Setting Explanations and Definitions

JUVENILE JUSTICE SETTINGS

Delinquency Court (Juvenile and Family Court)
Delinquency Courts have jurisdiction over juveniles, juvenile delinquents, status offenders and Children and Youth in Need of Supervision. All Juvenile Courts are civil bodies. This means that juveniles cannot acquire a criminal record directly from Delinquency Court actions, where the actions remain confined to the Delinquency Court. The Delinquency Court is most commonly associated with the Juvenile Justice System and juveniles who have committed a crime, offense and/or violation.

Dependency Court (Juvenile and Family Court)
Dependency Courts involve a juvenile (child/youth), typically in cases of abuse, neglect and mistreatment. Dependency Court judges are charged with determining if allegations of abuse or neglect are sustained by the evidence and, if so, are legally sufficient to support state intervention on behalf of the child. Some youth who appear in the Delinquency Court also appear in the Dependency Court at the same time for dual adjudicatory issues. The Dependency Court is most commonly associated with foster care, abuse and neglect issues involving youth younger than eighteen (18) years of age.

Youth Court/Teen Court (Youth Justice)
Teen/Youth Court Programs are Juvenile Justice diversion programs in which juveniles are sentenced by their peers for minor crimes, offenses and/or violations. These juvenile diversion programs are administered on a local level by law enforcement agencies, probation departments, delinquency courts, schools and local nonprofit organizations. They offer communities an opportunity to provide immediate consequences for primarily first-time-offending juveniles, and they also offer important civic, service and volunteer opportunities for volunteer youth who serve as judges, defenders, prosecutors, clerks and jurors.

Juvenile Detention
Juvenile Detention is considered to be a secure residential facility that provides for the temporary and safe custody of juveniles whose alleged conduct is subject to court jurisdiction and who require a restricted environment for their own and the community’s protection while awaiting a hearing, pending disposition, awaiting a placement or pending a return to a previous placement. In most cases, a youth’s time in a Juvenile Detention setting is short-term (72 hours or less). Juvenile Detention may be publicly or privately funded and operated. The continuum of services provided to youth in Juvenile Detention is determined by the jurisdiction/private entity operating the facility and, at a minimum, should include services that address immediate and/or acute needs in the educational, mental, physical, emotional and social development of juveniles.

Juvenile Corrections
Juvenile Corrections is considered to be a high-security residential facility that provides for the long-term and safe custody of juveniles who have been adjudicated (i.e. sentenced) by the court for having committed a felony or four misdemeanors. In most cases, a youth’s time in a Juvenile Corrections setting is long term (months to years) because they have been adjudicated by the court system as having committed a crime. Juvenile Corrections may be publicly or privately funded and operated. The continuum of services provided to youth in Juvenile Corrections is determined by state statute and, at a minimum, should include services, such as treatment plans, that address immediate and/or acute needs in the educational, mental, physical, emotional and social development of juveniles.
Juvenile Probation
The function of Juvenile Probation is to provide supervision and monitoring to youth under the jurisdiction of the court and ensure that youth on probation comply with all court orders. Juvenile Probation officers have the ability, through the pre-dispositional investigation/interview process, to identify the services and supports a young person and his/her family may need. The probation officer is then in the unique position of being able to make whatever referrals are appropriate to meet these needs, including referrals for mentoring. In addition to serving as a sanction for adjudicated youth, Juvenile Probation may be used as a way of diverting status and first-time juvenile offenders from the court system. Direction, guidance and rehabilitation services are provided to youth on probation and their families in an effort to encourage and support behavior considered to be appropriate by the court and the community. Rehabilitative services are provided by the probation officer(s) and/or community-based providers.

At-Risk and High-Risk Youth — The Office of Juvenile Justice and Delinquency Prevention (OJJDP) defines “at-risk” youth as those with high levels of risk in their family, home, communities and social environments to such a degree that it could lead to educational failure, dropping out of school or involvement in juvenile delinquency and gang-related offenses. OJJDP defines “high-risk” youth as those with present or past juvenile justice involvement.

Blended Sentencing — the imposition of both juvenile and adult sentences concurrently by the Juvenile Delinquency Court under certain circumstances.

Caretaker or Physical Custodian — a person who has physical custody but not legal custody of a youth, such as a foster parent, placement facility or relative without legal custody.

Delinquent Youth — a minor who has committed an act, which under the laws of the jurisdiction would be a crime if committed by an adult.

Dependent Youth — the terms used by some jurisdictions to describe a young person subject to the jurisdictions of the court because of child abuse, neglect or lack of proper care (TPR).

Detention Hearing — the first Juvenile Delinquency Court hearing regarding an alleged delinquent youth who was placed in detention at the time of the affidavit and petition were filed or at the time the youth was arrested on a warrant.

Disposition Hearing — the hearing at which the Delinquency Court makes orders regarding the consequences an adjudicated youth receives as a result of the law violation.

Diversion (Juvenile) — In less serious offenses, and if agreed to by the youth and parent/guardian, the case is handled through non-judicial alternative services.

JUVENILE JUSTICE DEFINITIONS

Adjudicated — a court ruling of guilt or innocence.

Adjudication Hearing — the hearing at which the Juvenile Delinquency Court judge/judicial officer determines that a juvenile is responsible for the offense that has been filed.

Adoption and Safe Families Act (PL 105-89) — federal legislation passed in 1997 that focused on safety issues as related to reunification, required safety issues as related to unification, required permanency time frames, and speeding the process of planning and finding permanent homes within 12 months. This legislation strives to improve conditions and more future outcomes for youth lingering in the Foster Care System and aging out of the Foster Care System.

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Dual Adjudicatory — a Delinquency Court designation for an abused, neglected or dependent youth who is also a delinquent youth and vice versa.

Embedded Program — a program that is housed inside the juvenile justice setting either by being developed by the juvenile justice setting or by being implemented by an outside mentoring program.

Family Group Conferencing — a process involving the engagement of immediate and extended family members and close friends to meet with a trained facilitator and design solutions for a youth, which they agree to implement to resolve a problem. Although this method is more common in the Dependency Court, it is also used in the Delinquency Court.

Graduated Sanctions/Responses — an accountability-based, graduated series of sanctions and incentives, combined with treatment and services, applicable to youth within the Juvenile Justice System.

Individual Service Plan (ISP) — a focused plan for addressing any number of issues that a youth may have. Generally, the term is commonly used in public education to aid youth with learning difficulties. While the same may be true in Juvenile Corrections, the ISP may include issues for staff to consider when working with the youth in any program.

Judicial Officer — a lawyer appointed by a Juvenile Delinquency judge to hear Juvenile Delinquency petitions. May be referred to as Commissioner, Magistrate, Master, Referee or Hearing Officer.

Juvenile — a youth under the age of majority. The recommended age is usually eighteen (18) and younger.

Legal Guardian — an adult who is not the biological parent, or a state or licensed children and youth agency, who has been given legal authority by a court to provide care and custody of a child/youth.

Needs Assessment — one tool in the Structured Decision-Making process. It identifies the offender’s specific needs and provides part of the foundation for the case plan.

Petition — the document that specifies the violation of law and state statute number described in the affidavit that the youth is alleged to have committed. A probable cause statement or affidavit, usually filed by the police, accompanies the petition.

Post-Disposition Review — hearings held after the Juvenile Delinquency Court has ordered probation, treatment services, support services or placement to ensure that the youth, parents, probation, treatment and service providers are following through with the court ordered and/or court supported plan.

Pre-Adjudication — the period between arrest and a court ruling on guilt or innocence.

Recidivism Rates — There are three (3) common rates of recidivism used frequently in the Juvenile Justice and Criminal Justice Systems. They include: 1) re-arrest; 2) conviction; and 3) incarceration. The National Institute of Justice (NIJ) considers recidivism rates to be empirically logical using a scientific and random assignment approach which is three (3) years post adjudication.

Status Offender — a juvenile who has committed an offense that would not be considered an offense if committed by an adult (i.e. truancy, runaway, etc.).

Summons — the document provided to an alleged delinquent youth and parents/legal guardians that orders them to appear before the Delinquency Court at a specific date and time to respond to a specific alleged violation of the law.

Waiver (or Waive Jurisdiction) — refers to the transfer of a youth from Juvenile Delinquency Court to Criminal Court. Also referred to as “certification,” “transfer” and “relinquishment.”
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**Warrant** — an order for the arrest of a youth on an alleged law violation or failure to appear at court. Also referred to as “writ,” “capias” or “take in to custody.”

**Wrap-Around Services** — a method of service delivery highlighted by commitment to create services on a “one youth at a time” basis to support normalized and inclusive options for the youth with complex needs. Wrap-around interventions create a youth and family team composed of the people who know the youth best to design an individualized plan.

**Written Findings and Orders** — the document that records the decisions made by the court at the delinquency hearing, which is distributed to legal parties and key participants at the end of each Juvenile Delinquency Court hearing.

**Youth Justice** — These rapidly expanding juvenile justice diversion programs are often referred to as Youth Court, Teen Court, Peer Court, Student Court and Youth Peer Panel. Rehabilitation services are provided to youth on probation and their families in an effort to encourage and support behavior considered to be appropriate by the court and the community. Rehabilitative services are provided by the probation officer(s) and/or community-based providers.