



Keeping Juveniles Out of the Pipeline: Creation and Use of Specialty Courts



Judge Laura Parker
386th District Court

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Juvenile Justice



Since the 1960s, the Juvenile Justice System has operated in much the same manner as the adult criminal justice system implementing the traditional adversarial system and requiring appropriate due process protections.

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Special Considerations in Juvenile Matters



Balancing Accountability with treatment

- Mental Health Issues
- Addiction Issues
- Trauma Issues

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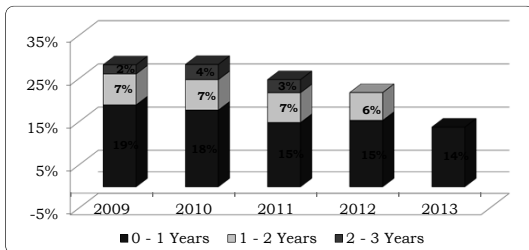
Special Considerations in Juvenile Matters



- ❖ School Performance
- ❖ Teen Pregnancy
- ❖ Recidivism

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First-time Offender Recidivism*



*Recidivism defined as a Misdemeanor or Felony referral within 1, 2, or 3 years of the juvenile's initial referral. Includes first-time offenders between January 1st, 2009 and December 31st, 2013. 5

Special Considerations in Juvenile Matters



- Family Centered Interventions
- Orders Affecting Parents
 - In-Home Programs
 - Parent Project
 - Financial Assistance (clothing vouchers, bus passes, etc.)

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What is a Specialty Court?



A specialty court is one that incorporates an alternative model of case management, focusing on treatment and giving attention to the social issues of victims, the respondent and the community.

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What is a Specialty Court?



These courts engage in problem-solving in order to reduce recidivism and increase the effectiveness of the juvenile justice system.

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What is a Specialty Court?



Many of our specialty courts focus on the type of offense charged or issues that arise in the respondents' lives.

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Specialty Courts



Through their unique structure and methods of operating, Specialty Courts are able to address issues and concerns that may otherwise be overlooked.

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Specialty Courts: Essential Characteristics



- Integration of Services
- Non-Adversarial Approach
 - Role of Prosecutor
 - Role of Defense Attorney
 - Role of Judge

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Specialty Courts: Essential Characteristics



- Early Identification and Prompt Placement
- Access to Treatment/Services
- Careful Monitoring

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**Specialty Courts:
Essential Characteristics**




➤ Coordinated Strategies for Success

- * Incentives and Sanctions
- * Sealing of Records

TFC 58.003 (C-1) Drug Court Program
TFC 58.003 (C-3) Prostitution
TFC 58.003 (C-7) Trafficked Persons Program

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**Specialty Courts:
Essential Characteristics**




➤ Ongoing Judicial Interaction

- “Social Work” type interactions
- Judge must be accessible to probation officers, juveniles and parents

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**Specialty Courts:
Essential Characteristics**




➤ Monitoring and Evaluation of Program

➤ Education for Effective Programming, Implementation and Operation

➤ Partnering with Public Agencies and Community Organizations

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**Juvenile Specialty Courts:
Bexar County**



- Pre-Adjudication Drug Court
- 386th Drug Court (Post Adjudication)
- Crossroads Mental Health Court
- Restore Court (Sex Trafficking Court)
- Family Enrichment Court
- Crossover Youth Court

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**Post Adjudication Drug Court
Qualifications**



- 13-16 yrs old
- Substance or alcohol problem
- Previous probation (preferred)
- Male or female
- Bexar County Resident
- Child and family willing to participate
- Enrolled in school/GED program
- Positive recommendation from Probation

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**Post Adjudication Drug Court
Exclusions**



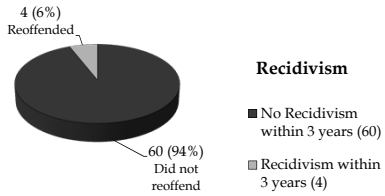
- Violent offenses
- TJJD prior
- Drug dealer
- Drug manufacturer
- Sex Offender

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Effectiveness of Specialty Courts in Bexar County



386th Post Adjudication Drug Court



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Crossroads Program Qualifications



- Female
- 12-15 years old
- Mental health issues
- Substance abuse
- Past trauma and/or abuse

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Crossroads Program Qualifications



- Supportive adult committed to participating in program with the child
- Legally competent
- Accept pre and post-arrest
- Class A offenses or below
- On deferred prosecution (generally)

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Crossroads Program Exclusions



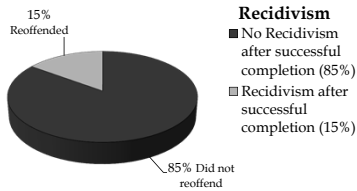
- Violent offenses
- Drug dealer
- Drug manufacturer
- Sex Offender

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Effectiveness of Specialty Courts in Bexar County



386th Crossroads Program



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Restore Court Qualifications



- Male or female
- 13-16 years old
- Has been adjudicated (on probation)
- Identified as DMST
 - * Gang Unit Interview
 - * Rape Crisis Center Evaluation
- Case by case review

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Restore Court Exclusions



- Violent offenses
- Drug dealer
- Drug manufacturer

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Effectiveness of Specialty Courts in Bexar County

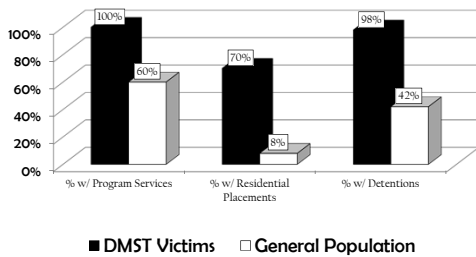


386th Restore Court

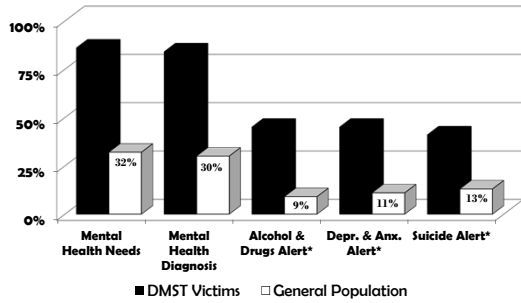
- Start Date: August 7, 2013
- Total Participants: 16 (15 girls, 1 boy)
- Graduations: 3
- Dismissed from program: 7 (with 3 later reinstated)
- 100% of Restore Court participants received placement services while on probation

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Key Indicators DMST Victims & General Population



Mental Health Indicators Proportions DMST Victims & General Population



*Alert is a warning on the indicated subscale on the MAVSI 2.0

Sexual Trafficking of Minors



Institute of Medicine and National Research
Council of the National Academies Publication:

*Confronting Commercial Sexual Exploitation and
Sex Trafficking of Minors in the United States - A
Guide for the Legal Sector*

<http://www.iom.edu/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States.aspx>

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Juvenile Specialty Courts in Texas



- Drug Courts (Bexar, Collin, Dallas, El Paso, Guadalupe, Hale, Harris, Hill, Jefferson, Nueces, Montgomery, Presidio, Tarrant, Travis and Webb)
- Mental Health Courts (Bexar, Dallas, El Paso, Harris and Travis)
- Sexual Exploitation Courts (Bexar, Dallas and Harris)

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Juvenile Specialty Courts in Texas



- Male Diversion Court (Dallas)
- Family and Violence Courts (Bexar, El Paso, Grayson, McLennan, Tarrant and Travis)
- Gang Court (Harris)

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Implementing a Specialty Court



- Juvenile Board
- Judge
- Juvenile Probation Department
- District/County Attorneys Office
- Defense Attorney
- Program Resources

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Tips for Probation Officers



- ☞ Become informed about/familiar with specialty courts operating in your jurisdiction
- ☞ Consider the admission qualifications carefully when recommending participation in a specialty court.
- ☞ Note particular areas of need in your county that may benefit from implementation of a specialty court.

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Practice Tips for Lawyers



- œ Become informed about/familiar with specialty courts operating in your jurisdiction
- œ Consider the admission qualifications carefully when recommending participation in a specialty court.
- œ Help your client fully understand what will be required of him/her if accepted into a specialty court program.
- œ Include the child's family in your discussions.

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Avoiding Legal Conflicts



- Program violations and MTM's
- New counsel appointed if child terminated from program
- Hearings following termination from Specialty Court program should be heard by a different judge

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Additional Information about Specialty Courts in Texas



Children at Risk Publication:
*JUVENILE SPECIALTY COURTS:
An Examination of Rehabilitative Justice in
Texas and Across the Nation*

<http://childrenatrisk.org/wp-content/uploads/2013/05/Juvenile-Specialty-Courts-2014-web.pdf>

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Trending in Juvenile Law



Truancy Re-alignment:

2013 - Legislative Session: 83(R)

HB 1479

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Trending in Juvenile Law



Raising Age of Jurisdiction (10 - 17 years of age)

2015 - Legislative Session: 84(R)

Bills: HB 53 and SB 104

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Trending in Juvenile Law



Certification and Transfer Guidelines:

Cameron Moon vs. State of Texas:
<http://www.search.txcourts.gov/SearchMedia.aspx?MediaVersionID=164db52c-e9a1-429d-ba40-18f2fd6a88cd&coa=coscca&DT=OPINION&MediaID=11e498e5-b353-445d-b27f-2ed33f6626f>

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