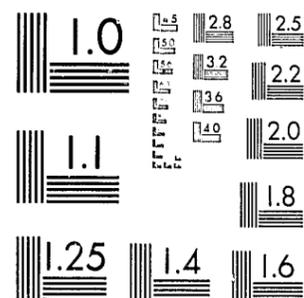


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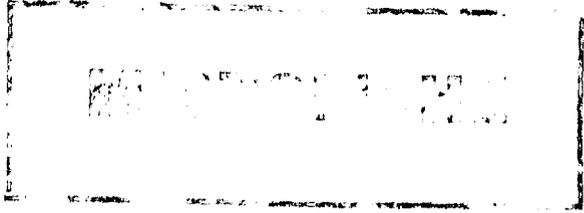
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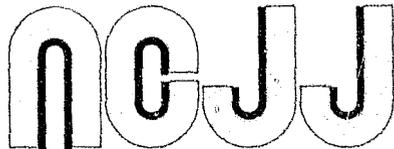
JUSTICE FOR ALL
INCLUDES CHILDREN

Fifth Annual Report

**NATIONAL CENTER FOR
JUVENILE JUSTICE**

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PREFACE

The National Center for Juvenile Justice was established in Pittsburgh, Pennsylvania, in 1973 as the research-information arm of the National Council of Juvenile and Family Court Judges. Its policy is set by a Board of Fellows composed of six judges and five lay persons; the Center is ultimately responsible to the Board of Trustees of the Council.

I believe the Center has made remarkable progress in the last five years. At the moment we are trying to raise additional unrestricted funds to give it greater flexibility. The response from the private and corporate foundations approached so far has been heartening but much remains to be done if the Center is to achieve the desired degree of financial independence. The Department of Justice has given every indication that it will renew the Center's contract to maintain the nation's juvenile court statistics. We have just received word of a grant of \$87,000 from the Buhl Foundation of Pittsburgh for the first year of what I call the "What Went Right?" Project. This will involve a study of young people who by all rights (family, background, education, environment, etc.) either should have become delinquent but didn't, or who were delinquent, but abandoned the behavior. It reverses the usual approach to the study of delinquency; I believe it to be one of the most exciting projects ever attempted in the juvenile justice field.

Juvenile and family court judges should not forget that the Center exists to serve them as an information disseminating organ as well as one devoted to research. They should never hesitate to call upon the Center if they feel it can lend assistance.

One final thought — the Center has the capacity to do evaluations. There is probably more expertise available to the Center for making evaluations of programs for juveniles than there is to any other organization in the country.

Maurice B. Cohill, Jr.

Maurice B. Cohill, Jr., Judge
Chairman, Board of Fellows

INTRODUCTION

"Change" may be the word which best characterizes the past year's operation of the National Center for Juvenile Justice. The two most significant changes were a shift in program focus from survey and applied research to increased emphasis on basic research and movement from dependence on government funding for operational support to the private sector.

Board approval in early 1978 of plans for a "treatment digest" and the "positive outcomes" research signaled the beginning of a new era in program focus. The decision to decrease reliance on government funding for operational support was made two years ago, and implementation of the fund development plan was initiated during this fiscal year. Early results are encouraging but the coming year will be critical in determining eventual success.

Firmly established programs such as *Kindex* and the *Juvenile Law Digest* continued to justify their value in a most encouraging manner. Utilization of both products increased and the positive responses received were gratifying.

If demand for services is an indication of relevance, designers of the Center can be assured that their perceptions were accurate when they identified the need for a resource such as the Center. Requests for Center products and services have expanded greatly during the past year and show no sign of abatement. The collective efforts of a capable, committed staff, the sage guidance of the Board of Fellows, and generous support of both the public and private sectors have combined to make it possible for us to provide service in a responsible manner.

A handwritten signature in black ink, appearing to read "Hunter Hurst", with a long horizontal flourish extending to the right.

Hunter Hurst

NATIONAL UNIFORM JUVENILE JUSTICE REPORTING SYSTEM

Accurate data for juvenile justice policy and planning purposes have been lacking at the state level and virtually non-existent at the national level since the establishment of the juvenile courts over seventy years ago. This deficiency has forced policymakers, planners and system managers to function on the basis of less than valid and reliable information. We are in an era of automated information systems, yet the national information on the juvenile justice system is so inaccurate that we might be better off without it. The Center seeks to correct this deficiency.

In 1975, through a contract with the Department of Justice, the Center assumed responsibility for collecting and reporting juvenile court statistics at the national level. This task had been performed by the Department of Health, Education, and Welfare or its predecessors since 1926. Although the Center has injected some minor improvements, much remains to be done. The Center is now prepared to address and resolve the challenges inherent in developing a comprehensive national reporting system.

This endeavor is designed to ultimately provide accurate statistical information on the juvenile justice system. Success in this project will produce data that can be utilized to improve the quality of justice and the efficiency of official responses to delinquent behavior throughout the country.

The Department of Justice has given every indication that it will renew the contract this year.

POSITIVE OUTCOMES

The study of juvenile delinquency, its causes and consequences, has long fascinated social scientists in the fields of psychology, psychiatry, criminology, social work, sociology, and political science.

As observed by Lois B. Murphy, there are thousands of studies of maladjustment for each study that deals directly with the ways of managing life's problems with personal strength and adequacy.

The thrust of Positive Outcomes is basically a two part philosophical question which asks:

Given all the risk factors of growing-up, (1) why is it that most vulnerable children turn out relatively free from antisocial behavior and a juvenile or adult crime history; and (2) why do many vulnerable children who do experience deviant behavior that leads to a juvenile crime history extricate themselves from the juvenile/adult justice system and realize a more positive lifestyle?

Such questions, although simplistic on the surface, set the stage for an entirely new and optimistic approach to the study of delinquency. The Center has begun a long term research project to address these questions. Initial project funding has been provided by the Buhl Foundation of Pittsburgh.

CHILDREN IN PLACEMENT

The Children in Placement program is a demonstration effort conducted by the National Council of Juvenile and Family Court Judges. The program seeks to review systematically the status of children who have been placed outside their homes by the courts. The objective of the program is to locate children who have been "lost" in the system and to assist the courts in considering the return home of the child where it is in the child's best interests. The Center has contracted with the Council to analyze data for this project. The results of this analysis are being used by courts to identify causes of delays and the attainment of permanent placement for children. In the coming year, the Center will conduct an analysis of follow-up data to determine impact of the review process on achievement of program objectives.

The program is funded by a grant to the Council from The Edna McConnell Clark Foundation.

JUVENILE LAW DIGEST

The *Juvenile Law Digest* is a monthly publication of the National Council of Juvenile and Family Court Judges. Summarizing significant decisions in juvenile law, the *Digest* informs its readers of recent developments in the field. Published since 1967 under the name *Juvenile Court Digest*, this year the publication was retitled *Juvenile Law Digest* to reflect more accurately its objective—reporting cases involving children in many legal situations, not simply cases within the jurisdiction of the juvenile courts.

For the last two years, the editorial work has been done at the Center. The goal of the *Digest* is to disseminate new legal findings and opinions thereby making easier the daily work problems of hard-pressed juvenile and family court judges through a handy reference to recent decisions.

Center staff screen every reported judicial decision and identify some 200 opinions per month dealing with issues affecting children. From this, the 25 to 35 most significant opinions are digested and reported monthly. Editor's notes are added to report on the current status of cases on appeal, to note unresolved issues and trends in judicial reasoning and to compare opinions to decisions in other jurisdictions. A table of reported cases is included in each issue, and in April, 1978 a cumulative table of cases was published enabling subscribers to locate by name the *Digest* report of any opinion reported in the first 10 years of its publication.

The Council distributes the *Digest* to its members free of charge. The national distribution of 3,500 copies per month goes to judges, attorneys, and other juvenile justice professionals.

Many judges state that it is the most important publication which crosses their desk.

KINDEX: AN INDEX TO LEGAL PERIODICAL LITERATURE CONCERNING CHILDREN

Since 1964 there has been a virtual explosion of legal articles concerning children. This causes problems for researchers in the time-consuming task of identifying relevant materials. *KINDEX* is the first index of its kind and has greatly simplified the tasks of researchers. Its data base contains over 200 legal, topical and geographic classifications of 6,000 juvenile justice articles from 250 legal journals from 1965 to present.

KINDEX is printed in a hard cover; supplements are published twice yearly, and it is augmented by the computer-searching capabilities of the Center.

JUVENILE LAW CURRICULUM

Juvenile law is a relatively new addition to the curriculum of the nation's law schools. For too long, attorneys have not learned what they needed to know about the juvenile justice system until after graduation from law school. Existing curricular materials are often not adequate to educate students to the full complexities of practice in juvenile or family court. In late 1976, the Center and the University of Pittsburgh School of Law received grants from the Claude Worthington Benedum Foundation of Pittsburgh and the Pittsburgh Foundation to support development of curricular materials for law school education in juvenile justice.

The course materials will be designed to encourage students to appreciate the problems of juvenile justice as something other than mere technical legal problems. Students will be presented problems which demand the ability to deal with information from the social and behavioral sciences as well as statutes and case law.

The project includes an advisory panel of juvenile court judges, law professors, authors, social workers, administrators and researchers: Professor Robert O. Dawson, School of Law, the University of Texas at Austin; Professor Sanford N. Fox, Boston College Law School; Professor Joseph Goldstein, Yale Law School; Professor Aidan Richard Gough, School of Law, University of Santa Clara; Professor Harry D. Krause, College of Law, University of Illinois at Urbana-Champaign; Hon. James H. Lincoln, Wayne County Probate Court, Detroit, Michigan; Hon. Justine Wise Polier, Director, Juvenile Justice Division, Children's Defense Fund; Bobbie V. Poussaint, Human Resources Administration, New York, New York; Hon. William S. White, Juvenile Court, Cook County, Chicago, Illinois; and, Professor Charles H. Whitebread, School of Law, University of Virginia.

Stages of work are:

- (i) select and write course materials and submit draft materials to the advisory panel for review;

- (ii) pilot test reviewed materials at the University of Pittsburgh School of Law;
- (iii) revise the materials in the light of that experience, then field test at law schools nation-wide;
- (iv) publish textbook, course rationales, teacher's guide and final report.

Development and pilot testing of project materials are scheduled for completion in December, 1979.

STATUTES ANALYSIS

The Juvenile Code of each state establishes the legal framework in which its juvenile justice system is built. State statutes are therefore important to the Center staff's research activities.

The Statutes Analysis Project is an outgrowth of the Center's monograph, *Juvenile Court Organization and Status Offenses: A Statutory Profile* by John DiIacono. That publication was a pilot effort of the Center to develop a comprehensive profile of the juvenile codes of all fifty states and the District of Columbia, comparing those codes in various ways and covering a wide range of subjects. The breadth of analysis required, the limited funds available, and the frequency of legislative amendment and revision of juvenile codes throughout the country have frustrated the Center's efforts to produce a comprehensive and timely profile of the fifty juvenile codes.

As a result, the Center has abandoned its efforts to produce in a single document a comprehensive analysis of juvenile laws. Rather, it will concentrate on producing a series of monographs, each devoted to in-depth analysis of one or two specific topics of interest and reviewing the most recent statutory material available. The series will constitute a comprehensive analysis of state juvenile codes with each volume periodically revised to account for legislative developments. Each monograph will contain citations to statutory source material for easy reference and clarity. The text of relevant code sections will be presented for direct comparison with the language of other codes.

The first monograph in the series, *Juvenile Court Jurisdiction Over Children's Conduct: A Statutes Analysis*, reviews the definitions of delinquency and status offenses in the juvenile codes of the fifty states, the District of Columbia, several model acts and the Juvenile Justice Standards Project of the Institute for Judicial Administration and the American Bar Association. It compares the classification of specific types of juvenile conduct under each category.

A future monograph will review statutory provisions regarding the creation, dissemination and disposition of juvenile and family court records. The Center has also completed a fifteen-state profile of statutory provisions of judicial and administrative dispositions of juvenile traffic offenders.

COMPARATIVE STUDIES

The juvenile justice system is undergoing rapid change, legally and, to a degree, philosophically. Often the change is preceded by debate, but documentation for proposed directions of change is seldom available. The Center functions as a resource for decision makers who must respond to the issues of the day.

Two Center projects, the Statutes Analysis, previously described, and the Pittsburgh-Buffalo project, provide a solid foundation for a series of comparative studies addressing topical juvenile justice issues.

The goal of the project is to profile the "state of the law" nationally and to provide empirical analysis of the effects that the enactment of a particular statute has on practice.

Envisioned topics include jury trials for juveniles, dispositions for violent offenders, and judicial vs. executive vs. legislative control of post-hearing disposition of children.

PITTSBURGH-BUFFALO PROJECT

As of June 1977, at least 23 states were considering revision of the age of jurisdiction for their juvenile courts. There is no agreement among authorities on an ideal upper age at which juvenile court jurisdiction should terminate; consequently some states want to raise the age of jurisdiction, others want to lower it. Most frequently, the recent proposals call for removing 16 and 17 year-old offenders from the jurisdiction of the juvenile justice system and placing them under the jurisdiction of the criminal system.

While experts debate the meaning of criminal responsibility and chances for rehabilitating 15, 16, and 17 year olds, an inconsistent pattern of administration of justice has emerged where a young offender may be treated as an adult depending upon the state in which he commits the offense. But empirical outcomes of such differential processing remain unknown.

The Pittsburgh-Buffalo project has reviewed the outcome of judicial proceedings for 16 and 17 year olds in each of the two cities. In Pittsburgh this group's cases are heard in juvenile court and in Buffalo their cases are heard in criminal court. The two cities were chosen because of location and demographic similarity.

Preliminary findings indicate dramatic differences between the jurisdictions in rates of arrest, referral, adjudication, dismissal, disposition and recidivism.

POLICE DIVERSION

Police diversion of juveniles in some areas is an administrative attempt to limit penetration of carefully selected offenders into the juvenile justice system. In other areas it may be a rough form of curbstone justice with its outcome depending more on a particular police officer's attitude toward juveniles in general (or the juvenile he is dealing with in particular) rather than any consistent handling of juveniles by police. As a process having the potential to contribute towards increased efficiency and equity in the juvenile justice process, police diversion has a strong historical interest for Center staff. It is also one of the most widely proliferating practices in juvenile justice.

The Center has prepared a "state of the art" document on police diversion for the Law Enforcement Assistance Administration. It is intended to aid police departments in establishing their own diversion programs. In the preparation of this document, the staff studied literature in the areas of police administration, diversion, law and theories of primary and secondary deviance. The staff also conducted site visits to operating police diversion programs nationwide where police administrators of juvenile diversion programs and other juvenile justice professionals (including state planning officials, judges, prosecuting and defense attorneys and line police officers) were interviewed.

The document contains a literature review, an annotated bibliography, as well as a description of the procedure and substance of police diversion programs. It should prove a useful resource for those interested in the development of such programs.

DELINQUENCY PREVENTION AND TREATMENT DIGEST

Research concerning the prevention of delinquent behavior and the treatment of delinquent children has grown at a lightning pace within the past ten years. While it may, at one point, have been possible for an individual to maintain a current awareness of the literature, this is surely not the case today. In addition, the body of literature has grown, not only in size, but in sophistication. The result has been an increasingly wide gap between the research community and the practitioner.

The Center plans to develop a periodical which reports on the programs and treatment approaches that work with children. This digest will describe and report findings of successful prevention and treatment programs for delinquents. The purpose of the periodical will be to increase the utilization of research findings by policymakers and practitioners.

THE STAFF

Hunter Hurst, M.S.W.
Center Director

Daniel D. Smith, M.B.A.
Associate Director

Jacquolino Corbett, Ph.D.
Senior Social Researcher

John L. Hutzler, J.D.
Legal Officer

Thomas S. Vereb, J.D.
Associate Legal Officer

Bernadette K. Magnus
Administrative Assistant

Terrence Finnegan, B.S.
Computer Programmer

Richard J. Gable, M.A.
Associate Fellow

Wain K. Brown, Ph.D.
Associate Fellow

Michael Foley, B.A.
Research Associate

Diane M. Axelson
Legal Secretary

Mary M. Stawski
Staff Assistant III

Cindy Hess
Staff Assistant II

RESEARCH ASSISTANTS

Mark Hamilton, B.A.

Gregg Rosen, J.D.

Kim Smith, B.A.

Patricia McFall, M.S.W.

Michael Schulman, J.D.

Hilary Spatz, J.D.

Christine Sheaffer, B.A.

PRACTICUM STUDENTS

Carl Anderson, M.S.W.

Barbara Lonardi, M.S.W.
University of Pittsburgh,
School of Social Work

Margaret Bryant, B.A.

Steve Jennings, B.A.

Edie Sutton

University of Pittsburgh,
Administration of Justice

Charles Davidson, B.A.

Carnegie-Mellon University,
School of Arts and Sciences

Faisal Hamed Al-Mijren,

The Department of Social and
Criminological Research, Council
of Ministers of the Government
of Kuwait

University of Pittsburgh,
University Center for
International Studies

SERVICES

Center staff provide at least one free consultation or some type of technical assistance to judges or other professionals nearly every day. These may relate to law, programs and treatment approaches, planning, organizing, management, administration, research, evaluation, computer programming, operations research, program design, training, data analysis, information systems, data management, and grantsmanship.

The staff serves as liaison to several committees of the National Council of Juvenile and Family Court Judges, and individual members are often assigned as resource persons at various seminars and symposia throughout the country.

MAJOR CONSULTATIONS AND PAST PROJECTS

Alaska—began work May, 1978 on the development of a master plan for juvenile justice.

Broken Bones/Broken Homes—90 minute color and sound child abuse training film. Out of Print.

Computer Modeling—developed capacity to simulate juvenile systems operations and demonstrate the impact of proposed policy changes.

Lycoming County—reviewed juvenile services in Lycoming County, Pennsylvania; the majority of Center's recommendations have been adopted or implemented.

Model Court Systems and Technology Committee—staffed NCJFCJ committee addressing issues concerned with security and privacy of juvenile and family court records.

Ohio Youth Commission—provided consultation to Commission and Judges Association on developing a juvenile court reporting system.

Pittsburgh Pilot Child Abuse Seminar—demonstrated the progress of a case of suspected child abuse from tentative identification in a hospital to juvenile court disposition.

Respondents Panel—established national juvenile justice information system using one individual in each state.

Superman—"Justice for All Includes Children"—educated young people about rights and duties under the law.

Texas Youth Council Study—evaluated Texas Youth Council's residential contract program.

Three Rivers Youth—evaluated network of group homes in Allegheny County, Pennsylvania.

United States Subcommittee to Investigate Juvenile Delinquency—presented testimony on state compliance with Juvenile Justice Delinquency Prevention Act provisions on deinstitutionalization of status offenders.

Washington State Legislature—provided consultation on the development of a juvenile code.

Wisconsin Juvenile Court Services Study—used computer modeling and simulation to analyze state juvenile services budget; contributed to master plan development and future data collection.

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- Juvenile Court Statistics: 1974*, by Jacqueline Corbett and Thomas S. Vereb, 1976.
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