to make decisions—both in and outside of the courtroom—that are most likely to promote improved community safety, desired youth outcomes, and system equity. For example:

- States generally do not have judges assigned to specialized juvenile justice/family court caseloads nor do they require judges who hear juvenile cases to have previous experience with juvenile justice or related populations/service systems;
- Judges receive limited training on juvenile justice issues, e.g., adolescent development or research-informed best-practices such as trauma-responsive court practices, during new judges' orientation and few states require annual ongoing juvenile justice training for judges hearing delinquency cases;
- Despite the complexity of delinquency cases, the majority of states do not provide judges with updated tools (e.g., bench books/bench cards, tools, resources) to support making decisions to more effectively engage youth and families in court processes;
- In many instances, juvenile court is viewed as a “lesser” court and receives less attention and insufficient resources, including a lack of institutional and administrative

support. Many states also lack statewide or local judicial committees, support structures, leadership positions, or formal improvement initiatives dedicated to juvenile justice; and

- The majority of states do not track or report on key performance measures. This limits the ability of judges to make consistently informed decisions and for statewide court improvement projects to identify areas of potential improvement and promote accountability.

**NOW, THEREFORE, BE IT RESOLVED:**

The NCJFCJ believes that an experienced, knowledgeable, active judiciary is the foundation of local and state juvenile justice systems that promote public safety, positive youth outcomes, and system equity.<sup>4</sup>

The NCJFCJ encourages all states to launch formal court improvement initiatives designed to strengthen the statewide structure, selection, training, support systems, and accountability systems for judges who handle delinquency cases to ensure such leadership is in place.

The NCJFCJ recommends that court improvement efforts include:

1. Establishing specialized, dedicated juvenile/family court judges responsible for hearing delinquency cases to ensure that it is not only new judges hearing these cases.<sup>5</sup> If states are unable to do this, then they should establish statewide guidelines for rotations on hearing delinquency cases to ensure that judges have a minimum of three-year rotations to learn the juvenile law, procedures and juvenile justice court best practices;
2. Ensuring that judges statewide have the information, tools, and data needed to make research and data-informed decisions to improve public safety and youth outcomes.

Specifically:

- States should establish state policy, in statute or administrative rule, requiring the use of a validated risk assessment as part of a pre-dispositional report to support informed judicial decision making around placement, services, and conditions;
  - States should provide judges with juvenile justice specific bench cards/best practices guides to assist in decision making;
  - States should establish court rules that require robust youth and family engagement in court processes and decisions; and
  - States should ensure that each judge has access to data, at least annually, on youth's short and long-term outcomes (positive youth outcomes as well as reoffending) for cases they have disposed that are detailed by risk-needs assessment results or classification, demographics, and disposition/programs ordered to inform decision making.
3. Requiring all judges who hear delinquency cases to receive training on adolescent development and juvenile justice research prior to taking the bench and annually thereafter.<sup>6</sup> Additionally, states can support improved judicial professional development through the establishment of formal peer mentorship programs with judges who have more in-depth juvenile justice experience;
  4. Establishing dedicated forums, initiatives, and supports specifically for strengthening the juvenile court, as well as a new federal Court Improvement Project targeting juvenile justice court improvements, including:
    - Statewide judicial committees;
    - Identification of lead or presiding judges in the juvenile courts in each jurisdiction who serve for a minimum duration of time adequate for developing expertise, sustaining direction, and commitment to justice equity and fairness; and

- Local, cross-system collaboratives dedicated to improving policies, court practices, and services specifically for youth in the juvenile justice system.
5. Establishing statewide performance measures for juvenile court judges and collecting and using data to strengthen decision-making transparency, research alignment, and accountability. The data that are collected should be reviewed annually as part of court improvement efforts and be shared regularly with judges who hear juvenile delinquency cases to help inform their decision making.

---

<sup>1</sup> Hockenberry, Sarah, and Puzzanchera, Charles. 2021. *Juvenile Court Statistics 2019*. Pittsburgh, PA: National Center for Juvenile Justice. <http://www.ncjj.org/pdf/jcsreports/jcs2019.pdf>

<sup>2</sup> Pearce, J. (ed). 2018. *Enhanced Juvenile Justice Guidelines*. Reno, NV: National Council of Juvenile and Family Court Judges. <https://www.ncjfcj.org/publications/enhanced-juvenile-justice-guidelines/>

<sup>3</sup> Council of State Governments Justice Center and National Council of Juvenile and Family Court Judges. 2022. *Courting Judicial Excellence in Juvenile Justice: A 50-State Study*. New York, NY: Council of State Governments Justice Center.

<sup>4</sup> Pearce, J. (ed). 2018. *Enhanced Juvenile Justice Guidelines*.

<sup>5</sup> Fair and Just Prosecution, National Council of Juvenile and Family Court Judges, and National Juvenile Defender Center. March 2021. *Joint Statement on the Importance of Specialization of Judges, Prosecutors, and Defenders in Juvenile Delinquency Proceedings*. <https://www.ncjfcj.org/news/specialization-of-judges-prosecutors-and-defenders-in-juvenile-delinquency-proceedings-and-resource-for-behavior-and-language-in-juvenile-court/>.

<sup>6</sup> NCJFCJ. 2016. *Resolution Regarding Judicial Training on Adolescent Brain Development*. Reno, NV: National Council of Juvenile and Family Court Judges. <https://www.ncjfcj.org/wp-content/uploads/2019/08/regarding-judicial-training-on-adolescent-brain-development.pdf>