



Resources for Common Challenges for Juvenile Court Prosecutors

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Introduction

The role of today's juvenile court prosecutor is multifaceted. Juvenile court prosecutors across the country play a key role in protecting communities by ensuring that the rehabilitative and treatment needs of youth are being addressed; that youth are diverted from the juvenile justice system where appropriate; and that victims and witnesses are being supported. Juvenile court prosecutors also conduct community outreach and collaborate with communities to prevent juvenile delinquency. Through this important work, common questions arise about how best to implement various juvenile justice initiatives and address systemic issues. This resource is designed to provide information and resources on common challenges in juvenile justice, particularly for juvenile court prosecutors.

Part I. Addressing Youth Violence

The problem of youth violence cannot be addressed by juvenile court prosecutors alone. There must be collaboration with external juvenile justice stakeholders. Resources have been provided below regarding how to develop new collaborations and enhance existing ones. Recommended partners include, but are not limited to, probation departments, victim advocates, child welfare agencies, schools, service providers, youth advocates, public health agencies, detention agencies, as well as youth and families.

Data Collection

As a starting point, Juvenile Prosecution Units/Bureaus should consider compiling and sharing data (to the extent consistent with confidentiality laws) internally and with other stakeholders regarding the juvenile court caseload and case trends, to identify problems and trends that would benefit from collaboration.

Data categories include but are not limited to:

- # of cases pending in juvenile court, broken down by top charge, by age, and by gender
- # of cases pending in juvenile court that are violent offenses (according to your jurisdiction's definition); offenses that involve guns; offenses that involve gangs
- # of cases referred to diversion programs and success rates by program
- # of cases referred to the prosecutor's office not filed in court, broken down by reason
- # of juvenile court cases transferred to adult court and # of cases transferred from adult court to juvenile court, including by charge
- # of juvenile court cases resulting in guilty pleas; trials; dismissals
- # of juvenile court cases with victims under age 18 and over age 18
- Geographical areas and locations with a high volume of juvenile court cases

Developing Strategies through Collaboration with External Stakeholders

Forming collaborations with other agencies and communities, such as a youth violence coalition, a task force, etc. can be a key aspect of developing strategies to address youth violence. The webinar below is a helpful resource regarding how to build and maintain collaborations, provides examples of different types of collaborations that exist, and offers suggestions regarding how to navigate challenges. (Additional resources are listed below the webinar link.)

Essential Partnerships for Leading a Community-Based Response—Community Violence Intervention

Essential Partnerships for Leading a Community-Based Response | Community Violence Intervention—Addressing Gangs | Office of Juvenile Justice and Delinquency Prevention (ojp.gov) | ojjdp.ojp.gov/media/video/30601

The following practical recommendations come from attendees of NDAA's Juvenile Justice Conference that was held in Los Angeles, CA in November 2023. Our multidisciplinary audience was asked to provide suggestions regarding how to breakdown silos:

- Develop a standard method of communication; develop shared language.
- Create a database of stakeholders, partners, etc. containing names, titles, organizations they work for, and what they are responsible for.
- Build relationships and maintain them through communication.
- Have meetings and committees; develop action plans for working together.
- Follow up on all assignments from meetings; monitor the work being done.
- Conduct continual outreach to identify new partners.
- Conduct more conferences and foster networking; engage in follow-up after conferences.
- “Old” and “new” should come together with shared objectives despite different backgrounds and habits.
- Draw from more lived experiences (invite youth and families to participate in meetings, present at conferences, etc.).
- Form community coalitions to enhance communication and collaboration.

Advocating for Effective Intervention and Rehabilitative Programs

Leaders in juvenile prosecution must be familiar with what programs are effective in rehabilitating youth and reducing offending and recidivism so that they can advocate for their jurisdiction to have access to and funding for such programs.

Program ratings, as well as the program descriptions, are available at Crime Solutions | National Institute of Justice (crimesolutions.ojp.gov). This resource, entitled CrimeSolutions, includes programs and practices pertaining to criminal justice, juvenile justice, victim assistance, school safety, and youth mentoring. Programs are rated as 1) Effective; 2) Promising; or 3) No Effects. Another rating resource is Blueprints for Healthy Youth Development (blueprintsprograms.org). Programs are rated as 1) Promising; 2) Model; or 3) Model Plus.

Implementing Youth Violence Reduction Strategies: Finding from a Scan of Youth, Gun, Group, and Gang Violence Interventions

Implementing Youth Violence Reduction Strategies: Finding from a Scan of Youth, Gun, Group, and Gang Violence Interventions | Research Report | Urban Institute ([urban.org](https://www.urban.org)) | www.urban.org/research/publication/implementing-youth-violence-reduction-strategies-findings-scan-youth-gun-group-and-gang-violence-interventions

Effective Alternatives to Youth Incarceration

Effective Alternatives to Youth Incarceration | Report | The Sentencing Project ([sentencingproject.org](https://www.sentencingproject.org)) | www.sentencingproject.org/reports/effective-alternatives-to-youth-incarceration/

Additional Resources Regarding Strategies to Address Youth Violence

Violent Crime Reduction Roadmap

Violent Crime Reduction Roadmap | Introduction | Office of Justice Programs ([ojp.gov](https://www.ojp.gov)) | www.ojp.gov/violent-crime-reduction-roadmap/introduction

Community-Based Violence Intervention and Prevention Initiative Implementation Checklist

Community-Based Violence Intervention and Prevention Initiative Implementation Checklist | Bureau of Justice Assistance ([bjaojp.gov](https://bja.ojp.gov)) | bjaojp.gov/doc/cvi-implementation-checklist.pdf

A Research-Based Practice Guide to Reduce Youth Gun and Gang/Group Violence

A Research-Based Practice Guide to Reduce Youth Gun and Gang/Group Violence | Research Report | Urban Institute ([urban.org](https://www.urban.org)) | www.urban.org/sites/default/files/2022-03/a-research-based-practice-guide-to-reduce-youth-gun-and-gang-group-violence.pdf

Nine Strategies to Address Youth Violence

Nine Strategies to Address Youth Violence | Urban Institute ([urban.org](https://www.urban.org)) | www.urban.org/sites/default/files/2022-04/Nine%20Strategies%20to%20Guide%20Efforts%20to%20Reduce%20Youth%20Gun%20Violence.pdf

Part II. Juvenile Delinquency Prevention

Supporting Prevention Efforts, Including Programs that Assist Children Exposed to Violence and/or Other Traumatic Events

Juvenile court prosecutors often have extensive knowledge about the trauma that children are exposed to throughout childhood, because of abuse, human trafficking, witnessing violence, loss of a loved one, etc. Prosecutor Offices can play a critical role in supporting juvenile delinquency prevention efforts aimed at addressing childhood trauma. Examples include the Children Exposed to Violence Unit at the Los Angeles City Attorney's Office | cityattorney.lacity.gov/children-exposed-violence-and-gun-violence; and the Cumberland County Prosecutor's Office (NJ) initiatives to address childhood trauma. Cumberland County Response to Trauma | Office of Juvenile Justice and Delinquency Prevention (ojjdp.ojp.gov) | ojjdp.ojp.gov/funding/awards/2020-cv-fx-k010.

- Maintain a strong presence in communities to provide information about juvenile delinquency trends, juvenile delinquency statistics, and resources for families, and to learn from communities what they need from juvenile court prosecutors.¹
- Collaborate with schools to address truancy; provide information to communities about the importance of attending and staying in school. Provide resource information to parents who may need assistance/ services to address truancy.²
- Conduct presentations in school and at community forums on the juvenile justice system and topics such as substance use prevention, preventing/addressing truancy, and making good decisions.³

Part III. Early Case Involvement/Expedited Decision-Making

- Identify categories of cases that would benefit from having an on-call/riding prosecutor discuss with law enforcement whether the prosecutor's office would request detention, file charges, or decline to prosecute, etc.
- Consider utilizing this process for school incidents to reduce the number of cases for minor school incidents that could be resolved through school resources including restorative justice programs, mental health teams/services, disciplinary measures, etc.

Part IV. Diversion

- Identify types of charges that are currently being filed that could be diverted. Consider reviewing all misdemeanor charges and low-level felony charges.
- Explore what other programs in your jurisdiction may have available space in their programs. Consider contacting your jurisdiction's child welfare agency, probation, youth services agency, schools, etc. to learn about programs you may not know about.
- Hire a diversion coordinator⁴ to identify programs, make referrals to youth and families, and monitor compliance. Demonstrate cost savings by showing how many cases can be diverted and monitored by a diversion coordinator compared to what would be spent if those cases were processed in court. Demonstrate how that would reduce caseloads and allow prosecutors to focus on more serious cases.
- Conduct research on diversion implementation and effective diversion initiatives of other jurisdictions.⁵

¹ NDAA 2023 Juvenile Prosecution Principles and Guidelines, Organizational Priorities.

² See, e.g., *Every Parent is Hopeful for Their Child's Future* | Santa Clara County District Attorney's Office | www.youtube.com/watch?v=8YAY3zLwCso.

³ See, e.g., Community Engagement Unit | Office of The Bronx District Attorney (bronxda.nyc.gov) | www.bronxda.nyc.gov/html/outreach/community-affairs-unit.shtml.

⁴ *Youth Justice in the COVID-19 Pandemic New York City* | Center for Children's Law, Policy; Justice for Families; Justice Policy Institute; National Juvenile Justice Network (justicepolicy.org) | justicepolicy.org/wp-content/uploads/2023/02/JJ-COVID-New-York-City.pdf. York Family Court | Sixteenth Judicial Circuit Solicitor's Office (scsolicitor16.com) | scsolicitor16.com/juvenile/york-family-court/.

⁵ NDAA Diversion Programs Panel Discussion | Office of Juvenile Justice and Delinquency Prevention (ojjdp.ojp.gov) | ojjdp.ojp.gov/media/video/37276. Juvenile Diversion Initiative | San Diego County District Attorney (sdcdca.org) | www.sdcdca.org/prosecuting/juvenile/Juvenile-Diversion. Community-Led Juvenile Division |

Part V. Arraignment/Detention Determinations

- Work with your jurisdiction's juvenile justice stakeholders to develop a process where the court is available (on-call) or open in evenings, weekends, and on holidays to hear detention applications within 24 hours of the arrest.⁶
- When expanding the use of alternatives to detention, show the cost-savings of using alternatives compared to using detention.
- Work with your jurisdiction's juvenile justice stakeholders to develop resources such as respite care, etc. for appropriate youth who do not have a parent/guardian available to come to court or who cannot return home.⁷
- Work with your child welfare agency to have a representative on call to explore access resources for dually involved youth, where appropriate.
- Work with your law enforcement agency or other stakeholders to have transportation to take youth home, where appropriate, if parent/guardian is not available to come to court.

Part VI. Alternatives to Detention (ATD)

Research alternatives to detention and determine which ones are best for your jurisdiction's juvenile population. An overview of various types of programs to explore can be found at Alternatives to Detention and Confinement Literature Review | oijdp.ojp.gov/sites/g/files/xyckuh176/files/media/document/alternativestodetentionandconfinement.pdf. Ensure that the chosen program(s) are willing to provide status updates to the court and prosecutor. To obtain financial resources for ATDs, demonstrate cost savings by comparing the cost of the alternative to the cost of detention, per youth annually. Options to consider include, but are not limited to:

- Community-based programs that can provide supervision and activities, particularly during after school hours⁸
- Day and evening reporting centers
- Home confinement
- Probation Supervision
- Respite Care

A Partnership Between UCSD and NCRC | National Conflict Resolution Center (ncrconline.com) | ncrconline.com/juvenile-justice-reform/. Best Practice in Youth Diversion | Literature Review for the Baltimore City Youth Diversion Committee (theinstitute.umaryland.edu) | theinstitute.umaryland.edu/media/ssw/institute/md-center-documents/Youth-Diversion-Literature-Review.pdf. Center for Prevention and Restorative Justice | Boulder County (bouldercounty.gov) | bouldercounty.gov/district-attorney/center-for-prevention-and-restorative-justice/.

⁶ See, e.g., Juvenile Court Frequently Asked Questions | My Child Has a Detention Hearing | Arizona Superior Court in Pima County (sc.pima.gov) | www.sc.pima.gov/pima-county-juvenile-court/faq. "Mayor Bloomberg Announces Weekend Court Processing So Youth Who Present Low Risk Can Be Returned Home Swiftly" | Weekend Processing. doc (nyc.gov) | www.nyc.gov/html/djj/pdf/weekend.pdf. NJ Rules of Court, 5:21-3.

⁷ See, e.g., Respite | NYC Children (nyc.gov) | www.nyc.gov/site/acs/justice/respice.page.

⁸ Bronx & Manhattan Choices ATD | Cases (cases.org) | www.cases.org/programs/choices-atd/.

Part VII. Detention Facilities at Capacity

- To the extent consistent with confidentiality laws/policies, form a workgroup (prosecutor, defense, court, probation, detention agency, child welfare agency, etc.) to conduct a “length of stay” review.
- Conduct an interagency review of the cases of youth who have been in detention the longest to identify any unnecessary delays and to resolve any issues that are causing a delay. (Can be done solely by the prosecutor’s office if an interagency review is not possible.)
- Conduct internal case reviews on those cases to ensure that each case is still viable, and that the plea offer is still appropriate.
- For any youth in detention due to lack of a parental resource, assess with defense counsel any resources that may be available currently that were not available at the time of the detention order.
- Work with the court and defense counsel to identify youth whose cases can be expedited on the court calendar.

Part VIII. Recidivism

Advocate for funding for evidence-based programs to reduce recidivism, and advocate for ineffective programs to be eliminated so that funding can be redirected.⁹

Review and analyze recidivism data; identify trends by prior disposition, charge, geographic area, etc. to recommend new programs, develop solutions, and advocate for resources in collaboration with other stakeholders.

Conduct interagency meetings to discuss the cases and service needs of the most violent youth (to the extent consistent with confidentiality laws/policies).

Part IX. Training

- Seek input from supervisors, line prosecutors and support professionals on training needs.
- Review cases that have been appealed; train on issues that arise repeatedly.
- Pay close attention to feedback from training evaluations.
- Designate a supervisor to stay abreast of legislative changes and new court decisions.
- Offer prosecutors opportunities to participate in trainings, and to train external stakeholders.
- Provide opportunities to attend external trainings.

⁹ Crime Solutions | National Institute of Justice (crimesolutions.ojp.gov) | www.crimesolutions.ojp.gov/. Effective Alternatives to Youth Incarceration | Report | The Sentencing Project (sentencingproject.org) | www.sentencingproject.org/reports/effective-alternatives-to-youth-incarceration/.

NDAA's training resources for juvenile court prosecutors can be found at Juvenile Justice Training | Upcoming Trainings | National District Attorneys Association (ndaa.org) | ndaa.org/programs/juvenile-justice/training/ and Juvenile Justice Publications | National District Attorneys Association (ndaa.org) | ndaa.org/programs/juvenile-justice/publications/.

Part X. Juvenile Court Prosecutor Attrition

- Where appropriate, request that office leadership recognize publicly the importance of the work of the Juvenile Court bureau/unit.
- Meet with supervisors, line prosecutors, and support professionals regularly to get their input and suggestions on office practices, policies, and any upcoming changes.
- Ask staff liberally, what would make you stay? Do not limit those conversations to exit interviews.
- Conduct exit interviews.
- Maintain a positive work environment through positive feedback, positive communications, and recognition when deserved.
- Think broadly with respect to resources; if raises are not available, perhaps a one-time bonus that costs less money would be feasible.
- Explore the need for new job titles as the juvenile practice continues to change and evolve; create new opportunities that help meet the demands and needs of the practice.
- Ensure fairness in decision-making, work assignments, and accountability.
- Form rotations for less-desirable work assignments.
- Recognize achievements in various ways so that different people can be recognized in different ways, including but not limited to, at meetings, in announcements, in newsletters, and at award ceremonies.
- Provide leadership opportunities such as mentorship, involvement in trainings, community presentations, membership or positions on problem-solving office committees, etc.
- Have a coverage plan for workload when staff take vacation time.
- Offer flexible work hours, and work from home to the extent consistent with caseload and court coverage needs, and with labor laws/policies.
- Be transparent to the extent possible about office problems, solutions, and reasons for different rules, policies, etc.
- At different times and events, reinforce the importance of the role of juvenile court prosecutors.

