

## Working with Youth Who Come into Contact with the Juvenile Justice System

### 241.1 Process for Crossover Youth (foster youth who become justice involved)

#### **Advocating for youth detained in Juvenile Hall:**

- When a youth is admitted into Juvenile Hall, the probation officer has authority over the case.
- Contact your advocacy supervisor to identify the probation officer on the case. Call the probation officer and introduce yourself as the youth's CASA. Leave a message with your contact information if it goes to voicemail. You may be asked to provide a copy of your court order to the probation officer before s/he will speak with you about your youth's pending charges.
- The social worker and probation officer will also be in close communication throughout this process. It is important you remain in contact with both of them as much as possible to weigh in on decisions and ask how you can help.
- Plan to visit your youth in Juvenile Hall as soon as possible and as often as you can.
- When visiting your youth in Juvenile Hall, do NOT discuss the incident that led to their arrest or discuss anything that could incriminate them. If your youth wants to talk about the incident, direct them to their public defender who s/he can talk to without incriminating her/himself.
- Your youth may have questions about future court proceedings, next steps, or the differences of dependency and delinquency. If so, make note of the questions and ask the public defender to speak with the youth during their next meeting with the youth. Also encourage the youth to write down their questions so s/he can ask their public defender.
- Your youth should attend school while s/he is detained in Juvenile Hall. If your youth has an individualized education program (IEP), contact the Juvenile Hall school, SOAR Academy at (619) 671-6560.
- You can contact Juvenile Hall and ask to be transferred to the nurses' station to verify that they are aware of any psychotropic medication that your youth is prescribed. All youth have a physical exam when they are admitted to Juvenile Hall.

#### **Visitation Rules of Juvenile Hall:**

- Check [this website](#) for updated visitation requirements and call **619-671-4400**
- CASA visits are considered professional courtesy visits, so CASAs can visit their youth in Juvenile Hall anytime, except during shift changes, without having to make an appointment. However, you are encouraged to call ahead (**619-671-4400**) in all circumstance to confirm your youth's availability.
- Professional courtesy visitation hours are Monday-Friday from 8am-4pm. There are only two occasions where you cannot visit: between 11:30am-12:30 pm due to lunch and 2-2:45pm due to shift change. Your youth will be in school in the morning so afternoon visits are best.
- Any other times such as weekday evenings and weekends are reserved for family; if you can only visit after 4pm or on weekends, call in advance to see if there is availability, but there is no guarantee. Be sure to bring your VFC badge and a copy of your court order. You will trade your VFC badge in for a visitor badge when you check in.
- Only wear closed-toe shoes. No sandals or flip flops. No athletic wear (i.e. leggings).
- **Do not bring anything into Juvenile Hall or give any gifts, money, or items to your youth during a visit (including food, gum, purses, extra clothing, iPods, cell phones, jewelry, sharp objects, etc.).** Paperback books (no magazines) are acceptable but these items must be reviewed and approved by the screening supervisor at Juvenile Hall prior to giving to the youth. The book becomes property of Juvenile Hall when the youth is discharged.

### **Juvenile Justice Process for Dependent Youth:**

- **Detention Hearing:** Within 2 business days of your case youth's arrest, there will be a detention hearing in a delinquency courtroom to address the delinquency petition. At that hearing, the delinquency attorney (public defender) will inform the Court that the child is a dependent and a Readiness (aka Jurisdictional) hearing will be set, usually within 2 weeks of the detention hearing.
- **Meet and Confer:** Prior to the Readiness hearing, there will be a meet and confer between the probation officer and HHSA social worker with input from other professionals. The CASA may also be interviewed during the process. The purpose of the meet and confer is for probation and HHSA to make a joint recommendation as to which Agency will best serve the youth.
- **Readiness Hearing:** At the Readiness hearing the Court will determine if the youth will 1) remain in dependency and the pending juvenile justice charges be dismissed; 2) be declared a dual status youth; 3) that dependency be terminated and the youth be solely involved with juvenile justice.
  - If the juvenile justice (602) petition is dismissed without prejudice, this means that youth is ordered to remain a dependent, and services will continue to be provided by HHSA under the care custody and control of the county social worker. Please note, a dismissal without prejudice means that the charge is suspended but can be brought back against the minor at any time should the minor commit a similar offense or any other offense for which the Court or district attorney (DA) feels necessary.
  - If your child is declared a WIC 600 ward, care custody and control will be vested with the department of probation under the supervision of a probation officer. The child's dependency status will be officially terminated in dependency court. You can remain their CASA once they are in delinquency, but you will need a new court order with the JCM (delinquency) number on it. Ask your supervisor to do this on your behalf.
  - If your child is declared a dual status youth, your case child will be both a WIC 300 dependent in foster care *and* a WIC 600 ward on probation. Your case youth will have both a probation officer and a social worker, and the Court will designate either Probation or HHSA as the lead agency and dependency or delinquency as the lead court. Dual status youth have their cases heard in a specialty courtroom called Dual Court that incorporates a multi-disciplinary team approach in assisting youth who have complex needs.

### **Attending Juvenile Justice-Related Court Hearings:**

- Your youth will have a Detention hearing within 48 hours (2 business days) of their arrest. If possible, attend the Detention hearing. Please note that you will attend the Detention hearing only as a support and are not permitted to address the youth or the Court at the detention hearing. You may get very little notice of this hearing, so coordinate with your advocacy supervisor.
- Notify the dependency attorney, as they may not know that the youth has been arrested.
- You will not be able to get a copy of the probation report prior to the Detention hearing; however, when you attend court ask your advocacy supervisor or VFC staff to see if they can ask for the report and email/make a copy for you.
- Plan to attend the next hearing: Readiness hearing. This hearing will be on a Wednesday afternoon starting at 1pm at the Meadow Lark courthouse in department 1, about two weeks after the Detention hearing. Make sure to inform your advocacy supervisor of this hearing and all future hearings.
- The social worker and probation officer will be meeting for the Meet and Confer prior to the Readiness hearing to determine whether HHSA (Dependency) and/or Probation (Delinquency/Juvenile Justice) will best serve the youth. Reach out to the HHSA social worker and probation officer during this process and find out whether HHSA and Probation will be recommending:
  - That the youth remain in dependency and the pending charges be dismissed.
  - That the youth be declared a dual status youth with both dependency and delinquency courts involved.

- That dependency be terminated and the youth be solely involved with delinquency court.
- At all juvenile-justice related court hearings, check in with the court officer, and wait in the hallway for your youth's case to be called. At the Detention hearing, you will need to check in at the main check-in desk, to the right of security, to confirm the courtroom.
- Once the court officer calls your youth's case, ask her/him where you as the CASA should sit so the judge knows the youth's CASA is in the courtroom.
- Do not communicate with your youth when s/he is brought into the courtroom. You will be asked to leave the courtroom if you attempt to do this.
- During the hearing (if the youth attends in person), the youth is offered special visits with those present, to occur after the hearing. Be prepared for a special visit after the hearing, if there is time. Only two people are allowed on a special visit at a time, and family takes precedence. As a CASA, you are allowed a professional courtesy visit anytime, so please allow family to visit first.

### **Juvenile Justice Court Reports:**

- Court reports can be submitted for Readiness hearings: discuss submitting a brief report with your advocacy supervisor. Your advocacy supervisor will provide you with a Readiness hearing court report template.
- Highlight positive behaviors in the report. Do not include anything about the incident that brought your case child into Juvenile Hall or any incriminating behaviors. If you are aware of any placements that are willing to take the youth, be sure to include this in the report and notify the professionals before the hearing.
- A copy of your report will be provided to the social worker, probation officer, dependency attorney, public defender, and district attorney.
- After the hearing, your advocacy supervisor will request the juvenile justice minute order and send it to you to supplement the dependency minute order.