



Making The Connection

An Informational Publication to Educate and Create Awareness in Wyoming County About Juvenile Justice

The Juvenile Court Process in Wyoming County

Imagine this scenario. It is a Monday morning and you walk out to your car to drive to work. Approaching the car, you see that your passenger side window has been smashed. When you look inside, you find that your CD collection is missing along with twenty dollars you had hidden in the console in case of an emergency. After contacting the police and they conduct an investigation, you are informed that the culprit is a 14 year old boy who lives down the street. You are also told that you may have to ap-

pear in court to testify about the crime.

This is an example of a typical crime committed by juveniles supervised by Wyoming County Juvenile Court Services. The process can be very confusing and cumbersome to those who are not familiar with the legal system. Following is a brief explanation as to how a case would proceed through the system.

After a petition, or an allegation that a crime has been committed, is filed in Juvenile Court, the matter is scheduled for a hearing in front of our President Judge, Brendan J. Vanston. After hearing the evidence, the Judge will determine whether the juvenile



did or did not commit the crime. If it is determined that the juvenile committed the crime, or in this case broke into the vehicle and removed the CD's and money, he will be adjudicated delinquent. This means that the Court has found that the juvenile is in need of supervision, rehabilitation or treatment in the Juvenile Justice System.

Once an assessment of the juvenile and his family is completed by a probation officer, a report is prepared for the Court which suggests consequences for his actions. It is the responsibility of the probation officer to identify a plan that will protect the community,

(continued on page 2)

Inside this issue:

The Juvenile Court Process	1, 2
Staff Spotlight- David Jones	1, 2
Court Ordered Conditions- Is It All About the Money?	3
Court Ordered Conditions- It's All About Treatment!	4
What Is Managed Care?	5, 6
Community Service Spotlight- Helping to Make Votes Count	5
How To Contact Us	6

Staff Spotlight- David Jones

In 1999, Juvenile Court Services created a position for a mental health probation officer (P.O.) in response to the rising number of juveniles under supervision involved in

mental health agencies and support services. David Jones currently fills this position and has been a probation officer since 2001. Prior to becoming a probation offi-

cer, he worked with juveniles for several years in a residential facility. Mr. Jones' caseload is considered intensive as he is limited to 12 cases at any one time as each juvenile

(continued on page 2)

The Juvenile Court Process (continued from Page 1)



make the juvenile accountable, but also develop their competencies so that he will not commit another crime in the future.

A disposition hearing, similar to a sentencing in the adult court system, is then held. The Court may order various conditions such as court costs, restitution (reimbursement) to the victim, community service, counseling, drug and alcohol testing or placement in a juvenile

facility.

A probation officer is assigned to the juvenile and he or she will explain all conditions ordered by the Court as well as what will be expected of the juvenile and his family while under probation supervision.

This beginning stage of the court process can be confusing to a victim or witness who has an unexpected encounter with the Juvenile Justice System.

In an effort to address this problem, Juvenile Court Services and Victims Resource Center have made a cooperative agreement to offer various services to assist persons involved in the juvenile justice process. A written guide explaining the court process has been published and is available to all victims and witnesses of juvenile crime in Wyoming County.

"it gives me an opportunity to connect juveniles and their families with services at home, school and in the community"

-David Jones on what he likes most about his position .



Staff Spotlight (continued from page 1)

is seen at least three times per week when first placed on probation. Juveniles assigned to Mr. Jones have moderate-severe mental health issues. Often they are active with agencies such as Children's Service Center (CSC) and Luzerne/Wyoming County Mental Health/Mental Retardation (MHMR) and are participating in individual counseling, home based counseling or other support services.

Juveniles on Mr. Jones' caseload have diagnoses such as Attention Deficit Disorder (ADD), Bipolar Disorder, Depression, and Mental Retardation. In addition to general probation officer duties, it is Mr.

Jones' responsibility to coordinate services for these probationers and their families. He also acts as a liaison between probation officers in our department and mental health agencies as he coordinates evaluations for all probationers in Wyoming County. When asked what he likes most about his position, Mr. Jones stated "it gives me an opportunity to connect juveniles and their families with services at home, school and in the community. This allows them to receive appropriate treatment for their issues, therefore, reducing the chance that they will re-offend in the future"

Due to the type and severity of issues presented, Mr. Jones tends to have juveniles who are in need of residential treatment. Therefore, he spends a good deal of time visiting placement facilities. Currently he is working on a project to improve aftercare for juveniles in placement through the MacArthur Foundation. As project leader in Wyoming County, he will assess services available to juveniles once they are released from placement facilities and then identify areas that need improvement. Wyoming County is one of only 20 counties participating in this state-wide initiative.

Court Ordered Conditions- "Is It All About the Money?"

Once a juvenile is placed on probation supervision, there are numerous conditions that may be ordered by the Court. When making recommendations, probation officers consider the elements of Balanced and Restorative Justice (BARJ) - accountability, competency development, and community protection. Conditions often fall into two areas- financial and treatment. I will explain many of the financial conditions that work to hold juveniles accountable and show how repaying costs to victims and the County is an essential part of juvenile probation.

All juveniles are ordered to pay court costs which vary slightly and are dependent upon the crime committed. Currently, most juveniles are ordered to pay \$90.00 which covers state and county costs. However, there is an additional fee for crimes

such as drug violations or Driving Under the Influence (DUI). The Court has discretion to waive a portion of these fees if it is found that "undue hardship" would be imposed upon the juvenile or his family. It is our department's practice to collect all money from juveniles as accountability is an integral part of Balanced and Restorative Justice.

Restitution is a condition which is ordered in all cases where the victim has endured a financial loss as a result of a crime. If \$100.00 is stolen from a wallet, the juvenile will be ordered to pay the victim \$100.00 through the juvenile probation department. Because juveniles are responsible for their debts, the juvenile and their probation officer will devise a payment plan to satisfy this obligation.

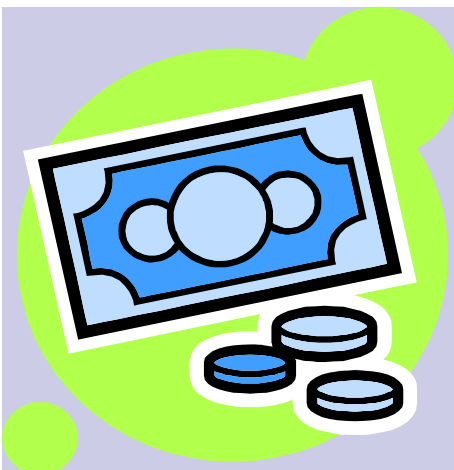
Many times charitable contributions are ordered by the Court at disposition hearings. In essence, a juvenile is ordered to make a monetary donation, in a specified amount, to a non-profit agency or charity. The amount of the donation largely depends on the

type of crime committed and the ability of the juvenile to pay. Juveniles choose which charity they would like to support and juvenile probation directs the money to the agency once the funds are received. The only stipulation is that the charity must in some way benefit the children of Wyoming County. Recently, a juvenile decided to direct his money to Interfaith Friends to assist with their Christmas Bureau and bike helmet programs. Contributions have also been used to purchase D.A.R.E. t-shirts that were given at the program's graduation.

We also have a newly established restitution fund which assists unemployed juveniles with their restitution payments. Those who have a job contribute money to the fund and then unemployed youth may perform community service hours at a designated non-profit agency at minimum wage to pay on their restitution. This program ensures that all victims receive payment for their losses while holding juveniles accountable.

Although it may seem like there are many financial conditions, it is important to remember that all of them are not always ordered for each juvenile. It is decided on

an individual basis and is partly dependent upon whether the child has the ability to pay. Juveniles who are older in age and that are employed have a greater chance of having the means to pay financial obligations than a younger, unemployed juvenile.



-Did you know that during the months of July, August and September 2006, juveniles who were released from supervision paid \$3137.88 towards victim restitution?

Court Ordered Conditions- “It’s All About Treatment”

Although it may seem that the juvenile justice system is “all about the money”, it really is not. There may be many financial obligations incurred by a juvenile involved in the court process, but our primary concern is that the juvenile receive appropriate treatment and services for his or her issues. By using the Intervention Needs and Competency Assessment (INCA) we gather information about all aspects of the juvenile’s life including their family, friends, drug use, emotional state, legal involvement, and education. Juvenile probation officers then recommend a comprehensive treatment plan to the Court. Our goal is for juveniles to acquire skills, education and insight so they can leave our system better than when they entered.

Evaluations by mental health and drug and alcohol agencies such as Children’s Service Center and Catholic Social Services are recommended quite often for juveniles as they are not usually involved in treatment prior to being placed on probation supervision. Evaluations by psychologists, psychiatrists and trained counselors give probation officers an idea of the severity of the problem and if the juvenile requires additional services. If counseling is suggested, the juvenile is obligated to participate in services until they are successfully discharged.

Some juveniles are ordered

to participate in Functional Family Therapy (FFT), a specific program sponsored by Children’s Service Center for probationers and their families. It is a 10-12 session program of therapy focused on behavior changes within the family unit. All family members are advised to be involved, but it is mandatory for at least the probationer and their parents. A highly trained therapist conducts sessions in the juvenile’s home as it has been found that therapy is much more successful in this setting. The FFT program has been proven to be successful and is a federal “blueprint program”.

Another possible treatment is the Anti-violence class. It is conducted by Victims Resource Center and Juvenile Probation at the Tunkhannock Area High School after school hours. The series of 10 classes focus on victim impact issues, giving juveniles insight into the crime they committed and how it affected others. This condition is court ordered when there is an identifiable victim in a case and especially when the crime involves personal injury. Toward the end of the series juveniles are taken on a tour of the Wyoming County Correctional Facility so they may see first hand what awaits them if they do not change their offending behavior.



When juvenile offenders have severe treatment issues and behavioral problems, residential placement may be the best treatment option for the juvenile. If placement outside the home is recommended it means that there is a lack of appropriate services in the community for the individual or the juvenile has exhausted the services available. Residential facilities, located throughout the state, provide intensive counseling, behavior modification, and educational services. The length of time that a probationer is in placement is dependent upon the type of program, the severity of the issues to be addressed and the juvenile’s willingness to participate and make changes. There are short term boot camps that range in length of stay from one to four months as well as short term drug and alcohol treatment centers that last 30 days. Other placements typically have juveniles in their care 6-12 months. Some specialized programs require 18-24 months to complete.

Placement Facts

- ◆ During the fiscal year of 2005-2006, \$1,053,154.00 was spent on the residential care of juveniles.
- ◆ As of January 1, 2007, there were a total of 14 juveniles in placement under Wyoming County Juvenile Probation supervision.
- ◆ Six juveniles were in placement receiving intensive drug and alcohol treatment.
- ◆ Mental health services, including placement in community group homes, are being provided to six juveniles.
- ◆ One juvenile is in a secure detention facility and one is placed in foster care.

What is Managed Care?

If you are wondering who pays for services that are court ordered for juveniles, I will attempt to explain. Most outpatient counseling services are covered by the family's medical coverage, however, there are times that private medical coverage is not enough. In those cases the juvenile would be responsible for the payment. Luckily the agencies to which we refer most probationers operate on sliding fee scales

based on income. For example, there have been occasions when a juvenile was charged only \$5.00 for an appointment which would normally cost \$75.00. If a juvenile's family does not have medical coverage, they may be eligible for medical assistance.

When a juvenile is placed in residential treatment, payment becomes quite complicated. In terms of funding, there are two types of residential

placements- Residential Treatment Facilities (RTF's) and all other residential placements. For residential placements that are not RTF's, the county is responsible for funding the treatment. When this occurs, the juvenile's parents are then expected to contribute monetarily for their child's care. An examination of the family's financial resources determines what amount the family will contribute. The per

diem rate of placement facilities may range from \$100.00-\$300.00 and may exceed this amount if the placement provides specialized care. This means that the cost of placement may range from \$3,000-\$9,000 per month. Obviously, most parents cannot afford to pay this amount, but Domestic Relations will determine what they can provide. The balance is covered by a complex mix of

(continued on page 6)

Community Service Spotlight- Helping to Make Votes Count!

Each election, juveniles on probation assist the Election Bureau and Wyoming County Courthouse Maintenance staff to obtain community service credit. Now, don't worry, our kids are not counting voting ballots, but they do help by unloading materials from the polls at the courthouse at the end of the night. When the polls close at 8:00pm, election

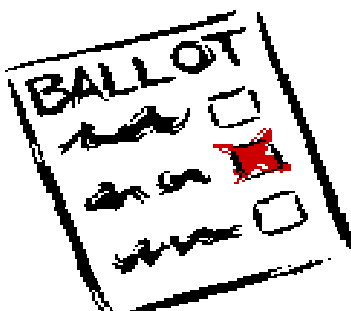
officials must bring their results to the courthouse to be tallied. Since many times election volunteers are tired after such a long day, probationers, under supervision, assist in lifting the heavy materials and carrying them from the street into the courthouse.

Prior to Wyoming County adopting the electronic voting system, juveniles carried the large metal ballot boxes, but now there are bags and sometimes voting machines that need to be transported.

This project, I believe, is wonderful for the juve-

niles to experience because they witness our democratic government at work. Being a part of the voting process will hopefully show the importance of voting and encourage them to vote and become involved in the election process when they become eligible. By working

with the Election Bureau and Courthouse Maintenance we save taxpayer dollars and I am sure election officials appreciate the help. I believe our involvement with election night makes the evening a little bit nicer and the process run a bit smoother.



What Is Managed Care? (continued from page 5)

County, State and Federal funds.

RTF's are funded through state medical assistance and are only approved if the treatment is determined to be "medically necessary" by a physician based on the juvenile's symptoms and behaviors. Some of the criteria for medical necessity include symptoms of suicidal/homicidal ideation, dangerous risk taking behavior, aggression, and affect, thought or cognitive impairment.

Prior to July of 2006, when a juvenile was to enter an RTF, a

packet which included information about the probationer's symptoms problems and conditions was prepared and submitted to Medical Assistance for funding approval. Since July, we now access RTF services through a managed care program called HealthChoices which has been implemented in the northeast region. Wyoming, Luzerne, Susquehanna, and Lackawanna counties are included in this system. The purpose of HealthChoices is to improve access to services, improve quality and coor-

dination of services and manage costs while maintaining local, county-based control. A strong emphasis is placed on juvenile and family satisfaction with services, member rights, and recovery and resiliency. HealthChoices does not only apply to residential placements but also to services which would normally be covered by Medical Assistance such as outpatient services for mental health and drug and alcohol issues, partial hospitalization, family based treatment and crisis intervention, for exam-

ple.

So, how does this impact probationers who are in need of services covered by Medical Assistance? Although we are still in a transition period, it seems that juveniles will have better access to services that are closer to their home. The juvenile and his family will also be able to provide more input as to how to make services better. Also our northeast region will determine if additional services are necessary in our area, allowing more funds to be available for those services.

If you have questions or comments regarding the information you have received, please call Daralyn Carr at (570) 996-2242 or email dcarr@wycopa.org.

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Wyoming County Juvenile Court Services Mission Statement

"To provide for children committing delinquent acts, programs of supervision, care and rehabilitation which shall provide attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to assist children in becoming responsible and productive members of society."



**Wyoming County Juvenile Court Services
44th Judicial District
Hon. Brendan J. Vanston, President Judge
Marshall R. Davis, Chief Juvenile Probation Officer**

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