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THE IMPACT OF COURT UNIFICATION
ON JUVENILE PROBATION
SYSTEMS IN PENNSYLVANIA

July, 1989

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On December 7, 1987 the Pennsylvania Supreme Court ruled that the present mechanism for funding the judicial system within the Commonwealth is inconsistent with the intent of the State Constitution. In the case of County of Allegheny v. Commonwealth of Pennsylvania, the Court concluded that funding of the judicial system, predominately a county responsibility, is in conflict with Article V of the Pennsylvania Constitution which sets forth a unified judicial system. The Court, in issuing the ruling, simultaneously Stayed the Order to allow the General Assembly an opportunity to enact appropriate funding legislation consistent with the determination.

Since that time, various branches of government, both at the state and local levels, have begun the process of interpreting the Courts ruling and assessing its potential fiscal and operational impact on their respective systems. Obviously, the legislative bodies at the state and local levels, the General Assembly and the Pennsylvania Association of County Commissioners respectively, hold divergent views on the ultimate outcome of the Courts landmark ruling. To date, the state legislature has yet to select an independent and outside entity to undertake a statewide study on the effects of the Courts ruling. Such a study would be an enormous undertaking, first to determine specific components to be incorporated in a "unified" system, exact personnel to be considered for inclusion, and eventually offering recommendations to the legislature on precise appropriations required to implement the funding mechanism. At the local executive branch level, county Commissioners at first

viewed the Courts ruling as a potential windfall to the local governments by shifting the financial burden of court operations from local government to the state legislature. However, that initial euphoria has been replaced by a pragmatic recognition that if funding is to be provided by the state it will likely be at the expense of other state funded and county administered programs.

While these openly political positions are being discussed, negotiated and presumably compromised, other groups within the judicial system are also undertaking individual assessments, either officially or through informal mechanisms, on the eventual consequences of the unified judiciary as intended by the Supreme Court. Indeed, it is somewhat ironic that in response to the Courts call for a unified system, the individual components traditionally making up the local judiciary such as Domestic Relations, Adult Probation, Court Administrators and Juvenile Probation have separately commenced asserting their own positions about why or why not they should be included in the eventual scope of the decision. Beyond the official discussions at their professional organizational meetings by these judicial department administrators, others, such as law librarians, clerks, and staff who are now considered part of the local judicial workgroup continue to be uncertain of their future organizational placement.

It is from this sense of uncertainty that subjective rumors begin replacing substantive reasoning. Because of the continuing stay of the effects of the Supreme Court ruling, time itself has now contributed to transforming certain unsubstantiated rhetoric

into generally accepted axioms. There are few truths to be presented currently, other than the Supreme Court has stated that county government should not fund the judiciary; it is the State's responsibility.

However, from this paraphrased yet straightforward statement, numerous questions have arisen:

- Who and/or what entities are included in the Courts view of a unified judiciary?
- In its narrowest interpretation, does the effects of the decision apply only to Judges and their immediate workgroups and not to those programs traditionally regarded as judicially administered?
- Presuming the state funds the unified judicial system, what effects will the mechanism have on personnel and compensation systems?

An important response to these types of festering concerns is to first recognize the context in which the Court based its decision. The matter grew out of the Allegheny County Commissioners challenging the constitutionality of the local unit of government funding the adult probation department, both its personnel and operational costs. Naturally, one needs to conclude, therefore, that the Court clearly intended to include probation, juvenile and adult, within the scope of the decision.

Beyond that reasoned yet cautious conclusion, matters arising from the Court's ruling such as actual state employment of judicial staff, creation of a civil service process for personnel selection or transfer of judicially administered programs to another branch of government at either the local or state level can not nor necessarily need to be answered with the same degree of certainty. Although unable to specifically

determine the Courts intentions on these matters, a proactive analysis of potential scenarios is in order. Beginning with an emphasis on that which we know with assurance, [e.g. the ruling transfers funding responsibility to the state; probation systems are likely to be included] and working toward an assessment of alternatives [e.g. impact on current systems; administrative realignment of current judicial programs], this report summarizes the potential outcomes of a unified judicial system in Pennsylvania with particular emphasis on the Juvenile Court.

The Juvenile Court and its probation systems are unique in the Commonwealth, both in structure and service. Unlike their equal counterparts in a county level judicial system, Adult Probation and Domestic Relations, the Juvenile Probation Departments currently receive little funding outside of county revenues. On average, counties in Pennsylvania receive from the state only 10-12% of the total personnel and operational costs needed to administer the juvenile probation offices. In stark contrast, current state reimbursement to subsidize adult probation at the county level is at 80%. Domestic Relations Departments receive substantial reimbursements from the federal government, making the administration of service virtually free of county expenditure. Therefore, one needs to assume that juvenile probation departments are the only judicial administered programs which remain essentially a county funded component. Concurrently, if the state is to fully, or at least incrementally, fund juvenile probation operations it is the current administration of services by the Juvenile Court that conceivably will receive the most impact at the local judicial

level. Depending upon one's ideology, such a shift will either enhance or diminish the utility of juvenile justice in the Commonwealth of Pennsylvania.

This report begins with a review of the literature on court unification, its process and impact. Although the literature does not address the issue of juvenile probation specifically, the summary will provide an understanding of the intended, and many times unexpected, consequences of court unification on the local administration of justice. Next, the staff at the Commission's Center for Juvenile Justice Training and Research undertook a comprehensive telephone survey of each of the forty-nine other states with a specific intention to determine how and in which "model" administratively does its juvenile probation system operate. More precisely, we are able to determine those features, traditionally falling under Pennsylvania's Juvenile Courts, that correlate with a particular administrative model. The four prospective scenarios include:

1. juvenile probation administered by local judiciary
2. juvenile probation administered by local executive
3. juvenile probation administered by state judiciary
4. juvenile probation administered by state executive

Furthermore, particular attention was paid to those states whose juvenile probation operations have undergone a similar transition to a state funded system. Precise consequences, both positive and negative, are included in each of the transition state summaries. Finally, the report includes statements incorporating all of the information collected as a result of this study. Most of the statements are based on fact and are therefore offered with certainty. Others are presented solely as

conclusions derived from staff's individual perceptions about the process and final product of court unification on juvenile probation in the Commonwealth. Since this report is primarily an informational tool upon which one might make an individual decision about the impact of a court unification process on current juvenile probation operations, specific recommendations have been purposely excluded from its contents.

We are confident this report will give the reader an increased level of understanding about court unification and juvenile justice. Since it is predictable, and supported by the literature, that the process of unification is likely to require three to five years to full implementation, this information is likely to change. As such knowledge becomes available, periodic updates and alterations to the report will be noted and incorporated in this summary.

SECTION I

Review of the Literature

REVIEW OF THE LITERATURE

During the past twenty years there has been a growing trend to reform the structures and procedures of the administration of judicial operations within the states (Glick, 1982). In fact, seventeen years ago there were only seven states, while today over half, in which judicial costs are fully funded by the state through a single budget administered by the judicial branch (Hazard, et.al., 1972). As states have assumed greater financial and regulatory management over many programs once regarded as purely local responsibility such as education and social services, this trend toward similar control over the administration of justice should not be surprising. Clearly the organization of the local court system has traditionally emphasized local autonomy and independence unencumbered by state interference (Glick, 1982). The essential tenet in such reasoning is that competent administration of judicial service should a locally vested responsibility applying sanctions based on community expectations, citizen norms and traditional customs. Yet, for better or worse, that principle of localism and independence has been slowly eroded and replaced by a centralized state court structure of judicial administration.

Proponents of court reform and unification of a judicial "system" believe that centralized management will streamline state-court organization and enhance non-partisan court staffing through full state funding and uniform procedures (Berkson, et.al., 1977). Centralized control of all judicial operations is thought to provide more efficient court operations by providing

skilled professional leadership and new means of managing the judiciary (Glick, 1982).

Generally, elements of state-court reform have included any combination of changes. In its simplest and earliest form, court unification meant streamlining the functions of many separate units into one local administrative model (Glick, 1982). Whereas prior to reform efforts, courts processing juvenile matters, small civil claims, divorce cases, probate matters and orphans court were each semi-autonomous operations, through unification have been subsumed by the trial court. In Pennsylvania, what were at one time viewed as separate entities are now a function of a consolidated Court of Common Pleas. In its broadest definition, along with the simplification efforts described, elements of court reform may include any of the following: (Glick, 1982)

- Centralized management of the Court system whereby the State Supreme Court would have final authority in the operations of the entire judicial structure within a state. This component provides organizational leadership to judges and replaces the wide variation inherent in a decentralization model with uniform procedures statewide;
- Centralized judicial rule making authority vested in the State Supreme Court to promulgate judicial procedure and to provide final authority to manage the internal affairs of the judiciary;
- Centralized judicial budgeting which limits the financial dependence in the judiciary on the local executive branch and transfers the political power from the local taxing authority to the centralized judiciary;
- Full state funding of court operations which replaces the hodgepodge of fiscal support traditionally viewed as contributing to a decentralized and locally independent function. Full state funding will presumably reduce much of the variation in levels of local judicial support, limit the control exercised by the local government over judicial operations and enhance the importance of courts

to state officials;

- Merit selection of judges which replaces partisan political methods for choosing judges with an application of professional legal standards which determine, then selects, the most qualified candidates.

In one form or another discussions about, and the literature describing court reform incorporate the previously cited components. Whether referred to as court reform or court unification, the intent and general processes are the same: to establish the democratic ideal of uniform justice through a clearly defined organizational framework. Additionally, once the administrative alignment is in place the goal is to ensure that all necessary management tools and adequate resources are available for improving the administration of justice. Although the unification process needs to include the elements of a simplified trial court structure, supreme court administered rule-making authority, and a judicial system governance authority vested with the Chief Justice, the element of full state funding is regarded as the most important characteristic of unified model (Bureau of Justice Assistance, 1988). Ironically, the powerful lobby force generated by county government is viewed as the driving impetus for transferring judicial funding to the state. In those states where full court funding, or a substantial portion thereof, has been phased in over a period of time, administrative court unification has resulted (Bureau of Justice Assistance, 1988). Although not specifically addressed, juvenile probation offices, even if defined as ancillary court personnel, would be incorporated in a state funding scenario (National Institute of Justice, 1984). In order to fashion a smooth plan

for transition to state funding, states undertaking unification efforts need to assess the goals, plans (including personnel) and the time phased activities for eventual implementation through a comprehensive court system study (Bureau of Justice Assistance, 1988). This will precisely determine the cost, personnel included and budget necessary for a transfer to the state of judicial operations. Since the judicial system is personnel oriented [up to 80% of court system expenditures is for personnel costs], it is vital to allow judges to maintain management control over those personnel considered to the non-judicial, or not part of the judges immediate work group (Bureau of Justice Assistance, 1988).

In order to successfully implement an effective court unification process, several common elements have been suggested for inclusion in the process. The following list are recommended from states having undertaken a court reform effort (Bureau of Justice Assistance, 1988):

1. There was substantial legislative support, at least from key political leaders for the unification process;
2. Although varying in degree, there was support from the state bar association;
3. Negotiations were undertaken with local (county) officials to mitigate any objections or even gain their support;
4. Negotiations took place with prosecutors, public defenders and law enforcement officials to mitigate any objections or even gain their support;
5. There was active support from a formal court improvement citizen's organization, i.e. League of Women Voters;
6. While members of the judiciary may be divided, there was support from the Chief Justice and prominent trial court judges;
7. The Governor was either supportive, or at least not

actively opposed to unification;

8. The media was either supportive, or at least not actively opposed to unification.

Clearly, therefore, court unification becomes a political process usually settled in state legislatures through statutory change or through Constitutional amendment eventually ratified by the voters. Although many generalizations about certain levels of political support are difficult to make since the content and impact of court unification vary, opposition is usually generated from rural areas where local autonomy, traditional values and local control are considered to be most important. Normally, any disagreement over reform efforts produces political compromise (Bureau of Justice Assistance, 1988). A familiar pattern surfaces during the compromise process: reformers advocate for a far reaching package of changes in the judicial process recognizing that various legislative and judicial representatives will lobby against some of them. After a period of negotiation, proponents normally withdraw certain reforms but at the same time are generally pleased with the final product. Surprisingly, sometimes the local governments object to centralized state financing of the judiciary since they will lose influence over judicial operations but may still be expected to contribute local tax revenue. Often, compromise is made to have the state pay for many of the components, i.e. salaries, while allowing local government to retain control over other areas like operational expenses and equipment (Hazard, et.al., 1972; Bureau of Justice Assistance, 1988).

States which are undergoing or contemplating court

unification can gain a great deal of insight about the compromises inherent in such a process by learning from other jurisdictions having undertaken the process. [A full state by state review and accompanying information on states having experienced unification is part of this report.] Although the time between inception to full implementation depends on several factors, the determining force in developing timeframes is whether a state undertakes a court study and the duration of such a study (Bureau of Justice Assistance, 1988). At the outside, full implementation of a state funded judicial system may take up to five years (Bureau of Justice Assistance, 1988).

Court unification efforts hold many detractors. Although active during the 1960's and 70's, court reform efforts have diminished in recent years for several reasons. Perhaps foremost is a slowdown of federally administered funds which were readily available for such initiatives under the Law Enforcement Assistance Administration (LEAA) during that period of time. Simultaneously, or even consequently, fiscal resources in the states have diminished and efforts of court reform have shifted from administrative unification to caseflow management and delay reduction (Bureau of Justice Assistance, 1988). Additionally, only recently have social scientists begun assessing the utility of unification efforts undertaken twenty years ago (National Institute of Justice, 1984). As evidence on the impact of change has been studied, the success, or lack thereof, of earlier efforts has furthered the debate over the wisdom of the changes (Jacob, 1983). Opponents of court unification argue that reform efforts place too much emphasis on central authority at the

expense of judicial philosophy and maintaining an organizational environment (Gallas, 1976; National Institute of Justice, 1984). Those opposed to transition caution that unification should not be regarded as an end itself, but rather as a means for attaining a set of goals and objectives in the judicial environment (National Institute of Justice, 1984). And, while reformers assert that justice will be improved by making changes, defenders of the status quo praise the tradition and sanctity of local control. It is important to note that neither side of the argument has thusfar been able to provide dispassionate research to support their respective positions (Glick, 1982). Albeit limited, research on the impact of court unification has been preliminarily reviewed making comparisons between the former decentralized model and the recently imposed administratively unified systems. Thusfar, most of the evidence gathered suggests that court reform usually fails to produce intended improvements or significant changes in Court behavior. Most assertions made by reform advocates reveal a lack of understanding of how courts operate or of the complexity and tradition of local justice (Glick, 1982).

Gallas, for example (1976) makes the following points in his discussion on the intended value of court unification efforts:

1. The belief by court reform advocates that a centralized hierarchy of judicial authority will in some way reorient the Courts to state leadership completely misunderstands the local basis of justice in the United States;
2. Centralization of government services may be the political trend, but local justice is still highly valued;

3. Court reform is likely to be unsuccessful if it concentrates solely on judges, only one small part of local justice, but the only one reformers are attempting to control;
4. Reform advocates assume that if court officials are shown the benefits of unification, they will be persuaded that change is a good idea, failing to understand that values of local justice, funding, autonomy, ideals and innovative practices and programs are highly valued components;
5. Reform efforts focus on the means of justice, concentrating on procedure, organization and management while ignoring the substance or final impact on courts in society.

In addition, studies on court reform have noted that efforts to expand judicial control, e.g. AOPC, over its own affairs has simultaneously expanded the ability of external agencies, e.g. state executive/legislative branch, to hold courts accountable for effective management of its programs and services (National Institute of Justice, 1984). Other evidence of the impact of court unification has answered many of the questions arising prior to implementation efforts. In no state studied by NIJ (National Institute of Justice, 1984) was it determined that the centralized management authority had significant influence over individual hiring decisions below the court administrator levels. And, although individual appointments of probation officers, for example, were approved by central officials the process amounted to nothing more than a pro forma ratification of decisions of the local trial courts. Furthermore, there was no evidence of reassignments of administrative personnel to other jurisdictions within a unified system model, a concern held by many who equate unification with a statewide civil service system.

SUMMARY OF THE LITERATURE AFFECTING JUVENILE
PROBATION SYSTEMS

The placement of juvenile probation systems within the rubric of court reform efforts through administrative unification is not specifically addressed in available literature. Although the 1984 National Institute of Justice report on court unification reform suggests that "all units in a judicial system should be part of a single, comprehensive state structure", it did not define precisely what constitutes a "unit". The Council of State Governments, in a 1977 summary of state reform efforts suggests that including probation in court systems increased the control over its services and programs. In the earlier cited National Institute of Justice study, one of four recommended issues to be considered in reform efforts is to design "a judiciary in which all Courts and most ancillary functions are part of the same statewide system."

Consequently, although not specifically identified, it is reasonable to conclude that juvenile probation services as presently administered by the local judiciary in Pennsylvania would be included in a unified court system. As presently designed and administered, juvenile probation in Pennsylvania perhaps remains the last fortress of traditional justice with independence and autonomy from state intervention. Whereas its local judicial counterpart adult probation services is now essentially regulated and funded by the State Board of Probation and Parole, juvenile probation is comparatively unencumbered by outside control or financing. Free to respond to community definitions of adolescent and family dysfunctioning, the juvenile

courts in Pennsylvania have been highly successful in identifying and implementing required services to meet those neighborhood demands. The burning question inherent in discussions about court unification in Pennsylvania is whether that same level of local responsiveness would continue if juvenile probation were transferred to a state funded system.

The key to successful transition to court unification, as described in the literature, is negotiation and compromise. It seems attainable, even likely, to continue the strong tradition of local judicial control of juvenile probation in a statewide unified system. Generally summarized, court unification includes four reforms: 1. simplification of trial court structures; 2. centralized management of the judicial system; 3. centralized rulemaking; and 4. centralized budgeting and state financing. After review, one might conclude that with the exception of state funding, the courts and juvenile probation in Pennsylvania are already part of a unified model. To the extent that the Juvenile Court Judges' Commission in Pennsylvania recommends comprehensive standards for the administration of juvenile probation and for the qualifications for employment of juvenile probation officers, unification, as defined, is currently in place. In fact, with the addition of eventual full state funding, administrative unification would be complete without running the risk of "trading-off" local independence of juvenile probation services. And, although discussions about the potential downside of unification on juvenile probation need to be undertaken, it may be no more complicated than contributing additional state subsidies to an already existing model. If unification requires

standardized hiring of staff, uniform procedures for the administration and disposition of juvenile justice promulgated by a state level entity, then absent only the critical component of full financing, the Juvenile Court Judges' Commission partially represents a centralized and unified juvenile court system in Pennsylvania. It is feasible, through on-going negotiations or even demands, that full state funding of locally administered services can be incorporated into a unified model, both administratively and fiscally.

SECTION II

REVIEW OF THE STATES

REVIEW OF THE STATES

In an effort to determine how other state's juvenile probation systems operate administratively, each of the forty-nine states and the District of Columbia were contacted. Not included in this section are nine jurisdictions which have undergone an administrative transition. A detailed accounting of those states is provided in Section III.

Generally, the survey instrument and state summaries include the following:

1. How is juvenile probation funded and administered?
2. Is Juvenile Court intake part of probation?
3. How is detention funded and administered?
4. How are the institutional and treatment services funded and administered?
5. Describe the state's network of private placement facilities, if applicable;
6. How are aftercare services provided?
7. What are the starting salaries of juvenile probation officers?
8. What are the qualifications of juvenile probation officers, if any?
9. Who has hiring authority of juvenile probation officers?
10. How is juvenile probation officer training facilitated and funded?
11. Are standards for juvenile probation services provided?

ALABAMA

PROBATION

COUNTY / JUDICIAL

The funding scheme is 50% state and 50% local in the larger urban counties, like Jefferson Co. (Birmingham). There is a higher percentage of state funding in the smaller rural counties. In essence, there is a continuum of funding formulas with the larger counties using more local dollars and the smaller counties using more state funds. In some counties which do not have a merit system, all personnel decisions are made by the President Judge. In the counties with established merit systems, personnel decisions are delegated to the chief probation officer. The chief probation officers are hired by the President Judge. Intakes are screened by the District Attorney, but it is still a part of the probation function. There are certain Federal grants for in-home programs such as substance abuse counseling which are funneled through the state. Orientation for new Probation Officers which consists of 80 hours of training is paid by the state. Any subsequent training is locally funded. There is a movement to make the probation program a state run operation, but it is not likely to occur in the foreseeable future.

STARTING SALARY

RANGE: PO Trainee \$16,000-\$20,000.

After successful completion of one (1) year of service, salary increases to \$22,000; after four (4) years salary is at \$27,000. In Jefferson Co. Probation Officers are considered county/judicial employees.

DETENTION

Regional detention facilities serve the rural counties. These are administered and funded by the state/executive. The larger counties own and operate their facilities. Detention home staff at the regional centers are state/executive employees, whereas the staffs at the urban centers are under the local/executive.

PLACEMENT and AFTERCARE

The state youth correctional institutions are funded and operated by the state/executive through the Department of Youth Services (DYS). It is completely state funded. Aftercare is provided by county probation.

ALASKA

Probation

State / Executive

The State executive Department of Health and Social Services, Division of Family and Youth Services (DFYS) handles all aspects of Alaska's juvenile justice system including each of the probation functions. There is no system of county government in Alaska and the State is divided into three regions. Up until five years ago the courts handled intake but that function was also transferred to the executive agency. There is also no intensive supervision program in Alaska.

Starting salary

\$31,200

This is a reflection of the significantly higher cost of living in Alaska.

Detention & Placement

The DFYS administers four State institutions with capacity for detention and treatment. A fifth detention center is located in the southern portion of the State. Several other community based private residential treatment centers / group homes are utilized in Alaska. In a few cases local government may provide the building which houses the program, but they are otherwise entirely funded through the State.

ARIZONA

PROBATION

COUNTY/JUDICIAL

Juvenile Probation is part of a unified judicial system within the state. The Arizona Court System is divided into fifteen (15) divisions representing each county which is administered through the Superior Court. Funding for probation is provided by the county executive. State funding through the Administrative Offices of the Court provide for PIC (Progressively Increased Consequences) ie: Diversion, Family Counseling and Intensive Probation. Intake is also a part of the probation function.

STARTING SALARY

RANGE: 21,195-23,275 as of 9/30/89

The state offers educational and longevity incentives to the probation staff. After successful completion of one (1) year of service a Probation Officer will receive \$24,544, with six (6) years and a Master's Degree the salary is \$27,268.

DETENTION

Similar to probation in that the facilities are funded by the County Executive, but administered by the County Judiciary.

PLACEMENT and AFTERCARE

Funded and administered by the Department of Corrections (DOC) which is part of the State Executive. It is completely state funded. DOC also provides all aftercare services.

ARKANSAS

PROBATION

COUNTY/JUDICIAL

A recent Arkansas Superior Court decision established a judicial merit system and organized the juvenile court into judicial districts. The 1987 law mandates that each district maintain at least one (1) probation officer and one (1) intake officer on its staff. These reorganized departments will continue to be locally funded and judicially controlled. However, there will be some state funding supplements as of 8/1/90.

STARTING SALARY

RANGE: \$10,000-\$20,000

Probation Officers are hired and serve at the discretion of the judges. Starting salaries vary from jurisdiction to jurisdiction.

DETENTION

There are five (5) detention home facilities within the state. They are locally funded with no state support. The detention centers are administered by the county executive.

PLACEMENT and AFTERCARE

The state's youth correctional facilities are funded and administered by the state executive through the Department of Human Services. Private facilities are licensed by DHS who is the primary funding source. However, some local funds are used. Aftercare is also provided by DHS through a contract with private providers.

CALIFORNIA

PROBATION

COUNTY/EXECUTIVE

Juvenile and adult probation departments are integrated in 57 of the 58 counties in the state. It is primarily a county funded operation with certain state revenue streams for specialized programming, like status offenders. The budget is controlled by the County Board of Supervisors, while the chief probation officer is appointed by the district judge. Intake is part of the probation operation.

STARTING SALARY

VARIES FROM COUNTY TO COUNTY

The starting salary for an entry level probation officer is from \$15,700 to \$17,760 in the lowest paying county. In San Francisco County the starting salary range is from \$29,937 to \$36,227 which is the highest paying county in the state. The trend is that the metropolitan counties pay the highest salaries.

DETENTION

Is funded and operated by the county in the same manner as probation. However, there are no state dollars.

PLACEMENT and AFTERCARE

Is funded and administered through the state/executive by the California Youth Authority (CYA). Counties pay a nominal fee for their youth who are in placement on a monthly basis. CYA administers and funds aftercare services as well.

COLORADO

PROBATION

STATE / JUDICIAL

Juvenile and adult probation services within the state are integrated into one department. Juvenile services are locally administered by the juvenile court but funded by the Colorado Judicial Department. The state is organized into 22 judicial districts. In 21 of the districts intake is handled by the District Attorney's office. In the district which serves Denver, probation controls the intake function. This is the only district in which juvenile and adult departments are separate.

STARTING SALARY

RANGE: \$22,000 - \$25,000

Probation Officers are considered as state judicial employees. However, there are municipal probation programs which are funded and administered by some cities and counties. These are diversion programs to handle traffic and municipal offenses such as disorderly conduct, summary offenses and curfew violations. The municipal programs have no adjudicatory power or placement authority.

DETENTION

Detention is funded and administered by the state executive through the Department of Institutions, Division of Youth Services (DYS).

PLACEMENT and AFTERCARE

Placements in both public and private facilities are funded by DYS. When a youth is committed, he/she is under state custody until released from the institution or aftercare.

CONNECTICUT

PROBATION

STATE / JUDICIAL

Juvenile probation services are state funded and administered through the Superior Court. Youth Service Bureaus are organized on the municipal level to provide prevention and diversion programs. Intake is a function of the probation operation.

STARTING SALARY

\$22,000

After seven years of service a probation officer can earn up to \$37,060 annually. The state has a very low staff turnover rate with an average length of stay of 15 years.

DETENTION

There are three (3) detention facilities located within the state. They are operated and funded by the state executive through the Department of Children and Youth Services (DCYS).

PLACEMENT and AFTERCARE

Is funded and administered in the same manner as detention.

DELAWARE

PROBATION

STATE/EXECUTIVE

Juvenile Probation is operated and funded under the state executive through the Department of Services for Children and their Families (DSCF). Programs are oriented on a community based, family focused model. Probation entails post adjudicatory supervision. Intake is part of a general network of health and human services which include general and child protective services and child mental health services. The role of the Family Court is limited to adjudications. Dispositional decisions are made by the DSCF.

STARTING SALARY

RANGE: \$14,248-\$23,747

Above listed is the salary for the Youth Care Worker. The salary range for the Senior Youth Case Worker is \$15,245-\$25,408.

DETENTION

The state maintains pre-trial secure care at two (2) facilities; Bridge House and Stevenson House. These programs are funded and operated by the DSCF's Division of Youth Rehabilitative Services (DYRS).

PLACEMENT and AFTERCARE

The state plans to close or at least significantly reduce the placements at its only secure care facility located at the Ferris School. Efforts are underway to create a network of community based alternatives such as independent living, foster care, day treatment and group homes which will eliminate the state's need for secure placements and its over reliance on out of state programs. All placements are funded through the state executive. Aftercare is provided by DYRS.

DISTRICT OF COLUMBIA

PROBATION

DISTRICT / JUDICIAL

The funding for the District's probation department is appropriated by the United States Congress. The budget is reviewed by the Mayor and sent to Congress for final approval. Adult and juvenile probation are separate departments but administered by the Superior Court. Intake is part of the probation function.

STARTING SALARY

\$20,614

The following is the District's salary schedule:

After 1 year with promotion	\$24,900
After 2 years	\$30,118
After 4 years and beyond	\$34,000 - \$46,500

DETENTION

Detention services are funded through the U.S. Congress and administered by the Mayor through the Department of Human Services, Youth Services Administration.

PLACEMENT and AFTERCARE

These services are funded and administered in the same manner as detention.

FLORIDA

PROBATION

STATE / EXECUTIVE

The state has established a comprehensive health and social service delivery system which include child welfare, child protective, probation, placement, and aftercare services through the Department of Health and Rehabilitative Services (DHRS). The funding for this package of programs is through the state executive. Intake is non-traditional in the sense that it includes investigations of abuse and neglect as well as pre-adjudicatory services.

STARTING SALARY

\$19,421

The above mentioned salary is for the Correctional Probation Officer I position. Upon successful completion of one (1) year of service staff are promoted to the CPO II position with an annual salary of \$20,445.

DETENTION

Detention home programs are funded and administered by the state executive through the DHRS.

PLACEMENT and AFTERCARE

Placement in the state's youth correctional facilities are handled in the same manner as probation and detention. Private programs are licensed by the Juvenile Welfare Board (State/Executive).

GEORGIA

PROBATION

COUNTY/JUDICIAL OR STATE/EXECUTIVE

Of the 159 counties located in the state, twenty (20) are a county funded, judicially administered operation. These counties are urban and more densely populated. The remaining 139 counties are state funded and administered through the Department of Human Resources, Division of Youth Services (DHR). Intake is part of the probation operation. Other programs such as intensive probation are more randomly developed. The urban counties tend to have more comprehensive services.

STARTING SALARY

RANGE: \$13,500-\$24,000 COUNTY
AVERAGE: \$20,288 STATE

Probation officers are county judicial employees in the urban areas and state executive employees in rural counties.

DETENTION

The Division of Youth Services operates 22 regional detention centers. Fulton County (Atlanta) funds and operates its own facility. The regional centers are state funded while the Fulton County detention center receives a state subsidy to pay for a percentage of its operating costs.

PLACEMENT and AFTERCARE

Delinquents are committed to the DHR where the type of placement is determined by the Division of Youth Services. The courts may make recommendations, but the final decision on dispositions is made by DHR. The state's Youth Development Centers are state funded and operated. DHR also operates community based group homes and contracts with private providers for other placement services. Aftercare is also provided by DHR in the rural counties.

HAWAII

Probation

State / Judicial

The typical probation functions in Hawaii are administered by the State judicial branch. Judges are appointed to the Family Court which is considered very comprehensive in its responsibilities. Probation staff are appointed by the Court Administrator and become civil service employees. Probation handles intake, intensive supervision and restitution functions. The cost of operating the entire juvenile justice system in Hawaii is fully funded by State and there is no system of county government. Children can be committed to a placement for a period of up to one year and still maintained on probation.

Starting salary

\$25,116

This is a reflection of the significantly higher cost of living in Hawaii.

Detention

There is only one detention facility located on the main island and administered by the Department of Corrections (DOC).

Placement

The DOC administers the State's sole juvenile institution, and contracts with several other private treatment programs and services including VisionQuest. No local funds used. Beyond a period of one year children are transferred to the custody of the DOC. Aftercare (parole) services are attached to the institution. The State executive agency DOC has been legislatively reorganized as the Office of Youth Services and is currently beginning a two year transitional phase.

IDAHO

PROBATION

COUNTY / EXECUTIVE
STATE / EXECUTIVE

Juvenile probation services are funded through the county executive in eleven (11) counties and by the state executive through the Department of Health and Welfare (DHW) in thirty-three (33) others. Intake is a component of the probation operation.

STARTING SALARY

RANGE: \$15,500 - \$17,000

Probation staff are hired through the district judiciary. Youth Rehabilitation Officers are state executive employees.

DETENTION

There are three (3) detention home facilities located in the state. One is administered through a county probation department, another through a private contract, and the third through the state and is located at the Youth Correctional Center. Detention is primarily a county funded operation with some state support for the facility at the Youth Correctional Center.

PLACEMENT and AFTERCARE

The state's youth correctional facilities are funded and operated through DHW. Any youth who is committed to an out of home program is referred to Department's Youth Rehabilitative Services Unit which determines placement. Aftercare services are also provided through DHW.

ILLINOIS

PROBATION

CIRCUIT/JUDICIAL

In 1984, legislation established the Administrative Offices of the Illinois Court (AOIC). This legislation also increased the state's subsidy for the probation departments and established a method to standardize their operations. The subsidy formula is based upon the number of clients and the amount of time spent in the provision of various investigations and supervision. AOIC insures that no department will have less staff than it did in 1984. The state subsidy is only a supplement for local funding. Most of probation's operating costs are funded by the county executive.

STARTING SALARY

AVERAGE: \$17,000

AOIC pays \$12,000 of the \$17,000 baseline salaries as well as funding any additional positions created after 1984 if the county continues to meet the requirement of the funding formula. At the present time, probation officers are local judicial employees. However, there is a movement to place probation under the administration of the AOIC.

DETENTION

There are twelve (12) facilities located within the state. Detention is administered by the local judiciary and funded in a similar manner to probation. As a result of serious overcrowding in the facilities, the state provides a transportation grant which is used to defray these costs.

PLACEMENT and AFTERCARE

Is funded and operated by the Department of Corrections, Juvenile Division (DOC) which is under the state executive. Placements in private facilities are paid for by local funds and state reimbursements. DOC maintains custody of youth in the public facilities, whereas the courts keep custody of the youth in private placements.

INDIANA

PROBATION

COUNTY/JUDICIAL

The probation programs are funded through the county judiciary and receive some state subsidies. In the urban areas juvenile and adult probation departments are separate entities whereas in the rural counties the departments are integrated. The county prosecutor has the final decision on whether to file petitions on delinquency charges. Intake services to status and first time offenders are subcontracted with the local schools and human service programs.

STARTING SALARY

VARIES

The system was described as being rather political and quite fragmented. Starting salaries were described as being low with an approximate range of \$12,000 to \$15,000. A recent personnel study commissioned by the state's Chief Probation Officer's Association found that staff turnover in the past six (6) years was over 90%. Probation Officers are hired by the judges.

DETENTION

There are ten (10) facilities throughout the state. They are completely funded by the county executive and administered by the judges.

PLACEMENT and AFTERCARE

The state's youth correctional facilities are administered by the state/executive through the Department of Corrections (DOC). Funding is a 50/50 state/local match. The private facilities are monitored by (DOC) with the same funding scheme. There is no juvenile aftercare program.

KENTUCKY

PROBATION

STATE / JUDICIAL (Intake)
STATE / EXECUTIVE (Probation)

With the revisions to the Juvenile Code in 1987, Court Service Workers (CWS) are employed by the Office of Court Administration to screen complaints, facilitate assessments and supervise informal probation. Post-adjudication probation is provided under the state executive. Aftercare services are a function of probation and is provided at the discretion of the judge. A number of the smaller rural counties have dropped their probation departments and rely upon the state judicial system for all probation services.

STARTING SALARY

AVERAGE: \$15,000

DETENTION

At the present time, there are only six (6) regionally run detention centers in the state. County jails are widely used to hold juvenile offenders. The jails are locally administered by the sheriff's department and locally funded.

PLACEMENT and AFTERCARE

Placements in the state's youth correctional facilities are funded and administered through the state executive. The Department of Social Services which is under the Cabinet for Human Resources has a division to oversee the public facilities, and to license the private providers. The Division of Family Services provides probation, protective supervision and aftercare services to delinquent and dependent youth. The Cabinet for Human Resources maintains control and custody of any youth placed in the public facilities and makes the final determination as to the type as well as the length of placement.

LOUISIANA

PROBATION

PARISH/JUDICIAL OR STATE/EXECUTIVE

Juvenile Probation is administered and funded in the following manner: In the larger, urban parishes it is a local judicial operation; in the smaller rural areas it is run by the state executive through the Department of Public Safety and Corrections. Probation departments entail both juvenile and adult supervision. Intake is a part of the probation operation in the larger parishes. In some rural parishes the district attorney handles intake.

STARTING SALARY

AVERAGE: \$16,632 (URBAN)

Personnel decisions are made by the juvenile court judges in the urban parishes. The Probation Officer II annual salary is \$20,160, and the Probation Officer III annual salary is \$21,000. In the rural areas probation staffs are state executive employees assigned to ten (10) regional field offices.

DETENTION

In the urban parishes detention is funded and administered by the juvenile court or it is contracted for through the municipal police departments. Youth who are in the custody of the Department of Public Safety and Corrections (DPSC) receive a state supplement to defray a percentage of their placement expenses.

PLACEMENT and AFTERCARE

Placement in the state's youth correctional facilities and private programs are funded by the state executive through the DPSC. The state is given custody of youth placed in the public facilities, but cannot arrange for release without the approval of the court. Aftercare is also provided by DPSC.

MAINE

PROBATION

STATE/EXECUTIVE

Both the juvenile and adult probation departments are administered through the Department of Corrections, Division of Probation and Parole (DOC). It is a state funded operation. Intake is a component of the probation function. Aftercare is also provided through the regional offices.

STARTING SALARY

RANGE: \$22,000-\$33,000

Candidates are screened and tested by the State Department of Personnel and DOC. Probation Officers are assigned to regional departments by the Director of the Division of Probation and Parole. The starting salary is contingent upon education and experience.

DETENTION

The county jails are certified to hold juvenile offenders. The facilities are operated and funded by the county sheriff's department. DOC operates a detention facility at the Maine Youth Center.

PLACEMENT and AFTERCARE

The Maine Youth Center is operated by DOC and is a state funded facility. All other programs are state funded as well. Once the court makes the commitment to the Maine Youth Center, DOC determines the length of commitment.

MARYLAND

PROBATION

STATE / EXECUTIVE

Since 1967, the State executive Juvenile Services Agency (JSA) has handled intake, intensive supervision, aftercare and restitution functions and the supervision of youth designated as CINS. The cost of operating the entire juvenile justice system in Maryland is fully funded by State. Prior to 1988 the local judges had to "sign off" on all new probation staff hired. The judges no longer have that right. In 1987 the JSA was moved into a separate executive agency rather than under the Department of Health and Mental Hygiene. In 1989 JSA has been made a cabinet level office. Some probation officials are upset that there must be room for regional differences while the State is "pushing standardization." Many rural judges are concerned with the lack of direct control over the probation system.

STARTING SALARY

\$17,261

As a Juvenile Counselor I, staff reach a maximum salary of \$23,157 in six years on the current schedule.

DETENTION

The Juvenile Services Agency administers and funds detention services entirely.

PLACEMENT and AFTERCARE

The Juvenile Services Agency administers the State institutions, a variety of other residential treatment centers and licenses and funds a range of private programs and services. No county funds are used.

MICHIGAN

PROBATION

COUNTY / JUDICIAL

Juvenile probation services are primarily funded at the county level and administered by the juvenile court. The state provides the county departments with a small subsidy to pay for staff salaries. Operating expenses such as rent, utilities, supplies and transportation are paid through the county executive's budget. Intake is a function of the probation operation. The Kentfield Project is an intensive probation and aftercare program which is designed around a day treatment model. It is operated by the county departments and receives 50% state funding.

STARTING SALARY

RANGE: \$18,000 - \$24,000

Probation officers are hired through the county judiciary. There is pending legislation to make the state's human service providers state employees, but it excludes probation.

DETENTION

The detention home programs are a department of the juvenile court. It is county funded and administered jointly by the judges and the county commissioners. The state operates one (1) regional facility through the Department of Social Services (DSS).

PLACEMENT and AFTERCARE

The state's youth correctional institutions are operated by the state executive through the Department of Social Services, Institutional Services Division (ISD). The funding scheme for the facilities is 50% state and 50% county. Private placements are licensed through the DSS and funded in the same manner as the public institutions. Aftercare is a component of the Kentfield Project.

MINNESOTA

PROBATION

COUNTY/JUDICIAL
COUNTY/and STATE EXECUTIVE or
STATE/EXECUTIVE

Juvenile probation is locally funded by the county executive under the state's Community Corrections Act. This Act sponsors various community based programs such as intensive probation and aftercare. Intake is under the auspices of the county prosecutor's office. Probation's role is to screen out certain charges such as status offenses.

STARTING SALARY

RANGE: \$21,492 to \$35,992
AVERAGE: \$27,924

Juvenile Probation Officers are hired through the County Judiciary in fifty (50) counties. The amount of state community corrections funding for salaries is decided by each jurisdiction. In essence, the community corrections fund is a general stipend given to the counties for use at their discretion. As a result, the state maintains three distinct administrative systems.

DETENTION

Is locally funded and administered by judiciary and executive.

PLACEMENT and AFTERCARE

Is administered by the state executive through the Department of Corrections (DOC). Funding for both public and private facilities is through a combination of state and local dollars. Under the Community Corrections Act, the state discourages placements in the public facilities by increasing the per diem rates and eliminating its aftercare services. Most aftercare is now being absorbed by the county probation offices.

MISSISSIPPI

PROBATION

COUNTY / EXECUTIVE and JUDICIAL
STATE/EXECUTIVE

Juvenile probation is funded by the board of county supervisors in five (5) urban counties. These departments are administered by the presiding judges who make all policy and personnel decisions. The remainder of the state is funded and administered through the Department of Youth Services (DYS). DYS employs Youth Counselors and assigns them to the county courts.

STARTING SALARY

RANGE: \$15,600 - \$23,376 State
Varies County

Probation officers working in the county departments answer to both the board of county supervisors and the court judges. The Youth Counselors are state executive employees.

DETENTION

There are a limited number of detention facilities and the county programs must rely upon available shelter care space to hold juvenile offenders. Detention and shelter care placements are funded through the counties.

PLACEMENT and AFTERCARE

DYS operates the state's correctional institutions and provides aftercare services for all of the probation departments. There is a rather limited number of placement facilities located within the state. Youth who are placed at the correctional institutions are under the custody of the state executive. However, county probation is mandated to keep monthly contacts and the court has the authority to release at its discretion.

MISSOURI

PROBATION

COUNTY / JUDICIAL

Juvenile probation is locally funded and administered by the Circuit Court. Though the departments are funded by the county executive, the circuit court judges have control over the budgetary decisions. Intake which is called case assessment is part of the probation function. Restitution is facilitated by judicial order and is handled by the accounting department.

STARTING SALARY

AVERAGE: \$21,600

Personnel matters are facilitated by the court. The presiding judge is the final appointing authority.

DETENTION

The detention centers are funded and administered in same manner as probation. The Department of Social Services, Division of Youth Services (DYS) reimburses the county at an \$8 per diem rate.

PLACEMENT and AFTERCARE

Placements in the state's youth correctional institutions are funded and administered by the state executive through DYS. Other residential placements such as community-based group homes and foster care are administered by the circuit court or private providers. The state reimbursement rate is the same as for detention. If a youth is under state custody DYS will contract with the court for placement services at a \$45 per diem rate. Aftercare is also provided through DYS.

MONTANA

PROBATION

DISTRICT/JUDICIAL

Probation services are organized and administered through the district courts. The budget must be approved by the county commissioners. However, the law provides the court with a great deal of autonomy and control over fiscal policy. Intake is a component of the probation operation.

STARTING SALARY

AVERAGE: \$18,050

Salaries vary from judicial district to judicial district. Personnel decisions are made at the discretion of the district judiciary.

DETENTION

The district court designates space in jail facilities which hold youth in segregated units. Placement are operated and funded through the county sheriff's department.

PLACEMENT and AFTERCARE

Placements in the state's two (2) youth correctional facilities are funded and administered by the state executive through the Department of Family Services (DFS). Private placements receive some county funding, but are primarily subsidized by the state. Aftercare is provided by DFS as well.

NEVADA

PROBATION

COUNTY/JUDICIAL

Juvenile Probation is administered through nine (9) judicial districts within the state. It is locally funded with each district receiving a small state subsidy designed for non-placement services such as intensive probation and status offender counseling. Intake is a function of the probation operation.

STARTING SALARY

AVERAGE: \$21,700

Probation Officers are hired by the district court judges.

DETENTION

Similar to probation in that it is county funded and administered by the district judiciary. State probation subsidies can be used to offset costs and is calculated based upon the school age population.

PLACEMENT and AFTERCARE

The state's youth correctional facilities known as Training Centers are funded and administered by the state executive. Private placements entail a nominal local commitment which is \$50 per month per child/youth in care. Aftercare is also provided by the state executive through the Department of Human Resources Youth Parole Bureau.

NEW HAMPSHIRE

PROBATION

STATE/EXECUTIVE

Beginning in 1988, juvenile probation services were provided by the Department of Health and Human Services, Division for Children and Youth Services (DHHS). It is a state funded operation and administered through the Governor's cabinet. Intake is a component of the probation function. Special programs such as intensive probation are provided through private contracts. Probation is designed around a Children and Youth Services model. The role of the courts is limited to making procedural decisions and limits its scope to adjudications. Judges have relinquished their control over the administration of probation as well as its budget.

STARTING SALARY

\$21,000

Probation officers under this system are called Juvenile Service Workers. With the transfer of probation from the Department of Corrections (DOC) to the DHHS, existing staff members experienced cuts in pay and the loss of certain fringe benefits. DOC continues to administer adult probation.

DETENTION and SHELTER CARE

DHHS operates the state's detention and shelter care programs. Through the New Hampshire Settlement Bill, local municipalities fund 25% of the placement costs.

PLACEMENT and AFTERCARE

Is administered and funded in the same manner as detention and shelter care.

NEW JERSEY

PROBATION

COUNTY / JUDICIAL

Probation is funded by the county and administered by the juvenile court. The Administrative Office of the Courts provides general supervision and sets standards. There is a movement toward greater state level judicial authority. Probation entails post-adjudication services as well as all child support collections and disbursements. The New Jersey Supreme Court has established case management offices to provide diversion and intake services. These offices are administered by the state judiciary.

STARTING SALARY

RANGE: \$15,000 - \$21,000

Salaries vary from county to county. They are generally lower in the less populated southern region of the state and higher in the more densely populated north.

DETENTION

Detention home programs are funded and administered by the county executive.

PLACEMENT and AFTERCARE

The Department of Corrections (DOC) operates the state's two (2) youth correctional facilities. These programs are funded and administered by the state executive. Aftercare is also provided by the DOC. Juvenile Court decides the type and length of placements.

NEW YORK

PROBATION

COUNTY / EXECUTIVE or
STATE / EXECUTIVE

Juvenile and adult probation are integrated into one department. In 61 of the state's 62 counties probation is administered by the county executive. The state funds 46% of the staff salaries as well as training expenses. Operating expenses are paid for by the county. The intake function is a component of the probation operation. Departments must comply with standards established by the Executive's Department of Probation and Correctional Alternatives. The City of New York operates its own correction system.

STARTING SALARY

AVERAGE: \$22,000

Probation staff are hired through the State Civil Service Commission in all but six (6) of the larger metropolitan counties. Salaries are generally higher in the urban areas of the state.

DETENTION

Is funded and administered through the state executive by the Department of Social Services (DSS).

PLACEMENT and AFTERCARE

These services are state funded and administered by the Executive Department, Division for Youth (DFY). DFY operates community-based placement programs and provides aftercare supervision. The City of New York operates a separate youth placement system.

NORTH DAKOTA

PROBATION

STATE/JUDICIAL or
STATE/EXECUTIVE

Juvenile probation services are state funded and administered through the Supreme Court Administrator's Office. Departments are organized into seven (7) judicial districts across the state. State funding covers wages, benefits, and some operating expenses. The counties pay rental and utility costs. Intake is part of the judicially administered probation operation. Youth placed on probation who also take part in other specialized services such as vocational training, day treatment, intensive aftercare and independent living are supervised by social workers employed by the State Youth Authority under the state executive.

STARTING SALARY

RANGE: \$17,640-\$20,286

Probation Officers are considered state judicial or executive employees.

DETENTION

Detention consist of holding facilities within the local jails. They are funded by the counties and administered by the sheriff's department.

PLACEMENT and AFTERCARE

Legislation to establish a Division of Juvenile Services within the Department of Corrections and Rehabilitation was signed into law effective 7/1/89. The purpose of the legislation is to consolidate juvenile correctional agencies under DOC. Placement in public facilities is state funded. Once committed, a youth is a ward of the state until he/she is released from aftercare. The Division of Juvenile Services maintains custody of the juvenile during the period of placement and aftercare. In some instances the Division has complete authority over dispositional decisions, while in other cases it is restricted at the discretion of the local court. Placement and aftercare services are administered by the state executive. Private placements are funded through a combination of state and local revenues.

OHIO

PROBATION

COUNTY/JUDICIAL

The juvenile probation system in the state is county funded and administered through the judiciary. There are state subsidies used to supplement salaries, fund training, and cover a percentage of community-based placement costs. The state subsidies cannot supplant existing services. Some counties receive federal grants to provide intensive probation services. The state was described as having three types of juvenile courts: 1. Unified: Juvenile Court only; 2. Family Court: Juvenile Court and Domestic Relations; and 3. Probate/Civil Court: Juvenile Court and Probate.

STARTING SALARY

AVERAGE: \$19,000-\$20,000

Probation officers are hired by the judges but funded through the county executive. Most personnel decisions are made by the judiciary. There are some federal grant funds which are used to pay the salaries for staff in special programs.

DETENTION

Detention is funded and administered in the same manner as probation. The state subsidy is a reimbursement system similar to Pennsylvania's Act 148 program.

PLACEMENT and AFTERCARE

The state's youth correctional facilities are operated by the state executive through the Department of Youth Services (DYS). The financial scheme entails state funding for the public institutions and a combination of state and local dollars for the private programs. Counties can use their state subsidies to pay a percentage of community based placement costs. Aftercare is provided by DYS in the rural counties and operated by the probation department in the metropolitan areas. DYS maintains custody and control over youth placed in the state correctional facilities and determines the type and length of placement.

OKLAHOMA

PROBATION

COUNTY / JUDICIAL or
STATE / EXECUTIVE

Juvenile probation is a county funded judicially administered operation in three (3) urban counties. These counties which include the cities of Tulsa, Oklahoma City and Norman comprise 80% of the state's population. The Department of Human Services (DHS) provides probation services for the remaining fourteen (14) smaller, rural counties. Intake is part of the probation function.

STARTING SALARY

RANGE: \$18,504 - \$20,904 County

Personnel decisions are made in cooperation between the county executive and district judiciary. The starting salaries for the state operated departments are somewhat higher.

DETENTION

The three (3) metropolitan counties operate their own detention facilities. The state either operates or licenses regional centers. The state reimbursement rate is 90%.

PLACEMENT and AFTERCARE

DHS funds and operates the state's residential facilities. The Division of Children and Youth Services provides aftercare services to all counties.

RHODE ISLAND

PROBATION

STATE/EXECUTIVE

Since 1980, the state has maintained a centralized program for children and youth services which include probation. Services are funded by the state and administered through the executive by the Department of Children and Families (DCF) at eight district offices. Intake and diversion programs are facilitated by state judiciary through the Family Court's Juvenile Unit.

STARTING SALARY

\$24,164 EFFECTIVE 7/1/89

The entry level Probation Officer Counselor requires a baccalaureate degree in criminal justice or social services. The state offers educational and longevity bonuses. Over 90% of probation staff have earned master's degrees. After 2 1/2 years of service the Probation Officer Counselor's annual salary is \$30,668.

DETENTION, PLACEMENT and AFTERCARE

These services are state funded and administered through the DCF's Division of Juvenile Correctional Services. Family Court maintains control and custody of any child or youth while they in placement.

TENNESSEE

PROBATION

COUNTY / JUDICIAL or
STATE / EXECUTIVE

In the larger urban areas such as Memphis, Nashville, Knoxville and Chattanooga; probation is county funded and administered by the court. In the rural counties probation is state funded and administered by the governor through the Department of Corrections, Division of Youth Services (DOC). Intake is a component of the probation function. The departments that are located in the urban counties tend to have more comprehensive services. Status offenders are supervised by probation.

STARTING SALARY

RANGE: \$13,500 - \$17,000

In the county/judicial departments, the judges are the hiring authority. A starting probation officer can expect a 7 1/2% salary increase upon successful completion of a year of service.

DETENTION

Is funded and operated by the county courts. The detention home budget is developed by the judges but must be approved by the board of county commissioners.

PLACEMENT and AFTERCARE

The state operates three (3) youth correctional institutions through the DOC. Funding for these placements are provided by the state. DOC contracts and licenses a number of private community-based programs. Aftercare is also provided through the DOC.

TEXAS

PROBATION

COUNTY/JUDICIAL

Juvenile probation departments are operated at the county level and administered by Juvenile Boards which are composed of the President Judge and Judges from Family Court, Civil Court, Criminal Court, Juvenile Court and District Court. The funding scheme is 90% county and 10% state. Beginning in 1990, the Texas Juvenile Probation Commission which is under the State Executive will increase the state subsidy to 30% and will cover personnel, training, travel, and operating expenses. The county judiciary establishes and enforces all policies and procedures related to the probation operation. The intake department facilitates diversion programs and works with the District Attorney's office in bringing cases before the court. Probation also provides services to status offenders.

STARTING SALARY

AVERAGE: \$18,000

Salaries are set by the Juvenile Boards and vary from county to county. Probation officers are locally hired, judicial employees.

DETENTION

Detention home programs are operated and funded in the same manner as the probation departments. Most are regional facilities which are administered through the participating juvenile boards.

PLACEMENT and AFTERCARE

Delinquent youth who are committed are placed into the custody of the Texas Youth Commission (TYC) which operates the reception centers, training schools, camps, and community-based programs. Most of the state funding for juvenile offenders is directed toward out of home placements and serves to supplement county funds which are also used for placement expenses. TYC is under the state executive. Aftercare services are provided by the TYC's Community Services Division.

UTAH

PROBATION

STATE/JUDICIAL

Juvenile probation is funded and administered by the Utah Judicial Council through the Administrative Office of the State Juvenile Court. The State Judicial Council is presided over by the Chief Justice of the State Supreme Court and composed of thirteen (13) other judicial members. The Board establishes all policies and standards which is enforced by the State Court Administrator. Probation departments are organized into eight (8) districts which serve the twenty-nine (29) counties in the state. Intake, intensive probation, and restitution services are all functions of the probation operation.

STARTING SALARY

\$19,085

Probation officers are hired through a merit system similar to Pennsylvania's State Civil Service Commission. The State Court Administrator is given the authority to handle personnel matters. After three (3) years of service, a probation officer's annual salary is \$23,094.

DETENTION, PLACEMENT and AFTERCARE

These services are provided through the state executive by the Department of Social Services, Division of Youth Corrections.

VERMONT

PROBATION

STATE / EXECUTIVE

Juvenile probation is funded and administered by the state executive through the Department of Social and Rehabilitation Services, Social Services Division (DSRS). Probation entails post-adjudication supervision. Departments also provide protective services to abused and neglected children. Intake is handled by either the police or the state's attorney. The role of the court is to adjudicate with no control over dispositions. In essence, this is a social work model of probation.

STARTING SALARY

AVERAGE: \$18,000

Personnel decision are made through the state executive.

DETENTION

There is one (1) detention center located in the state. It is funded and operated by the DSRS.

PLACEMENT and AFTERCARE

The state's youth correctional facility is located on the same grounds as the detention center. It is also funded and operated by the DSRS. The state licenses and funds a number of private non-profit and church related placement programs. Aftercare services are provided through the probation department.

VIRGINIA

PROBATION

DISTRICT / JUDICIAL or
STATE / EXECUTIVE

Juvenile probation is funded and administered by the courts in four (4) urban districts. These departments receive 50% state funding. In the remainder of the Commonwealth, juvenile probation is a state executive operation administered by the Department of Corrections, Division of Youth Services (DOC). In 1990, the Division of Youth Services will become a separate department from DOC. There is a statewide movement to consolidate all juvenile probation services under the state executive. The Division of Youth Services (DYS) coordinates a variety of in-home programs which include intake, intensive probation, and restitution through the court service units.

STARTING SALARY

\$21,666 Northern Virginia
\$19,817 Rest of the state

Probation officers are called Youth Service Workers and are assigned to the court service units in the various districts. They are state executive employees.

DETENTION

Detention facilities are established on either a local or regional basis. The state funds 50% of the building costs and up to 90% of the operating expenses.

PLACEMENT and AFTERCARE

All public and private facilities are funded through the state. DYS can decide the type of placement as well as the length of commitment. State law permits DYS to move youth committed to the state learning centers to private facilities if it is deemed appropriate. DYS administers aftercare which is provided by the court service units.

WASHINGTON

PROBATION

COUNTY / EXECUTIVE and JUDICIAL

The state has reverted from a unified judicial system to a more decentralized model. In four (4) counties, probation is a pure county executive operation. Most of the departments could be described as being executive and judicial in its administration. Funding for probation is a local responsibility. The intake function is handled by the county prosecutor's office. State funding for community-based services is provided by the Consolidated Juvenile Services Act (CJS). CJS funds such programs as diversion, educational liasons for the local school districts, sex offender counseling, intensive probation and diagnostic assessments.

STARTING SALARY

RANGE: \$22,800

Probation officers with five (5) years of service can make up to \$31,412 annually. Personnel matters are handled by the county executive.

DETENTION

Is funded and administered in the same manner as probation. CJS funds are provided to pay for bed space in the detention facilities. The state sponsors the 222 Program which uses the detention facilities as a short term placement center. Counties are reimbursed at a \$60 per diem rate for youth placed in this program.

PLACEMENT and AFTERCARE

Placements in the state's youth correctional facilities are funded and administered by the state executive through the Department of Social and Health Services, Division of Juvenile Rehabilitation (DSHS). Aftercare is also a DSHS responsibility.

WEST VIRGINIA

PROBATION and AFTERCARE

STATE/JUDICIAL OR
STATE/EXECUTIVE

The funding for juvenile probation services is through the state. Sixty-five percent (65%) of the departments are under the supervision of the State Supreme Court of Appeals. Thirty-five percent (35%) of the departments are under the supervision of the Department of Human Services (DHS). It was pointed out that there are certain philosophical differences in that the judicially administered departments are more placement oriented. Intake and aftercare are functions of the probation operation.

STARTING SALARY

AVERAGE: \$16,000-\$17,000

Youth Services Unit Staff are state employees, but, are hired through the local judiciary.

DETENTION

DHS operates four (4) regional detention facilities. Two (2) other detention home programs are locally administered and funded.

PLACEMENT

The state funds and operates two (2) youth correctional facilities which is administered by the Department of Corrections (DOC). Private placements are regulated and partially funded through DHS.

WISCONSIN

PROBATION

COUNTY / EXECUTIVE

Juvenile probation is locally funded through the county executive and administered by the judiciary. The state has implemented a Youth Aid Fund which is designed to establish in-home programs which will prevent placements. However, these state funds must first be used by the county to cover any placement costs of youth in the state correctional facilities. As a result, state funding for programs like intensive probation is contingent upon the amount of dollars diverted to the institutions. Intake is considered a part of the probation function. In a number of counties intake is part of a general health and human services network of agencies.

STARTING SALARY

VARIES

The state trend is that the larger urban counties pay higher salaries. In these counties, an average annual starting salary is approximately \$23,500. Personnel decisions are shared by the county executive and court judges.

DETENTION

There are five (5) detention centers located within the state. They are locally funded and administered in the same manner as probation. There is no state financial support for detention except for federal grant funding that is funneled through the Office of Juvenile Assistance (State/Executive).

PLACEMENT and AFTERCARE

The state's youth correctional facilities are administered and funded through the state executive. As previously mentioned, the county's Youth Aid allotment must be used to cover a percentage of the placement costs. Youth who are committed to the state facilities are under the custody of the state through the Department of Health and Social Services (DHSS). Aftercare is funded through the Youth Aid funds. Counties have the option to use DHSS aftercare or to operate it through their probation department.

WYOMING

PROBATION

COUNTY / JUDICIAL or
STATE / EXECUTIVE

Most of the juvenile probation departments are funded by the state and administered by the executive. There are approximately six (6) county judicial operations. Intake is a component of the probation function. Adult and juvenile services are integrated into one department.

STARTING SALARY

RANGE: \$18,060 - \$19,128

The Technician Level position requires a baccalaureate degree with no prior experience and pays at the lower end of the range. The Specialist Level position requires a four year undergraduate degree and at least two (2) years of related work experience.

DETENTION

The Board of Charities And Reforms which is composed of the Governor, Secretary of State, State Auditor, State Treasurer, and the Superintendent of Public Instruction licenses and funds detention centers which are owned and operated by private non-profit corporations.

PLACEMENT and AFTERCARE

Placements are funded and administered by the Board of Charities and Reforms. There are no organized aftercare services for juveniles. However, it is randomly provided by some probation programs on a case by case basis.

JUVENILE PROBATION ADMINISTRATION
STATE SUMMARIES

1. How is the juvenile probation operation funded and administered?

Local/Judicial - 13: Alabama, Arkansas, Arizona, District of Columbia, Illinois, Indiana, Michigan, Missouri, Montana, Nevada, New Jersey, Ohio and Texas

State/Executive - 8: Alaska, Delaware, Florida, Maine, Maryland, New Hampshire, Rhode Island and Vermont

Local/Judicial & State/Executive - 6: Georgia, Louisiana, Oklahoma, Tennessee, Virginia and Wyoming

State/Judicial - 4: Colorado, Connecticut, Hawaii and Utah

Local/Executive & State/Executive - 4: Idaho, Kentucky*, Mississippi and New York
*Intake and Informal Probation are State Judicial functions

Local/Executive - 2: California and Wisconsin

State/Judicial & Executive - 2: North Dakota and West Virginia

Local/Executive & Judicial - 1: Washington

Local/Judicial, Local & State Executive, or State/Executive - 1: Minnesota

There are some distinctive regional trends which relate to the various models. The local judicial systems appear to be located in the mid-atlantic and mid-western industrialized states including New Jersey, Ohio, Indiana, Illinois, Michigan, Missouri and Texas. These systems are similar to Pennsylvania in that they are locally administered by the court, funded through the county and in varying degrees monitored by the state. It is noteworthy to mention that several of these states have begun

informal discussions about the utility of continuing with a local judicial administered system.

Several of the smallest states such as Delaware, New Hampshire, Rhode Island and Vermont are state executive operated systems. These particular states tend to follow a social services model with the judiciary serving in a fact finding capacity. This is also true for the states of Florida and Alaska. The judiciary appears to assert more control over the probation operations in Maryland and Maine.

The dual local judicial and state executive systems were located predominately in the south and include the states of Virginia, Tennessee, Georgia, Louisiana, Oklahoma and Mississippi (though the latter is a local executive and state executive system). Information on these rural southern states is somewhat deceptive. In these states the local judiciary administers the departments in the larger cities while the state executive manages the less populated rural areas. It is worth noting that the vast majority of each of these states' population is concentrated in a few urban counties. While a majority of the counties are state executive administered they comprise only a small fraction of the states' total population. As a result, the local judiciary exercises a significant degree of control over probation operations in these states.

The state judicial systems are operated in several western states such as Colorado and Utah. In these states juvenile probation services are administered through the Administrative Office of the Courts. However, the local courts still play a

prominent role in the operation of their respective departments.

Though the local judicial model was the most prevalent system noted in the survey, with a total of thirteen states, there is a definite national trend toward state administered systems. In the survey eight of the states were state executive, four were state judicial and two were a combination of state executive and judicial. The arguments for the centralized systems have focused upon the need for greater standardization and uniformity, the need to upgrade the quality of juvenile probation services in rural communities, the need for more effective court management, and the development of a stable funding source for the juvenile system. Though most of the respondents agreed that the transition to a centralized system would be beneficial, the fear was expressed that state operations tended to create a more detached bureaucracy and that the loss of local judicial ownership meant less investment in the probation programs. There were also concerns expressed that standardization would inhibit local innovation and lead to a mediocre system of programs. It became evident that these issues demand an informed and involved judiciary as a vital part of charting the future of probation services. Whether these centralized systems continue to be court administered or transferred to the state executive depended upon the degree of judicial leadership and political advocacy.

2. Is intake part of the probation function?

In the Local Judicial operations intake is generally a component of the probation system. In the state executive systems intake is typically a component of a generic social

services assessment model. Many of these systems combine probation with children and youth services. In four states, Colorado, Louisiana, Minnesota and Washington, intake is handled by the District Attorney or County Prosecutor. In three other states, Kentucky, New Jersey and Rhode Island, intake is administered separately through the state judiciary.

3. How is detention funded and operated?

In the vast majority of states detention is a locally funded and administered operation. Regionally shared facilities are generally the most common method of handling program costs. Several states including Alaska, Maine, Montana and North Dakota continue to use available jail space to house juvenile offenders.

4. Who funds and administers the state's public youth correctional facilities?

Pennsylvania, Michigan and Indiana are the only states which are not completely state funded. Moreover, in most states when a juvenile is committed to placement he/she is placed under the custody of the state executive's designate which is generally an agency similar to the Commonwealth's Department of Public Welfare. Custody is maintained through aftercare which is also a function of the placement service. One other point of importance concerns the issue of court control over the placement decisions. In most states the court has no control over the type or length of placement. However, there are some exceptions. In Louisiana, Mississippi, North Dakota and Rhode Island the state executive maintains custody but dispositional decisions are shared with the

local judiciary. In New Jersey, the court continues to control placement decisions even though the state pays the expenses.

5. Describe the state's network of private placement facilities?

Few states have as comprehensive a network of private placement agencies and programs as Pennsylvania. Certain southern and western states have practically no placement options other than their public facilities. In several states, local probation departments run community-based programs. Funding for the private facilities is through a combination of state and local dollars. In certain states such as Arizona, Delaware, Utah and some of the New England states, private placements are state funded as well.

6. How are aftercare services provided?

For the most part aftercare is operated and administered by the states' youth correctional facilities. In several states with centralized probation operations such as Maine, Vermont and West Virginia, aftercare is operated by the probation department.

7. What are the starting salaries for the probation staffs?

Upon review of the starting salary ranges the survey concludes that the Commonwealth is among the lowest paying systems in the country. Pennsylvania is comparable to several southern states and higher than only one, Indiana. The survey also found that most probation staffs are professionalized in that the minimum requirement for an entry level position is a baccalaureate degree generally in the area of criminal justice or

the social sciences. In addition, most states have developed some form of a merit selection process.

8. Who is the hiring authority?

The personnel decisions are made by the county or district judiciary in the local judicial systems. In the state judicial systems the personnel selection process is handled through the Administrative Office of the Court while the local judiciary selects or sanctions the candidates. In the state executive systems the hiring responsibility is a function of an agency similar to the Commonwealth's Department of Public Welfare. In the dual local judicial and state executive systems both the local judiciary and the state executive handle personnel decisions for their respective systems. The survey noted three states which are organized as county judicial and executively managed systems. In these states personnel decisions are made either by the President Judge or the county executives.

9. How is staff training facilitated and funded?

Though most states provide state funded training only a few provide comprehensive programs. Virginia offers a certification program in family therapy. California provides a 200 hour probation certification program. Several states are attempting to attain American Correctional Association accreditation for their training programs or are exploring other certification programs. There is a national interest in the development of these types of programs.

10. Does the state maintain written standards for probation services and how are they enforced?

Those states with centralized operations do have written standards and an enforcement agency. Generally enforcement is a function of the Administrative Office of the Court or an agency similar to the Commonwealth's Department of Public Welfare for the state executive systems. There are states similar to Pennsylvania which are decentralized that have established standards, but allow varying degrees of local autonomy in interpretation and compliance. In other states the system is rather fragmented and appears to lack uniform standards.

SECTION III

The Transition States

SECTION III

THE TRANSITION STATES

Nine states were able to be identified that have restructured their system involving a change in branch or level of government in the past ten years where the probation system was affected. Among these states there appears to be a clear trend:

Iowa, Kansas, Massachusetts, Nebraska and South Dakota	local judicial to state judicial
North Carolina	local executive to state judicial
New Mexico	state judicial to state executive
South Carolina	local judicial to state executive
Oregon	local judicial to local executive

Both the states of Alabama and Michigan are also currently debating the pros and cons of state vs. local, judicial vs. executive administration of juvenile services.

IOWA

Probation

State / Judicial

Intake, intensive supervision and restitution functions are included. Counties provide office space, existing furniture and equipment and utilities. Salaries, benefits, any new equipment purchases and all other operating expenses are fully funded by State. All 175 of the State's probation staff are Judicial Department employees under Iowa's Administrative Offices of the Supreme Court. The District Court Administrator, as an extension of the AOC, is the hiring authority.

Starting salary

\$19,000 - \$20,000

Adjusted \$2,000 - \$3,000 after first year. Most officers earn \$25,000 - \$28,000 with an average tenure of seven years. The official interviewed was not sure of the starting salary because they have not experienced any turnover for several years.

Detention

Counties still administer and fund detention services entirely. Some of the newer facilities are regional and costs are shared between counties.

Placement

The State's Department Human Services (DHS), an executive branch agency, oversees the State's two institutions and provides parole (aftercare) services attached to the institutions. No county funds used. DHS contracts for a range of private sector community based programs. The court has the option to either give custody of a child requiring placement to DHS or to the probation officer, ordering DHS to pay for the placement. The court maintains control over when the child is released. The counties are required to pay only for outpatient counseling, the cost of court appointed attorneys and the cost of transportation to placements.

Structural Transition

Probation went from a local / judicial system to its current structure in July of 1985. This was part of a five year restructuring that affected all of the court related offices. The impetus for change was primarily to achieve uniformity across the State. While a few judges disliked the change because of the loss of control, there was little opposition because the majority of judges did not like serving in juvenile court and the new system allowed for local referees to be appointed. Some advantages of the transition that were noted included: more consistent treatment of children and staff; pay equity achieved; a more consistent training program (new officers participate in one month's training in their first year of work); peer juries and a statewide restitution program has started. Several

disadvantages included: the bureaucracy was not prepared to handle the increased administrative responsibilities; the AOC has a lack of sensitivity to the juvenile system; they are slow to respond to bugetary needs; a loss of legislative advocacy was experienced (in the past a juvenile court officers association served this function and they are now allowed to meet only once each year); an outward bound program was lost because of conservative judicial department fears about a potential suit.

KANSAS

Probation

State / Judicial

Intake, intensive supervision, restitution functions are included. Counties provide office space, utilities, hardware and operating expenses. Salaries, benefits and travel are fully funded by State. It is still felt that there is a degree of local autonomy in administering operating budgets. Local administrative judge is the hiring authority from qualified candidates who meet State specified minimum educational/experience requirements (or Judge can delegate authority). Once hired, probation staff are covered by court personnel protection policies and become tenured (comparable to civil service).

Starting salary

\$22,643

There are four classifications for probation officers.

Detention

Counties still administer and fund detention services. The State (DSRS) reimburses counties a per diem on six levels depending on the circumstances surrounding the detention. Typically the State funds amount to only a small fraction of the total detention costs.

Placement

The State's Department of Social & Rehabilitative Services (DSRS), an executive branch agency, operates the State run institutions, group homes and provides parole services attached to the institutions. No county funds are used. When the court decides to place it commits the child to DSRS. A small number of private sector programs are under contract.

Structural Transition

Corresponding to the State's becoming a unified judicial system, probation went from a local / judicial function to its current structure. The law was changed in 1977. The transition largely took place during 1978 and in 1979 full implementation was achieved. The courts lost control over specific placement and length of stay when the perception grew that they did not care how much the services cost. The State has since reduced the average stay which has saved funds. Some advantages that were cited include: uniformity; improved training; improved salaries and benefits for probation. The judges were not oppositional as they retained hiring authority and because the transition was gradual. Several disadvantages that were noted include: has hampered innovativeness, counties are prohibited from adding to court budget to create special programs; some claim the State is forcing them to become mediocre but it has helped counties which

were not progressive before the transition. Efforts to become more progressive, creative and proactive with programming are beginning to be made but the State is slow to respond. Kansas similarly has two major urban centers with the remainder of the State rural. The urban/rural differences need to be taken into account. There needs to be an active legislative advocacy function in order for the system to be more responsive.

MASSACHUSETTS

Probation

State / Judicial

The four largest jurisdictions have their own separate juvenile court. In all other of the 68 jurisdictions the juvenile court is a part of the district court and probation handles all juvenile and adult misdemeanants. Intake, intensive supervision, restitution functions are included. Counties still control office space and fund the utilities. However, as they are not adequately maintaining the facilities the State is gradually assuming full responsibility. The Commissioner of Probation within the AOC approves the hiring decisions made by the local judges. All probation officers are State employees and members of a single union.

Starting salary

\$30,459 as of 7/1/89

In seven years a line PO reaches a maximum salary of \$38,075.

Detention

Detention is entirely State administered and funded under the Department of Youth Services (DYS).

Placement

Except in the City of Boston which has a few of its own community based programs the State's Department of Youth Services (DYS), an executive branch agency, operates the State run institutions and provides parole services attached to the institutions. The DHS also contracts with a myriad of private providers for a range of other community based programs and services. No county funds are used. When the court decides to place a child in any program "which costs money" it commits the child to DHS and the judge relinquishes further control of the case.

Structural Transition

In 1978 probation went from a local / judicial function to its current structure. At that point the court funding through county assessments ended and the newly unified court began to be funded out of the State's general fund. At that time probation unionized and salaries rose substantially. With this restructuring departments that had insufficient staff and resources faired well. Some of the already strong departments were weakened. Overall, the system was felt to have benefited. Some departments have felt bogged down in adhering to standards. It was further noted that with the multitude of other competing concerns, the Chief Administrative Judge has little concern with probation. Many of the judges also view "their probation staff as Court Service Officers, who should be seen and not heard." The State's Chief Probation Officers, who perceive themselves having a far greater role, have recently arranged for legislation

to be introduced to create a separate judicial department for probation. Failing that effort their plan is to attempt to have probation moved to the executive branch.

NEBRASKA

Probation

State / Judicial

The three largest cities have their own separate juvenile courts. Throughout the State there are nineteen probation districts in 93 counties with a total of 168 probation staff. Intake, intensive supervision (provided in two districts only), and restitution functions are included as probation responsibilities. Counties provide the office space, fund the utilities and most other operating expenses. The State pays probation salaries, benefits, travel and training.

Starting salary

\$16,823

Detention

Regional detention facilities are locally administered throughout the State, the cost of which is shared entirely between the counties.

Placement

The State's Department of Correctional Services, Division of Juvenile Services (DCS), an executive branch agency, operates the State's two institutions and provides parole (aftercare) services attached to the institutions. Other than Boys Town, which the State's Department of Social Services partially funds, there are few private sector services in Nebraska.

Structural Transition

In 1985, corresponding to the State's becoming a unified judicial system, probation went from a local / judicial function to its current structure. A nine member committee was established comprised of Judges and Chief Probation Officers to advise the State Probation Administration under the Supreme Court on probation programs and issues. With this restructuring some judges still harbor resentment over the loss of control and are dissatisfied with probation services. Overall, the system was felt to have benefited more than diminished. It was also noted that since the transition the courts have had less concern for the probation officers' workload since they are no longer their employees. Alternatively, inequities in salaries between jurisdictions and training deficiencies have been resolved.

NEW MEXICO

Probation

State / Executive as of 7/1/89

New Mexico is on the verge of transition from a State /Judicial to a State / Executive probation system. Throughout the State there are thirteen judicial districts and probation staff were appointed by district judges. Intake, intensive supervision and restitution functions are and will continue to be included as probation responsibilities. In addition, probation will assume responsibility for CHINS (status offenders) under the newly created New Mexico Youth Authority. In this change judges will lose the hiring authority with probation.

Starting salary

\$17,000 approximately

Detention

Detention facilities are locally administered throughout the State. The cost of which is shared entirely between the counties. In a few more urban jurisdictions detention is a shared city/county operation.

Placement

The State's executive branch Department of Corrections (DOC) operates the institutions and provides parole (aftercare) services attached to the institutions. Other residential treatment, group homes, mental health or drug and alcohol placements or community based services are contracted and paid for through the executive branch DOC's Corrections Field Services.

Structural Transition

The restructuring which is currently in process is a compromise on a change which has been attempted for a number of years. Several times in the past few years legislation was introduced to move probation from the judiciary (AOC) to the Department of Corrections which several Judges had successfully fended off. In this case the effort was to create a separate executive branch department. A number of judges supported this action, most were reticent, only a few opposed the move and the action succeeded. There was a perception that in several jurisdictions "the judges and probation officers were not getting along, and the courts were happy to dump them" (probation). Purportedly, the AOC failed to exert the initiative and leadership to satisfy complaints of a lack of standardization and inconsistencies in practice from jurisdiction to jurisdiction. They were also subjected to criticism that there was no uniform data collection system in place. The AOC was also not effective with the legislature in getting sufficient money budgeted for services. It was further noted that when the AOC would try to exert control and answer complaints several local judges became independent and undermined the AOC's efforts. It was acknowledged that while

most are looking forward to the system becoming more uniform, certain exceptional programs may be sacrificed along with the autonomy of the more locally controlled systems. Already in preparing for the transition, fifty new positions were created but these are mostly administrative. It is too early to determine what the full impact will be.

NORTH CAROLINA

Probation

State / Judicial

Intake, intensive supervision, restitution and aftercare functions are included as probation responsibilities organized under the Juvenile Services Division of the AOC. Counties provide the office space and the utilities. The State pays probation salaries, benefits, travel, training and other operating expenses including telephone. The Chief Court Counselor (Chief PO) is appointed by the AOC Juvenile Administrator with the assent of the Chief District Court Judge and District Court Administrator.

Starting salary \$19,000

Increased to \$20,800 following two year probationary period and tops out at \$31,600.

Detention

Detention facilities in North Carolina are a mixture of county administered and state built regional centers. The cost of detention services is shared in a manner which defies assigning a simple percentage ratio but in most jurisdictions is primarily county function.

Placement

The State's Department of Human Services, Division of Youth Services (DYS), an executive branch agency, operates the State's delinquent facilities and contracts for a range of other private community based services.

Structural Transition

Various models were tried in North Carolina's cities to bring probation under the judiciary in the late 1960's. In the early 70's most other jurisdictions were then also brought under the AOC. For a few years "there were a few holdouts but all eventually came in." Prior to the AOC assuming the administration of probation it had been a function of the county/city social services department in the executive branch. Prior to the change there was considerable variation in the quality of services. The restructuring brought standards, training for officers was required and services improved across the State. While probation services are State administered, the offices and staff are still very sensitive to the wishes of the local judges, unlike the adult probation system which is under the executive.

OREGON

Probation

County / Executive

Intake, intensive supervision and restitution functions are included as probation responsibilities organized under the county executive branch. The State pays the counties a probation subsidy which is a negligible share of the total cost (\$11,000 of a \$750,000 budget in the jurisdiction contacted). The County Commissioners hire the probation staff and "the judges" have only a sign off responsibility."

Starting salary

\$18,000 - \$21,000

This was felt to be the average range of starting salaries.

Detention

Detention facilities in Oregon are the sole responsibility of the county executive branch to administer and fund.

Placement

The State's Department of Human Resources, Children's Services Division (DHR), an executive branch agency, operates the State's delinquent facilities and contracts for a range of other private community based services. Aftercare is a responsibility of the institution's staff but attempts are being made currently to transfer this function to probation.

Structural Transition

The juvenile probation departments became the responsibility of the county executive, removed from county judicial administration in 1987. Apparently the restructuring occurred as a result of ongoing feuds between the judges and commissioners in several jurisdictions. It was apparently at the initiative of the counties, there were no strong advocates to keep probation in the judiciary, and probation itself had no base of political power to prevent the move. Also, some probation staff were "playing both ends against the middle" between the judges and the commissioners, leading to both groups frustration. Interestingly, it has apparently made little or no difference. There has been no discernable effects on services, salaries or anything else.

SOUTH CAROLINA

Probation

State / Executive

Intake, intensive supervision, restitution, aftercare, prevention and diversion functions are included as probation responsibilities organized under the State executive's Department of Youth Services (DYS). Counties provide the office space and fund the cost of utilities. The State pays probation salaries, benefits, travel, training and all other operating expenses. The judges have no authority in hiring decisions for probation.

Starting salary

\$17,132

The line officers salary reaches a maximum of \$25,698 under the current schedule.

Detention

Detention facilities in South Carolina are the sole responsibility of the county executive branch to administer and fund.

Placement

The State's Department of Youth Services (DYS), an executive branch agency, operates the State's delinquent facilities and some group homes and specialized treatment programs. There are virtually no private programs in South Carolina. There are several marine programs along the coast where juveniles have the opportunity to learn scuba diving while working on their GED.

Structural Transition

Corresponding to the State's movement to a unified judicial system through the 1976 Judicial Reform Act, probation went from a local / judicial system to its current structure under the State executive branch. The impetus was to make the probation system as well as the courts more uniform. At this point the judiciary lost control as the hiring authority for probation. No significant impact on salary levels was felt to have occurred. It was also noted that very few staff have been added since that time but probation caseloads were averaging 45 in the regional office contacted for this information. Aside from the uniformity, which has made work between jurisdiction much simpler, another improvement noted was the addition of a statewide management information system for case information that was added several years ago. The change in South Carolina's system seemed to have taken place so long ago that further comparisons or contrasts were difficult to draw out. The person interviewed was not able to discern the rationale for the system's location in the executive branch rather than the judiciary.

SOUTH DAKOTA

Probation

State / Judicial

Intake, intensive supervision, restitution, and aftercare (since 7/1/88) functions are included as probation responsibilities organized under the State Supreme Court's Administrative Offices. Since the transition to a State operated system in 1975 the counties have paid a decreasing percentage of the cost of providing office space and utilities. The State will assume these costs entirely as of 7/1/89. All other costs of probation salaries, benefits, travel, training and other operating expenses are entirely borne by the State.

Starting salary \$18,400 - with no experience other than internship --a starting probation officer (known as a court services officer) can be paid up to 15% higher with qualifying experience with judge's approval.

Detention

Detention facilities in South Dakota are the sole responsibility of the county executive branch to administer and fund.

Placement

The State's Board of Charities and Corrections [as of 7/1/89 to become the Department of Corrections (DOC)], an executive branch agency, operates the State's adult and juvenile institutions. The State's Court Services Department which administers probation also oversees all foster homes and group homes for delinquent and status offenders. There are additionally some other private community based programs under contract. The cost of these services are entirely funded by the State.

Structural Transition

Probation was entirely county funded under the local judicial branch until mid 1975 when, through a constitutional amendment, the State established a unified judicial system and all the juvenile courts became part of the circuit court system. Initially the counties continued to pay a share of the cost of probation and court facilities with the thought that this would give them some control. They have since realized that they could not control the State judiciary and they became happy to relinquish the responsibility to contribute to these expenses. Several advantages were noted including: some areas that were not getting good (or any) services are now equally provided; there is a general contentment and good morale with uniform pay, training, hiring standards; the system is more visible to the public. There were also a few disadvantages cited including: some offices that were creative have lost some of their innovativeness but strategies are beginning to be used to create incentives to get existing talent to surface.

TRANSITION STATES TRENDS

Aside from the nine identified transition states, several other states reorganized the administration of the state delinquent institutions (or probation) from one executive branch agency to a separate agency, still under the executive. Those states include: Delaware, Hawaii, Louisiana, Maine, Montana, New Hampshire, North Dakota, Rhode Island and Virginia.

Of the nine states having undergone a transition:

In every state the average starting salary of a juvenile probation officer is higher than in Pennsylvania;

In eight of the nine of these states probation is a state fiscal and administrative responsibility;

In nearly all states detention is a local function funded solely by the local government;

In nearly all states aftercare is a function attached to the institutions, not probation. In one state probation has recently assumed the aftercare function and another is considering doing so;

In most states, once a juvenile is placed the court relinquishes control of the case;

In most of these States operating under a State/Judicial model, the local judges still enjoy a significant degree of responsiveness from the probation system;

Uniformity and standardization between jurisdictions was a key impetus in systems switching to a state administered model. While a few spokespersons noted a loss of innovativeness in some areas, changes can and are being made to stimulate the "talent to surface," and overall the whole state benefited as many jurisdictions which had little or no quality services have been strengthened;

Distinct differences are evident between urban and rural areas, and each needs to be treated accordingly in a structural transition. This is further reflected in the number of states where the systems are structured and administered differently in the rural and urban areas;

More important than the reorganizational model selected, how well the probation system fares is more a function of the strength of its leadership (and legislative advocacy) in whatever system it is administered;

In states in which the judiciary has not exerted leadership and attentiveness to juvenile probation issues the local judges have lost control of juvenile court services as a result of the transition process.

PROBATION ADMINISTRATION MODELS

State/Judicial (10 states)	Colorado, Connecticut, Hawaii, Iowa, Kansas, Massachusetts, North Carolina, Nebraska, South Dakota, Utah
State/Executive (10 states)	Alaska, Delaware, Florida, Maryland, Maine, New Hampshire, New Mexico, Rhode Island, South Carolina, Vermont
Local/Judicial (12 states & DC)	Alabama, Arkansas, Arizona, District of Columbia, Illinois, Indiana, Michigan, Missouri, Montana, Nevada, New Jersey, Ohio, Texas
Local/Executive (3 states)	California,* Oregon, Wisconsin

*California - Chief Probation Officer is appointed by the judge who also sets policy. It is still considered a local/executive model.

Combination States

Local/Judicial -- State/Executive (urban) (rural)	Georgia, Louisiana, Oklahoma, Tennessee, Virginia, Wyoming
Local/Executive -- State/Executive (urban) (rural)	Idaho, Kentucky,* Mississippi, New York
Local/Judicial -- Local/Executive	Washington
State/Judicial -- State/Executive	North Dakota, West Virginia

*Kentucky - Intake and informal probation is State / judicial; probation is either local/executive or state/executive

Minnesota - Fifty counties are local/judicial; 29 counties are joint local--state/executive; 8 smallest counties are state/executive

PATTERNS ACROSS THE FIFTY STATES

Salary

As might be reasonably anticipated in states where the probation systems are state administered the starting salaries of probation officers is substantially (30%) higher (\$19,460 - median in 20 states) than in Pennsylvania with a median salary of \$14,918. In the states where probation was locally administered or where it was a hybrid of state and local administration usually only a range of starting salaries was able to be quoted. In the eleven states which were purely local/judicial, similar to Pennsylvania, the range quoted was averaged in each state. The median average was \$18,025 or 21% higher than Pennsylvania. Only the state of Indiana at \$13,500 appeared to have a lower average starting salary. The states of Arkansas, Georgia, Louisiana, and Tennessee indicated roughly comparable ranges to Pennsylvania but any accurate mean or median figure was impossible to derive. Clearly though, Pennsylvania is at or near the bottom of the state rankings in probation salaries.

Turnover

While empirical evidence was not sought on this point the majority of states reported low turnover rates. Connecticut reported that the average probation officer had fifteen years tenure. Conversely, Indiana found in a recent personnel study that probation state-wide experienced a 90% turnover rate in six years.

Intake

In the majority of states probation handles intake. In several states intake is controlled by the District Attorney's Office: completely in Minnesota, Texas, and Washington; partially in Colorado and Louisiana. In a few states, typically state/executive administered systems such as Delaware, Florida and New Hampshire intake is a combined function handling delinquent and dependent children as well as youth referred for mental health and drug & alcohol problems. In Kentucky, New Jersey and Rhode Island intake is a state judicial function that is separate from probation.

Detention

In nearly all states detention is a county function funded solely by the counties. Some states like Alaska, Montana, North Dakota, Maine reported continuing difficulty in fully complying with the federal juvenile jail removal mandates.

Institutions

The state executive branch operates the public institutions throughout the country. In nearly every state the court transfers a child to the custody of the state executive agency

for placement in public or private facilities or programs and in doing so the court relinquishes further control of the case. Two exceptions that were discovered are:

Iowa may commit children to its Department of Human Services (DHS) to determine specific placement or place the child in the custody of a probation officer, ordering a specific placement (requiring DHS to fund the placement) and thereby retain control over when the child is released.

Hawaii can order a child placed and retain control of the case under probation supervision for a period of up to one year. Beyond one year the child's custody must be transferred to the executive branch DOC and all control is relinquished.

Only in Ohio, Michigan, and Indiana do local governmental entities share in the cost of placement in public facilities similar to Pennsylvania. Few states have the comprehensive network of private placement resources like Pennsylvania. Several southern and western states have virtually no placement options other than their public institutions. In a number of states, local probation departments (typically in more urban settings) run their own community based programs. The funding for these programs and other private placements comes from a combination of state and local funds in schemes that vary widely across the states. In many of the state administered systems the state funds the entire cost of all placement both public and private.

Aftercare

In most states (41) aftercare is a function attached to the institutions not probation and funded through the state executive agency. In two states Minnesota and South Dakota probation has recently re-assumed the aftercare function from the institution staff and another state was considering such a move.

SECTION IV

Summary Statements

Summary Statements on Court Unification and the Impact on
Juvenile Probation in Pennsylvania

1. By definition, court unification requires state funding of judicial services to replace varying levels of financial support now provided by the local government;
2. Successful transition to a unified system requires a recognition and understanding about the complexity and value of locally administered juvenile justice;
3. The eventual success of unification efforts require a recognition of the differences between rural and urban jurisdictions;
4. The eventual model under which juvenile probation might be administered is not as important as the leadership and advocacy provided during and after the transition process;
5. The clear trend in court unification nationally is a transition to state administration and funding of juvenile probation, either through the Administrative Office of the Courts in six of nine states, or to the state executive branch in two states;
6. In its simplest form, unification in Pennsylvania may increase the level of funding to juvenile probation departments through the existing grant-in-aid administered by the Juvenile Court Judges' Commission, a state executive branch agency;
7. It is highly unlikely that simply increasing the grant-in-aid reimbursement to counties will increase salaries of Pennsylvania's juvenile probation officers, among the lowest paid in the country;
8. It is anticipated that increasing the grant-in-aid reimbursement to counties will not diminish the tradition of local autonomy in administering specialized services;
9. In a more complex form, unification in Pennsylvania may transfer complete funding and administration of juvenile probation services to a state level executive branch agency such as the Department of Public Welfare or to the state judicial branch administered by the Administrative Office of Pennsylvania Courts;
10. In another transition scenario, the funding, standardization and administration of juvenile probation services might be transferred to the Juvenile Court Judges' Commission, as a separate state executive branch agency; or the Juvenile Court Judges' Commission may be subsumed by the Administrative Office of the Pennsylvania Courts;
11. It is likely that complete funding, standardization and

administration of juvenile probation services by the state, either through the state executive or judicial branches, will concurrently transfer juvenile probation officers to state employment;

12. It is likely that the transfer of employment of juvenile probation officers to a state authority will increase compensation levels in Pennsylvania;
13. It is possible, although not necessary, that hiring authority of juvenile probation staff would likewise be transferred to state jurisdiction. In many state judicial administered systems, the local judiciary retains hiring authority with the concurrence of the Administrative Office of the Courts, despite statewide funding and administration. In many state executive administered systems, the local judiciary has relinquished hiring authority;
14. It is possible, although not necessary, that many initiatives and specialized services developed in county juvenile probation offices would be diminished if the system is transferred to state funding and administration. It is more likely that current services and programs would be maintained and funded through an existing mechanism, such as a separated Act 148 appropriation for delinquent services. In counties in which local government did not provide adequate fiscal resources, it is likely that such a transition would improve service availability, delivery and quality;
15. It is important to emphasize that both the literature and information from states having undergone transition strongly suggests the necessity for judicial and legislative advocacy in the design and eventual placement of juvenile probation services in a unified model.

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