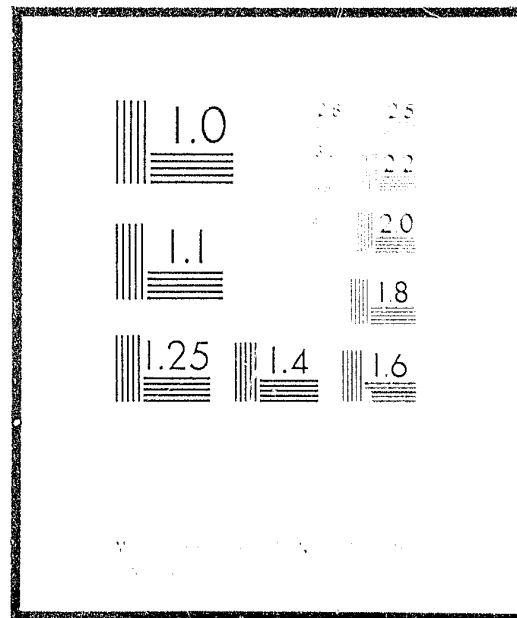


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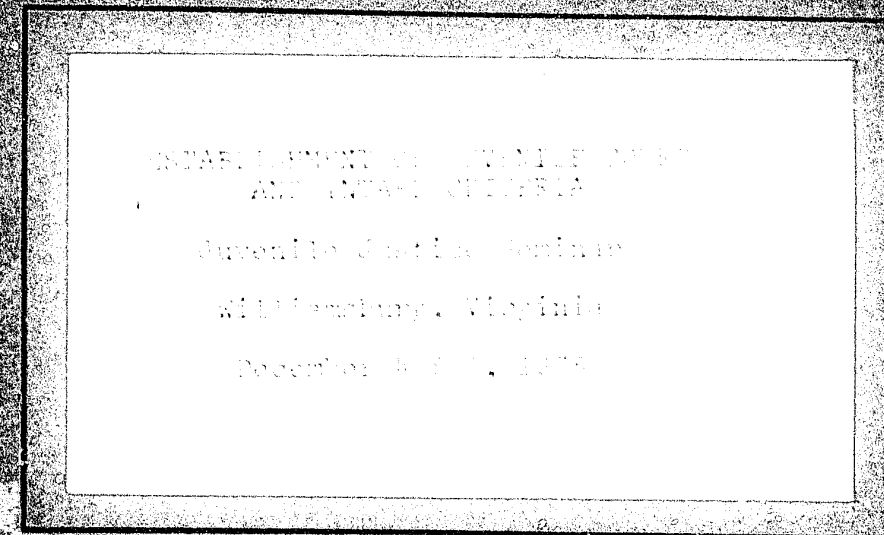
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ESTABLISHMENT OF JUVENILE COURT
AND INTAKE CRITERIA

Juvenile Justice Seminar

Williamsburg, Virginia

December 4 & 5, 1975

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March 1, 1976

This report embodies the proceedings and products of a seminar funded by Law Enforcement Assistance Administration Discretionary Grant No. 76-TN-03-0001. The seminar was administered by the Institute for Criminal Justice, College of William and Mary. The views expressed herein are the consensus of the seminar attendees and do not necessarily represent the official position or policies of the Law Enforcement Assistance Administration.

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JUVENILE JUSTICE SEMINAR REPORT

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INTRODUCTION

A juvenile justice seminar, entitled Establishment of Juvenile Court and Intake Criteria, was held in Williamsburg, Virginia, on December 4 & 5, 1975. Organized by the Institute for Criminal Justice, Norfolk, Virginia, and funded by LEAA Discretionary Grant No. 76-TN-03-0001, the pre-stated goals and purposes of this seminar were:

Goals

- to review, discuss and evaluate existing criteria governing juvenile court and detention intake policies and procedures and to formulate a set of workable criteria that would be acceptable for dissemination and potential application;

Purposes

- to discuss and analyze:
 - existing criteria for juvenile court intake;
 - existing criteria for detention;
 - the state of the art; and
 - the degree of implementation practical for existing criteria.

Practitioners in the juvenile justice field had fostered hopes that applying existant criteria relating to their functions would work a dramatic improvement in the processing of the juvenile offender. However, it became increasingly evident that a reappraisal of existing criteria should be undertaken, which resulted in this seminar of practitioners --

the people on the firing line -- gathered to develop practicable, workable and useful criteria to guide juvenile court decision making and those services -- intake and probation -- serving the youth in trouble and the court.

Attendees at this seminar were juvenile court judges, chief intake workers, administrators and concerned community representatives from the six jurisdictions comprising LEAA Region III who had been nominated by their respective State Planning Agencies. [See Appendix I for list of attendees.]

These judges and other practicing professionals reviewed what criteria existed and, from this base, developed what they believed to be practical and useful. Despite inherent semantic problems and the envisioned operational differences among the locales represented, all agreed upon a common terminology and approach that resulted in the development of useful and mutually acceptable criteria. Given the various jurisdictional differences of localities seeking to implement the criteria thus developed, it is anticipated that some minor modifications might be required; however, the main thrust of the criteria can, and should, prevail.

PROCEEDINGS

The first day, December 4, was comprised of speakers interspersed with panels and floor discussions, a discussion of results of an attitudinal survey concerning the attendees' views of significant factors at intake, and a review of current criteria literature.

On the morning of December 5 the attendees split into two workshops to review the previously compiled categorical criteria [Appendix III] with a view to developing recommended improvements. In the afternoon, the recommendations of the workshops were presented to a full session of the attendees for further discussion, modification and consensus adoption.

Primary speakers on the first day's agenda were Judge Keith J. Leenhouts, Executive Director of the VIP Division of the National Council on Crime and Delinquency; Mr. S. J. Pope, III, Director, Court Service Unit, Franklin, Virginia; and Mr. Walter J. Diggles, Director, Institute for Criminal Justice (College of William and Mary).

Judge Leenhouts addressed the need for intake screening guides to improve justice for juveniles. In his estimation, the intake worker must determine several basic aspects of an alleged juvenile offender to reach needed decisions, namely: what did he do; why did he do it; who is he; what is he; why does he act the way he does; and what are his chances? Judge Leenhouts suggested a "balance sheet" approach for determining answers to the above questions, with consideration given to the individual's "assets" and "liabilities" enveloped in the following informational points: present offense; offender's version; victim's version; prior record; social/economic circumstances; educational/vocational situation; religion; leisure time use; health (physical, mental, emotional); employment record; and family environment. After the intake worker has

ascertained all this information, he is much better prepared to make necessary decisions, assist the court in its dispositional process, and develop a concerned and expansive treatment plan.

Mr. Pope presented results of some preliminary research conducted in his judicial district which indicates discrepancies between practice and philosophy among intake workers there. The questionnaire, attached as Appendix II, was filled in by those intake workers to reflect the three uppermost factors they utilized in handling the first five juveniles who came before them in three successive months. Thereafter, the workers were provided the same questionnaire and asked to rank in order the six most significant factors pertaining to the determinations they must make.

Most notable was the disparity in significance accorded the nature and seriousness of the offense and prior record, with greatest importance placed on these factors where the juveniles were not detained, with progressively decreasing weight given where the child was detained and in the latter six-factor survey of the workers. The child's potential danger to others was deemed significant in the workers' survey but was not significant in the detention/non-detention decisions. The child's potential danger to himself was given significance in the workers' survey and, to a lesser extent, in the decision to detain (with no consideration given it in the decision to not detain). Finally, protective custody for the child's welfare had the most significance attached in decisions

to detain, but was highly considered in the decisions to not detain and in the workers' six-factory survey. A simplified overview of these results indicates that factual matters existing at the time of intake take precedence over the more unascertainable attitudinal factors, suggesting that the development of intake criteria might more practically stress measurable factual factors. [Results of the attendees' ranking of the six significant factors are reflected in the left margin of Appendix II.]

Mr. Diggles described the compilation process for the Intake Screening Criteria package [Appendix III] distributed to the attendees for their consideration. The categorization of criteria is explained on the first page of Appendix III, and the sources are delineated in the bibliography at the last page of that Appendix. A companion questionnaire was distributed to each attendee for recordation of his reactions to the criteria propounded in the package.

The remainder of the first day was devoted to a panel and floor discussion on designing intake screening guides. The needs of police, intake, detention and the community were respectively addressed by the following panel members: Lt. Henry Capps, Officer in Charge, Virginia Beach Youth Bureau; Mr. John Cherry, Intake Probation Officer, Juvenile and Domestic Relations Court, Virginia Beach; Mr. S. J. Pope, III, Director, Court Service Unit, Franklin, Virginia; and Mrs. Mary Russo, representing her community, Virginia Beach, and the Virginia Federation of Women's Clubs, an organization very active in

volunteer work. The composition of this panel, individuals all performing daily in the juvenile justice system, was designed to provide practical, working insights for the audience, instead of "pie-in-the-sky" rhetoric often occasioned by veterans of the national speaking circuit.

Prior to the resumption of proceedings on the second day, staff compiled the results of the attendees' review of the Intake Screening Criteria package (Appendix III). Their views had been surveyed by their having completed a questionnaire which had three possible responses for each of the given criteria -- "agree", "question", or "disagree". Those items receiving significant "question" or "disagree" responses are indicated in Appendix III by a single asterisk. (The double asterisk in that appendix indicates a category to which an additional criterion was recommended).

For the purposes of the criteria review, agreement was reached clarifying various terms. "Detention" was defined as physically restrained and secure facility. "Intake", "probation" and "after care" constituted "court services", whether or not under executive or court control and administration. "Court" was determined to signify the bench, i.e., the juvenile judiciary. "Criteria" (written) was viewed as just that, and not as synonymous with "roles" or "objectives".

During the morning of the second day, the group was broken into two workshops to discuss the Intake Screening Criteria package, with particular attention being given to

those items receiving significant "question" or "disagree" responses. Within each workshop a consensus was then reached on recommended changes, additions or deletions for the various criteria.

The closing afternoon session was a full gathering of attendees at which the results of the morning's workshops were presented by their respective monitors. The reasoning and justifications of each workshop for their recommended changes were presented and discussed. The composite changes, additions and deletions approved at this full session are attached as Appendix IV, in a categorical and numerical framework paralleling that of the original (existing) Intake Screening Criteria package. Those criteria for which no modification was deemed necessary were adopted verbatim during this session. It should be noted that the portion of the original package entitled "Role of the Police in Intake and Detention" appears in its amended form as a separate Appendix (Appendix V) from that encompassing the other adopted amendments to the original package. This segregation reflects the consensual position that police functions arguably are not properly within the domain of court and court service policy determination. The group did, however, address the police sector and propose changes to those criteria in hopes that their views might be considered by those more properly empowered to develop police policies.

Mr. Edward Sikora, Corrections Specialist, LEAA, Region III, closed the seminar and stated that the resultant recommendations would be accorded the widest practicable consideration, publication and dissemination.

JUVENILE COURT AND DETENTION INTAKE CRITERIA
DEVELOPED AT A JUVENILE JUSTICE SEMINAR
WILLIAMSBURG, VIRGINIA
DECEMBER 4-5, 1975

GENERAL ADMINISTRATIVE CRITERIA

CONSENSUS:

1. Each juvenile court jurisdiction should take action to establish, within the court, organized intake services. Intake services should be geared for screening and referral in order to divert as many youngsters as possible from the juvenile system and to reduce detention to an absolute minimum.
2. Intake services should be operated by juvenile specialists who have attained the education and experience to work with the juvenile. Initial assignment to the intake unit should be probationary and the caliber of work performed should provide the basis for continuation.
3. Procedural manuals should be prepared outlining explicit guidelines for the handling of juvenile cases and the manuals should be periodically updated.
4. Investigation of juvenile cases should be conducted with privacy and with respect for constitutional rights with safeguards as afforded in adult cases.
5. Intake services should process seven days a week, 24 hours a day. In small departments, staff could be "on call".
6. Intake processing should be governed by a time frame such as:
(1) Within 24 hours, Saturdays and Sundays and holidays excluded, children in detention or shelter care shall have a hearing unless released prior to the expiration of that time.
(2) As soon as possible, but not to exceed thirty days, from the receipt of a complaint, the intake unit should refer the case to another agency, affect adjustments or file a petition.
7. Juvenile Court Intake should not accept complaints requiring further probable cause investigation to determine if a child or a youth comes within the purview of the juvenile court act.
8. Intake services should enter into formal and informal agreements with major active, youth servicing agencies, which delineate the action to be taken in handling and referring juvenile cases. Agreements resulting in formalized procedures should be incorporated into procedural manuals of respective agencies.
9. Use of trained volunteers, under proper supervision, at intake is recommended.

10. Juvenile records should be periodically sealed and purged. Juvenile records should be made available only to those with a need to know status, pursuant to law.

COURT INTAKE SCREENING & PROCESSING CRITERIA

1. Intake personnel should have the following responsibilities:
 - a. Determine whether or not the question falls within the delinquency jurisdiction of the court. If not, the juvenile should be released to his parents.
 - b. If within the delinquency jurisdiction of the court, intake staff should determine appropriate actions with certain priorities--
 - (1) Dismiss minor complaint.
 - (2) Adjust complaints which seem arbitrary, vindictive or against the best interests of the child.
 - (3) Refer to non-judicial agency for services.
 - (4) Divert as many youngsters as possible to alternative community based programs such as mental health, family services, public welfare agencies, youth service bureaus and similar public and private agencies. Diversion to such community based alternatives should not be used as a form of sanction and should be preceded by the consent of the juvenile and his or her parents (guardians).
 - c. Intake personnel should seek informal service dispositions for as many cases as possible, provided the safety of the child and community are not endangered. Informal service dispositions should have the following characteristics--
 - (1) Juvenile and parents should be advised of their right to counsel and formal processing.
 - (2) Participation by all concerned should be voluntary.
 - (3) Major facts of the case should be understood and undisputed.
 - (4) Any statements made during the informal process shall be precluded from any subsequent formal adjudicatory proceeding on the original complaint.
 - (5) A reasonable time limit (1 to 2 months) should be

adhered to between date of complaint and date of agreement.

- (6) Restraints placed on the freedom of juveniles in connection with informal dispositions should be minimal.
- (7) When the juvenile and his parents agree to informal adjustments, they should be informed that they can terminate such adjustments at any time and request formal adjudication.
- d. Informal services denotes any provision for continuing efforts on the part of court service personnel without the filing of a petition, including informal adjustments and consent decrees.

COURT PROCESSING CRITERIA

1. Once a decision that formal court hearing is required, a delinquency petition is filed. As a general rule, formal proceedings appear appropriate where:
 - a. Accusations are indispute, and if borne out, court ordered disposition and treatment appear desirable.
 - b. Detention or removal from the home is indicated.
 - c. The nature or gravity of the offense warrants official judicial attention.
 - d. The juvenile or the parents request formal adjudication.
2. Screening of children for whom a delinquency petition is filed to place as many as possible in their parental homes, a shelter, or nonsecure residential care as is consistent with the safety of others.
3. A report should be prepared for court use at the detention hearing, presenting the reasons why detention is deemed necessary.

DETENTION SCREENING & PROCESSING CRITERIA

1. Main criteria for the recommendation of secure custody or detention in juvenile cases should be: youth is alleged to have committed an offense which if committed by an adult would be a crime; and, poses a danger to himself or the community, or is felt to be likely to not appear before the court at subsequent judicial hearings. (Practice of a "citation" to court

at a later date should be encouraged in appropriate cases.)

- a. Decision to detain should be made only by the Judge, designated administrator/supervisor, staff and court intake personnel.
- b. Status offenders should, if necessary, be placed in shelter care facilities in lieu of detention.
- c. Prior to preliminary hearing the juvenile ordinarily should not be detained longer than overnight.
- d. Juveniles should not be detained in jails, lockups, or other facilities used for adults.
- e. Generally, detention should be considered as a last resort when no other alternative is available.

APPENDIX I

Attendees

Mr. Luvelle Taylor (Va.)	Ms. Harriette Cooke (Va.)
Mrs. Carole Grand (Va.)	Mr. Tom Young (Va.)
Miss Patricia Shea (Va.)	Judge Nelson Durden (Va.)
Judge Jerome Katz (W.Va.)	Mr. Jack Mvatt (W.Va.)
Judge Herman Whisevant (Va.)	Judge James Taylor (Md.)
Mr. Bright Walker (Md.)	Mr. Rex Smith (Md.)
Mr. Robert Harrington (Md.)	Mr. Luke Howard (Md.)
Mr. Donn Davis (Md.)	Mr. Larry Carner (Md.)
Mr. Jerry Causer (Pa.)	Mr. Pete Tabatsko (Md.)
Mr. Rocco Donatelli (Pa.)	Mr. Lawrence Mason (Pa.)
Ms. Francine Gritz (Del.)	Mr. C. Boyd McDivitt (Del.)
Mr. Clarence Truit (Del.)	Ms. Ana DePaul (Del.)
Mr. D.R. Royster (Del.)	Mr. James Truitt (Del.)
Ms. Judith McCahill (D.C.)	Mrs. Theorious Nickens (D.C.)
Mr. Alexander Yarborough (D.C.)	Mr. Jesse McDaniel (D.C.)
Mrs. Pat Hollingsworth (D.C.)	Mrs. Eloise Waller (D.C.)
Mrs. Maria Logan (D.C.)	Mr. Eldridge Jenkins (D.C.)
Mr. Thaddeus Taylor (D.C.)	Mr. John Cherry (Va.)
Mrs. Mary Russo (Va.)	Mr. Sam Pope (Va.)
Mr. Edward Rice (Va.)	Mr. James Lewis (Va.)
Judge Keith J. Leenhouts (Mich.)	Mr. Raymond L. Clarke (Va.)

APPENDIX II

Date _____

NAME _____ Male () Female () Race ()

D.O.B. (/ /)

RANK ORDER THREE MOST SIGNIFICANT EXISTING FACTORS AT THE
TIME OF INTAKE

Seriousness of alleged offense (Felony) Specify _____

*5--Nature of alleged offense () Runaway; () Incurrigible; () Other
Specify _____

6--Prior Record (Previously found subject to the law in Court) -----

Escapee from () local or () State custody -----

Family life style (Judgement of Intake worker that major dysfunc-
tion(s) exists) Specify _____

Parental attitude towards detention (Judgement of Intake worker
that such attitude is of significant importance.) Specify _____

2--Child's potential danger to others. (Judgement of Intake worker
that such prognosis exists) Specify _____

1--Child's potential danger to self. (Judgement of Intake worker that
such prognosis exists) Specify _____

3--Child's attitude (Judgement of Intake worker that this is serious
contingency) Specify _____

4--Parent's attitude (Judgement of Intake worker that this is a
serious contingency) Specify _____

Absence of parent(s) or parent substitute -----

4--Child's emotional instability (Judgement of Intake worker that
significant emotional disturbance exists) Specify _____

6--Child's protective custody (Judgement of Intake worker that child's
welfare is a major contingency) Specify _____

[*Numbers indicate significance ranking by seminar attendees]

Codefendants involved (if applicable) (Judgement of Intake
worker that others allegedly are of major importance)

Specify _____

Arresting Officer's recommendation(s) (Judgement of Intake
worker that such recommendation(s) holds major importance)

Specify _____

Probability of new offense(s) (Judgement of Intake worker that
such a prognosis exists) Specify _____

Probability of child not adhering to the Court process (Judgement
of Intake worker that such a prognosis exists) Specify _____

Order of the Judge of the Court. Specify _____

Other. Specify _____

Was this child Detained? () Yes () No

If yes, where? _____ Why? _____

INTAKE SCREENING CRITERIA

Available criteria governing intake screening has been subdivided into five categories: (1) General, (2) Informal, (3) Formal, (4) Detention and (5) Police.

General criteria specifies requirements for staffing, operation and procedure. Informal intake screening delineates activity options available before or in lieu of filing a petition. Formal intake screening outlines procedures necessary when a petition must be filed. Detention criteria explains conditions necessary in order to detain the juvenile. The police role in the intake process is described.

Sources for material used are alphabetically coded throughout the criteria and are listed in the Bibliography on the last page.

EXISTING GENERAL INTAKE CRITERIA REVIEWED

1. Each juvenile court jurisdiction should take action to establish within the court organized intake services. Intake services should be geared for screening and referral in order to divert as many youngsters as possible from the juvenile system and to reduce detention to an absolute minimum. (B. H.)
2. Intake services should be operated by juvenile specialists who have attained the education and experience to work with the juvenile. Initial assignment to the intake unit should be probationary and the calibre of work performed should provide basis for continuation. (B. H.)
3. Procedural manuals should be prepared outlining explicit guidelines for the handling of juvenile cases and the manuals should be periodically updated. (B. E. H.)
4. Investigation of juvenile cases should be conducted with privacy and with respect for constitutional rights with safeguards as afforded in adult cases. (A. B.)
5. Intake services should operate seven days a week, 24 hours a day. In small departments, staff could be "on call". (A. B. C. G. H.)
- *6. Intake processing should be governed by a time frame such as:
(1) Within 24 hours, Saturdays and Sundays and holidays included, children in detention or shelter care shall have a hearing unless released prior to the expiration of that time.
(2) Within 10 days from the receipt of a complaint, intake unit should refer case to another agency, affect adjustments or file a petition. (A. B. D. F.)
- *7. Juvenile Court Intake should not accept complaints requiring further investigation to determine if a child or youth comes within the purview of the juvenile court act.
- *8. Juvenile Court Intake should practice diversion of appropriate cases from the juvenile courts to community based alternatives. Diversion to community based alternatives should be preceded by the consent of the juvenile and his or her parents (guardians). Diversion should not be used as a form of sanction. (B. C. E. F. I.)
9. Intake Services should enter into formal and informal agreements with major active, youth servicing agencies, which de-

lineate the action to be taken in handling and referring juvenile cases. Agreements resulting in formalized procedures should be incorporated into the departmental procedural manuals. (B. C.)

- * 10. Use of volunteers at intake is encouraged. (B.)
- 11. Juvenile records should be periodically sealed and purged. Juvenile records should be made available only to those with a need to know status, pursuant to law. (B.)
- * 12. Intake Services should have a built in review to provide a check on the system. An advisory or review board will be helpful. (H. E.)

EXISTING INFORMAL INTAKE SCREENING CRITERIA REVIEWED

1. Intake personnel should have the following responsibilities.
 - a. Determine whether or not the question falls within the delinquency jurisdiction of the court. If not, juvenile should be released to his parents. (A, B, C, D, E, F, G, I.)
 - b. If within the delinquency jurisdiction of the court, intake staff should determine appropriate action within certain priorities. (B, C, E, G, I.)
 - (1) Dismiss minor complaint.
 - (2) Dismiss complaints which seem arbitrary, vindictive or against the best interests of the child.
 - (3) Refer to non-judicial agency for services.
 - *(4) Divert as many youngsters as possible to another appropriate section of the court or alternative programs such as mental health, family services, public welfare agencies, youth service bureaus and similar public and private agencies.
 - c. Intake personnel should seek informal service dispositions for as many cases as possible, provided the safety of the child and community is not endangered. Informal service dispositions should have the following characteristics. (A, B, E, G.)
 - (1) Juvenile and parents should be advised of their right to counsel.
 - (2) Participation by all concerned should be voluntary.
 - (3) Major facts of the case should be undisputed.
 - (4) Participants should be advised of their right to formal adjudication.
 - * (5) Any statements made during the informal process should be excluded from any subsequent formal proceeding on the original

complaint.

(6) A reasonable time limit (1 to 2 months) should be adhered to between date of complaint and date of agreement.

(7) Restraints placed on the freedom of juveniles in connection with informal dispositions should be minimal.

*(8) When the juvenile and his parents agree to informal proceedings, they should be informed that they can terminate such dispositions at any time and request informal adjudication.

*d. Informal services denotes any provision for continuing efforts on the part of the court at disposition without the filing of a petition including informal adjustments, informal probation and consent decrees. (D. E. G.)

EXISTING FORMAL INTAKE SCREENING CRITERIA REVIEWED

1. Once a decision that formal court hearing is required a delinquency petition is filed. As a general rule, formal proceedings appear appropriate where: (D. F.)
 - a. Accusations are in dispute and if borne out court ordered disposition and treatment appear desirable.
 - b. Detention or removal from the home is indicated.
 - c. The nature or gravity of the offense warrants official judicial attention.
 - d. The juvenile or the parents request formal adjudication.
2. Screening of children for whom a delinquency petition is filed to place as many in their parental homes, a shelter, or nonsecure residential care as is consistent with the safety of others. (A. E.)
- *3. If no other alternative can be achieved, a petition is to be filed with the placement of the individual in detention pending detention hearing. (B. E.)
4. Preparation of a report for the court to be used at the detention hearing, presenting the reasons why detention was deemed necessary. (B. E.)

EXISTING INTAKE-DETENTION SCREENING CRITERIA REVIEWED

1. Main criteria for the recommendation of secure custody or detention in juvenile cases should be; (1) youth is legally wanted by other authorities, (2) youth is a danger to public safety. Practice of "citation" to court at a later date should be encouraged in appropriate cases. (A. B. D. E. F.)
 - a. Detention should be considered as a last resort when no other reasonable alternative is available.
 - * b. Detention should be used only where the juvenile has no parent, guardian, custodian or other person able to provide supervision and care for him and able to assure his presence at subsequent judicial hearings.
 - * c. Detention decisions should be made only by court intake personnel.
 - d. Prior to first judicial hearing, the juvenile ordinarily should not be detained longer than overnight.
 - e. Juveniles should not be detained in jails, lock-ups, or other facilities used for adults.

**[Additional criterion appears in Appendix IV]

EXISTING ROLE OF THE POLICE IN INTAKE AND DETENTION REVIEWED

1. Juvenile units or divisions in law enforcement agencies should be structured as autonomous operational divisions on a line level with other major operating units.
2. Juvenile divisions should operate seven days a week, 24 hours a day. In small departments the staff could be "on call". Extra staff should be assigned during peak hours.
3. All sworn personnel in law enforcement agencies should receive at least 20 hours of basic training in the concepts and philosophy of enlightened law enforcement work with juveniles and in the procedures for the handling of juvenile cases. Mandatory in-service training should include intermediate and advanced course work in these subjects.
4. Law enforcement personnel should prepare and disseminate procedural manuals to all sworn personnel containing explicit guidelines for the handling of juvenile cases, especially with respect to field dispositions, follow-up requests, detention and diversion from the juvenile courts. Procedural manuals should be periodically revised and updated.
5. Disposition may include: (a) Release on the basis of unfounded charges. (b) Referral to parents (warning and release). (c) Referral to social agencies. (d) Referral to juvenile court intake services.
6. The practice of discretion by law enforcement officers in juvenile cases should be authorized by law. Guidelines should be established to assure a more uniform quality of implementation.
7. Police should not have discretionary authority to make detention decisions. This decision must be reserved for the court.
8. Law enforcement agencies should encourage and train their personnel to practice diversion of appropriate cases from juvenile courts to community based alternatives. Diversion to community based alternatives should be preceded by the consent of the juvenile and his or her parents/guardians. Diversion should not be used as a form of sanction.

- * 9. Law enforcement agencies should where possible, refrain from referring status offenses and neglected childrens' cases to the juvenile courts, particularly when other alternatives are available.
- * 10. Law enforcement agencies should enter into formal and informal agreements with major active, youth serving agencies, which delineates the action to be taken in handling and referring juvenile cases. Agreements resulting in formalized procedures should be incorporated into the departmental procedural manuals.
- 11. Law enforcement officers should not be swayed by personal bias in the process of determining the disposition of juvenile cases. Imposition of sanctions is not a police function and should be left to the courts to determine.
- * 12. Law enforcement officers should not engage in practice of informal probation, casework supervision, on-going counseling or recreational administration.

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Note: All research reference sources stated that Police should not make a detention decision.

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APPENDIX IV

COMPOSITE, MODIFICATIONS, CHANGES & ADDITIONS TO EXISTING GENERAL INTAKE CRITERIA

6. Intake processing should be governed by a time frame such as:
(1) Within 24 hours, Saturdays and Sundays and holidays excluded, children in detention or shelter care shall have a hearing unless released prior to the expiration of that time. (2) As soon as possible, but not to exceed thirty days, from the receipt of a complaint, the intake unit should refer the case to another agency, effect adjustments or file a petition.

7. Juvenile Court Intake should not accept complaints requiring further probable cause investigation to determine if a child or a youth comes within the purview of the juvenile court act.

8. This provision was merged with 1.b.(4) of Informal Intake Screening Criteria. (See below, this page.)

10. Use of trained volunteers, under proper supervision, at intake is recommended.

12. This entire provision was deleted as "going without saying".

INFORMAL INTAKE SCREENING CRITERIA

1.b.(4) Divert as many youngsters as possible to another appropriate section of the court or alternative community based program such as mental health, family services, public welfare agencies, youth service bureaus and similar public and private agencies. Diversion to such community based alternatives should not be used as a form of sanction

and should be preceded by the consent of the juvenile and his or her parents (guardians).

1.c.(5) Any statements made during the informal process shall be excluded from any subsequent formal adjudicatory proceeding on the original complaint.

1.c.(8) When the juvenile and his parents agree to informal adjustments, they should be informed that they can terminate such adjustments at any time and request formal adjudication.

1.d. Informal services denotes any provision for continuing efforts on the part of the court service personnel without the filing of a petition, including informal adjustments and consent decrees.

FORMAL INTAKE SCREENING CRITERIA

3. This entire provision deleted as redundant (cf. 1.a. under Intake-Detention Screening Criteria).

INTAKE-DETENTION SCREENING CRITERIA

1.b. Detention should be used only where the juvenile: is alleged to have committed an offense which if committed by an adult would be a crime; and, poses a danger to himself or the community, or is felt to be likely to not appear before the court at subsequent judicial hearings.

1.c. Detention decisions should be made only by the court and/or court intake personnel.

New Provision:

1.f. Status offenders should, if necessary, receive shelter services, but in no instance detention.

ROLE OF THE POLICE IN INTAKE AND DETENTION

9. Law enforcement agencies should, only when no other alternatives are available, refer status offenses and neglected children's cases to service agencies, who in turn, when necessary, may refer such cases to the juvenile court.
10. Juvenile courts should enter into formal and informal agreements with major active, youth-serving agencies which delineate action to be taken in handling and referring juvenile cases. Any such agreements resulting in formalized procedures should, as a service to the police, be incorporated into their departmental procedural manuals.
12. Law enforcement officers should not assume the roles and/or functions of court services personnel.

APPENDIX VI

AGENDA

THURSDAY DECEMBER 4, 1975

9:00- 9:15	Opening Remarks	Mr. Sikora
9:15- 9:30	Purpose of seminar, method of operation and anticipated products	Mr. Diggles
9:30-10:30	The need for intake screening guides to improve justice for juveniles	Judge Leenhouts
10:30-10:45	Coffee	
10:45-11:45	Panel Session: <u>Designing intake screening guides</u>	Judge Leenhouts
	The needs of the Police	Lt. Capps
	The needs of intake	Mr. Cherry
	The needs of detention	Mr. Pope
	The needs of the community	Mrs. Russo
11:45-12:30	Panel Session: Floor Discussion	Judge Leenhouts
12:30- 1:45	Lunch	
1:45- 2:45	Panel Session: Floor Discussion	Continued
2:45- 3:45	Application of current screening practices	Mr. Pope
3:45- 4:00	Coffee	
4:00- 5:00	Review of current criteria literature	Mr. Diggles
5:00- 5:15	Summary of days activity	Mr. Sikora

FRIDAY DECEMBER 5, 1975

9:00-11:00	<u>Workshops</u> to review existing screening guides and develop improvements	
	Group A	Dr. Shaughnessy
	Group B	Mr. Diggles
11:00-12:30	Workshop reports to full session	
12:30- 1:30	Lunch	
1:30- 2:30	Consensus derivation of criteria by full session	Dr. Shaughnessy
2:30- 3:00	Closing remarks	Mr. Sikora