

FY
2016



Annual Report

CLAYTON COUNTY JUVENILE COURT

Clayton County Youth Development & Justice Center
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Introduction

Dear Fellow Citizens:

I am pleased to present to you Clayton County Juvenile Court's report for fiscal year 2016. I strongly believe the citizens of our county are entitled to be informed about the functioning of their Juvenile Court and trust that you will find this report informative and useful.

I am proud of the fact that Clayton County Juvenile Court is widely recognized as a leader in juvenile justice system reform. Our approach to developing school-justice partnerships has been replicated in more than 50 jurisdictions across the nation, thanks to the assistance of the Annie E. Casey Foundation and National Council of Juvenile and Family Court Judges. We have even provided consultation to the nations of Australia and Tajikistan! Closer to home, we have played a vital role in reforming Georgia's entire juvenile justice system. Many of Clayton County's senior leadership serve on important state-level juvenile justice committees, including Commission Chairman Jeffrey Turner, Chief Public Defender Christine Vandross, and my own Director of Programs and Resource Development, Colin Slay. I am honored that Governor Nathan Deal has appointed me to the Criminal Justice Reform Commission and other boards – the impact of our work extends well beyond the geographical borders of Clayton County.



As you will note from the statistical information presented in this report, we continue to experience the trend of shifting workloads, an intentional move from formal processing of juvenile complaints to informal processes. This strategy is supported by a plethora of research that warns of the dangers of pulling the wrong children into the juvenile justice system. We know for instance, that detaining a child likely increases her chances of reoffending; that detention has a detrimental effect on children with mental health disorders; and that detention greatly decreases the likelihood that a child will graduate from high school. With such information at hand, we owe it to the children and families we serve, as well as the community as a whole, to be judicious in the use of detention and formal case processing, which innately increases the chances that a child will be detained. Simply put, detention should be reserved for those youth who scare us, not those that merely make us angry.

Taking this approach requires strong collaboration among the many community partners that make up our juvenile justice system. We are fortunate in Clayton County to have great cooperation amongst our juvenile justice stakeholders. I would be remiss if I did not take this opportunity to thank Chairman Jeffrey Turner and the Clayton County Board of Commissioners; Superintendent Luvenia Jackson and the Clayton County Board of Education; Sheriff Victor Hill and the Clayton County Sheriff's Office, Chief Michael Register and the Clayton County Police Department; our Clayton County Superior Court; District Attorney Tracy Lawson; Public Defender Christine Vandross; Commissioner Avery Niles and the Department of Juvenile Justice; Brenda Rayburn and the Clayton County Juvenile Justice Fund; and Director Andre Chambers and the Clayton County Division of Family and Children Services. Without the leadership of these individuals and the help of their agencies, as well as the support of the many community organizations alongside whom we serve, our success would not be possible. I would also like to take this opportunity to praise and thank my staff. They are hardworking and innovative, and it is because of their work that we are able to hold youth accountable while restoring them and their families as strong, productive individuals, all while protecting the safety of Clayton County's citizens.

Steven C. Teske
Chief Judge
Juvenile Court, Clayton Judicial Circuit

Juvenile Court Services

Vision and Mission of the Juvenile Court

The *Vision* of the Clayton County Juvenile Court is a safe and secure community that utilizes prevention and treatment services in collaboration with families and other organizations to ensure the wellbeing of children.

The *Mission* of the Juvenile Court is to endeavor to protect and restore the children of the county as secure and law-abiding members of society, and to strengthen families and reduce the need for further intervention by the prompt treatment, rehabilitation, and supervision of delinquent children and children in need of services and decisive processing of dependency cases.

Jurisdiction of the Juvenile Court

Except as noted below¹, the *Official Code of Georgia Annotated* (OCGA) § 15-11-10, gives the Juvenile Court exclusive original jurisdiction over matters concerning a child who:

1. Is alleged to be delinquent;
2. Is alleged to be a child in need of services;
3. Is alleged to be a dependent child;
4. Is alleged to be in need of treatment or commitment as a mentally ill or developmentally disabled child;
5. Is alleged to have committed a juvenile traffic offense; or
6. Has been placed under the supervision of the court or on probation to the court (provided that the jurisdiction shall be for the purpose of completing, effectuating, and enforcing such supervision or probation begun prior to the child's 17th birthday).

OCGA § 15-11-2(10) defines a "child" as an individual who is:

1. Under the age of 18 years;
2. Under the age of 17 years when alleged to have committed a delinquent act;
3. Under the age of 22 years and in the care of the Division of Family and Children Services (DFCS);
4. Under the age of 23 years and eligible for and receiving independent living services through DFCS; or
5. Under the age of 21 years who committed an act of delinquency before reaching the age of 17 years and who has been placed under the supervision of the court or on probation to the court for the purpose of enforcing orders of the court.

The Juvenile Court receives referrals from more than ten local, state, and federal law enforcement agencies; DFCS; school officials; and other sources. These referrals are commonly referred to as "complaints."

There is no filing fee for submitting a complaint to the Juvenile Court; however, there are fees associated with publication in certain dependency matters, and supervision fees are often assessed in cases where a child is placed under the court's supervision or an informal adjustment. These fees are used to purchase services such as evaluations, counseling, programs, mediation, community service projects, and educational services in accordance with OCGA § 15-11-37.

¹ Georgia law requires that certain serious felony offenses be handled by the Superior Court if committed by a child 13 to 17 years old (OCGA § 15-11-160). Commonly known as the "Seven Deadly Sins," these offenses include: murder, voluntary manslaughter, rape, aggravated sodomy, aggravated child molestation, aggravated sexual battery, and armed robbery if committed with a firearm.

In FY16, Clayton County Juvenile Court served 4,128 children.

Services

The following is a partial list of the services provided by the Juvenile Court, often in collaboration with its community partners:

- Crisis intervention and counseling
- Psychological evaluation
- Home study and evaluation
- Probation
- Restitution and community service
- Resource coordination
- Informal adjustment, mediation, and other non-adjudicatory diversion services
- Court Appointed Special Advocates (CASA) and *Guardian ad Litem* services
- Permanency planning and oversight
- Surveillance of high-risk offenders, including electronic GPS monitoring
- Drug testing for children under the court's supervision
- Second Chance Court for designated felony offenders
- Multisystemic Therapy
- Cognitive behavioral therapy

The Juvenile Court is a founding member of the Clayton County Juvenile Justice Fund's System of Care (SOC) and is heavily engaged in collaborative partnerships with a multitude of agency and community organization stakeholders. The court also pursues the Balanced and Restorative Justice model of juvenile justice and the Juvenile Detention Alternatives Initiative of juvenile justice system reform.

Funding

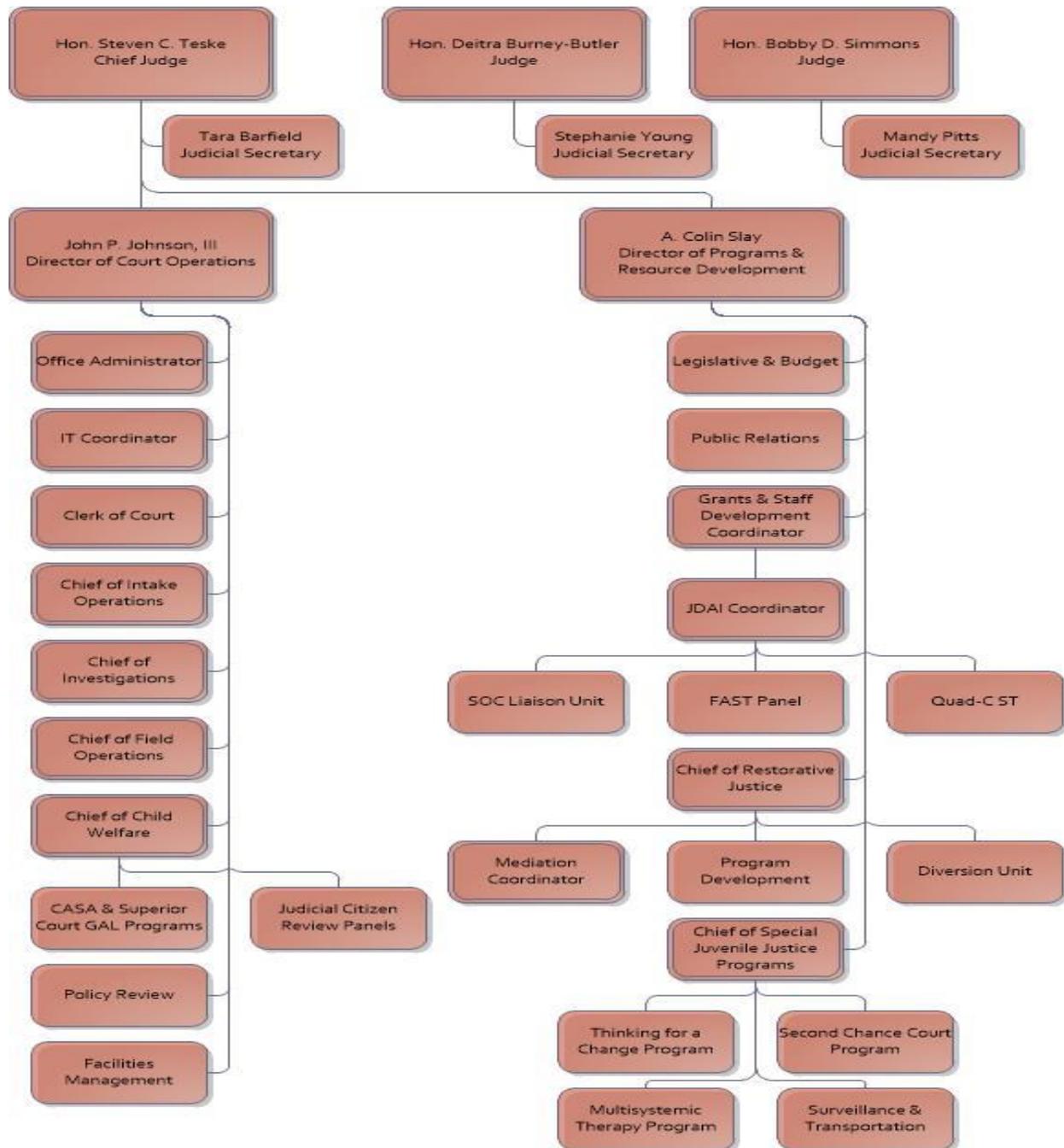
The Clayton County Board of Commissioners provides the majority of the operational funding for the Juvenile Court. More than half of those funds go to support the salaries and benefits of the court's more than 70 full - and part-time employees. The remainder of the budget is primarily devoted to supporting the court's operational costs. The FY16 budget included \$24,000 for direct services for children that fall under the court's jurisdiction.

The operational budget of the Juvenile Court for FY16 remained relatively flat at \$4,297,302. The Juvenile Court also collected \$10,034 in Supervision Fees and was awarded \$951,169 in grant funding from a variety of sources.

Because the traditional funding for services is limited, the Juvenile Court also collects supervision fees from juveniles who are placed under the informal and formal supervision of the court. The expenditure of these fees is limited by statute to providing assessments and evaluations; programs that are educational in nature; treatment services; and to support the supervision of youth under the court's jurisdiction.

Finally, as in years past, the Juvenile Court has been very successful in pursuing grant funding to support our work. Please see the [Grants and Staff Development](#) section of this report for more detailed information about the court's grants.

Organizational Structure



Judiciary

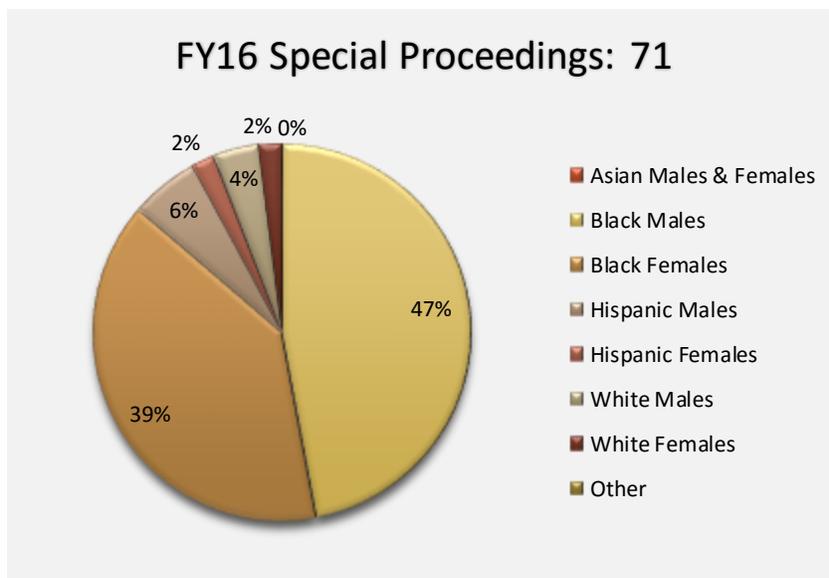
Three full-time judges serve the Juvenile Court, with the Honorable Steven C. Teske serving as the chief judge since 2011. The Juvenile Court’s judges are appointed by the Clayton County Superior Court to four-year terms.

The judges in Juvenile Court hear all cases that come under its jurisdiction that are formally processed. This includes the arraignment, adjudication, and disposition of matters involving delinquency, children in need of services (CHINS), juvenile traffic offenses, and dependency matters. Detention hearings to determine whether or not a child must

remain in a detention facility or foster care pending further court action are another responsibility of the judges. The judges of Juvenile Court are responsible for issuing all orders of the court, as well as bench warrants, pick-up orders, and *Ex Parte* orders involving children and parents under its jurisdiction.

There were 2,959 court hearings in Juvenile Court involving delinquency, children in need of services, juvenile traffic hearings, and dependency matters during FY16.

In addition to these types of cases, the Juvenile Court judges are called upon to hear a variety of special proceedings cases. These cases involve special circumstances such as permission to marry, extensions of custody, waiver of parental notification of abortion, expungement of a person’s name from the state child abuse registry, and termination of parental rights. Juvenile Court judges may also serve as Superior Court judges when designated to do so.



Of the special proceedings, perhaps one of the most extreme is the

termination of parental rights hearings. These highly emotional and sensitive cases involve the severance of any and all relationship between a parent and child, opening the door for possible adoption of the child.

There were 80 motions to terminate a parent’s rights filed in the Juvenile Court during FY16. Of those, 64 resulted in the severance of the parent’s rights.

Chief Judge Steven C. Teske

The Honorable Steven C. Teske was appointed to the Juvenile Court bench as an associate judge in July 1999; he was appointed as judge in July 2003. Upon the retirement of the Honorable K. Van Banke in July 2011, Judge Teske was designated the chief judge by the Clayton County Superior Court.

While on the bench, Judge Teske has received the *Scales of Justice Award* from the National Association of Legal Professionals for “conduct that exemplifies the hallmark of professionalism and ethical standards and inspires public confidence in the legal system;” the *Judge Romae T. Powell Award* from the Juvenile Court Association of Georgia; the *Community Service Award* from the Clayton County Chapter of the National Association for the Advancement of Colored People; the *Atlanta Journal and Constitution Hero of Open Government Award*; and the *International Humanitarian Award* from the World Chamber of Commerce; in addition to many other honors.

Judge Teske has served as the president of the Georgia Council of Juvenile Court Judges. He is a former trustee for the National Council of Juvenile and Family Court Judges. He was appointed by the governor to serve on the Children and Youth Coordinating Council; Commission on Family Violence; Judicial Advisory Council for the Department of

Juvenile Justice; the Criminal Justice Reform Council; the Child Welfare Reform Commission; and the Federal Advisory Committee for Juvenile Justice.

Judge Teske is a prolific writer on matters concerning juvenile justice and child welfare. His op-eds and journal articles have appeared in the *Juvenile and Family Court Journal*, the *Journal of Child and Adolescent Psychiatric Nursing*; *Juvenile and Family Justice Today*, the *Georgia Bar Journal*, the [Juvenile Justice Information Exchange](#), among others. Judge Teske has also testified before the state legislatures of Georgia and other states and the United States Congress on matters involving juvenile justice reform and the School-to-Prison Pipeline.

Judge Deitra Burney-Butler

The Honorable Deitra Burney-Butler was appointed to the Juvenile Court bench in January 2009. Prior to being appointed, Judge Butler practiced law for several years in private practice, primarily focusing on criminal defense, family law, and juvenile law. Judge Butler also served as both an assistant district attorney with the Clayton County District Attorney's Office and as an assistant solicitor with the Clayton County Solicitor's Office.

Judge Butler currently serves as the Juvenile Court's Dependency Practices and Innovation Committee chair, where she has been instrumental in automating many of the systems, documents, and orders pertaining to dependency matters. In conjunction with this work, Judge Butler serves as the lead judge in the Georgia Council of Juvenile Court Judges' Dependency Court Improvement Initiative for Clayton County. She also serves as the chair of the county's Commercial Sexual Exploitation of Children multidisciplinary team. Judge Butler recently completed the Advanced Child Abuse Institute as part of its inaugural class. Additionally, Judge Butler has participated in the Complex Trauma Summit at the Carter Presidential Library.

Judge Butler is a 1994 graduate of the University of Denver's College of Law and is a member of both the Georgia and Colorado Bar Associations. Judge Butler is a member of the National Council of Juvenile and Family Court Judges, where she serves on the Dependency Improvement Initiative and Permanency Committee; and the American Bar Association, where she is a member of the Women in the Profession and Litigation Sections. She is a member of the National Association of Women Judges and Gate City Bar Association. Judge Butler is also a member of the Clayton County Coalition against Violence and the Clayton County Prison Reentry Task Force.

Judge Butler is the mother of a son and is involved in various capacities in many school and sports activities. Judge Butler is a member of a local church in addition to many other community, charitable, and religious organizations.

Judge Bobby D. Simmons

The Honorable Bobby D. Simmons was appointed as judge to the Juvenile Court bench in July 2011. Prior to his appointment he served as the Presiding Judge of the Clayton County Magistrate Court, serving in that capacity since 2006, and prior to that as a part-time municipal court judge for the City of Forest Park.

Judge Simmons is a 1986 graduate of the Mississippi College of Law, with a doctorate in jurisprudence. He was sworn into the Georgia Bar in June 1986. He is a 1979 graduate of the University of Arkansas for Medical Sciences, with a Bachelor of Science degree in radiologic technology, where he minored in business administration and computer sciences. Additionally, he is a 1974 graduate of the University of Arkansas Medical Center's College of Health Related Professions in radiologic technology.

Judge Simmons has devoted his entire life to the service of his fellow man, whether as a technologist, radiology department manager, lawyer, judge, Sunday School teacher, deacon, or Gideon Board member. Judge Simmons is a member of the National Council of Juvenile and Family Court Judges and Georgia Council of Juvenile Court Judges, where he serves on the Bench Book Committee, Technology Committee, and Court Improvement Initiative. He is a member of the Clayton County Bar Association, having served as president for the 2011-2012 term, and he has served as an officer in other capacities with that organization as well. He is a faithful member of the First Baptist Church of Jonesboro, where he serves as a deacon, Choir and Praise Team member, Sunday School teacher, and Faith Team member. He also serves as a representative to Gideons International, serving as vice president of the

Fayetteville East Camp. Judge Simmons is also a member of the Clayton County Community Services Authority's board. Judge Simmons believes, "ignorance is simply not knowing; stupidity is having the opportunity to 'know' and refusing to take it."

Court Administration

The administrative responsibilities of the Juvenile Court are split into two divisions, Court Operations and Programs and Resource Development.

The operational functions of the court are overseen by Director of Juvenile Court Operations, John P. Johnson, III. With more than 20 years of service to the Juvenile Court, Mr. Johnson's areas of responsibility include the Office Administrator, Information Technology Coordinator, Clerk of the Juvenile Court, Intake Operations, Investigations Unit, Field Operations Unit, and the Child Welfare units. Mr. Johnson also has responsibility for the Juvenile Court facilities and policy review, and he shares responsibility for the legislative and budgeting functions of the court. Mr. Johnson is actively involved with the Juvenile Court Association of Georgia (JCAG) and the Georgia Council of Court Administrators (GCCA), where he has earned master level certification in court administration. Mr. Johnson has served on the boards of JCAG and GCCA, as well as the Clayton County Community Services Authority. Mr. Johnson serves one of the principal members of the Board of Directors for the Clayton County Juvenile Justice Fund.

The Director of Programs and Resource Development, Colin Slay, serves as the Juvenile Court's public information officer, and he oversees the programmatic aspects of the Juvenile Court. Mr. Slay has served with the Juvenile Court since 1998. He directly oversees the Juvenile Court's Juvenile Detention Alternatives Initiative (JDAI), the Grants and Staff Development Coordinator, the Restorative Justice units, and the Special Juvenile Justice Programs unit. Additionally, Mr. Slay has shared responsibility for the court's legislative and budget functions. Mr. Slay is a member of the Georgia Council of Court Administrators, where he has earned master level of certification in court administration. He is a 2011 graduate of the Annie E. Casey Foundation's Applied Leadership Network leadership development program. Mr. Slay serves as the chair of the Georgia Criminal Justice Coordinating Council's Disproportionate Minority Contact Subcommittee, and he was appointed to the Georgia Criminal Justice Reform Council's JDAI Steering Committee by Governor Nathan Deal. Mr. Slay is a board member for the Community Foundation for Greater Atlanta's local fund, Spark Clayton. He serves as the vice chair of the Clayton County Juvenile Justice Strategy Group, an advisory committee for the Clayton County Juvenile Justice Fund. Mr. Slay is also involved with other civic organizations, and he is a deacon and works with the Student Ministry of First Christian Church of Jonesboro.

Grants and Staff Development

Grant writing and management and the training functions of the Juvenile Court fall under the responsibility of the Grants and Staff Development Coordinator (the position was vacant at the writing of this report). In addition to researching and writing proposals for grants in support of our programs, the Grants and Staff Development Coordinator manages grant awards by compiling statistical and fiscal reports and coordinating the grant activities with our internal staff and collaborative partners.

The Juvenile Court was awarded four grants in FY16, with a combined total award of more than \$998,000. These grant funds help to support evidence-based programs for high-risk probationers, prevention services, and volunteer support services for our CASA program.

The Grants and Staff Development Coordinator is also responsible for developing, organizing, and coordinating training and development opportunities for Juvenile Court staff, including orientation training for new employees.

The training comes in various formats, including web-based seminars, reviews of emerging juvenile justice research, on-site classes, and collaboration with partners such as Riverwoods Behavioral Health and Children’s Healthcare of Atlanta. Many of our staff are members of the Juvenile Court Association of Georgia and attend its annual conference, which offers two-and-a-half days of seminars and workshops.

Office of the Clerk of Juvenile Court

The Clerk of the Juvenile Court, Robin Austin, oversees a staff consisting of the Assistant Clerk of Juvenile Court, Angela Buggs, the court’s receptionist, and ten deputy clerks that perform a wide variety of important duties. The clerk has the responsibility of maintaining all Juvenile Court records. All cases coming before the Juvenile Court are processed through the Clerk’s Office and are forwarded to the appropriate units for review and processing.

The Clerk’s Office is responsible for recording all juvenile traffic citations, petitions, motions, orders, and other legal processes filed in the Juvenile Court. The tasks of drafting delinquency petitions, assigning court-appointed attorneys, scheduling hearings, issuing summons, notifying parties, scheduling interpreters, preparing court dockets, and recording case dispositions are also responsibilities of the Clerk’s Office. Deputy clerks also attend all court hearings and make a record of the proceedings.

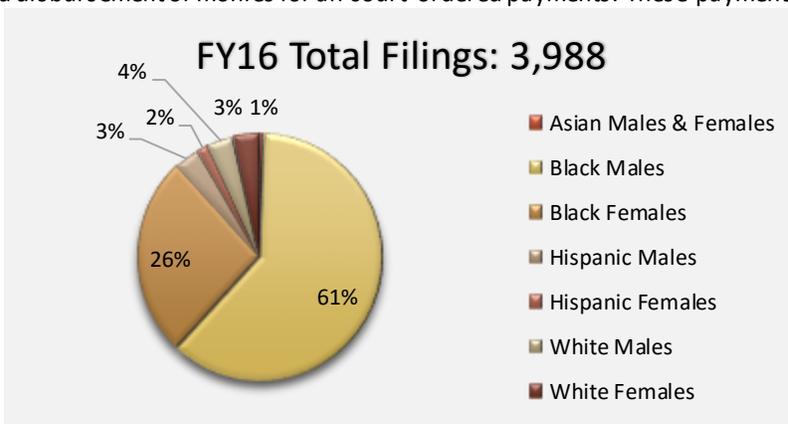
The Clerk’s Office received 3,988 complaints, processed 1,666 petitions, scheduled 2,959 court hearings, and entered 6,269 case dispositions in FY16.

Table 1: Fees Collected and Disbursed by the Clerk’s Office in FY16

Type	Collected	Disbursed
Publication	\$4,9200.00	\$4,480.00
Restitution	\$7,704.41	\$8,710.34
Supervision Fees	\$10,033.75	\$10,343.75
Traffic Fines	\$13,599.97	\$14,385.19
Copy Fees	\$1,362.50	\$1,443.50
Totals	\$37,620.63	\$39,362.78

The Clerk is responsible for the receipt and disbursement of monies for all court-ordered payments. These payments include restitution to victims, child support, traffic fines, attorneys’ fees, publication fees, and supervision fees. Table 1 lists the monies collected and disbursed by the Juvenile Court in fiscal year 2016.²

The Clerk’s Office prepares records when cases are transferred to another court and prepares transcripts for appeals as required. The confidentiality of the court’s records is



² Please note that the amounts distributed may not equal amounts collected. This occurs because some funds collected during the prior fiscal year were not paid out during the same fiscal year. Fees for publication are not disbursed until the completion of the publication and the invoices are received. Copy fees are disbursed at the close of the fiscal year.

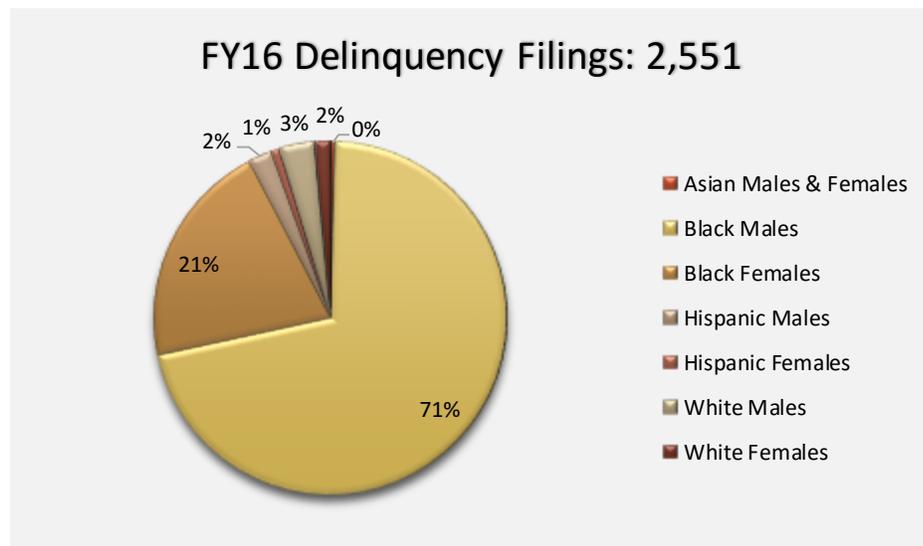
maintained through the Clerk’s Office. The Office is responsible for controlling access to and the sealing of records in compliance with the Juvenile Court’s policies and Article 9 of the Juvenile Code of Georgia.

Intake Operations

Intake Operations is responsible for receiving referrals (i.e., complaints) from law enforcement officers, parents, school officials, the Division of Family and Children Services (DFCS), and private citizens on children alleged to be delinquent, in need of services, and dependent, or who have been cited for traffic code infractions. Intake Operations is led by Chief of Intake Operations, Catherine Slay. She manages a staff of three full-time court officers (referred to as “intake officers”), a part-time court officer, and an intake assistant. Because juvenile intake is a 24-hour-a-day operation, court officers assigned to other units also serve in an on-call intake capacity during nights, on weekends, and during holidays when the Juvenile Court offices are closed.

Delinquency Case Processing

When a private citizen files a complaint alleging a child is delinquent as defined by OCGA § 15-11-2, an intake officer reviews the facts and allegations in the complaint to determine if the Juvenile Court has jurisdiction, if there is probable cause, and if so, the most prudent course of action for the processing of the complaint. If the intake officer determines that formal processing is required, the case is sent to the District Attorney’s Office for investigation. Children are generally not detained on private citizens’ complaints.



When a police officer charges a child with a delinquent act, then he or she is responsible for investigating the complaint. When a child is taken into custody by the police, the intake officer assesses the child’s risk to the community using the Detention Assessment Instrument (DAI), an objective risk classification tool development by the Department of Juvenile Justice, to determine the

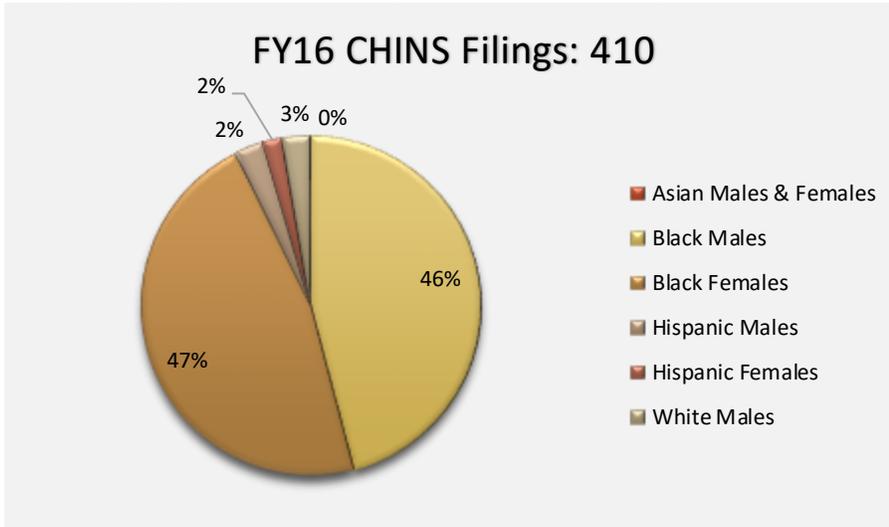
need for detention pending an initial appearance before a judge. OCGA § 15-11-505 requires the use of the DAI to drive detention decisions, and the instrument can only be overridden if there are significant mitigating or aggravating factors that are not taken into account by the DAI.

During FY16, Intake Operations made 594 detention decisions, detaining 223 youth. The override rate for the Detention Assessment Instrument was 21.75%.

Not all cases are formally processed, however; under OCGA § 15-11-515, an intake officer may divert cases to non-adjudicatory informal processes such as mediation, counseling, and informal adjustments, rather than routing the cases to court for formal processing if counsel and advice without an adjudication is determined to be in the best interests of the community and child.

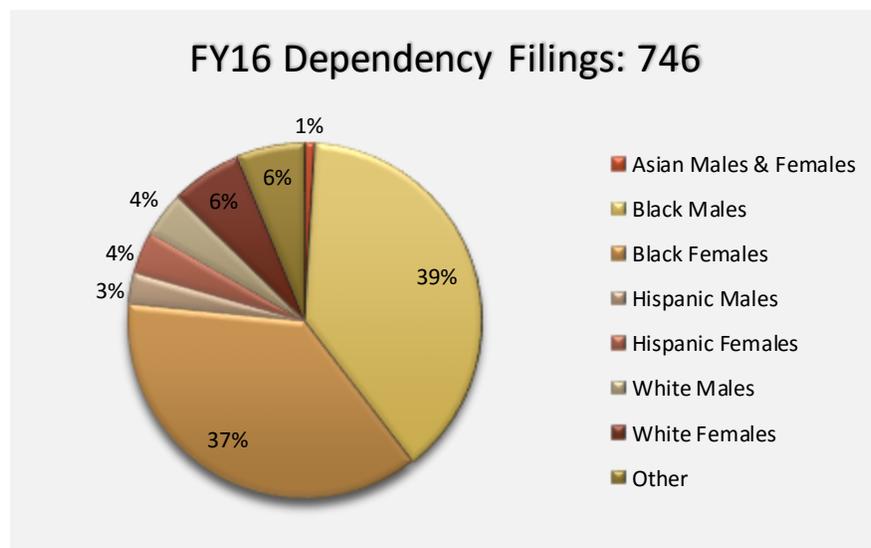
Children in Need of Services (CHINS)

Complaints alleging that a child is in need of services are handled differently by Intake Operations. Beginning in January 2014, the Juvenile Code of Georgia separated status offenses from the delinquency code, creating a unique governance structure for CHINS. Article 5 of the Juvenile Code of Georgia acknowledges that certain behaviors or conditions that occur within a family or school environment indicate that a child is experiencing serious difficulties, and inasmuch, it requires a multidisciplinary approach to addressing those issues. If a family or school is unable to effectively address inappropriate behaviors of a child on their own, the intake officer will refer the matter to the Clayton County Collaborative Child Study Team (Quad-CST). The Quad-CST is a panel made up of representatives from various child- and family-serving organizations in Clayton County, and its purpose is to review the presenting issues and assist families in developing a plan to address them. Only after the Quad-CST case plan has been proven ineffective may a CHINS case be processed in a formal sense through the Juvenile Court.



Dependency Case Processing

In addition to handling delinquency and CHINS matters, Intake Operations also receives all complaints involving matters of dependency. Article 3 of the Juvenile Code of Georgia governs the dependency proceedings, and its purpose is to assist and protect children whose physical or mental health and welfare is substantially at risk of harm from abuse, neglect, or exploitation. Complaints involving dependency generally originate at three sources: The Division of Family and Children Services (DFCS), law enforcement officers, and private citizens.



DFCS is most often the complainant in dependency matters. An intake officer facilitates the processing of the complaint from DFCS and plays an approval and coordinating role in efforts made by the agencies involved in the placement of a child into shelter care or with a relative pending a court hearing. The intake officer schedules these cases for their

first appearances before a judge, which by law must occur within 72 hours of the removal of the child from his or her parents or legal guardians.

If a police officer encounters a situation in which there is probable cause to believe a child is in danger from his or her immediate surroundings, the officer may take the child into protective custody and deliver him or her to the Juvenile Court. If the intake officer determines the Juvenile Court has jurisdiction and that protective custody is required, DFCS will investigate placement of the child. If there is no appropriate relative, the child will be placed into shelter care or a foster home by DFCS pending court action. The intake officer also schedules these cases for an initial appearance before a judge within 72 hours of removal.

A private citizen or family member may also make allegations involving abuse and neglect. Generally, after determining jurisdiction, an intake officer will refer these “third-party” complaints to DFCS or a Court Appointed Special Advocate (CASA) for investigation. The intake officer has the authority to issue a shelter care order if the circumstances warrant immediate removal of a child for safety reasons. In many cases, if the DFCS or CASA investigation finds probable cause to proceed, the intake officer will file a petition on behalf of the complainant, and the matter will be scheduled before a judge. In instances where the whereabouts of the child’s parent(s) are unknown, the complainant is required to pay a publication fee for a legal advertisement before a petition will be filed.

Restorative Justice

The Restorative Justice division is an important facet of the of Juvenile Court. According to the National Institute of Justice, research indicates that juveniles who commit minor offenses are most often better served and have better outcomes from informal processing when compared to minor offenders placed into the formal juvenile justice system.³ Further, delinquent juveniles who are detained are far more likely to reoffend than their peers who are not detained. In their report, *No Place for Kids: The Case for Reducing Juvenile Incarceration*, the Annie E. Casey Foundation cites multiple studies documenting the dangers associated with using detention, particularly when there are more effective, less costly alternatives available.

The Restorative Justice division is led by Chief of Restorative Justice, Tabatha Barker. She is assisted in her responsibilities by the Mediation Coordinator, Dierdre Fluker. The division is staffed by five full-time court officers, one part-time court officer, and two part-time program assistants.

Diversion and Informal Adjustments

Diversion programs and informal adjustments are authorized by OCGA § 15-11-515, and are appropriate for complaints filed by law enforcement or other individuals in which the child is alleged to have committed a delinquent act that is not of a serious nature or is alleged to be a child in need of services and when the child appears amenable to informal handling.

Program data for FY16 indicates that 945 cases were screened for informal processes and 200 informal contracts were monitored by Restorative Justice for a period of 90-180 days.

Non-Adjudicatory Informal Processes Screening

Complaints involving delinquency and children in need of services (CHINS) referred to Restorative Justice by Intake Operations are screened towards first seeking an informal adjustment of the matter where it is in the best interests

³ NIJ Practice Profiles, *Juvenile Diversion Programs* (<https://www.crimesolutions.gov/PracticeDetails.aspx?ID=37>); accessed August 2, 2016.

of the child and community, using an objective screening instrument. The juvenile complaint is examined to determine if the child is eligible for diversion, informal adjustment, or mediation. The determination is made based on the totality of the child's circumstances, which may include the child's age at the time of the offense; nature of the act; ability of the child's parents to correct and intervene; correction and discipline already provided by the parents or school system; and the child's level of remorse and the parents' understanding of the child's need for correction; among other factors. After considering these circumstances, the court officer may recommend dismissal of the complaint, refer the child/family to another agency for services, informally adjust the case, file a petition, or take other appropriate action as provided by the Juvenile Code of Georgia.

Informal Adjustment Agreements

If it is determined that a child shall be placed on an informal adjustment agreement, a court officer will monitor the child for an initial period of three months; a judge may extend the agreement for an additional three months if conditions suggest a successful completion is likely within the extension. The typical terms of informal adjustment agreements include: writing an apology letter, writing an educational essay or report, producing study logs, performing community service, participating in court programming, and payment of a supervision fee. Failure to comply with the agreement may result in the filing of a formal petition on the complaint.

Program Development and Services

Program services are coordinated by Court Officer II, Keshia Johnson. The Juvenile Court places an emphasis on utilizing programs and services that have demonstrated successful outcomes or have been proven by research to be effective at reducing recidivism. Often referred to as "promising practices" or "evidence-based practices" respectively, the Juvenile Court actively seeks partnerships with community-based service providers who adhere to the federal Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Model Program Guide or those services identified by the National Institute of Justice's [Crime Solutions](#) web resource as effective. Youth who are on probation, as well as those who are monitored under informal adjustment agreements, are referred to these programs by their supervising court officers. First-time offenders are sometimes given an opportunity to have their charge(s) dismissed by completing a workshop through our diversion program.

Most programs offered by the Juvenile Court or its community partners require parental participation, which empowers the parents to reinforce the information at home, thereby increasing the intervention's effectiveness with their children. Our programs require a referral from the child's assigned court officer, probation officer, school resource officer, or school administrator. For up-to-date scheduling information for recurring Juvenile Court programs and events, please visit the Juvenile Court's [Facebook](#) page.

School Referral Reduction Program

Through a cooperative agreement with the Clayton County Public Schools and its police department, the School Referral Reduction Program (SRRP) allows school

CLAYTON COUNTY A NATIONAL MODEL

The SRRP has been the source of much national attention for its innovative approach to dealing with school disciplinary issues and minor school offenses. The Annie E. Casey Foundation, MacArthur Foundation, the National Council of Juvenile and Family Court Judges, Robert Wood Johnson Foundation, and other influential organizations have identified Clayton County's School-Justice Partnerships Model as a promising approach to dismantling what is commonly referred to as the "School-to-Prison Pipeline," the result of zero-tolerance policies that push students who commit minor school infractions into the juvenile justice system.

A team that includes key staff from the Juvenile Court, Clayton County Public Schools, and Clayton County law enforcement have provided technical assistance on the model to more than 40 jurisdictions across the nation. This work is supported by the Annie E. Casey Foundation and the Clayton County Juvenile Justice Fund.

resource officers to refer students to workshops such as Conflict Resolution or mediation for misdemeanor offenses committed at school without filing a complaint with the Juvenile Court. The goal is to expose the students to information that can help them avoid further conflict without formal involvement with the juvenile justice system. In addition, school administrators may refer students to other workshops such as Project HIP and Choices as an alternative to out-of-school suspension.

Alternative Dispute Resolution (ADR)

ADR is a term that describes a number of processes used to resolve disputes as an alternative to formal processing of complaints. These informal processes provide a less formal, less adversarial, and less expensive method of addressing disputes, and research shows that participants are often more satisfied with the experience than those whose cases are formally processed. Courts have increasingly utilized these methods as tools to alleviate crowded court calendars and to produce more meaningful results.⁴

In the fall of 1986, the Juvenile Court implemented its first mediation program. This action was taken to supplement the Juvenile Court's existing restitution effort. That program evolved into our current ADR program that now extends beyond just mediation and includes several programs. In addition to the Juvenile Court staff assigned to the ADR Unit, the Juvenile Court contracts with several mediators who are selected from the community with diverse backgrounds; all are registered neutrals with the Georgia Commission on Dispute Resolution and have completed a juvenile mediation training curriculum. ADR's goal is to assist youth in successfully closing their cases while providing education about the law and promoting accountability for the offender and restoration of the victim.

Mediation is an informal process in which the parties are empowered to resolve their own differences with the assistance of the neutral third party, the mediator. Mediation is a voluntary process as the parties agree to work together to resolve their differences. The parties may solicit legal representation, but it is neither necessary nor mandatory in this setting. The main focus of mediation is not to prove guilt or innocence, but rather to address the charge, identify the conflict, clear up any misunderstandings, and attain a resolution that is workable for all parties. Furthermore, mediation creates a forum of accountability and provides the respondents with an educational awareness about the law as it relates to juveniles. Mediation can open the door to bridging and nurturing broken relationships while creating new alliances. Cases are screened for mediation much in the same way cases are screened for other non-adjudicatory informal processes.

During FY16, there were 311 cases assigned to ADR for screening, and of those, 79 youth were monitored for a period of 90 to 180 days as part of a mediated informal adjustment agreement.

Juvenile Detention Alternatives Initiative (JDAI)

JDAI is a two-decade old project of the Annie E. Casey Foundation (AECF). According to AECF, JDAI is one of the nation's most effective, influential, and widespread juvenile justice reform initiatives. JDAI is primarily focused on the use of detention by the juvenile justice system; over the past three decades, a large body of research has documented the dangers of using detention inappropriately. AECF contends that "youth are often unnecessarily or inappropriately detained at great expense, with long-lasting negative consequences for both public safety and youth development."⁵ For more information, please visit the JDAI Help Desk [<http://www.jdaihelpdesk.org/>].

⁴ *Journal of Consulting and Clinical Psychology*, v62, pp. 124-29, Feb. 1994.

⁵ In their report, *No Place for Kids: Reducing Juvenile Incarceration*, the Annie E. Casey Foundation cites multiple studies documenting the dangers associated with using detention, particularly when there are more effective, less costly alternatives available.

Clayton County became a JDAI replication site in 2003, as a response to tremendous stress on our juvenile justice system. Extremely high referral rates, primarily the result of minor school offenses, lead to all-time high probation caseloads and recidivism rates. Graduation rates were also at an all-time low in Clayton County. Since 2002, our JDAI programs have had a profound impact on outcomes for youth involved with the Juvenile Court.

Since becoming a JDAI replication site in 2003, the average daily population in detention has decreased by 80%. The average length of stay for juveniles who are detained has fallen by 44%. The commitment rate for all youth has dropped by 73%, and the commitment rate for youth of color has fallen by 68%. Less than 1% of juveniles released on detention alternative programs were rearrested before disposition. Juvenile petitions have decreased by 72%. For more information on our JDAI results, please see the [Data Trends](#) section at the end of this report.

The JDAI Coordinator, Shannon Howard, manages two of the most important JDAI programs in Clayton County, the award-winning⁶ Finding Alternatives for Safety and Treatment (FAST) Panel and the Clayton County Collaborative Child Study Team (Quad-CST). Mr. Howard is assisted in his responsibilities by a part-time program assistant and occasionally by members of the Restorative Justice Division during periods of heavy volume.

FAST Panel

The FAST Panel is a multidisciplinary detention review committee that meets every Monday, Wednesday, and Friday (except for holidays) to review the cases of children who have been detained by Intake Operations. The objective of the panel is to identify resources that might enable the child to be safely released from detention pending the final disposition of the youth's case. The panel is comprised of trained and screened community volunteers, community-based service providers, court officers, and agency representatives from our collaborative partners. For more information on becoming a FAST Panel volunteer, please contact Mr. Howard at (770) 472-8138.

Quad-CST

The Quad-CST is another multidisciplinary panel composed of community-based service providers and the agency representatives of our collaborative partners that serves as a single-point-of-entry for access to available resources in CHINS cases and other complicated cases involving delinquency.

SOC Liaison Unit

Partnering with the Clayton County Public Schools, the Quad-CST serves as the primary review committee for the Clayton County System of Care (SOC), staffing the cases of students exhibiting at-risk behaviors, with the goal of providing services that might prevent the student from becoming formally involved with the juvenile justice system. The SOC Liaison Unit is a subunit within JDAI and is managed by Court Officer II, Dean Hix. He is assisted in his duties by a full-time court officer.

Probation

The probation function of the Juvenile Court is divided into three functional units: Investigations, Field Operations, and Special Juvenile Justice Programs.

Investigations

The Investigations Unit is headed by Chief of Investigations, Victoria Berry, and consists of four court officers. The unit's primary function is conducting predisposition investigation and preparing social history reports for the

⁶ The FAST Panel was awarded the American Probation and Parole Association's President's Award in 2006 for its innovative approach.

disposition of delinquency cases (and occasionally CHINS cases) that have come before the Juvenile Court for formal processing. In addition to investigating and writing reports, the court officers assigned to Investigations also supervise youth who have been placed on Community Detention Orders as an alternative to detention pending the final disposition of their cases.

The Investigations unit was assigned 379 cases during FY16.

Field Operations

The Field Operations Unit is led by Chief of Field Operations, Stacy Weaver, who supervises eight court officers (referred to as “field officers”). Field officers use the information contained in risk classifications and needs assessments completed by Investigations to prepare individualized treatment plans for all youth placed on an order of probation. Field officers also provide ongoing supervision and resource coordination for those probated youth.

Field officers use a system of graduated responses to ensure compliance with court-ordered conditions and treatment plan goals. Sanctions range from verbal warnings to formal violations of probation that may result in the child being placed into detention. Sanctions are based on the severity, nature, and frequency of the violation, relative to the probationer’s risk based on his or her risk classification. If it is determined that all appropriate community-based options have been exhausted, the field officer may recommend that the child be committed to the Department of Juvenile Justice (DJJ) if the child presents a risk and meets the statutory requirements for commitment. Commitment to DJJ is generally considered an option of last resort.

Figure 1: Probation Case Planning Process



In FY16, 362 juveniles were assigned to Field Operations; the average probation caseload was 33, consisting of mostly moderate- and high-risk offenders. Field officers initiated 3,415 face-to-face contacts with these children, most of which occurred in the juveniles' communities. Field officers also participated in 10,528 collateral contacts with an array of educational, community service, treatment, and family interactions.

In addition to monitoring compliance, field officers coordinate rehabilitative and treatment services for probationers and their families. These services are based on the criminogenic risk factors and needs identified by assessment instruments. Field officers evaluate the juvenile's progress toward achieving probation goals and recommend termination of probation at the appropriate time. Figure 1 above illustrates the case planning process.

In FY16, 2,961 counts involving delinquency and CHINS were filed against 1,818 children, and only 38 juveniles were committed to the Department of Juvenile Justice.

Special Juvenile Justice Programs

The Special Juvenile Justice Programs Unit was created last year in an effort to provide oversight and to help manage some of the Juvenile Court's unique programs that are specific to what is commonly referred to as the "deep end" of the juvenile justice system. This unit is led by Chief of Special Juvenile Justice Programs, Indya Grier, and is staffed by two court officers, one part-time surveillance officer, and one part-time transportation aide.

Second Chance Court

The Second Chance Court is an alternative to incarceration for high-risk designated felony offenders. Participants and their parents have to agree to the terms of the program and adherence is closely monitored by two court officers. Participants undergo routine screening for the use of illicit substances, are electronically monitored, and participate in cognitive behavioral therapy (Thinking for a Change) and intensive family counseling (Multisystemic Therapy). The program is based on the federal Office of Juvenile Justice and Delinquency Prevention's accountability court framework, and there are heavy penalties for noncompliance, which include incarceration of up to five years in a juvenile prison. The Second Chance Court is a collaborative effort between the Juvenile Court and Grace Harbour and is largely supported through the Juvenile Justice Incentive Grant program from the Criminal Justice Coordinating Council.

Multisystemic Therapy (MST)⁷

MST is an evidence-based, intensive family- and community-based model of service delivery that focuses on reducing barriers that keep families from accessing services. The overarching goal of MST is to keep juveniles who have demonstrated serious clinical problems (e.g., substance abuse, violence, severe delinquent behavior) at home, in school, and out of trouble. Through intensive contact and involvement with the juvenile and family, MST looks to uncover and assess the functional origins of the juvenile's behavioral problems. It works to change the juvenile's ecology in a manner that promotes prosocial conduct while simultaneously decreasing problem and delinquent behaviors.

⁷ Multi-Systemic Therapy description adapted from the National Institute of Justice's Crime Solutions web tool: <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=192>. Accessed March 1, 2016.

MST typically uses a home-based model for service delivery. Therapists have small caseloads of four to six families, work as a team, and are available 24 hours a day, seven days a week, providing service at times convenient to the families. The average length of treatment occurs over a four-month period; however, there is no definite length of service. MST therapists concentrate on empowering parents and improving their effectiveness by identifying strengths and developing support systems. In the family-therapist collaboration, the family takes the lead in setting treatment plan goals, and the therapist assists them in achieving those goals.

MST is funded through the Juvenile Justice Incentive Grant from the Criminal Justice Coordinating Council and is reserved for youth assigned to the Second Chance Court program and probationers scoring in the high range on the Predisposition Risk Assessment.

The Juvenile Court served 122 high-risk youth with intensive, evidence-based services through the Juvenile Justice Incentive Grant Program in during FY16.

Thinking for a Change (T4C)⁸

T4C is a cognitive-behavioral curriculum that was developed by the National Institute of Corrections; it concentrates on changing the criminogenic thinking of offenders. It combines cognitive restructuring and cognitive skills theories to assist individuals in taking control of their lives by taking control of their thinking. T4C stresses interpersonal communication skills and confronts problematic thought patterns. It has three components: 1) cognitive self-change, 2) social skills, and 3) problem-solving skills. The program is divided into 25 lessons (each lasting one to two hours). The curriculum is designed to be implemented with small groups of eight to 12 juveniles. Most sessions include didactic instructions, role-play illustrations of concepts, review of previous lessons, and various homework assignments designed to allow juveniles to practice the skills learned in the group. Examples of some of the lessons are Active Listening; Thinking Controls our Behavior; Paying Attention to our Thinking; Recognizing Risk; Understanding the Feelings of Others; Apologizing; Introduction to Problem Solving; and State the Problem, among others.

T4C is also funded through the Juvenile Justice Incentive Grant from the Criminal Justice Coordinating Council and is reserved for youth who score in the high range on the Predisposition Assessment.

Child Welfare

The Child Welfare division of the Juvenile Court is headed by Chief of Child Welfare, Tiffany Moen. She is assisted in her duties by Citizen Review Panel Coordinator, Concilia Chilumuna. The division is staffed by six full-time CASA volunteer supervisors, two part-time CASA volunteer supervisors, a CASA training supervisor, and Citizen Review Panel assistant.

Court Appointed Special Advocates (CASA)

The Clayton County CASA program provides essential, high-quality advocacy, intervention, and support to children who have been the victims of abuse and neglect in Clayton County, who are in foster care, the care and custody of relatives, or are involved in custody dispute cases.

Statistical evidence shows that as numbers of substantiated child abuse and neglect cases rise, so does the need for effective intervention and expansion of current capacity.⁹ CASA programs represent a well-documented and nationally recognized response to this growing need. CASA volunteers, serving as the child's own special advocate

⁸ Thinking for a Change description the National Institute of Justice's Crime Solutions web tool: <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=242>. Accessed on March 1, 2016.

⁹ National CASA: www.casaforchildren.org. Accessed on July 28, 2016.

or guardian ad litem, develop relationships with assigned children and families, enabling them to be a powerful voice and presence throughout the Juvenile Court and Superior Court processes.

CASA volunteers and staff advocated for 176 foster children and 1,983 children in total during FY16. CASA staff also logged more than 860 hours in the courtroom, and CASA volunteers spent more than 4,900 hours advocating for children. CASA staff and volunteers completed more than 226 home evaluations and spent 375 hours in training.

Trained and screened CASA volunteers, working in concert with the Juvenile Court, and through a memorandum of understanding, the Superior Court, the Division of Family and Children Services (DFCS), and others from the community, provide support services and bring relevant information, resources, and recommendations to the courts in the best interest of the children they serve, Clayton County CASA is also affiliated with the National CASA, Georgia CASA, and Metro Atlanta CASA organizations. For more information on becoming a CASA volunteer with our program, please contact our CASA training supervisor, Debbie Stinson, at (678) 610-1061.

During FY16, the Clayton County CASA-Superior Court GAL program took in \$5,200 in GAL fees and staff and volunteers spent more than 106 hours in Superior Court hearings, advocating for more than 140 children.

Judicial Citizen Review Panels

The Judicial Citizen Review Panels (JCRP) is a program of the Georgia Council of Juvenile Court Judges. Its purpose is to assist judges in determining the most appropriate permanency plan for children in foster care. Clayton County Juvenile Court began using JCRPs in 1986.

During FY16, the JCRPs logged 235 hours in 159 Panels, and 143 children achieved permanency.

The JCRPs consist of a cross-section of volunteers from the community, who undergo two days of specialized training from the Council of Juvenile Court Judges to acquaint them with the process of foster care review. Upon

CLAYTON CASA'S AFFILIATED VOLUNTEER PROGRAMS

Friends of Clayton County CASA

Friends of Clayton County CASA is an advisory board that supports the Clayton County CASA program by increasing public awareness, recruiting and supporting volunteers, and identifying individual and community resources to help fund and support the program.

Ambassadors Behind CASA (ABC)

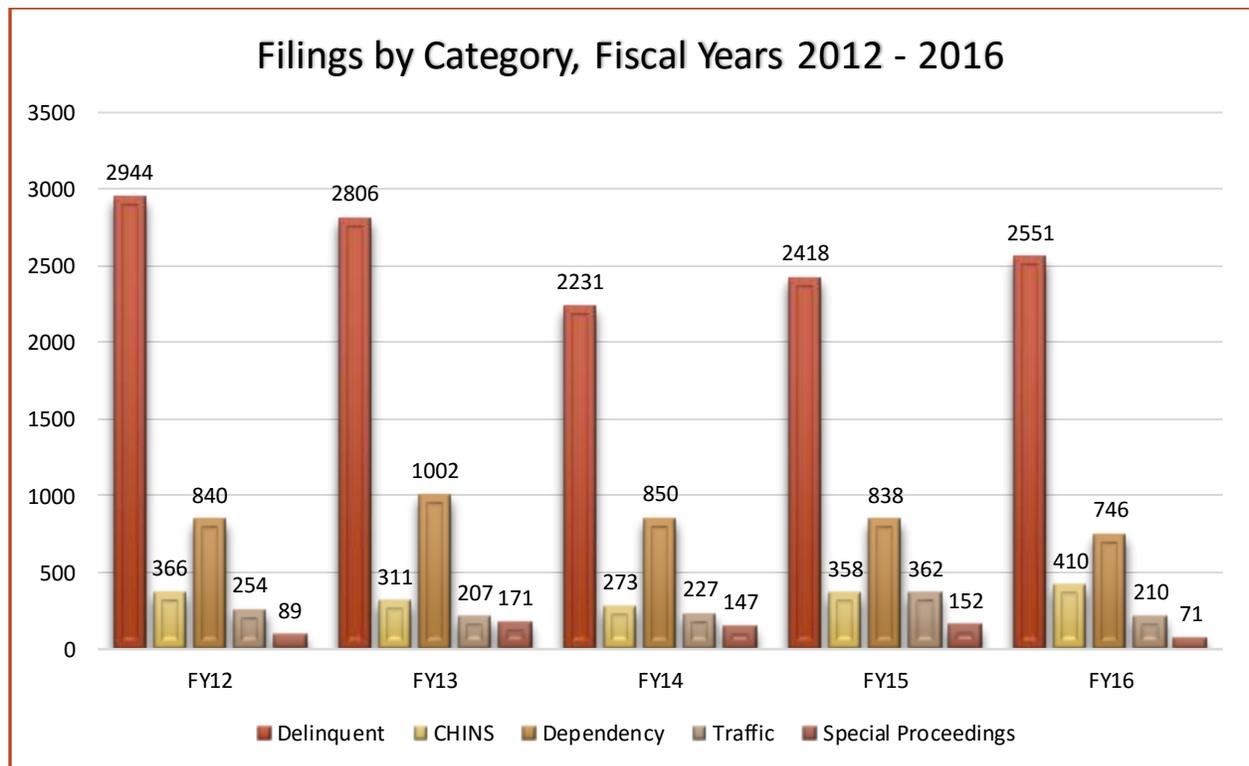
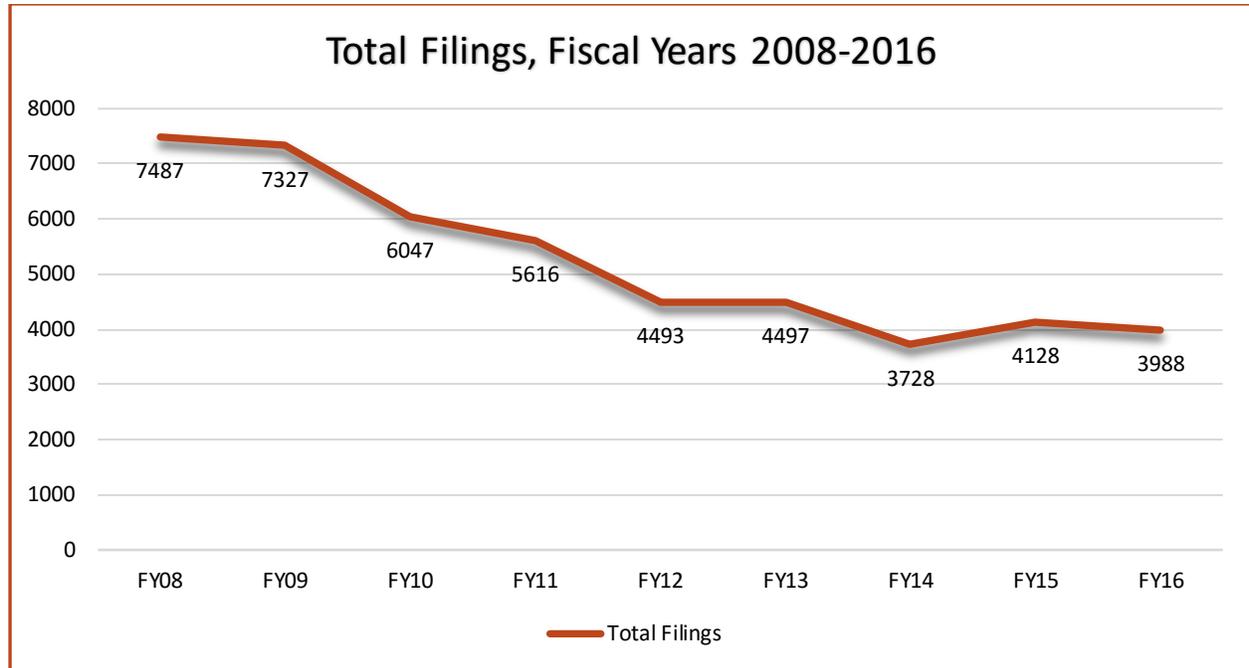
ABC is a membership organization of volunteers whose purpose is to provide service to the Clayton County CASA program, as a partner to the Friends of Clayton County CASA, through public awareness of CASA, developing and implementing fundraising initiatives, and sponsoring events for the children advocated for by Clayton County CASA.

completion of the training, the volunteers are sworn in as officers of the court, to act in the best interests of the child.

Panel volunteers (known as panel members) serve on one of nine panels, who meet one day a month to review cases of children placed in foster care by the Juvenile Court. The JCRP's ultimate task is to see that the children are in a permanent home as soon as safely possible. JCRP hearings are conducted with panel members meeting with the Division of Family and Children Services (DFCS) caseworker, parents, the children, other family members, foster parents, service providers and CASA to review the progress of the parent or custodian, to ensure compliance with the court-ordered case plan, and to make sure that all necessary services are being provided to the family, as well as monitoring the welfare of the children. Panel members then make recommendations to the judge on what should happen next in the case. The judge has final authority in all matters that appear before the JCRP.

Data Trends

Annual Filings Trends

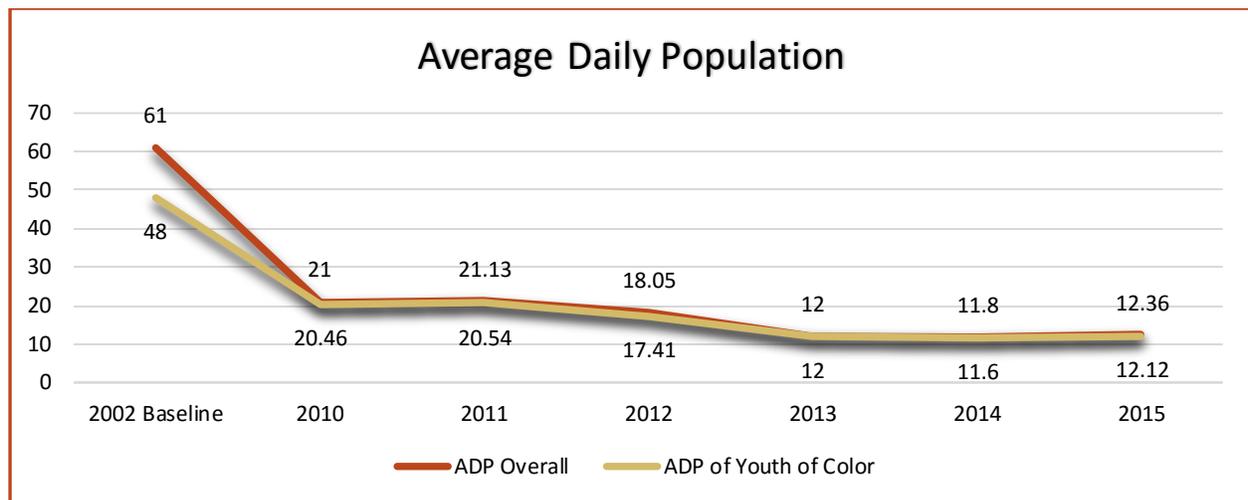


JDAI Annual Results Trends

The Juvenile Court routinely tracks the following data indicators and prepares an annual results report in the fall of each year. For comparison purposes, our pre-JDAI baseline is 2002.

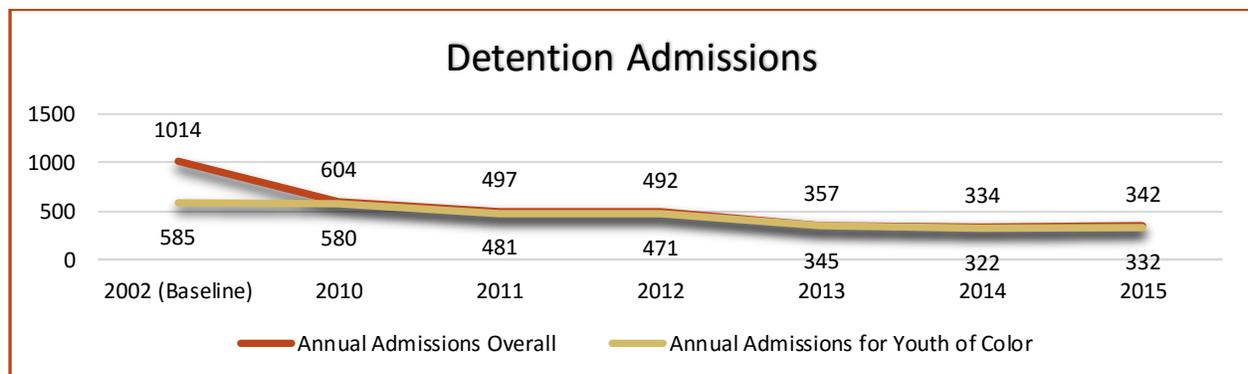
Average Daily Population (ADP) in Detention

ADP is an indicator of the overall use of detention. Clayton County youth have historically been housed by DJJ at the Martha K. Glaze Regional Youth Detention Center (MKG RYDC) in Lovejoy; however, from time to time, DJJ has placed our youth in other facilities. Most recently, MKG RYDC became an all-male facility, and DJJ began housing Clayton County girls at Metro RYDC. The baseline detention capacity used for this measure is 60 beds, the capacity of MKG RYDC. In our baseline year, the ADP was 61 youth overall, and 48 of them were youth of color. Last year, the overall ADP was just over 12 youth, a nearly 80% reduction.



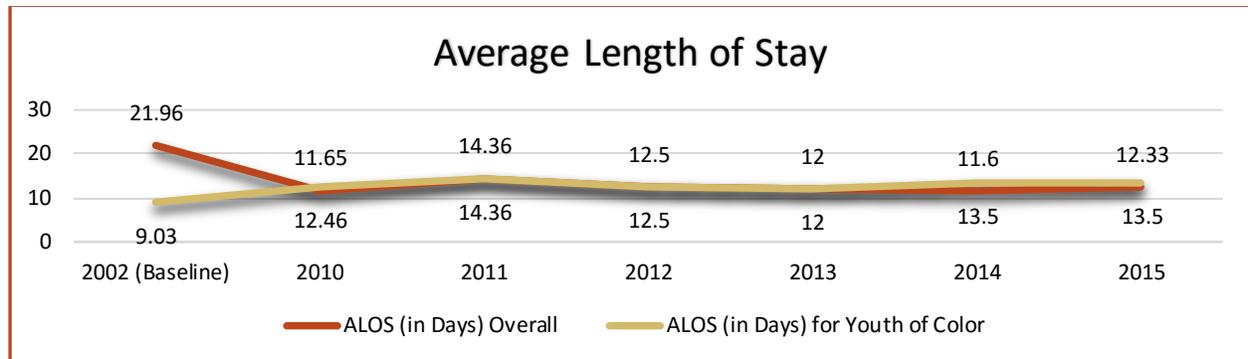
Annual Admissions in Detention

This measure tracks how many youth enter detention each year. In our baseline year of 2002, Clayton County admitted 1,014 youth into detention overall, and 585 of them were youth of color. Last year, 342 youth entered detention, a 66% reduction. For youth of color, there was a 43% reduction in admissions when compared to our pre-JDAI baseline.



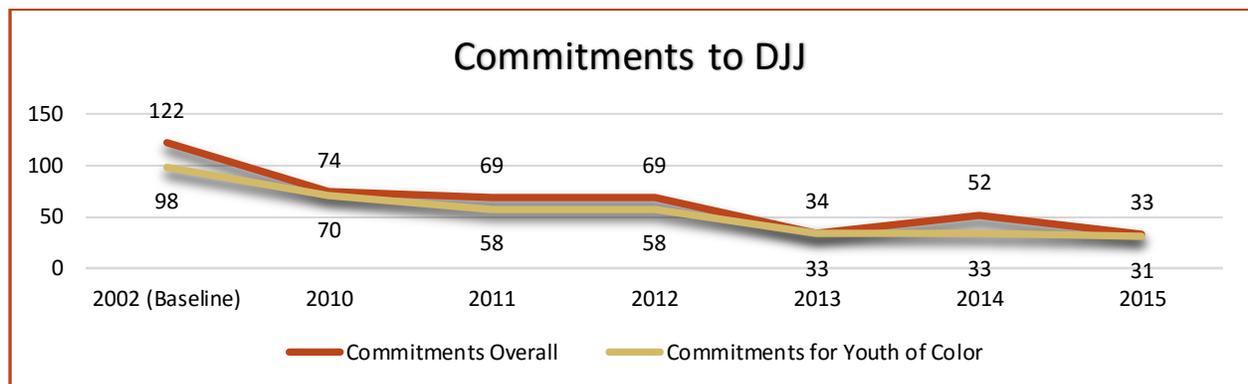
Average Length of Stay (ALOS) in Detention

ALOS is a measure of, on average, how long each youth stays in detention once detained at intake and through disposition. In our baseline year of 2002, the ALOS for Clayton County youth in detention was 21.96 days overall and 9.03 days for youth of color. Last year, our overall ALOS was 12.33 days, nearly 44% less than in 2002.



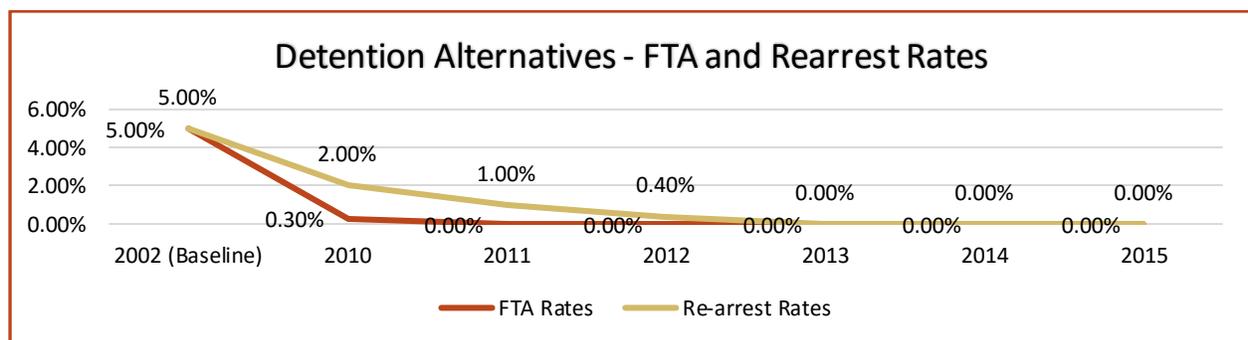
Commitments to the Department of Juvenile Justice

This indicator includes youth who were committed to DJJ with restrictive custody and those youth who were committed to DJJ without the court ordering restrictive custody. The 2002 baseline indicator was 122 overall commitments and 98 commitments of youth of color. We committed 33 youth to DJJ last year, a 73% reduction from 2002; the number youth of color who were committed last year was 68% fewer than in 2002.



Public Safety and Detention Alternatives

This indicator includes two of the most prominent safety measures for youth who are released on detention alternatives, the Failure to Appear (FTA) rates and re-arrest rates for youth released on detention alternatives pending disposition. The 2002 baseline measure for both was 5% of all youth released on detention alternatives. It has remained a less than 1% for the past several years.



Juvenile Crime Indicator

This indicator is a measure of the number of delinquency petitions filed each year in Juvenile Court. The 2002 baseline indicator was 2,604 petitions. Last year, there were 730 delinquency petitions filed with the court, a reduction of 72% from our pre-JDAI baseline in 2002.

