

# ANNUAL REPORT, FY 2015



## CLAYTON COUNTY JUVENILE COURT

Clayton County Youth Development & Justice Center  
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Jonesboro, GA 30236

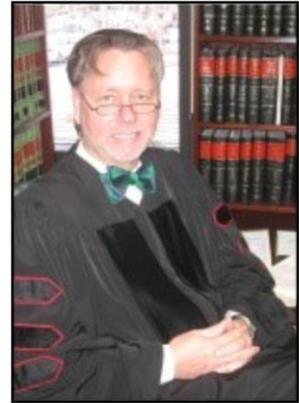
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EMPOWERING THE COMMUNITY | RESTORING FAMILIES

Dear Fellow Citizens:

I am pleased to present to you Clayton County Juvenile Court's report for fiscal year 2015. We strongly believe the citizens of Clayton County are entitled to be informed about the functioning of their Juvenile Court and trust that you will find this report useful and informative.



The last half of 2014 and first half of this year have been significant for our court. I am proud of our continued position as a leader of juvenile justice practice not only in Georgia, but also across the nation. Our approaches to school-justice partnerships, juvenile justice reforms, and innovative programs have garnered a lot of attention from jurisdictions across the nation, and our experience and expertise is routinely sought after by courts wanting to improve stakeholder relationships and improve their processes, but most importantly, by jurisdictions looking to improve the outcomes for the children and families they serve. Thanks to the generous support of the Annie E. Casey Foundation and Clayton County Juvenile Justice Fund, we are able to provide technical assistance to these jurisdictions at no cost to the citizens of our county.

As you will note from the statistical information presented in this report, we continue to experience the trend of shifting workloads, from formal processing of cases to informal processing. This shift is intentional and in line with the new Juvenile Code as well as 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 is likely to increase his or her chances of reoffending; that detention has a detrimental effect on children with mental health issues; and that detention greatly decreases the likelihood of finishing high school. With such detrimental impact attributed to the detention of children, we owe it to the children and families we serve, as well as the community as a whole, to be judicious in our use of detention. Simply put, detention should be reserved for those youth who scare us, not those that merely make us angry.

Taking this approach requires strong cooperation from our community partners, and we are fortunate in Clayton County to have great collaborative ties with our stakeholders. I would be remiss if I did not take this opportunity to thank the Clayton County Board of Commissioners, the Clayton County Superior Court, Clayton County Public Schools, Clayton County School Police, the Clayton County Sheriff's Office, Clayton County Police Department, the Clayton County District Attorney's Office, Clayton County Public Defender's Office, the Division of Family and Children Services, and Department of Juvenile Justice for their dedication to the welfare of our children. Without their help and the innovative thinking and work of our staff, we would not be successful in our endeavor to protect the safety of the public, while holding youth accountable and restoring them and their families as strong, productive individuals.

- Steven C. Teske, Chief Judge

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This report was authored by Juvenile Court Chief of Staff, Colin Slay (770.477.3248; [colin.slay@co.clayton.ga.us](mailto:colin.slay@co.clayton.ga.us)), and covers the period of July 1, 2014 to June 30, 2015. The majority of the data presented in this report was generated by Canyon Solutions (Two Renaissance Business Center, 40 North Central Avenue, Suite 1400, Phoenix, Arizona 85004).

# 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 Clayton County 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 for the offenses commonly referred to as the "Seven Deadly Sins," 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 17<sup>th</sup> birthday).

Georgia law does require that certain serious felony offenses be handled by the Superior Court if committed by a child 13 to 17 years old (OCGA § 15-11-560). Commonly known at 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.

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 called “complaints.”

There is no filing fee for submitting a complaint to the Juvenile Court; however, there are fees associated with publication in

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*Number of youth served in FY 2015: 3,976.*

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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 counseling, programs, mediation, community service projects, and educational services in accordance with OCGA § 15-11-37.

## Services

The following is a partial list of services provided by the Juvenile Court and its partnering community service providers:

- Crisis intervention and counseling
- Psychological assessment
- 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 in dependency cases
- Surveillance of high-risk offenders, including electronic and GPS monitoring
- Drug testing for children under the court's supervision
- Second Chance Court for designated felony offenders
- Functional Family Therapy
- Cognitive behavioral therapy
- Multi-Systemic Therapy
- Substance abuse treatment

The Juvenile Court is a founding member of the Clayton County System of Care (CCSC) 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 model of juvenile justice system reform.

## Operational Budget for FY 2015

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 devoted primarily to supporting the court's operations and includes \$24,000 for direct services for children that fall under the court's jurisdiction.

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*The operational budget of the Juvenile Court for FY 2015 remained relatively flat at \$4,234,302. The Juvenile Court collected \$11,728 in supervision fees and was awarded more than \$1,432,493 in grant funding.*

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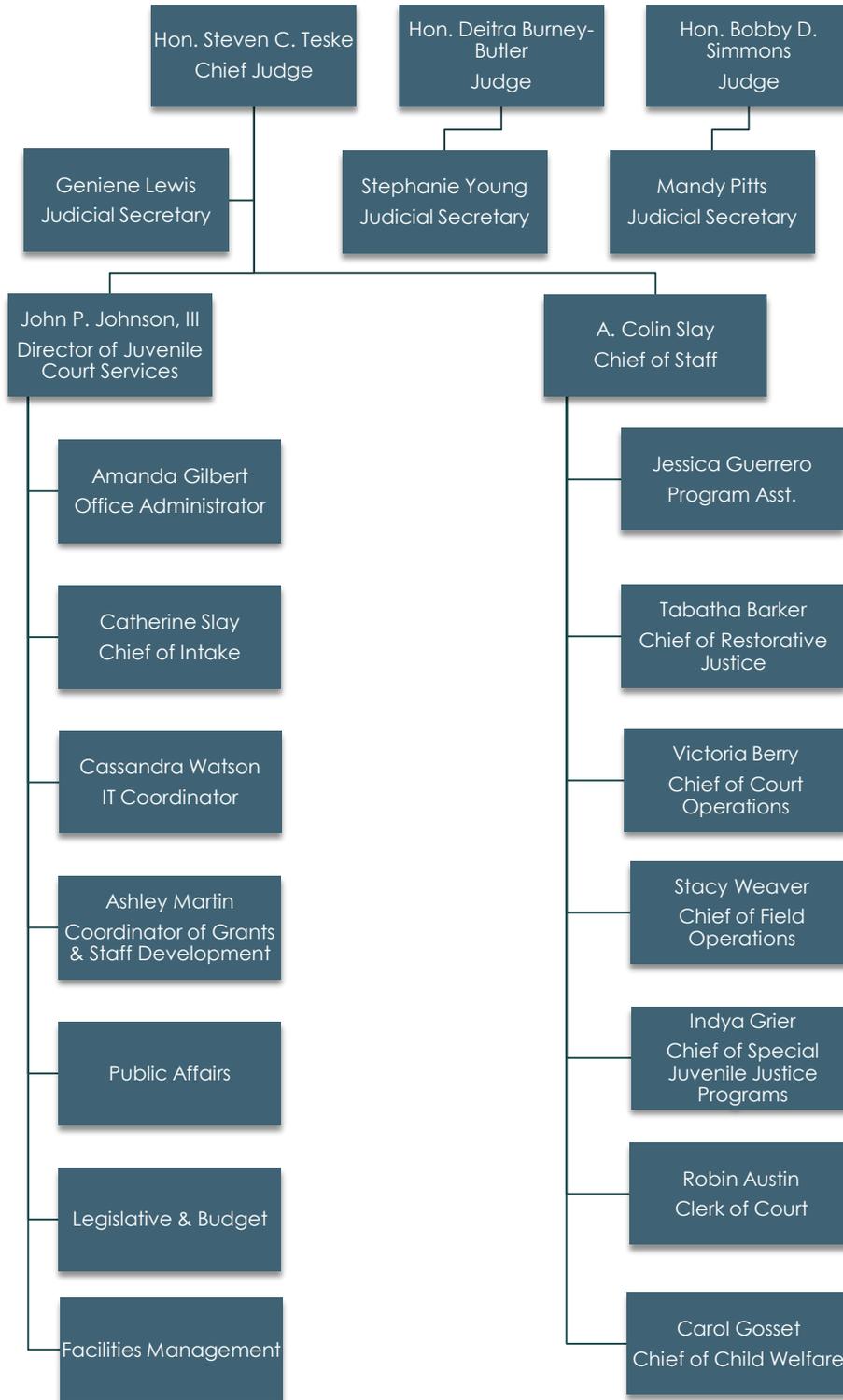
Because the traditional funding for services is limited, the Juvenile Court also collects supervision fees from juveniles who are placed under informal and formal supervision of the court. The expenditure of these fees is limited by statute to providing assessments and evaluations; programs that are 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 obtaining grants to support our work. Please see the *Grants and Staff Development* section of this report for more detailed information about the juvenile court's grants.

# Organizational Structure of the Juvenile Court

Figure 1: Management Structure



## Judiciary

Three full-time judges serve the Juvenile Court, with the Honorable Steven C. Teske serving as the chief judge since July 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 hearings

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*In FY 2015, there were 3,918 court hearings in Juvenile Court involving delinquency, children in need of services, juvenile traffic offenses, and dependency.*

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in matters of delinquency, in cases involving children in need of services, juvenile traffic offenses, and dependency matters. Detention hearings to determine whether or not a child must remain in a detention facility 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 under its jurisdiction.

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.

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*During FY 2015, there were 17 termination of parental rights cases filed in the Juvenile Court. Of those, 8 resulted in the severance of the parents' rights.*

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Of the special proceedings, perhaps one of the most extreme is the termination of parental rights. These highly emotional and

sensitive cases involve the severance of any and all relationship between a parent and child, opening the door to possible adoption of the child.

## Chief Judge Steven C. Teske

The Honorable Steven C. Teske was appointed associate judge to the Juvenile Court in July 1999, and was appointed judge in July 2003. With the retirement of the Honorable K. Van Banke in July 2011, Judge Teske was appointed chief judge of the Juvenile Court. While on the bench, he 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 Hero Award by the World Chamber of Commerce. Judge Teske has also received numerous other recognition for his contributions to reforming the juvenile justice system of not only Georgia, but other states across the nation.

Judge Teske has served as the President of the Georgia Council of Juvenile Court Judges. He is a trustee for the National Council of Juvenile and Family Court Judges. He has been 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 Governor's Office for Children and Families; the Criminal Justice Reform Commission; the Child Welfare Reform Council; 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 US Congress on matters involving juvenile justice reform.

### **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 Clayton County Juvenile Court Dependency Practices and Innovations 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 Child Exploitation Multi-Disciplinary Team. Judge Butler recently completed the Advanced Child Abuse and Neglect Institute as part of its inaugural class. Additionally, Judge Butler also participates in the Complex Trauma Summit at the Carter Presidential Library.

Judge Butler had the honor of presenting at the Georgia Child Welfare Legal Academy forum on "Exploring a Year of Openness in Child Welfare: Open Courts." Additionally, Judge Butler had the opportunity to participate as a speaker at the Hope Back-to-School Block Party, the 2014 Clayton County Faith-Based Summit, and a Clayton County Pretrial

Diversion Intervention Program graduation ceremony. She also facilitated a three-part webinar titled, "The Impact of Early Education: Baby Brains 0-3."

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 Diversion Committee; the Georgia Council of Juvenile Court Judges, where she serves on the Dependency Improvement Initiative and Permanency Committee; and the American Bar Association's Judicial Division, where she is on the Judicial Ethics Committee. Judge Butler is a member of the Atlanta Bar Association, where she is a member of the Women in the Profession and Litigation sections. She is also a member of the National Association of Women Judges and the Gate City Bar Association, Judicial Section. Judge Butler is a member of the Clayton County Coalition Against Violence and the Clayton County Prison Reentry Task Force.

Judge Butler is the mother of one 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 a judge to the Juvenile Court in July 2011. Prior to his appointment to the Juvenile Court he served as the Presiding Judge of the Magistrate Court of Clayton County since 2006, and prior to that as a part-time municipal judge of Forest Park, Georgia.

Judge Simmons is a 1986 graduate of the Mississippi College of Law, with a doctorate of 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' entire life has been dedicated to service to 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 the 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 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, as well as a representative to Gideons International, serving as vice president of the Fayetteville East Camp. He is also a member of the Board of the Clayton County Community Services Authority. Judge Simmons believes, "ignorance is simply not knowing; stupidity is having the opportunity to 'know' and refusing to take it."

## Court Administration

The administrative functions of the Juvenile Court are overseen by the Director of Juvenile Court Services, John P. Johnson, III. With more than 20 years of service to the Juvenile Court, Mr. Johnson oversees the administrative functions of the court, facilities management, grants and training, information technology, policy review, public affairs, legislative, and budget affairs of the court. Mr. Johnson is also actively involved with the Juvenile Court Association of Georgia (JCAG) and the Georgia Council of Court Administrators (GCCA), where he has earned a master level of certification in court administration. Mr. Johnson serves on the board of JCAG and GCCA, as well as the Clayton County Collaborative Authority. Mr. Johnson is one of the principal members of the Board of Governors for the Clayton County Juvenile Justice Fund.

The operational functions of the Juvenile Court are administered by the Chief of Staff, Colin Slay. Mr. Slay has served with the Juvenile Court since 1998, and is responsible for overseeing the Restorative Justice, Probation, and Child Welfare Divisions of the Juvenile Court, as well as the Office of the Clerk of Juvenile Court. Mr. Slay is a member of the Coalition for Juvenile Justice, Georgia Council of Court Administrators and National Association for Court Managers. Mr. Slay has achieved a master level certification in court administration from GCCA. He is also a 2011 graduate of the Annie E. Casey Foundation's Applied Leadership Network fellowship program. Mr. Slay serves on the Criminal Justice Coordinating Council's Disproportionate Minority Contact Committee, the Clayton County Coalition Against Violence, and Georgia JDAI Steering Committee of the Georgia Criminal Justice Reform Commission. Mr. Slay is a co-chair of the AECF Applied Leadership Network and is a principal member of the Board of Governors for the Clayton County Juvenile Justice Fund.

## 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, Ashley Martin. In addition to researching and writing proposals for grants in support of our programs, Mrs. Martin also manages grant awards by compiling statistical and fiscal reports and coordinating the grant activities with our internal staff and collaborative partners.

Mrs. Martin is also responsible for developing, organizing, and coordinating training and

development opportunities for Juvenile Court staff, including orientation training for new

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*In FY 2015, the Juvenile Court applied for 5 grants, with a total potential award of \$1,432,493. Of those, all were awarded, helping to support several evidence-based programs for high-risk probationers, prevention services, and volunteer services for our CASA program.*

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employees. The training comes in a number of formats, including web-based seminars, review of emerging juvenile justice research, on-site classes, and coordination with partners such as Riverwoods Behavioral Health and Children's Healthcare of Atlanta, who provide professional development opportunities for our staff and others within our collaborative. Many Juvenile Court 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, Debbie Stinson, the Juvenile 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 divisions.

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

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*In FY 2015, 2,944 complaints were filed with the Clerk's Office, and the office processed 1,679 petitions, scheduled 4,670 hearings, and entered 6,426 case dispositions.*

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The Clerk is responsible for the receipt and disbursement of monies for all court-ordered payments. These payments include restitution, 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 2015<sup>1</sup>.

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 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.

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<sup>1</sup> 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.

**Table 1: FY 2015 Funds Collected & Disbursed**

Type	Collected	Disbursed
<b>Publication</b>	\$4,540.00	\$4,220.00
<b>Restitution</b>	\$7,588.65	\$6,298.86
<b>Supervision Fees</b>	\$11,728.00	\$11,848.00
<b>Traffic Fines</b>	\$12,159.54	\$11,360.02
<b>Copy Fees</b>	\$1,443.50	\$2,147.00
<b>Totals</b>	<b>\$37,459.69</b>	<b>\$35,873.88</b>

## Intake Operations

Intake Operations is responsible for receiving referrals (complaints) from law enforcement officers, parents, school officials, the Division of Family and Children Services, and private citizens on children alleged to be delinquent, in need of services, and dependent, or who have been cited for traffic violations. Intake Operations is led by the Chief of Intake Operations, Catherine Slay. She manages a staff of three full-time intake officers, two part-time intake officers, 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 Intake Operations is not staffed.

## Delinquency Case Processing

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*In FY 2015, Intake Operations received 1,494 complaints alleging delinquency.*

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When a private citizen files a complaint alleging that a child is delinquent as defined by OCGA § 15-11-2, the intake officer reviews the facts 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 citizen 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 charged by the police, the intake officer assesses the child's risk to the community using the Detention Assessment

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*In FY 2015, Intake Operations made 628 detention decisions; of those, intake officers detained 278 youth; the DAI override rate was 11%.*

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Instrument (DAI), an objective risk classification tool developed by the Department of Juvenile Justice to determine the need for detention pending an initial appearance

before a judge. Detention decisions are driven by the DAI, and it can only be overridden if there are significant mitigating or aggravating factors that are not taken into account by the instrument.

Not all cases are formally processed, however; under OCGA § 15-11-515, an intake officer may divert cases to 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 public 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, Georgia law 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 multi-disciplinary approach to addressing those

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*Intake Operations received a total 241 CHINS complaints in FY 2015.*

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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 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 come from three sources: the Division of Family Services (DFCS), law enforcement, and private citizens.

DFCS is most often the complainant in dependency matters. The intake officer facilitates the processing of complaints from DFCS and plays

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*In FY 2015, Intake Operations received 826 complaints involving dependency.*

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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. The intake officer schedules these cases for their first appearance before a judge, which by law must occur within 72 hours of the removal of the child from his or her parents or legal custodians.

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 the 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 the child. In many cases, if the investigation finds there is probable cause to proceed, the intake officer will file a petition on behalf of the complainant, and the matter will be scheduled for a hearing before a judge. In instances where the whereabouts of the child's parents are unknown, the complainant is required to pay a publication fee before a petition will be filed.

## **Restorative Justice Division**

The Restorative Justice Division is an important facet of the Juvenile Court. 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. Further, delinquent juveniles who are detained are far more likely to reoffend than their peers who are not detained. In the 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, and Juvenile Detention Alternatives Coordinator, Shannon Howard. 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**

Informal adjustments and diversion programs are authorized by OCGA § 15-11-515, and are appropriate for complaints filed by law enforcement or other individuals in which the juvenile 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 juvenile appears amenable to informal handling.

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*Program data for FY 2015 indicates that 854 cases were screened for informal processes and 157 informal contracts were monitored for a period of 90-180 days.*

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## **Diversion and Informal Adjustment Screening Process**

Complaints involving delinquency and children in need of services (CHINS) referred to the Restorative Justice Division are screened towards first seeking an informal adjustment of the matter where it is in the best interest of the child and the community, using an objective Diversion Screening Instrument. The juvenile complaint is examined to determine if the child is eligible for diversion/informal adjustment or mediation and is 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 provide treatment for the child; resources available in the community to provide treatment; correction or 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, 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 law.

## **Meeting the Diversion Criteria**

In order to qualify for an informal adjustment, the following criteria must exist: the admitted facts must bring the child within the jurisdiction of the Juvenile Court; it must be determined that counsel and advice without an adjudication would be in the best interest of the public and child; the child and child's parents or custodian must consent to the informal adjustment with knowledge that consent is not obligatory; and if the child is alleged to have committed a designated felony act as defined by OCGA § 15-11-2, the case shall not be subject to informal adjustment, counsel, or advice without the prior written notification of the Clayton County District Attorney's Office.

## Informal Adjustment Agreements

If it is determined that the child shall be placed on an informal adjustment agreement, the agreement will be monitored by a court officer for an initial period of three months; a judge may extend the agreement for an additional three months if conditions suggest a successful completion 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 counseling, random drug screening, the child's and parents' participation in court programming, and a 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 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 Programs 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 or 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 more information about our programs or to inquire about becoming a preferred program provider, please contact Court Officer Keshia Johnson, at 770.477.5964.

## Outreach and Educational Programs

For up-to-date scheduling information for recurring Juvenile Court programs and events, please visit our [Facebook](#) page.

### Project HIP

Project HIP (Handling it before Prison) is a collaborative effort between Hearts to Nourish Hope, the Riverdale Police Department, and the Juvenile Court. This program gives youth

a true picture of prison and gang life as told by young outfits and provides interactive panels for parents and teens with school personnel, law enforcement, and community service providers. It also offers opportunities for making community connections to resources that may be helpful for participants and their families. The program is generally held one Wednesday a month, from 6:30 to 8:30 PM, at Hearts to Nourish Hope on Highway 138 in Riverdale.

### Conflict Resolution Workshop

Conflict Resolution is a workshop aimed at developing problem solving and conflict resolution strategies and skills, whether the conflict occurs in a classroom, at home, or results from an ongoing emotional issue. This program includes real-life simulation exercises that promote positive resolution of issues, working collaboratively to solicit responses and solutions, and teaches skills that can be applied in other settings through cognitive restructuring techniques. The workshop is held one Thursday a month from 6:30 to 8:00 PM, at the Clayton County Youth Development and Justice Center in Jonesboro.

### Personal Space Workshop

The Personal Space Workshop is an eight-hour session that occurs on a Saturday, requiring youth and parents to participate in discussions that explore personal boundaries, effective communication, and making good choices. The workshop is scheduled based on referral need and is held at the Clayton County Youth Development and Justice Center in Jonesboro.

### Choices

The Choices program is a collaborative effort of the Juvenile Court and Clayton County Public Schools. It meets for four consecutive evenings (Monday through Thursday) from 6:30 to 8:30 PM, and addresses making good choices and issues associated with the illicit use of drugs and alcohol.

### Theft Prevention Workshop

The Theft Prevention Workshop is a collaborative effort of the Juvenile Court and Clayton County Extension Service of the University of Georgia. It requires youth and parents to participate in eight hours of discussions that explore the reasons for and the consequences associated with theft as well as effective communication and making good choices. Scheduling is based on referral need.

### Introduction to Juvenile Court

Introduction to Juvenile Court is a workshop designed to educate court-involved youth and their families with an overview of the policies, terminology, processes, and expectations of the Juvenile Court. The workshop is held one Tuesday a month, from 7:00 to 8:00 PM, at the Clayton County Youth Development and Justice Center in Jonesboro.

### Baby Think It Over

Baby Think It Over is a program that focuses on court-involved teenagers that are sexually active and/or curious regarding sexual activity. The program teaches juveniles the consequences of having unprotected sex. The program also demonstrates what it is like to care for an infant through a weekend-long simulation with a lifelike baby simulator. Participants are required to attend a debriefing session on the Monday following the simulation exercise. The program is scheduled based on referral need and is held at the Clayton County Youth Development and Justice Center in Jonesboro.

### 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 resource officers to refer students to workshops such as Conflict Resolution or mediation for misdemeanor offenses 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 can refer students to other workshops such as Project HIP and Choices as an alternative to out-of-school suspension.

### Juvenile Diversion Program

Beginning late in the fiscal year, the Juvenile Court partnered with Necco to provide in-home diversion services to youth at-risk of juvenile justice system involvement. This program is funded by a Juvenile Justice Delinquency Treatment and Prevention Grant by the Criminal Justice Coordinating Council, and is targeted primarily at excessive truancy cases. The services Necco provides include crisis stabilization, safety planning, and linking services to natural and community supports. The objective of the program is to prevent formal juvenile justice system involvement by preserving and strengthening family relationships through its in-home model.

### Alternative Dispute Resolution (ADR)

ADR is a term that describes a number of processes used to resolve disputes as an alternative to formal processing

## 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 System of Care have provided technical assistance on the model to jurisdictions as diverse as Wichita, Kansas; Connecticut; Los Angeles; Kentucky; Denver; South Carolina; Florida; Arkansas; New York City; Wisconsin; and North Carolina, among others. This work is supported by the Annie E. Casey Foundation and the Clayton County Juvenile Justice Fund.

of complaints. These informal processes include negotiation, conciliation, mediation, and arbitration. ADR 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.<sup>2</sup>

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

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*In FY 2015, there were 282 cases assigned to ADR for screening, and of those, 126 youth were monitored for a period of 90 to 180 days under a mediated informal adjustment agreement.*

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includes several programs. In addition to the Juvenile Court staff in the Restorative Justice Division that are assigned to ADR, the Juvenile Court contracts with several mediators who are selected from the community with various 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 to the victim.

### **What is Mediation?**

Mediation is an informal process in which the parties involved are empowered to resolve their own differences with the assistance of a 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.

### **The Mediation Process**

Complaints received by the Juvenile Court are first screened by Intake Operations. Those that are deemed appropriate for mediation are forwarded to ADR for further review. In most instances the cases involve property damage, loss of property, school, or family issues. ADR also occasionally mediates dependency matters as directed by a judge, particularly those involving disputes about custody of children. Once a case has been

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<sup>2</sup> Journal of Consulting and Clinical Psychology, v62, pp. 124-29, Feb. 1994.

identified as appropriate for mediation, the victim is contacted and invited to seek a mediated solution. If the victim agrees, a mediation hearing is scheduled.

The goal of each session is to produce an agreement that is acceptable to all parties. During the mediation hearing the juvenile is encouraged to be accountable for his or her actions. Secondly, the objective is for the juvenile to gain a perspective that will assist in altering his or her thought process, thus preventing him or her from reoffending. The juvenile and victim also participate in a "brainstorming" process facilitated by the mediator to determine possible resolutions. In many cases the agreement will consist of restitution to the victim and participation of the youth in a workshop or other program to help address his or her underlying behavior. Failure to comply with the mediation agreement may result in the matter being set for a formal hearing before a judge.

The mediation program has successfully addressed shoplifting cases involving merchants in the community and property damage cases involving private citizens. Additionally, the program has been effective in handling school-related conflicts in lieu of the student receiving a formal charge, as part of the Clayton County System of Care and the School Referral Reduction Program.

### **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."<sup>3</sup> For more information, please visit the JDAI Help Desk ([www.jdaihelpdesk.org](http://www.jdaihelpdesk.org)).

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.

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<sup>3</sup> 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.

JDAI Coordinator, Shannon Howard, manages two of the most important JDAI programs in Clayton County, the award-winning Finding Alternatives for Safety and Treatment (FAST) Panel and the Clayton County Collaborative Child Study Team (Quad-CST).<sup>4</sup>

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*Since becoming a JDAI replication site in 2003, the average daily population in detention has decreased by 81%. The average length of stay for juveniles who are detained has fallen by 47%. The commitment rate for all youth has dropped by more than 84%, and the commitment rate for youth of color has dropped by 66%. Less than 1% of juveniles released on alternatives to detention were re-arrested before disposition. Juvenile petitions have decreased 76% since 2002.*

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### **FAST Panel**

The FAST Panel is a multi-disciplinary detention review committee that meets every Monday, Wednesday, and Friday 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 committee is comprised of trained community volunteers, community-based service providers, probation officers, and agency representatives from our collaborative partners. For more information on becoming a FAST Panel volunteer, please contact the JDAI Coordinator, Shannon Howard, at 770.472.8138.

### **Quad-CST**

The Quad-CST is another multi-disciplinary 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. Partnering with Clayton County Public Schools, the Quad-CST serves as the primary review committee for the Clayton County System of Care, 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.

### **Probation Division**

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

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<sup>4</sup> Clayton County Juvenile Court's FAST Panel was awarded the American Probation and Parole Association's President's Award in 2006.

## Court Operations

The Court Operations Unit is headed by Chief of Court Operations, Victoria Berry, and consists of three court officers. The unit's primary function is conducting pre-disposition investigations and preparing social history reports for the disposition of delinquency cases that have come before the Juvenile Court for formal processing. In addition to investigating and writing reports, the court officers assigned to Court Operations also supervise youth who have been placed on Community Detention Orders as an alternative to detention pending the final disposition of their cases.

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*During FY 2015, the Court Operations Unit had 329 cases assigned to its members.*

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## Field Operations

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*In FY 2015, 291 juveniles were assigned to Field Operations; the average probation caseload was 18, consisting mostly of moderate- and high-risk offenders. Field officers initiated 3,081 face-to-face contacts with these children, most of which occurred in the juveniles' communities. Field officers also participated in 9,321 collateral contacts, which consists of an array of educational, community service, treatment, and family interactions.*

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The Field Operations Unit is led by Chief of Field Operations, Stacy Weaver, who supervises eight field officers. Field officers conduct risk classifications and needs assessments and write individualized treatment plans for all youth placed on an order of probation using the Juvenile Assessment and Risk Instrument System (JARIS). Field officers also provide ongoing supervision to those youth placed on probation by the Juvenile Court.

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 JARIS 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 to the community

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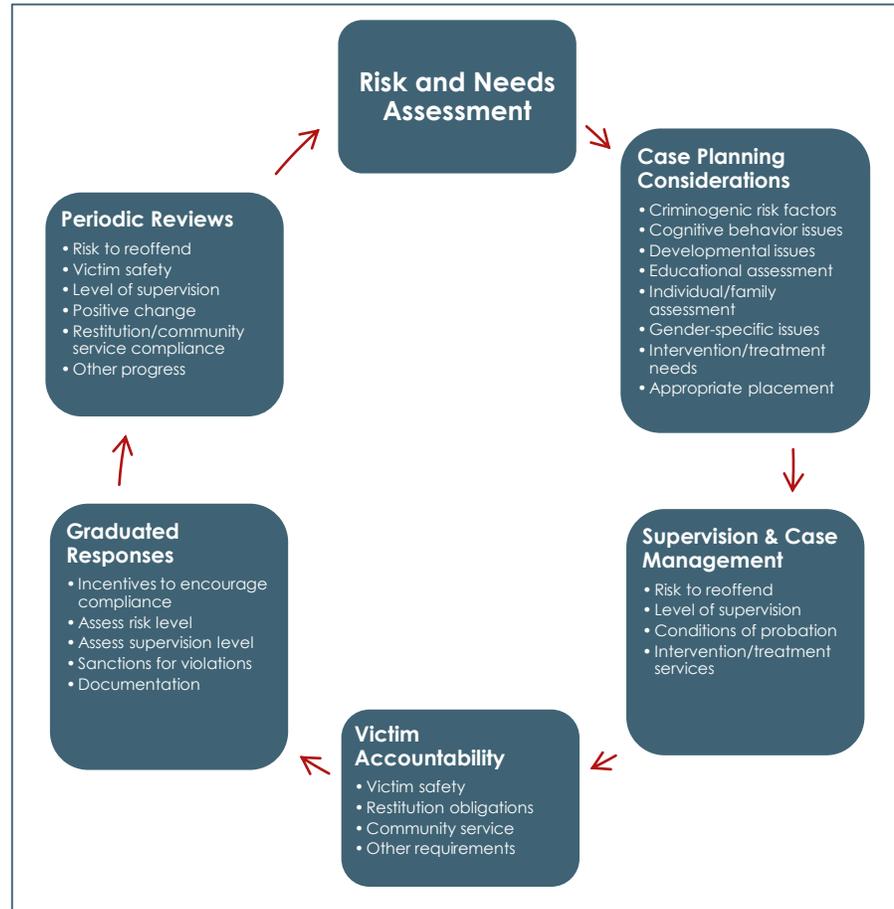
*In FY 2015, 2,776 counts involving delinquency or CHINS were filed against 1,735 children, and only 29 juveniles were committed to the Department of Juvenile Justice.*

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and meet the statutory requirements for commitment. Commitment to DJJ is generally considered an option of last resort.

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 the child's JARIS Needs Assessment. Field officers evaluate the juvenile's progress toward achieving probation goals and recommend termination of probation at the appropriate time. Figure 2 illustrates the case planning process.

**Figure 2: Case Planning Process**



## Special Juvenile Justice Programs

The Special Juvenile Justice Programs Unit was created this 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 spectrum. This unit is led by Chief of Special Juvenile Justice Programs, Indya Grier, and is staffed by two full-time probation 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 probation officers. Participants undergo routine substance abuse screening, are electronically monitored, and participate in Cognitive Behavioral Restructuring therapy and family counseling. 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 program is a collaborative effort between the Juvenile Court and Grace Harbour and is largely supported through Juvenile Accountability Block Grant funding from the Criminal Justice Coordinating Council.

### **Functional Family Therapy**

The 2014 Juvenile Justice Incentive Grant program from the Criminal Justice Coordinating Council was designed to use community-based interventions to reduce reliance on commitments to the Department of Juvenile Justice (DJJ). The community-based interventions are limited to those considered to be evidence-based programs, one of which is Functional Family Therapy (FFT). Probationers and their families participating in FFT engage with clinical therapists over a three-month period in an effort to produce positive behavioral changes. FFT consists of five major components: engagement, motivation, relational assessment, behavior change, and generalization, to obtain necessary goals. The Juvenile Court partners with Southwest Key Programs to implement FFT, and last year, they helped us beat our goal of reduced commitments by more than 50%.

### **Child Welfare Division**

The Child Welfare Division of the Juvenile Court is headed by Chief of Child Welfare, Carol Gossett. She is assisted in her duties by Citizen Review Panel Coordinator, Concilia Chilumuna. The division is staffed by six CASA volunteer supervisors, a CASA training supervisor, and a 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.

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*In FY 2015, 72 CASA volunteers advocated for more than 173 foster children and more than 1,659 children in total. CASA staff logged approximately 1,167 hours in the courtroom, and CASA volunteers spent more than 4,773 hours advocating for children.*

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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 capability. <sup>5</sup> CASA

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<sup>5</sup> National CASA: [www.casaforchildren.org](http://www.casaforchildren.org)

programs represent a well-documented and nationally recognized response to this growing need. CASA volunteers, serving as the child's own special advocate 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.

Trained 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

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*During FY 2015, Clayton County CASA took in \$8,055 in Guardian ad Litem fees from Superior Court custody investigations.*

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is also affiliated with the National CASA, Georgia CASA, and Metro Atlanta CASA organizations. For more information on becoming a volunteer with the Clayton County CASA program, please contact our CASA program at 678.610.1061.

### **Clayton County CASA's Affiliated Volunteer Opportunities**

#### **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 (ABCs)**

Ambassadors Behind CASA 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.

### **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.

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 completion of the training, the volunteers are sworn in as officers of the court, to act in the best interest 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

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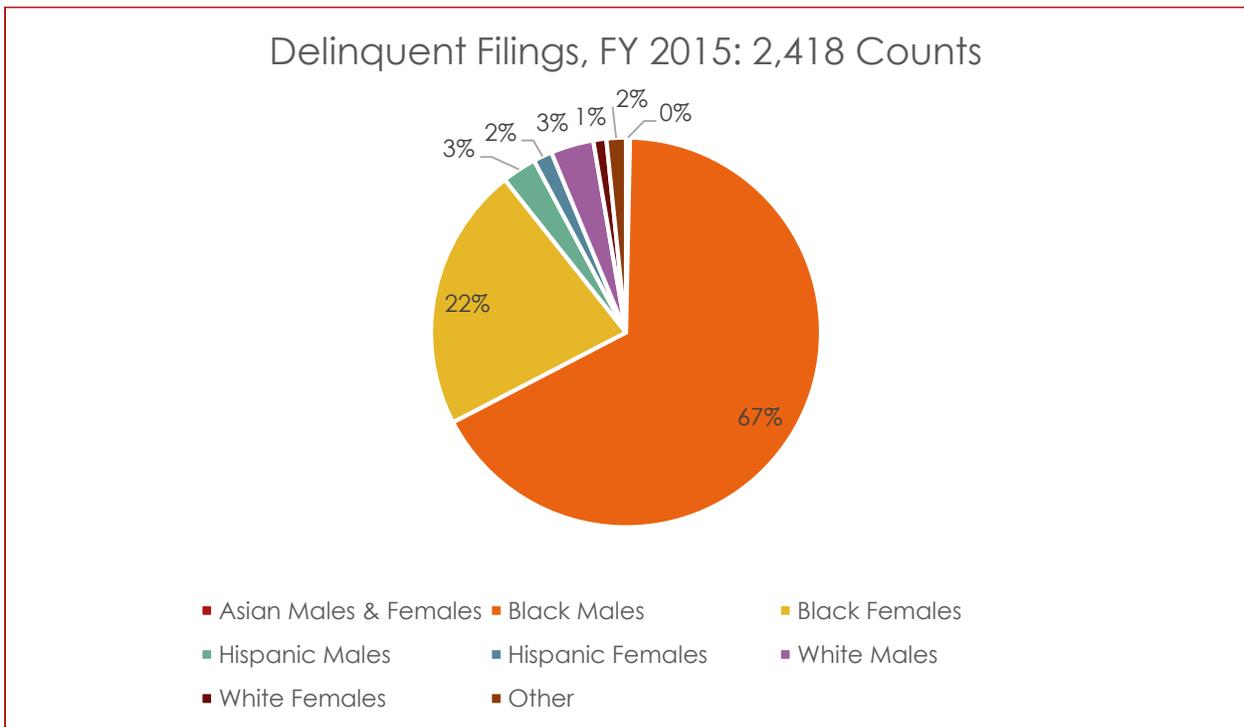
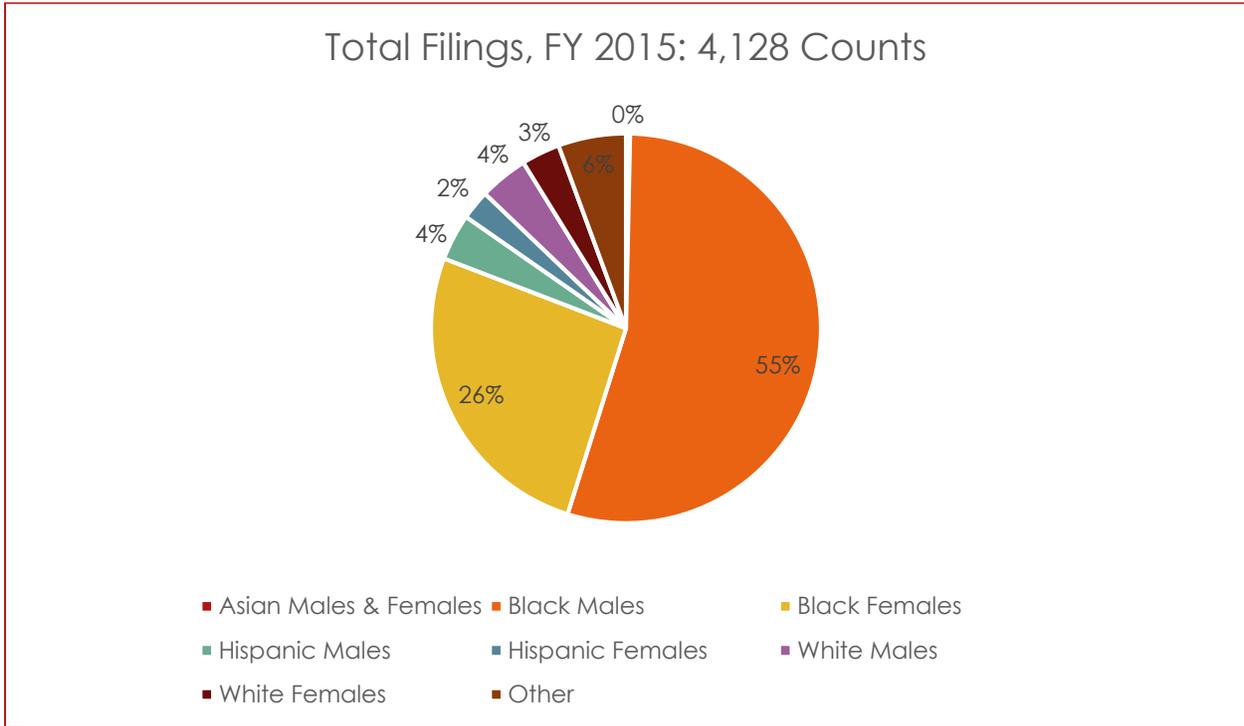
*During FY 2015, the Judicial Citizen Review Panels conducted 174 panel hearings and volunteered 266 hours, helping to achieve permanency by closing 51 foster care cases either reunifying the children with parents, relative placements, adoption, or independent living.*

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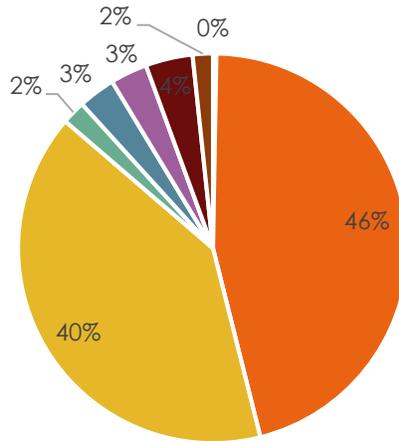
JCRP's ultimate task is to see that the children are in a permanent home as soon as safely possible. JCRP hearings are conducted with panel members meeting with the Division of Family and Children Services (DFCS) caseworker, parents, the children, other family members, foster parents, service providers, 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.

## Statistical Reports for FY 2015

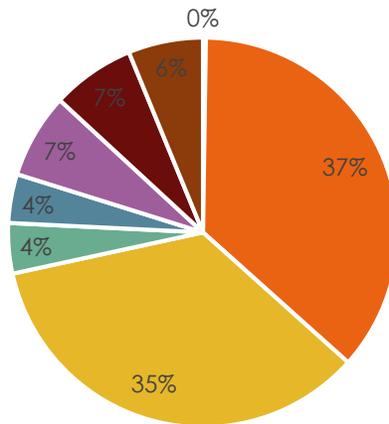


### CHINS Filings, FY 2015: 358 Counts



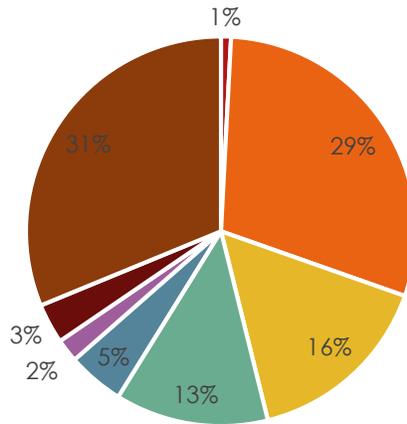
- Asian Males & Females
- Black Males
- Black Females
- Hispanic Males
- Hispanic Females
- White Male
- White Females
- Other

### Dependency Filings, FY 2015: 838 Counts



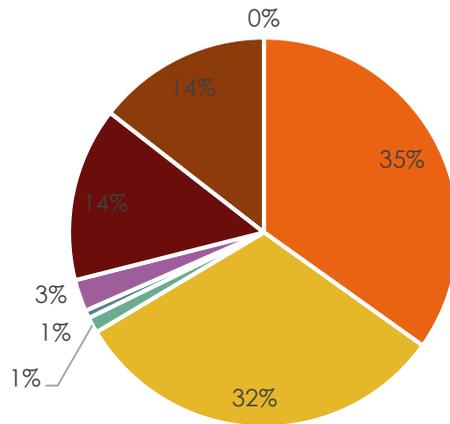
- Asian Males & Females
- Black Males
- Black Females
- Hispanic Males
- Hispanic Females
- White Males
- White Females
- Other

### Traffic Filings, FY 2015: 362 Counts



- Asian Males & Females
- Black Males
- Black Females
- Hispanic Males
- Hispanic Females
- White Males
- White Females
- Other

### Special Proceedings, FY 2015: 152 Counts



- Asian Males & Females
- Black Males
- Black Females
- Hispanic Males
- Hispanic Females
- White Males
- White Females
- Other

## Trends in Juvenile Court Filings

■ Total Filings 
 ■ Delinquency 
 ■ CHINS 
 ■ Dependency 
 ■ Traffic 
 ■ Special Proceedings

