Juvenile Court and Juvenile Justice System Reform: An Annotated Bibliography

Compiled by
Patricia M. Torbet and Imogene Montgomery

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710 Fifth Avenue
Pittsburgh, PA 15219

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The **National Center for Juvenile Justice** operates an OJJDP-funded project that attempts to meet the technical assistance needs of juvenile courts and probation departments by:

1. developing resources and a continuum of services to respond to the wide range of requests from practitioners; and

2. addressing deficits in the field.

One of the project's greatest resources is the Technical Assistance Resource Center (TARC) which contains over 5,500 documents. The TARC's unique capacity lies in its collection of actual working materials from local courts and probation departments and other state and local agencies, task forces, commissions, and organizations.

All of the reports listed in the final section of this bibliography are catalogued in the TARC. Please contact Pat Torbet, Imogene Montgomery, Hunter Hurst, Jr., or Doug Thomas at NCJJ at 412-227-6950 with your technical assistance questions.
As the juvenile court approaches its 100th anniversary in 1999, a debate exists about whether it is a relevant or justifiable option for responding to juvenile crime. While the juvenile court has been under attack for decades—mostly for its procedural informality—the latest reform proposals represent a return to criminal justice philosophy with its emphasis on retribution and accountability and on punishment through harsher sentences (Melli, 1996). Faced with rising juvenile arrest rates for violent crimes, extensive media coverage of predominantly urban violence and public perceptions of a juvenile crime epidemic, advantages to juveniles (for example, Feld and Ainsworth). Since the juvenile justice system has already converged with the criminal justice system vis-à-vis more punitive sanctions, the later group also believes that a separate juvenile system is not justified. However, some abolitionists support the “infancy defense,” allowing youthfulness to be used as a mitigating factor in sentencing.

Those in favor of preserving a separate system of justice and intervention for juveniles (for example, Springer, Edwards, Soler) admit that it has flaws, but believe that the abolitionists’ faith in the criminal justice system is misplaced and that the juvenile justice system should be reformed, not abolished. Juvenile court proponents believe that individualized, offender-based sentences that meet the needs of juveniles and prevention services that support families offer the best hope of reducing juvenile crime and turning juvenile offenders into productive, law abiding citizens.

Recently States have responded with “get tough” measures that have significantly altered the legal response to violent and other serious crime (Torbet, et al., 1996). These measures call into question not only the juvenile court but also the broader juvenile justice system and the intervention model on which both are based.

There are two primary factions within the abolitionist camp (see Yellen (1996) and Melli (1996): those who favor the criminal justice system for its ability to deliver harsher, more punitive sentences (mostly elected officials), and those who believe that the criminal justice system with its right to jury trials and, ostensibly, better counsel offers the best

The first section of this annotated bibliography provides abstracts and additional references on recent articles addressing juvenile court and juvenile justice system reform. The second section summarizes the positions advanced by selected organizations and foundations. The final section provides abstracts of selected State task force and commission responses to juvenile justice reform. These reports are included not only to demonstrate the diversity of opinion that has emerged from state planning efforts, but also to show the depth and quality of deliberation in which states have engaged in responding to juvenile justice reform issues.
Abstracts on Juvenile Justice Reform


Abstract: In a highly theoretical way touting social constructivism, the author recommends that the juvenile court be completely abolished. She contends that society’s current view of the nature of childhood and adolescence is so changed from what it was at the turn of the century that these changes undermine the ideological legitimacy of a separate juvenile court. The author discusses the ideological costs of maintaining an institution that no longer comports with this cultural reality and evaluates the practical consequences of abolishing the juvenile court. Ainsworth contends that the supposed benefits of juvenile jurisdiction do not depend on the existence of a separate juvenile court, and that juveniles would receive positive advantages from being tried within a unified criminal justice system.


Abstract: The author predicts that the second century of the juvenile court will be at least as impressive as its first by focusing on rebuilding families as the most effective way to reduce crime. Lindsay offers six proposals are offered for consideration. Public safety will be secured by examining and meeting the needs of juveniles and supporting families rather than just punishing past offenses. Family court structures will prevail. Media monitoring of hearings and legal records will promote system accountability. Caseloads will be reduced by diverting juveniles who can be managed without loss of liberty or transferring those requiring longer sentences to criminal court. Status offenders will once again receive intervention to restore family control and nurture. Fathers will play a bigger role in nurturing their children and providing for their support.


Abstract: The author delineates the five points of “revolution” that juvenile justice administration has undergone since 1899 (the advent of the juvenile court; the Gault decision, “nothing works” and the concomitant developments of consent decrees, alternative sanctions and privatization; federal mandates; and the “politics of fear”). Most of these changes have been imposed by external agents (frightened citizens, concerned legislators) rather than as a result of internal decision making. The author blames juvenile justice administrators for failing to provide leadership and vision. He suggests that the current focus on reinventing government and total quality management (TQM) could prove to be the next “revolution.” A preview of what the next century holds includes: a substantial increase in privatization; legislative reforms giving prosecutors a bigger role and making the juvenile court more adult-like and more adversarial; more citizen involvement; continued passive judicial role;
family court jurisdiction over dependent children and status offenders; departments of juvenile corrections created to deal with the older, chronic, violent offender; treatment programs expanded for drug dependent and juvenile sex offenders; and external pressures to change juvenile court operations and management of offenders.


**Abstract:** The author asserts that the juvenile court system has become a hybrid of the criminal court system: the juvenile court has retained its civil nature but closely resembles a criminal trial. Because of this duality, critics are calling for an end to juvenile justice citing that the criminal system can adequately handle juvenile cases and be tougher on crime. The author contends, however, that abolishing the juvenile court will not equate into greater punishment or impact crime as expected, but will instead further tax the adult system. That system is incapable of providing for the basic needs of minors including proper assessment, education, job training and other services. As an alternative, Costello supports a unified child and family court system which maintains jurisdiction over all children's issues. Under this model, the court will coordinate and monitor services needed by the child and family and many issues would be resolved through mediation reserving the use of the judiciary to cases requiring a hearing. Effective case management, a hallmark of this model, will assure that appropriate services for both child and family are identified and provided.


**Abstract:** The juvenile court of the future will be a changed, but viable, institution largely because of society’s need to hold parents accountable for their children’s well being and youth accountable for their actions. The author describes three current trends which will continue to impact the juvenile court in the future. First, more jurisdictions will refine and streamline their court structures, either through better coordination or by creating unified family courts. This will result in better handling and oversight of multiple cases involving the same family. Second, the use of a wide variety of alternative dispute resolution techniques will grow within the court assuming a monitoring and oversight function over these mediated agreements. Third, private and voluntary efforts will be utilized to assist the court in providing services to children and families as well as to mobilize community-wide efforts on behalf of children. Edwards suggests that ideally, the juvenile court of the future will place itself squarely in the community and work with others concerned about the well being of children and families to provide an appropriate and meaningful response to each child who comes within its’ purview.


**Abstract:** The author argues that no compelling reasons exist to maintain a procedurally deficient and punitive juvenile court separate from a criminal court. Instead we should recognize youthfulness as a mitigating factor in sentencing and
modify criminal procedure to accommodate younger offenders. Since Gault, Feld contends that legislative, judicial and administrative changes have modified juvenile courts’ jurisdiction, purpose, and procedures. These developments (increased procedural formality, removal of status offenders from juvenile court jurisdiction, waiver of serious offenders to the criminal court system and an increased emphasis on punishment), have transformed the juvenile court from its original model as a social service agency and “manifested the criminalizing of the juvenile court and its convergence with adult criminal courts.” Because criminal courts are already overcrowded and most juvenile cases are trivial, “kid stuff” should be decriminalized and handled summarily. Young offenders would continue to be “age-segregated” in existing juvenile detention and institutional facilities.


Abstract: The author suggests that children’s services are heading into a new era and that significant events foretell a dramatic overhaul of the juvenile justice system. He sees a complete fusion of the three major systems: juvenile court, public school and social services into one single operation, housed in one location, with one communications network and one counselor to see the child from arrest through all three systems. This change will be fueled not by a further rise in juvenile crime, but by a new public awareness and concern over the needs of children, especially those who have been abused and neglected. Public awareness of the crisis facing children will prompt more attention to early intervention during a child’s formative and early school years. For younger, first-time offenders, the goal will be rehabilitation with an emphasis on meeting educational requirements. Second tier offenders, those 14-18, will receive jury trials and the same harsh sentences as adults criminals, however still with a rehabilitation focus. The present fractured dependency system will be slowly transformed. Universities will partner with private and public social service systems to provide external monitoring, assessment and research. Juvenile court judges will share their decision-making role with citizen review panels and advisory boards. As a result of enhanced citizen involvement, confidentiality will be “out the window.” Judges will administer the new system with masters and case managers playing important roles.


Abstract: This article refutes Professor Janet Ainsworth’s contention that various disciplines blur the boundaries delineating age-appropriate behavior and that there is no difference between children and adults. The author argues that childhood is a real state of being and that the juvenile court is the preferred medium for hearing delinquency cases. He further maintains that the juvenile court is superior to the criminal court on such measures as constitutional performance, rehabilitation of offenders and protection of children, and individualized justice; and that existing imperfections of the juvenile court can be overcome by improving the teaching of
juveniles law and procedure. In suggesting efforts to improve the juvenile court, the author contends that the criminal court is fatally flawed and should not be emulated. Rather we should continue our quest to both protect society and act in the best interests of children. The juvenile court is flexible enough to resolve both minor offenses through nonadversarial means and serious matters through transfer to criminal court.


Abstract: This article portends several issues that will impact the reforms the juvenile justice system is certain to undergo in the next century. Changes in the court's mission from best interests of the child to youth accountability will require that we re-examine our assumptions about the "criminal responsibility" of juveniles and the types of programs being developed. The primary basis for juvenile courts in the next century will be neglected, abused and dependent children rather than delinquents and the focus will be on non-adversarial decision-making models. Court reforms appear to embrace the family court model. The administration of juvenile corrections could go to the same department as adult corrections. A new breed of juvenile offender—one that is violent (especially sexual assaults), drug-involved (especially dealers), and gang-involved is currently testing the resilience of the juvenile justice system. The authors believe that we have lost much of our optimism about the capacity of youth to change and that the juvenile justice system of the 21st century is likely to be characterized by an absence of jurisdiction over most youth age 14 and older charged with a felony crime.


Abstract: The article examines recently adopted international mandates regarding juvenile justice and children's right and investigates how nations have reacted to them. International law sets up another alternative to current punishment or rehabilitation approaches—one that renews emphasis on protection, care and treatment; reaffirms the need for compensation to society and victims; and reestablishes the need to hold delinquents accountable by encouraging responsibility and giving them the power to influence dispositional decisionmaking. Levesque reiterates a caution common in many articles calling for reform: that the juvenile court cannot be expected to alleviate every social ill afflicting children or have a significant impact on juvenile crime. As such, he believes that future visions of juvenile justice must move beyond the juvenile court and incorporate programs that take a "social-ecological perspective" and provide individualized and flexible services.
Abstracts on Juvenile Justice Reform


Abstract: The juvenile court has been subject to increasing criticism over the years, particularly with regard to its handling of delinquency cases. This is due in part to an inaccurate view of the court as primarily a criminal court that adjudicates crimes committed by children. This article proposes an alternative model for the court; one that encompasses its jurisdiction over dependency and status offense cases, as well as delinquency cases.

In describing this new conception of the juvenile court an analogy is made to a bankruptcy court; but one that intervenes when family members violate the laws regulating their relationships to one another. This new juvenile court would not take direct responsibility for the rehabilitation of child or family. Instead it would use its power to hold private and public caretakers accountable for fulfilling their roles as supervisors and habilitators of children. The article concludes by exploring the advantages and potential disadvantages of this new vision of the juvenile court.


Abstract: In this article, the author, a self-avowed juvenile justice reformer, responds to calls for the abolition of the juvenile court. She contends that the disparity in constitutional and procedural safeguards between juvenile and criminal courts is not substantial enough to offset the benefits of the juvenile justice process. She further argues that a juvenile’s immaturity and vulnerability will not be adequately taken into account in assessing culpability and determining sentences if tried as an adult in criminal court. Rosenberg believes that we should “stay and fight” for a reordering of resources that will protect and nourish children.


Abstract: The author charges that juvenile court abolitionists ignore the court’s role with abused and neglected children. He believes that the present structure and jurisdiction of the juvenile court should be retained, but its current workload should be blended with a range of domestic relations cases to create a family court. It’s a given that more states will send violent offenders to the criminal system. As a result, a two-tier approach to delinquency will evolve. At the smaller, top tier, the juvenile court’s job with the most serious cases will remain to minimize criminalization, obtain community programming and, when they are sentenced as adults, to seek placement in a specialized juvenile facility. For the larger, lower tier, the emphasis will be on home detention and diversion, education, job training and employment. He faults abolitionists for using arguments that are based on ideological assumptions rather than hard data and research and cites the shortcomings of typical felony and misdemeanor courts. Finally Rubin looks both backward and forward to determine what the juvenile court has and has not accomplished post-Gault.
Abstracts on Juvenile Justice Reform


Abstract: In a response to Professor Janet Ainsworth’s article that advocates abolishing the juvenile court, Soler suggests that it may be possible to “re-imagine” juvenile court reform—by focusing on the role of the juvenile court in coordinating a wide range of services. Soler suggests that the dramatic change of attitude toward children and juvenile crime Ainsworth says happened in the 1980s, lies as much with the political agenda of the Reagan administration as with the perceived failures of rehabilitation programs. He further refutes Ainsworth’s contention that there has been a “breakdown of the child-adult dichotomy” in Supreme Court decisions by citing the Schall v. Martin, preventive detention decision in which the Court preserved the parens patriae interest in promoting a child’s welfare. Inadequate services and programs for children and families (which he believes are categorical, narrowly defined and fragmented), are of more concern to Soler than the juvenile court’s supposed procedural inadequacies. The juvenile justice system has been lax in developing “service integration” projects or interagency collaborations like those in the child welfare and mental health systems. He advocates a new role for juvenile court judges—coordinating and ensuring the provision of a wide range of services. These roles are legitimate since the court has: 1) the responsibility to act in the child’s best interests and to monitor progress and implementation of its orders, and 2) the authority to mandate services through its orders. The court could ensure the provision of health and dental services and educational services under existing federal programs for disabled and poor children. Family-centered service plans would allow the judge to enforce the statutory rights of children under federal and state statutes.


Abstract: Soler outlines his ideas for addressing some of the current legislative changes States have enacted that represent dramatic shifts from traditional juvenile justice approaches and which significantly affect minority youth. First, the impact of legislative changes should be monitored, specifically data on criminal prosecution and sentencing of juvenile offenders should be collected nationally. Second, research should be conducted on the impact of the legislative changes on the juvenile justice system itself. Third, research findings should be broadly disseminated because there is no “informational counter-force to the highly political and punitive attitudes of many elected officials.” Soler recommends development of interdisciplinary training materials and interagency training opportunities because many critical decisions require interdisciplinary knowledge. He suggests creating model court laboratories: one true to the original reformers’ ideals; a unified family court, and another as a model for social services coordination (see Soler, 1994).
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Abstract: Springer maintains that we must reform the juvenile court by "reestablishing its' reputation and character." He suggests that we "remodel" (not dismantle) the juvenile court by casting off the clinical model in favor of a justice model that: dispenses real justice, holds juveniles accountable for their crimes, affirms parens patriae, and makes society responsible for helping juveniles gain "moral and civic equilibrium." We should also "remoralize" the juvenile court by giving it a "moral structure with real meaning" and, in essence, a compass and reason for being. The author believes that the system's preoccupation with the clinical model, which views "wrongness of deed as a disease rather than a moral fault" and which embodies treatment and rehabilitation, is its weakness. Juvenile courts have "a moral and legal duty" to administer 1) retributive justice (punishment for wrong doing that at the same time considers a juvenile's diminished capacity and childhood attributes), and 2) distributive justice (giving delinquents their due) by applying that care and discipline required to show delinquent juveniles the way to better, more honest lives (e.g., respect for the law, themselves and others). He cautions against the tendency to blame courts for what are really adverse social conditions over which they have very little control. Finally, Springer tentatively applies some of his "moral model" ideas to a variety of juvenile court topics, including purpose clauses, adjudication, transfer to criminal court, disposition and sentencing, juvenile probation, and rehabilitating and reeducating juveniles.
Additional References on Juvenile Justice Reform


Burke, Michael K. This old court: Abolitionists once again line up the wrecking ball on the juvenile court when all it needs is a few minor alterations. *University of Toledo Law Review* (Summer, 1995) 26.


Additional References on Juvenile Justice Reform


**Abstract:** The ABA’s Working Group on the Unmet Legal Needs of Children and Families convened to further the ABA’s vision of justice for all children. The report, in two parts, addresses legal reforms related to fulfilling children’s essential needs as well as their legal system needs. The section on juvenile justice and children in institutions includes recommended agendas to: fulfill children’s right to counsel, enforce existing federal law (e.g., bias, status offenders, etc.), improve existing law (re: use and conditions of confinement, criminal prosecution and capital punishment of juveniles, and confinement of undocumented minors and mentally ill minors), and discourage privatization of facilities for detaining or confining juveniles.


**Abstract:** The State Justice Institute funded “The Future and the Courts Conference” held in May, 1990, the mission of which was to help State Courts better provide effective, fair and responsive justice to all Americans. The conference was to formulate visions of the court system over the next 30 years and beyond, establish goals for long-term needs and identify an agenda for planning, actions and research to achieve those goals. The report documents the various futures envisioned during the conference, the trends and scenarios that shaped those visions and the strategic steps that would have to be taken to implement them by 2020.


**Abstract:** The Annie E. Casey Foundation asked the NCCCD to help inform current policy debates by preparing a report that summarizes trends in juvenile crime and attempts to answer two questions: is the juvenile justice system soft on juvenile offenders and what works with serious and violent juvenile offenders. Implications for public policy are provided as well as a new agenda for violence prevention. The authors recommend that currently excessive correctional system expenditures be reallocated toward primary prevention activities as well as treatment resources for institutionalized youth.


**Abstract:** This document presents the National Council’s vision of an effective court system. It summarizes three core principles. A unified family court, housed in a centrally located family court center, must be at the highest trial court of general jurisdiction. The family court center would provide intake, evaluation and referral to services and offer alternative methods of resolution. Delinquency jurisdiction should be to age 18 in every State and the decision to transfer cases to the criminal court should only be made by the juvenile or family court judge. Confidentiality provisions should be reexamined and relaxed to promote public confidence in the court’s work.
Position Statements on Juvenile Court Reform from Selected Organizations

Pursuant to the second core principle—role of the judge—the Council stresses that judges be well educated and committed to sitting on the family court bench and to espousing the principles of treatment, rehabilitation and family preservation as well as community protection and accountability. Judges must take a leadership role to improve the administration of justice for children and families at all levels and promote effective interagency working relationships. Finally judges must have the authority to order, enforce and review delivery of services and must exercise that authority. The third core principle—resources—revolves around professionals (of sufficient number and qualification) and services (full range of services and programs as well as standards for determining level and amount of resources and monitoring).
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Connecticut


**Abstract:** This report was prepared in accordance with legislation that targets juvenile justice reform to ensure that juveniles are held accountable, programs and services meet the needs of juveniles and communities are protected. The plan addresses one aspect of the legislation—recommendations on juvenile justice reorganization, specifically the allocation of staff and responsibilities involving delinquency cases between the executive and judicial branches. Three principles guided the committee’s deliberations: continuum of services, balancing the need for institutional and community-based services and multi-year approach. Some of the primary recommendations included: 1) developing a comprehensive continuum of community-based diversion and treatment programs; 2) ensuring availability and coordination of quality mental health and substance abuse assessment services; and 3) increasing the number of parole officers to reduce caseloads and ensure supervision of probationers.

Florida


**Abstract:** Since the Bobby M. case in 1983, a federal class action suit that charged inhumane conditions in the state’s training schools, the Florida juvenile justice system has undergone sweeping change. The State reduced secure capacity in two large training schools and increased transitional bed-space beyond the fence of each school. It also added an assessment process and a wide-range of interventions for specific needs. In 1990, the Juvenile Justice and Reform Act completely revised the existing system and increased the funding stream for delinquent and substance abuse programs. Later in 1993, the Legislature established a Juvenile Justice Program Office within HRS and created a deputy secretary position to run the office. As a result of high profile violent incidents committed by juveniles, juvenile crime became the primary discourse in the 1994 Legislature. This report summarizes key provisions of the 1994 Juvenile Justice and Reform Act, presents the activity of the Juvenile Justice Advisory Board and provides an overview of the juvenile justice system. Key provisions of the Act established the Florida Department of Juvenile Justice, a

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secretary for Youthful Offenders in the Department of Corrections, enhancement of youthful offender programs and provision of aftercare services subsequent to boot camp. The Act also mandated the Juvenile Justice Advisory Board to continuously monitor juvenile justice programs, services and outcomes to ensure availability of effective programs. Under the mandate, the Advisory Board held a public forum and developed several recommendations to guide the future direction of the juvenile justice system. The recommendations emphasized planning, cooperation and collaboration among stakeholders, offender accountability, public safety, and availability of appropriate programs and services for court-involved and pre-delinquent youth.

New Jersey


Abstract: Recognizing the absence of a statewide primary prevention policy and a fragmented service delivery system, the Juvenile Justice and Delinquency Prevention Advisory Committee’s Prevention Subcommittee, embarked on a plan to coordinate the efforts of departments and divisions at State and county levels. The interagency plan outlines the primary steps to be undertaken by key sectors of the community to effectively coordinate resources for at-risk children and families. The plan includes a working definition of primary prevention, outlines the essential qualities for prevention programs, and encourages all sectors of the community to work proactively in the care and nurturing of its children. Goals of the plan are to: 1) increase public awareness of primary prevention activities and promote effective parenting within the general population; 2) encourage increased participation of industry and the private sector to facilitate opportunities for youth; 3) increase the primary prevention planning and implementation activities of the state, at county and municipal level youth serving organizations; 4) establish a statewide clearinghouse network for primary prevention that will provide technical assistance to communities; 5) establish a uniform policy and system of collaboration between agencies which assures effective prevention planning on an on-going basis; and, 6) improve the education of youth to increase competencies and skills, reduce drop-out and truancy.


Abstract: This article suggests that New Jersey should reinvent its juvenile justice system based on the concept of “reinventing government.” In this model, government becomes more efficient and effective through four basic rules: encouraging competition for delivery of services, treating the citizen as a consumer, focusing on prevention, and empowering communities. The concept of reinventing government emerged in response to public discontent with how government works. Under this strategy, the responsibility for crime reduction and delinquency shifts, in part, from law enforcement, the courts and corrections, to the community. The community and its inhabitants are empowered to develop effective activities and programs to prevent delinquency and violence. Prevention becomes a primary objective and is viewed as more cost-effective and preferable to a response following a delinquent act. Service delivery will also change. Instead of providing services to delinquent youths
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according to availability, services will be assigned according to the needs of a particular juvenile. This will prevent a waste of resources and require a system for assessing the needs and problems of troubled youth. The effectiveness of services and programs will also be enhanced by engaging private service providers in a competitive bidding process. A final aspect of the strategy is evaluation.


Abstract: In response to the growing problem of violent juvenile crime, the Governor created a Juvenile Justice Advisory Council to conduct an assessment of the juvenile justice system in its entirety and to create a concrete strategy for reform. In this report the Advisory Council notes the system’s failure to produce an adequate response to the increase in serious, violent juvenile crime and proposes a system that would provide a range of sanctions, services and prevention programs. The new system would join State, county and communities together to work and plan responses to juvenile crime. The Advisory Council proposed re-structuring the juvenile justice system at the State and county level in order to enhance the system’s ability to effectively tackle specific problems in the system (e.g. inadequate sanctions and services at local levels and institutional overcrowding). Specific reforms include: creation of an independent Juvenile Justice Commission; an enhanced role of County Youth Services Commissions in planning, coordination and development; creation of a State/Community Partnership Grant Program; several strategies to address minority over-representation; immediate implementation of four initiatives to protect the public from serious and violent juvenile offenders; priority initiatives for the proposed juvenile justice commission to develop aftercare services, a range of specialized programs for juvenile sex offenders and a boot camp; priority initiatives for the state/community partnership to implement prevention services, early intervention programs and detention alternatives; and greater access and sharing of information on youth involved in the juvenile justice system.

New York:


Abstract: The Governor established the Commission for the Study of Youth Crime and Violence and Reform of the Juvenile Justice System to handle the escalating level of juvenile crime and violence in New York. The Commission’s responsibilities, according to the mandate, were to investigate the depth and consequences of juvenile violence; assess the effectiveness of the juvenile justice system in providing public safety and rehabilitating young offenders; and to propose recommendations to the Governor for programmatic and legislative reforms. This preliminary report presents the Commission’s work over a five month period. During this period, the Commission conducted extensive research, took part in a series of public hearings, conducted interviews and site visits to schools, detention facilities, courts and youth programs. The report offers proposals make the juvenile justice system fairer, hold juveniles more accountable for their crimes, and to make the system more credible as a whole. The Commission proposed expanding “Safe Havens”-school-based
community centers that provide youth and family services as well as procedures to increase accountability and equity in decision-making and improve access to information; amending the Speedy Trial Law; and creating an authority to obtain arrest and search warrants. The Commission's final report will address prevention and treatment programs and other issues affecting juvenile violence.

Pennsylvania:


Abstract: To create a more cohesive and comprehensive juvenile justice system, the State embarked on a plan to coordinate the functions of agencies directly involved with troubled youth. The present system was viewed as inadequate for responding effectively to the changing needs of troubled youth and the community. For this reason, the Department of Public Welfare Secretary established the Juvenile Justice Task Force, an assembly of agencies with concern and interest in the juvenile justice system. This report is an attempt to fulfill the Task Force's mission - to identify issues before the state juvenile justice system and to develop sound solutions to improve the lives of youth and to protect the community. The recommendations focus on the various components of the juvenile justice system, e.g. arrest, intake and referral; detention; assessment and case management; adjudication and disposition; treatment and victim services; and system management. Workgroups were established for each of the components. The recommendations were crafted using a threefold process: 1) an analysis of each component and its current operation; 2) how the component should work- the ideal; 3) recommendations to help the component reach the ideal. Each recommendation matched the Task Group's philosophy statement and guiding principles. Proposed recommendations included: funding for a full range of diversion programs; a uniform statewide criteria for admission of youth to secure detention; a feasibility study for statewide assessment; provision of on-going training for judges and court masters; uniform admission criteria for state-operated treatment facilities; and development of policies that mandate equity and sensitivity to various cultures.


Abstract: This report is an examination of the status of Pennsylvania's juvenile justice system three years after release of the report, "Toward the Year 2000: A Blueprint for Excellence" in 1991. It acknowledges the progress that has been made and focuses attention to areas in need of change. These areas include: 1) refocusing the vision and philosophy of the juvenile justice system; 2) establishing a strong and stable fiscal relationship between state government and private providers; 3) ensuring the system's capacity and flexibility to meet the needs of the changing population of delinquent youth; 4) encouraging community ownership of programs and services; and 5) identifying a state funding source for support of probation departments. The Task Force proposed four process recommendations. First, a cautious, incremental
approach to system reform—to preserve the system’s strong points and give serious problems priority. Second, to hold discussions of proposed amendments to the PA Juvenile Act in public forums exclusively. Third, to engage the principles of the balanced approach to juvenile justice (i.e., public safety, accountability, competence development and reparation to victims) in juvenile justice planning and individual case dispositions. Fourth, to create a system with the capacity and resources to enable an adequate response to offender needs.


Abstract: The original focus of Pennsylvania’s juvenile justice system was on the condition of the child rather than on the child’s behavior. As such, the public interest was served and satisfied with the provision of treatment and rehabilitation rather than punishment and retribution of delinquent children. The increase in youth violence in recent years has changed PA’s traditional philosophy and led to legislation calling for more punitive sanctions and additional prison facilities. This report takes an intensive look at PA’s juvenile justice system and proposes options to improve the system’s response to serious and violent juvenile crime. The information presented in the report is based on an analysis of state juvenile court arrest data; visits to public and private residential treatment centers, community-based residential and day providers; and surveys of juvenile court judges, district attorneys, public defenders, and private providers. The Committee recommended: 1) the Governor appoint the PA Commission on Crime and Delinquency (PCCD) to serve as primary state agency for planning, policy development, and coordination of the Commonwealth’s juvenile justice system; 2) that PCCD describe the specific roles, missions, and service expectations for both public and private sector programs; 3) the Governor’s Office ensure that PCCD has adequate resources to accomplish its expanded mission; 4) the General Assembly consider amending PCCD’s enabling statute to include the state department heads (i.e., Secretary of Public Welfare, Chair of Juvenile Court Judges’ Commission, and possibly the Secretary of Education); and 5) provide a stable funding base to offset loss of Title IV-A funds by providing partial state reimbursement for the operation of county juvenile probation offices. The Committee also formulated recommendations specific to the Department of Public Welfare, for example to: assure that appropriate facilities exist for specialized needs; audit performance of public and private facilities providing services to delinquent youth; and development of a capital plan. The Juvenile Court Judges’ Commission is designated to continue its leadership role and encourage judges to provide community leadership.

Texas:


Abstract: This report reviews and updates the Texas Family Code to reflect changes in rules governing family relationships and the juvenile justice system. The
committee's findings and recommendations were based upon written and oral testimony and raises questions beyond the scope of the Family Code. The report consists of background information and discussion of the major areas where recommendations are made. It is divided into four sections and includes recommendations for each aspect of the Family Code including: Title 1-Husband and Wife; Title 2-Parent and Child; Title 3, Delinquent Children and Children in Need of Supervision; and Title 4-Protection of the Family.

Juvenile crime was a focal point of the study and testimony indicated that the juvenile justice system could not deter, and may in fact encourage, juvenile crime. The Committee's recommendations relevant to Title 3 fall into several categories: purpose; civil v. criminal process; confidentiality; fingerprints and photographs; determinate sentencing/release hearing; certification as an adult; minimum lengths of stay; informal disposition procedures and gangs.

Virginia:


Abstract: Senate Joint Resolution 263 mandated the Joint Legislative Audit and Review Commission (JLARC) to conduct an assessment of the administration of justice. This document presents the Commission's findings and proposed resolutions for improving the juvenile justice system. The assessment is based on a review of 3,000 juvenile records and an analysis of the state code. Based on the research, the JLARC recommended: 1) the General Assembly consider concurrent jurisdiction authority as an alternative for sanctioning violent offenders; 2) a code amendment to clarify its intent for the discretionary authority of intake staff in making diversion decisions; 3) increase juvenile court's access to a diverse range of sanctions and more opportunities for treatment; 4) judicial guidelines for achieving race-neutral decisionmaking; 5) increased use of community-based alternatives for currently confined nonviolent juvenile offenders; 6) Department of Youth and Family Services implement an on-going system for collecting case processing data including offense information, intake decisions and dispositions.


Abstract: The Commission on Youth was established by the legislature to study and provide recommendations on the needs and services of youth and families. The rise in juvenile crime in the state and the nation prompted the Legislature to reassess the juvenile justice system. As a result, House Joint Resolution 604 was enacted directing the Commission to study and suggest reforms to the juvenile justice system. The recommendations, based on an intensive analysis of the juvenile justice system, target truancy and prevention; court services and processes; secure facilities and shelters; and serious juvenile offenders. Some the recommendations include: holding schools accountable for truancy; revising the purpose clause to include the balanced approach philosophy (i.e., safety of the community, rights of the victim and best
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interest of the child and family); expanding community-based alternatives; and limiting indeterminate commitments.

Wisconsin:


Abstract: To confront Wisconsin’s juvenile crime problem head on, the Governor and the Legislature created a Juvenile Justice Study Committee to study the effectiveness of the Children’s Code and related issues. This report contains the Committee’s recommendations for creating a new juvenile justice system capable of responding to the 1990’s and beyond. The Committee’s decisions were guided by six underlying principles: 1) that the juvenile justice system should provide public safety; 2) the system should operate more efficiently; 3) intervention should be earlier and more effective; 4) personal responsibility should be expanded and reinforced; 5) punishment and sanctions should match the offense; and, 6) a balanced approach should be established. The Commission found provisions of the Children’s Code inadequate for handling the new brand of juvenile offender and recommended all language concerning juvenile delinquents be deleted. In its place, the Commission proposed creation of a new Juvenile Justice Code to respond to juvenile delinquency exclusively. The balance of reforms focused on creating a more responsive system, increasing and stabilizing funds for alternative programs, and using classification procedures to determine appropriate placements.
Additional References of Recent State Juvenile Justice Commissions and Special Task Forces


Additional References of State Juvenile Justice Commissions and Special Task Forces
