



STATE OF UTAH

Office of the Legislative Auditor General

190 STATE CAPITOL • PO BOX 140151 • SALT LAKE CITY UT 84114-0151
(801) 538 1063 • FAX (801) 538 1063

Audit Subcommittee of the Legislative Management Committee
President R. Lane Beattie, Co-Chair • Speaker Martin R. Stephens, Co-Chair
Senator Mike Dinitch • Representative Brad King

May 18, 1999

President R. Lane Beattie
Speaker Martin R. Stephens
Audit Subcommittee of the Legislative Management Committee
State Capitol Building
Salt Lake City UT 84114

Subject: Timeliness of the Juvenile Justice System (Report #99-03)

Dear Legislators:

Local law enforcement agencies and the juvenile courts need to continue their efforts to reduce the time required to process juvenile delinquency cases. The speedy resolution of juvenile delinquency cases is important because delays in punishment give juveniles the impression that they are not accountable for their actions. Delayed intervention also allows juvenile offenders to commit more crimes while awaiting a hearing. Although there are different views regarding how long it should take to resolve a juvenile delinquency case, we found that it did not matter whose standards we used, a good portion of Utah's juvenile delinquency cases are taking too long to process through the juvenile justice system.

Representatives from both the juvenile court and local law enforcement agencies are aware of the problems described in this report and have already taken steps towards reducing delays in their processing of juvenile cases. Currently, the Administrative Office of the Courts is in the initial stages of a two-year study of case-flow management and delay reduction. The intent of this study is to reduce case processing time by identifying the delays and streamlining administrative procedures. In addition, recent efforts by the court to re-engineer its information management system is expected to reduce the time court personnel take to process juvenile delinquency cases. Similarly, many of the local law enforcement agencies either have or intend to adopt electronic information management systems that should also help reduce the time required to refer cases to the court. Also, representatives from local law enforcement agencies have agreed to make this a study item and give timeliness increased attention

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at future training meetings.

We believe the information in this report provides both the courts and local law enforcement agencies with the information they need as they work towards improving the speed with which they process juvenile delinquency cases. Although there may be different reasons for the delays observed in different parts of the state, this report identifies some of the most common causes for delays and provides recommendations that should be considered by both the courts and local law enforcement agencies. The data provided in this report will also provide a useful benchmark for evaluating the progress made as each jurisdiction attempts to reduce the time required to process juvenile delinquency cases.

Timely Response to Juvenile Crime is Essential

A timely process is essential to the success of the juvenile justice system. Unlike adults, juveniles tend to have difficulty making a connection between their actions and the penalties imposed on them if consequences are delayed. In addition, delays in prosecuting juvenile offenders also effect the state's ability to control juvenile crime. It is not uncommon for juveniles to commit several new offenses while waiting for a prior offense to be brought before a judge.

Experts Say That Juveniles Do Not Understand Delayed Punishment

Experts in the field of juvenile justice suggest that juveniles have a more difficult time associating their delinquent behavior with the consequences if punishment is delayed. For example, we spoke with Dr. Jeffrey Butts, a Senior Research Associate in the Program on Law and Behavior at the Urban Institute in Washington D.C. Dr Butts told us that a juvenile's perception of time is different from that of adults. He said this means that as time passes juveniles are less able to make a connection between the crime committed and punishment given. Mr. Butts, in his book **Waiting for Justice: Moving Young Offenders Through the Juvenile Court Process**, makes the following observation:

The imposition of legal sanctions is essentially an attempt to teach offenders that illegal behavior has consequences and that anyone who violates the law will be held accountable. In order to deliver this message effectively, the juvenile court process must fit the unique learning style of adolescents. During the years of adolescence young people experience many developmental changes and the passage of time is often distorted—i.e., three months of summer vacation seems like an eternity to a 14-year old. If the juvenile court takes too long to respond to youthful misbehavior, the corrective impact of the court process may be greatly curtailed.

The National District Attorney's Association further observes:

Time is a major consideration in handling juvenile cases. Children often fail to remember what action they took yesterday, let alone several months earlier. In addition, since court consequences often take months to impose, the longer it takes the more likely the juvenile wonders if anyone cares. The long-term message is lost on the child. Those “at risk” and especially those who fit the definition of “serious, violent or habitual” offenders need to experience a system that responds rapidly to the juvenile's actions. These offenders serve as an example to others. Therefore, the system needs to demonstrate that the community has expectations of behavior, will not tolerate violations of those expectations, and will swiftly sanction any violations. When the incident is far removed from the process, no such demonstration can be successful.

Both comments suggest that the timely processing of juvenile offenders is essential if the state is to be successful in discouraging juveniles from continuing their delinquent behavior. Another reason, described in the following sections, is that the longer the state waits to bring juveniles under state control, the longer they have to continue their criminal activities.

Some Juveniles Re-offend While Awaiting Hearings for Prior Offenses

A significant number of crimes are committed by juveniles waiting for a court hearing on a prior offense. During 1998 there were 36,769 criminal cases referred to the juvenile court, which eventually resulted in a sanction. For the purposes of our test, we excluded charges for contempt, violations of probation and infractions against the traffic laws. According to Figure I there were 5,969 of the juveniles who were eventually sanctioned that committed a second crime before their prior offense could be resolved by the courts.

Figure I Juveniles Who Committed an Offense While Waiting for Resolution on a Prior Offense All Cases Disposed During 1998 by Offense Class			
Offense Type	Number of Criminal Cases Referred to Juvenile Court	Number in Which Another Offense was Committed Before Disposition Hearing	Percent in Which Another Offense was Committed Before Disposition Hearing
Felonies	3,500	514	15%
Misdemeanors	23,649	3,813	16
Status Offenses	9,620	1,642	17
TOTAL	36,769	5,969	16%

Figure I shows that 16% of all referrals to the juvenile court committed additional crimes before proper sanctions could be determined. What this suggests is that a large portion of juvenile crime is committed by juveniles who have already entered the juvenile justice system and are waiting to be sanctioned by a judge.

When we analyzed the type of new offenses committed, we did not find correlation between the type of the original offense and new offenses that followed. In other words, those juveniles who were waiting for a hearing on a felony arrest committed all different types of criminal offenses including felonies, misdemeanors and status offenses. Similarly, those who were waiting for the court to process their status offenses not only committed more status offenses but also committed felonies and misdemeanors. Although we recognize that many juveniles are likely to commit more crimes even after the hearing process is complete, we believe they would be less likely to commit new offenses if they had received sanctions at an earlier date. In the following section we show how the impact of delayed prosecution of juvenile offenders is felt differently in different parts of the state. Some jurisdictions process juvenile offenders in a relatively timely manner while others tend to process cases more slowly.

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Some Delinquency Cases Could Be Processed In a More Timely Manner

We believe that a good percentage of juvenile delinquency cases in Utah could be processed in a more timely manner. When we compared the time to process each case resolved during 1998 to the time standards recommended by the **Utah Code**, the American Bar Association, and other federal agencies and professional organizations, we found that a significant portion of cases took longer to adjudicate than they should have. In some jurisdictions, the primary cause for the delays was the slow processing of referrals by local law enforcement agencies. In other parts of the state, it was the court intake process or the court hearing process that caused the delay. In a few jurisdictions, all three phases of the process were slow.

In order to identify how quickly juvenile delinquency cases are processed, we obtained a copy of the criminal incident history records from the juvenile justice database for each criminal incident in which a decision was issued by a judge during 1998. We then identified the average number of days from the offense date to the final disposition hearing date at which sanctions were determined by a judge. In order to identify the source for the delays, we monitored each of the three phases in the juvenile justice system separately. These include: (1) the police referral process, (2) the court intake process, and (3) the court hearing process. As shown in Figure II, the total time to process juvenile offenders is much shorter in some jurisdictions than others.

Figure II Days to Process Juvenile Delinquency Cases

All Cases Disposed During 1998 by Juvenile Court District Office

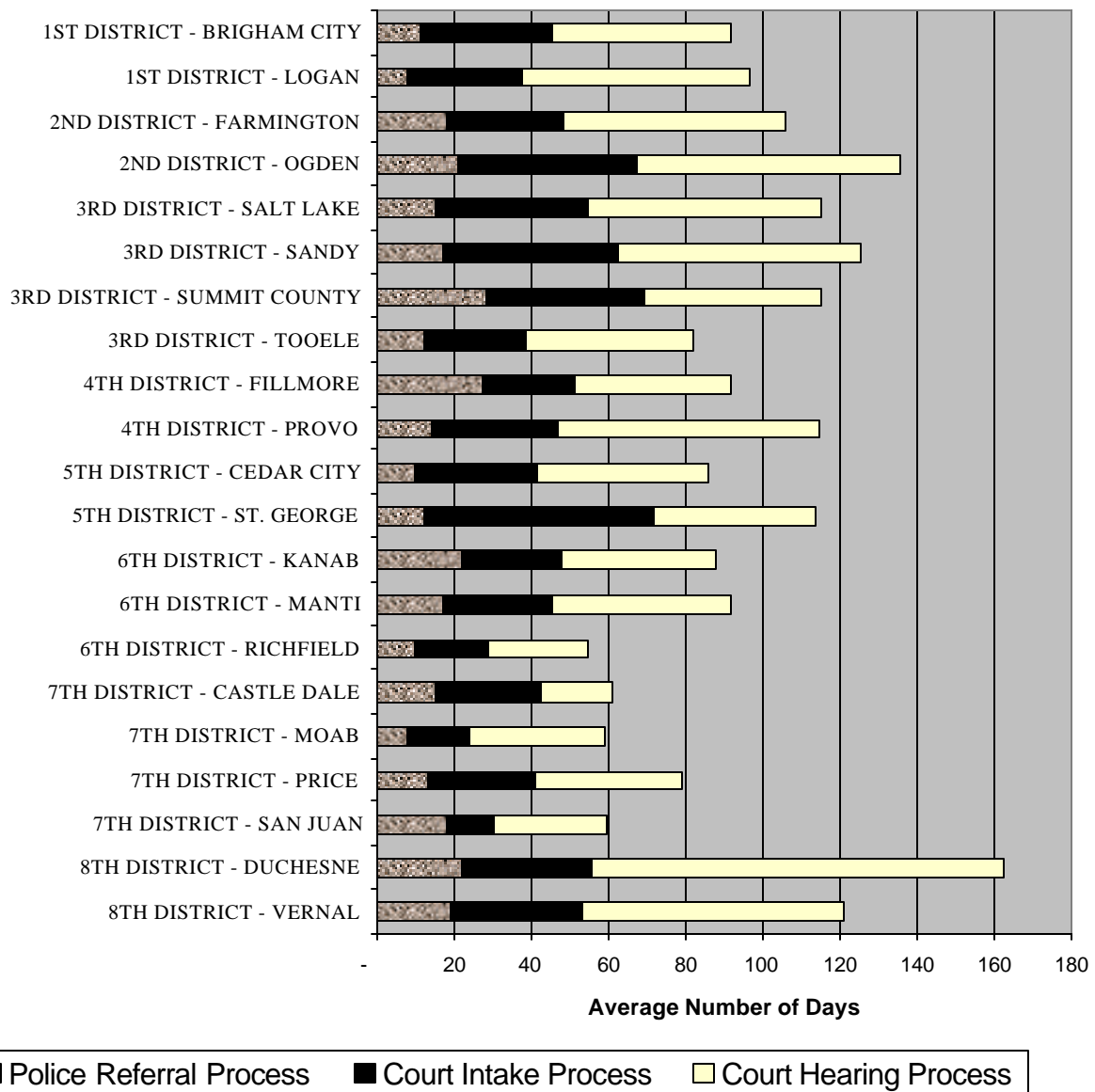


Figure II shows the average length of time to process all of the juvenile delinquent offenses for which a decision was made during 1998 by the juvenile court district. The police referral is the first phase of the process. It consists of the time from the arrest date to the date that the referral is submitted to the juvenile court. The second phase is the court intake process and consists of time between the day the referral is received by the juvenile court to the date it is formally petitioned to the court. The final phase is the court hearing process and is the time from the petition date to the date the case is finally resolved or disposed. It is important to recognize that many cases are resolved through a non-judicial agreement with the court and do not go through the court hearing process.

The data in Figure II suggests that some jurisdictions are faster at moving juveniles through different phases of the process than others. For example, the data show that the court offices in the 7th District Juvenile Court (serving the south-eastern part of the state) are able to complete all three of the phases of the process in the shortest period of time. In contrast, the juvenile court serving Duchesne County takes the longest time to process juvenile delinquency cases, mainly because of the time required to complete the court hearing process. The following describes each of the three phases in greater detail.

Some Delays Found in the Police Referral Process

The police referral process is the first step in the administration of justice for juvenile offenders. We found that many local law enforcement agencies are not submitting their referrals to the juvenile court in a timely manner. The **Utah Code** states that juvenile delinquency cases are to be referred to the juvenile court within ten days of the arrest date. We found that 47 percent of all the referrals we examined in 1998 took over the 10 day statutory requirement and that, on average, it took 25 days to refer cases to the juvenile court.

In this report we use the term “police referral process” to describe the steps taken by local law enforcement agencies as they investigate a reported crime, identify the juvenile offender, make the arrest, prepare an incident report, and file a referral to the juvenile court. The police referral process begins when a juvenile is either issued a citation or arrested for a criminal act. Local law enforcement officers then prepare a criminal incident report and refer the case to the juvenile court. In some cases, juvenile offenders are placed in a receiving center where the juvenile is detained until he or she can be released to a parent or guardian. Juveniles who commit violent crimes are generally placed in a detention center where they can be held for up to 48 hours without a court order. The more serious and violent offenders detained beyond 48 hours must be placed there by order of a judge.

The **Utah Code** sets time standards for how long it should take local law enforcement agencies to refer cases to the juvenile court. For juveniles who commit a felony or class A misdemeanor, **Utah Code** Section 78-3a-502 requires that local law enforcement “file a formal referral with the juvenile court within ten days of the minor’s arrest.” Unfortunately, we found it difficult to use the data contained in the juvenile court’s criminal records to identify exactly how long it takes for local law enforcement to refer their cases to the juvenile court. As mentioned, **Utah Code** requires law enforcement agencies to submit a referral within ten days of the “arrest date.” However, the arrest date is not a data element tracked by the court’s database. Instead, the database lists the offense date which makes it difficult to determine how much actual time it takes before referrals are sent to the juvenile court. In some cases the crime may not be reported for several days after the offense actually occurred. Even when crimes are reported immediately, there are times where law enforcement officers take several days to investigate a case before making an arrest.

There are also discrepancies between the time local law enforcement say they bring the referrals to the juvenile court and the court intake date. Sometimes referrals are not immediately transported to the juvenile court, even though local police records show referrals as submitted. On the other hand, the court intake staff are not always recording the intake date as the day the referral is received by the juvenile court. In some districts, the intake date is the date the court clerks actually enters the referral information into the juvenile justice database. This means referrals may have been submitted to the court several days before an intake date is assigned.

We were able to overcome most of the problems with the data by limiting our analysis to certain types of offenses. For example, we overcame the absence of the arrest date by testing only those types of incidents for which the arrest generally occurs the same day as the offense. These offenses include trespassing, shoplifting, and certain drug and alcohol charges. By monitoring the time between offense date and intake date for these offenses, we acquired a fairly accurate measure of the time required by local law enforcement agencies to submit their referrals. In addition, by comparing local law enforcement agencies within a single district, we avoided the problems that result from having different court districts assign an intake date at different points in the referral process. Figure III shows the number of days from the presumed arrest date to intake date for those law enforcement agencies that submitted at least 50 referrals for trespassing, shoplifting, and certain drug and alcohol offenses during 1998 and the percent of the referral process that took longer than ten days.

Figure III
Timeliness of the Police Referral Process

Time Required for Local Law Enforcement to Refer Selected Cases During 1998

Local Law Enforcement Agencies	Number of Referrals for Trespass, Shoplift, Drug and Alcohol Offenses	Average Days from Offense/Arrest Date to Intake Date	Percent of Referrals Over 10 Days from Offense/Arrest Date to Intake Date
First Juvenile Court			
Tremonton Police	104	15	33%
Cache County Police	178	10	26
Brigham City Police	238	7	12
Logan Police	451	6	8
Second Juvenile Court			
Morgan County Police	58	26	91%
Woods Cross Police	120	26	87
Centerville Police	100	22	84
Farmington Police	115	34	78
South Ogden Police	159	20	77
Washington Terrace Police	54	23	76
Bountiful Police	202	18	70
Ogden Police	944	21	70
Roy Police	205	22	62
Kaysville Police	65	16	62
Riverdale Police	63	18	62
Weber County Police	278	16	56
North Ogden Police	85	16	53
Layton Police	548	15	52
Davis County Police	121	22	46
Sunset Police	81	15	42
Clearfield Police	191	11	39
Syracuse Police	73	11	30
Third Juvenile Court			
Grantsville Police	52	23	92%
Granite School Police	161	29	85
Salt Lake County Police	1,296	18	60
Murray Police	307	16	52
South Jordan Police	139	11	50
West Valley City Police	1,017	13	49
Tooele County Police	71	10	44
West Jordan Police	591	13	36
Sandy Police	628	14	36

Figure III (Cont.)

Local Law Enforcement Agencies	Number of Referrals for Trespass, Shoplift, Drug and Alcohol Offenses	Average Days from Offense/Arrest Date to Intake Date	Percent of Referrals Over 10 Days from Offense/Arrest Date to Intake Date
South Salt Lake Police	172	10	35%
Salt Lake City Police	1,360	11	31
Midvale Police	269	9	17
Tooele Police	195	5	13
Fourth Juvenile Court			
Millard County Police	97	29	92%
American Fork Police	205	36	73
Utah County Police	462	19	71
Lehi Police	51	20	67
Pleasant Grove Police	119	17	56
Nephi Police	54	14	52
Payson Police	149	13	50
Spanish Fork Police	199	10	38
Springville Police	180	11	32
Orem Police	872	10	32
Provo Police	602	12	31
Fifth Juvenile Court			
Hurricane Police	101	14	50%
Beaver County Police	74	17	46
Washington Police	145	16	36
St George Police	858	12	33
Iron County Police	84	10	27
Cedar City Police	234	7	9
Sixth Juvenile Court			
Mt Pleasant Police	53	17	57%
Richfield Police	161	11	53
Kanab Police	50	9	20
Seventh Juvenile Court			
Roosevelt Police	119	23	83%
Vernal City Police	178	20	72
Emery County Police	54	12	65
Uintah County Police	118	19	60
Price Police	73	15	33
Moab Police	61	7	13
Eighth Juvenile Court			
Roosevelt Police	119	23	83%
Vernal City Police	178	20	72

The data in Figure III suggests that there are significant differences in the time it takes local law enforcement agencies to submit referrals to the juvenile courts. For example, the Tooele Police Department, in the Third Juvenile Court District, takes an average of only 5 days to submit its referrals to the juvenile court, and only 13 percent of its cases took longer than 10 days. In contrast, Grantsville takes an average of 23 days to submit its referrals to the same juvenile court and 92 percent of its referrals took longer than 10 days.

Through interviews with local law enforcement officers, in many different cities and counties, we were able to identify reasons why some agencies require more time than others to refer delinquency cases to the juvenile court. For example, one reason that the Logan Police Department is able to submit its referrals in an average of only six days is that the police station is within walking distance of the juvenile court building. In fact, the juvenile court staff regularly walk to the police department and pick up new referrals. In contrast, we found that other police departments do not place a great emphasis on submitting their referrals in a timely manner. Some police departments allow their referrals to accumulate over a few days or for even a week before they decide there are enough referrals to take to the juvenile court. In addition, some cities and counties require their referrals to go through an extensive internal review before they are sent to the juvenile court. This internal review can add several days to the time it takes to submit referrals to the juvenile court.

Some Cases Take Too Much Time in the Court Intake Process

Most of the juvenile court districts in the state could reduce the amount of time they take to process a case. Once cases are referred to the juvenile court by local law enforcement officials, they will spend an average of 31 days in the court intake process. About 15 percent of the cases take longer than the 60 days allowed by the **Utah Code** and 29 percent of the cases remain in the intake process longer than the 35 days recommended by the National Advisory Committee for Juvenile Justice and Delinquency Prevention.

The court intake process is performed by a court probation officer who initially meets with a youth offender and his or her parents in a preliminary inquiry in order to discuss the facts surrounding the case. If necessary, the probation officer also consults with the referring law enforcement officer and victim. If the juvenile admits to the offense and the intake officer believes it is in the best interest of the child and the community, he may try to resolve the case non-judicially through an informal settlement of the charges. If the child and parents are willing, the probation officer has authority to issue a financial penalty, work hours or some other form of restitution. If, on the other hand, the juvenile refuses to meet with the probation officer or denies the charges, the intake probation officer must prepare a formal petition to the

juvenile court. Some districts require that the case be reviewed by the county attorney before the probation officer files a petition. This additional review can also delay the intake process.

According to **Utah Code** 78-3a-502(2)(c), a probation officer has up to 60 days to complete the intake process. Furthermore, the probation officer is allowed to take an additional sixty days to complete the process if approval is granted by a judge. However, several professional organizations and federal agencies have suggested that the intake process should be completed in an even shorter time period. For example, the National District Attorneys Association recommends that the intake decision (whether to divert, file a formal petition, or transfer the case) should be made within 3 days if the juvenile is detained and within 10 days if the juvenile is not detained. Similarly, the National Advisory Committee for Juvenile Justice and Delinquency Prevention (NAC) suggests a 35 days intake process: the intake decision should be made no longer than 30 days after a police referral is received and then no more than 5 days thereafter for the case to be filed with the juvenile court. NAC recommends an even shorter time standard when juveniles are held in detention. The American Bar Association does not recommend a separate standard for the time from the police referral to the date the case is filed with the court. Instead, the ABA's standard is for the time between the police referral to the first arraignment hearing before a judge, which they recommend should take no longer than 30 days.

Using the information we retrieved from the juvenile justice database, we were able to identify the number of cases that completed the intake process within the 60 days required by the **Utah Code**. However, because 60 days is a much longer time standard than those recommended by professional associations, we also tested the delinquency cases against the 35-day standard recommended by NAC. Specifically, we identified the number of days between the intake date and the petition date for each referral resolved during 1998 in the juvenile court. Statewide, we determined it typically takes cases about 31 days to complete the intake process; a number of cases exceed not only the 35-day standard recommended by the NAC but also the 60 day standard suggested by the **Utah Code**.

In order to prevent our analysis from being biased by these rare cases, we chose a conservative approach to analyzing the data in the juvenile justice database. Specifically, we chose to eliminate from the test each referral that spent more than 180 days in the intake process. The reasons we chose this approach is that we found a few referrals that spent an inordinate amount of time in the intake process. According to the juvenile justice database some cases were in the intake process for many years. These cases appear to be due to errors in data entry, because the juvenile could not be located, or because of other rare circumstances which result in a referral remaining in the intake process for long periods of time before closure. These cases only accounted for 4 percent of all the referrals disposed during 1998. Although this approach means that the results underestimate the actual average time from

intake to petition date, it provides a better indication of how long a case will typically spend in the intake process.

Figure IV shows the average number of days that cases were in the intake process and the percentage which exceeded 35 and 60 day standards previously described.

Figure IV Timeliness of the Court Intake Process				
Time Required During 1998 for court Intake Staff to Resolve Cases Non-Judically or to File a Petition				
Juvenile Court District Office	Number of Referrals to the Juvenile Court	Average Days from Intake Date to Petition Date	Percent of Cases Over 35 Days	Percent of Cases Over 60 Days
1 st District - Brigham City	1,125	29	28%	12%
- Logan	1,926	27	24	11
2 nd District - Farmington	4,160	27	24	7
- Ogden	4,880	39	41	22
3 rd District - Salt Lake City	8,849	31	31	16
- Sandy	5,665	35	35	21
- Summit County	212	30	33	18
- Tooele	918	25	27	9
4 th District - Fillmore	321	18	14	7
- Provo	6,893	30	30	15
5 th District - Cedar City	1,057	25	20	4
- St George	2,237	45	45	29
6 th District - Kanab	295	20	14	7
- Manti	578	25	26	9
- Richfield	797	19	13	5
7 th District - Castle Dale	197	18	17	6
- Moab	226	12	8	4
- Price	564	20	16	8
- San Juan	285	12	7	3
8 th District - Duchesne	296	30	29	16
- Vernal	1,035	27	26	12
Statewide:	42,516	31	31%	15%

Figure IV shows that during 1998 there were 42,516 criminal cases in our study of referrals to the

juvenile courts. Typically, the juvenile court took 31 days to determine whether to resolve the case non-judicially or file a petition to the juvenile court. The intake process took the longest period of time in the Ogden District Court which required 39 days to decide whether to petition cases to court or to resolve them non-judicially.

Although the data show that cases referred to the court in St. George spent an average of 45 days in the intake process, this information is incorrect. The St. George District uses an approach to recording the petition filing date that is different from other juvenile courts throughout the state. The result is the petition filing date for delinquency cases in St. George is about two weeks later than if the court reported the same petition filing date used by other districts. We found that the juvenile court districts with the lowest average days from intake date to the petition filing date were Fillmore, Castle Dale, Moab, Richfield and San Juan.

The data in Figure IV also indicates that a number of cases exceed both the 35-day standard recommended by the NAC and the 60 days required by the **Utah Code**. In our opinion, the NAC standard of 35 days would be more appropriate than the current 60-day standard. Although we believe that the juvenile court should be allowed to establish their own time standards, we question whether it is acceptable for juveniles to wait as long as two months to complete the intake process. As mentioned previously, when juvenile experience long delays while waiting for sanctions it becomes difficult for them to associate their delinquent actions with the eventual consequences imposed by the courts. The longer the process is delayed, the greater the opportunity juveniles have to commit additional crimes. We believe that which ever standard is considered more appropriate—the 35- or 60-day standard, the data in Figure IV shows Utah's Juvenile Courts need to reduce the time it takes to complete the intake process.

A More Timely Court Hearing Process Is Needed

The juvenile court system also needs to take steps to reduce the time cases spend waiting for the court to hold a hearing and resolve the case. We determined that it takes an average of 58 days between the date a case is filed in the juvenile court and the date a final disposition hearing is held to determine what sanctions, if any, should be given. We found that 40 percent of the cases took longer than the 45 days recommended by the American Bar Association.

The court hearing process begins when a petition is filed with the juvenile court by a probation officer, court clerk or county attorney. Once a case is filed, it is assigned to a judge and placed on his or her court calendar for an arraignment hearing. At the arraignment hearing, the judge will review with the juvenile the alleged acts of delinquency, ask the juvenile to declare his or her guilt or innocence, and

advise them of their due process rights. In a majority of cases, the juvenile admits guilt, the judge issues a sanction and the case proceeds no further. About 10% of misdemeanors and 30% of felony offenses are contested and are scheduled for trial. In some cases a pre-trial hearing or a motion hearing may precede the trial. In most cases, once a trial has been held and the evidence presented, the judge will issue a decision and sanction without an additional hearing. However, in some cases, another separate disposition or sentencing hearing will be held.

According to both the ABA and the NAC the court hearing process should take no more than 45 days. Both groups say that the adjudicatory or trial hearing should occur within 30 days of the petition filing date and that another 15 days should be allowed for a disposition hearing. A much shorter time period is recommended for juveniles who are placed in detention facilities while they wait for their court hearings. However, because we were unable to identify which juveniles were detained, we evaluated all cases against the longer 45-day standard. Figure V shows the average number of days that cases spent in the court hearing process and the percentage which exceeded the 45-day standard.

Figure V
Timeliness of the Court Hearing Process

Time Required to Resolve each Case that was Filed and Disposed of During 1998

Juvenile Court District Office	Number of Petitions Filed in the Juvenile Court	Average Days from Petition Date to Disposition Hearing Date	Percent Over 45 Days from Petition Date to Disposition Hearing Date
1 st District - Brigham City	792	46	37%
- Logan	1,284	59	46
2 nd District - Farmington	2,417	57	52
- Ogden	2,948	68	53
3 rd District - Salt Lake City	5,524	61	42
- Sandy	3,520	63	46
- Summit County	145	46	33
- Tooele	658	44	35
4 th District - Fillmore	173	40	19
- Provo	4,655	67	36
5 th District - Cedar City	699	44	23
- St George	1,552	42	24
6 th District - Kanab	191	40	21
- Manti	354	46	31
- Richfield	529	25	11
7 th District - Castle Dale	153	19	8
- Moab	204	35	25
- Price	444	39	24
- San Juan	240	29	15
8 th District - Duchesne	214	107	59
- Vernal	700	68	37
Statewide:	27,400	58	40%

According to the data in Figure V, 40 percent of the cases filed with the juvenile court are not completed within the 45-day time span recommended by the ABA and the NAC. In three district offices—Farmington, Ogden and Duchesne—more than half of the cases filed are not resolved within 45 days. Each of the districts in the state's major metropolitan areas have at least a third of their cases exceeding the time standards recommended by national professional associations. The sixth and seventh judicial districts have the shortest average time from filing date to hearing.

Many New Offenses Might Be Avoided If Cases Were Processed Within 80 Days

Once we determined that a good portion of cases were not resolved within the 35-day intake period and 45-day hearing process suggested by ABA and NAC, we then identified the number of new offenses committed by juveniles who waited longer than the sum of these two time standards—80 days. We found a large amount of juvenile crime is committed after juveniles have waited more than 80 days to complete the juvenile justice process. In fact, when we counted all of the crimes committed by juveniles 80 days after their intake date, we discovered that it is the equivalent to about 7 percent of all felonies committed during 1998 and about 5 percent of all misdemeanors and status offenses. Again, we recognize that many juveniles are likely to commit more crimes even after they complete the hearing process. However, we believe that they would be less likely to commit new offenses if they had received their sanctions at an earlier date.

Delinquency Cases Are Not Processed In a Timely Manner for Many Reasons

It would be easy to reduce the time it takes to process delinquency cases if the problem were caused by just a few administrative problems. Unfortunately, we found a variety of reasons why juvenile delinquency cases are delayed. Although we provide a list of some of the most common reasons for delay in juvenile case processing, the best solution may simply be for everyone involved to be more aware of the need to process juvenile offenders as quickly as possible. For example, some law enforcement agencies could reduce the time it takes to submit referrals if they would ensure that referrals do not sit at the police station for days or a week before someone takes them down to the juvenile court or before court personnel pick them up. One way to reduce the intake process might be to require court personnel to take quicker action on referrals during the intake and petition process. Finally, some judges might be able to reduce the time that cases spend waiting for trial if they were a little less accommodating of attorneys who ask to continue a hearing for their personal convenience.

We believe there are many small solutions to the problem of delays in the juvenile justice process and are hopeful that by raising greater awareness of this issue that everyone involved will be more mindful of the need to reduce the time it takes to process juvenile delinquency cases.

The audit did not allow sufficient time for an extensive review of case files to determine all of the causes of delay. However, we spoke with attorneys (attorney generals, prosecution and defense); court personnel (judges, court administrators, court clerks, and probation officers); juvenile justice experts and law enforcement officers to determine some of the causes of delay. The following sections identify common reasons given for delays; it is by no means a comprehensive list of the reasons why delays occur. However, it should provide local law enforcement agencies and court administrators with a few issues that they should consider. We also recognize that the Administrative Office of the Courts is about to begin a two-year study of case-flow management in the state's juvenile courts. The study will identify ways that the juvenile court administrators and personnel can reduce the time it takes to process juvenile delinquency cases.

Our concerns are organized according to the three phases of the juvenile justice process: (1) the police referral process; (2) the court intake process; and, (3) the court hearing process.

Causes for Delay in the Police Referral Process

In speaking with law enforcement officers throughout the state, we were given many explanations as to why the referral process took so long. The explanations officers give include a lack of immediate delivery of referrals to the court; misfiled or lost cases; referrals with insufficient police information; and the internal reviews of law enforcement agencies.

Referral Delivery Can Hinder Timely Case Processing. Some jurisdictions are able to submit their referrals in a timely manner because they send them as soon as they are ready rather than allowing them to sit at the police station until someone takes them to the juvenile court. For example, we found that Kaysville City has a relatively brief referral time because they mail a set of referrals to the juvenile court every day. Similarly, the Logan Police Department hand delivers their cases twice a week to the juvenile court. In contrast, we found some cities allow referrals to sit for days in an "out-basket" waiting for someone to take them to the juvenile court. At one law enforcement agencies, we found that the referrals had remained in an "out-basket" for 10 days waiting to be picked up by the juvenile court.

Misfiled or Lost Juvenile Cases Cause Delay in the Referral Process. We identified

instances in which law enforcement officers are not familiar with the juvenile referral filing process. Lack of familiarity results in some referrals being misfiled or sent to the wrong juvenile court office. For instance, one law enforcement officer said there have been times when juvenile delinquency cases were accidentally filed in the computer as a traffic violation by the assigned officer. The cases will remain in the traffic category until someone recognizes the cases are in the wrong category and properly re-files them. We spoke with another law enforcement officer who said that the juvenile court called asking for a particular case because it had not been referred yet. In this case the officer had forgotten that he had been assigned the case because of his heavy caseload. We spoke with a prosecuting attorney who verified that a lot of time is spent in the juvenile process determining “who files what” and “where information should be filed.” A court clerk who works in the main office of the 3rd District Court in Salt Lake City told us that she often receives referrals from city police departments that should have sent the referrals to one of that district’s satellite court offices in Sandy, Tooele or Park City.

Improperly Prepared Referrals Can Cause Delay. In order for either the court or the prosecutor’s office to file a petition, juvenile referrals must contain sufficient criminal evidence and probable cause for prosecution. Both prosecuting attorneys and law enforcement officers say it is not unusual for referrals to be returned to law enforcement officers for further investigative work. If juvenile referrals do not contain the necessary criminal information, especially when youth are booked into detention, then the referral must be returned to the police for further investigation or clarification. Prosecuting attorneys also point out that if a juvenile is booked into detention and the referral is not received before the detention hearing or it does not contain enough criminal evidence, the court has to release the youth from detention and continue the case for a later date. The release of detained youth can be prevented if the juvenile court receives all the police information sufficient to hold a detention hearing.

Internal Reviews Within a Law Enforcement Agency Can Cause Delay. We found that a law enforcement agency’s internal review process can also hold up referrals. Some law enforcement agencies require that cases go through an extensive internal review process before they can be sent to the juvenile court. Others perform a very brief internal review of referrals. For instance, Figure III on page 9 shows that the St. George Police Department took an average of only 12 days to refer their cases to the 5th District Juvenile Court. In contrast, the Ogden Police Department took 21 days to refer the same type of cases to the 2nd District Court in Ogden. It appears that there is a limited internal review process for referrals from the St. George Police Department while the Ogden Police Department performs a fairly extensive internal review of referrals before they are sent to the juvenile court. As mentioned previously

on page 8, some differences between the arrest and intake date can be attributed to the differences in

how juvenile court districts assign intake dates.

Causes for Delay in the Court Intake Process

After a delinquency case has been referred to the juvenile court, the case will then go through the court intake process. The intake process takes an average of 31 days. This average represents the time given to court probation officers to meet with the juvenile and his or her parents to attempt to resolve cases non-judicially. If a non-judicial resolution cannot be achieved, a probation officer must formally file the case in the juvenile court so it can be heard by a judge. One of the reasons for delays in the intake process is that it can be difficult for probation officers to schedule a preliminary hearing or interview with the young offender and his or her parents.

Once a referral is received, most juvenile court districts send the juvenile and his or her parents a letter scheduling a preliminary meeting within the next one or two weeks. If the time and date proposed for the appointment is not one parents can attend, they can reschedule. According to the court clerks and probation officers we spoke with, some of the reasons why parents or their children do not come to the preliminary hearing include: (1) scheduling problems with the juvenile or parent (2) the child intercepts the notice so the parents do not know about the appointment or, (3) the parents forget about the appointment. If they do not come to their appointment, a second notice is sent stating the rescheduled time.

Another reason that it can be difficult to schedule meetings is some urban districts are handling a large volume of intake meetings. For example, Ogden's clerks told us that the main reason they take such a long time in the intake process is that they have a high volume of cases and have difficulty scheduling all of the appointments with the intake officers that need to be held. Scheduling may be one of the reasons why the Ogden District Court has an average intake to petition date of 39 days.

In contrast, the Third District Court in Salt Lake and Fourth District Court in Provo have been able to speed up the intake process by creating a special citation and diversion unit that can process groups of juveniles referred to the juvenile court for minor offenses. Rather than spending staff time processing relatively minor offenders through a formal interview with an intake officer, the citation and diversion unit invites groups of juveniles and their parents to a meeting where they can complete the preliminary hearing process. Handling relatively minor offenders in larger groups allows the intake officers to devote more time to those juveniles who have committed serious crimes and will have to see a judge. According to the Fourth District Court Administrator, the citation diversion program allows information to be given to parents and youth more efficiently and the juvenile court is able to schedule hearings within a much shorter period of time.

Causes for Delay in the Court Hearing Process

The third phase in the process of handling juvenile delinquency cases is the court hearing process. This is the time between the petition filing date to case disposition date. When we spoke with judges, attorneys, court administrators, and court clerks about the reasons why some districts have delays in the court hearing process, they told us that problems with the management of the court calendar and requests for continuances are two of the main reasons why the juvenile court is not disposing all of its cases in a timely manner.

Time Management Methods in Juvenile Courts Can Delay the Court Hearing Process.

One of the causes for delay in some regions is the manner in which the court calendar is managed. Effective time management requires that: (1) an appropriate amount of time be set aside for different types of hearings; (2) hearings are carefully scheduled; and, (3) time limits are set for those who participate in the hearing process. We found meaningful differences in how the various juvenile court districts manage their court calendars. For example, when we asked court clerks how much time they allot for the different types of hearings—such as reviews, felony and misdemeanor arraignments and trials, and dependency cases—we found time allocation differed from one court to another. Some court clerks and judges usually set aside an average of a half day to one full day for felony trials. In contrast, others usually set aside a half an hour to one hour for similar cases. Furthermore, some judges and court clerks usually set aside a half day for misdemeanor trials while other judges set aside 20 minutes for similar cases.

We also found that some judges who process cases quicker set more than one court hearing for the same time. When judges use the technique of “cluster calendaring” of their schedules, it prevents the court schedule from becoming disrupted by juveniles who do not show up for their hearings or whose hearings are finished much earlier than anticipated. This type of scheduling requires all parties to be present at a given time and rests on the theory that those parties who are ready may be heard first, leaving time for those cases that are not ready to resolve issues and wait for parties to appear. For instance, we know of one judge who will set aside blocks of time on his calendar and schedule several juveniles for each block of time. One of the attorneys who appear before the judge said that this practice of scheduling more than one case at the same time allows greater flexibility in managing the calendar. She said it allows the court to better address some of the problems that can lead to interruptions and delays such as conflicting appointments, emergencies, no shows, and unexpected settlement agreements.

Manner in Which Judges Resolve Conflicts and Delays Can Affect the Timely Processing of Cases. Due to a variety of causes, every juvenile court faces delays due to schedule conflicts and

interruptions in the court calendar. Some judges and court clerks are more effective than others in managing scheduling conflicts and requests for continuances. They establish an expectation among attorneys, juveniles and parents who appear before the court that rescheduling hearings are granted only for good cause. In contrast, some judges and court clerks seem to have more difficulty requiring participants to commit and remain committed to a certain hearing date.

For example, we spoke with several attorneys, judges, and court clerks who said that one of the leading causes for case continuances is that parents or juveniles do not show up for their hearings. One attorney pointed out that there were parents who send their children out of town to a relative's home or have gone on vacation so they would not have to appear for their court hearing. A court clerk said that youth or families will sometimes call two or three times asking for a continuance of their case because various problems or conflicts have arisen.

We spoke with attorneys who said they use continuances for a variety of reasons such as scheduling conflicts with other hearings, using court time to get organized, and waiting to see if victims decide not to press charges. One county attorney we spoke with pointed out that there are times she has been in court all day, has hearings scheduled for the following day, and does not have time to look over the cases before going into the next day's court hearings. We spoke with another attorney who said that attorneys will ask for continuances on the grounds that more investigation needs to be done to see if the victim still wants to press charges against a suspect he/she is acquainted with or related to.

Workload May Exceed Court's Capacity To Process Cases in a Timely Manner

The lack of staff resources may be another reason why some juvenile court districts may not be able to process their cases in a timely manner. We found that some districts seem to be overwhelmed by heavy caseloads. We believe that more can be done to identify the areas that need additional judges. After reviewing the workload methods used in the past by the juvenile court to evaluate the need for additional judges, we believe that the court could compile more precise information to identify workload and those courts that need additional judges.

During the past six years, the Court Administrator's Office has relied on the same formula to determine judicial workload. While we have no concerns about the formula itself, we are concerned about the accuracy of the data inserted into that formula. Much of the data used to identify juvenile court workload is based on estimates made by individual judges and staff regarding how long they take to process cases. The workload formula also includes an approximate ratio for juveniles who admit or deny the charges against them. Again, approximate ratios have been used that have not been updated

for at least six years. We believe that slight changes in some of these figures can produce a significant change in outcome for determining judges.

We have concluded that a lack of judges and support staff is one of the underlying causes for the delay in processing juvenile offenders in at least some juvenile court districts. However, because of a lack of valid workload data, it is difficult to determine those districts that have the greatest need for additional staff. As we suggest in the following section, judicial workload is one of several issues the Court Administrator's Office intends to address in the future.

Courts and Local Police Chiefs' Association Have Agreed to Address the Timeliness Issue

We have met with the Court Administrator and his staff and with representatives of the Utah Chiefs of Police Association and Utah Sheriffs Association to discuss the need to improve the timeliness of the juvenile case processing. All three groups have agreed to take steps to reduce the time required to process juvenile delinquency cases. In fact, well before the audit was completed, the Court Administrator issued a request for proposals from consultants who would examine the administration of the juvenile courts in Utah and, among other things, identify ways to reduce juvenile case processing time. A consultant has been selected and will begin working in May 1999. Moreover, in January 1999, the Utah Court Improvement Project Steering Committee finished its internal study of dependency, neglect, and abuse cases. Because these cases involve child custody, neglect, and abuse issues, they generally take a long time to process and will take much more of the court's time. The efforts of the steering committee and the hiring of a consultant show that the courts are committed to finding ways to reduce the time required to process juvenile delinquency cases.

Although the Legislature could take up the timeliness issue as well, we believe that it would be best to postpone any legislative action until local agencies and the juvenile courts have had sufficient time to deal with this problem as individual agencies. After all, the Legislature has already established a set of time standards for the police referral and court intake processes. The problem is that not enough attention has been given to the monitoring and compliance with these standards. Even if the Legislature were to take up this issue, we do not know what action they might take other than to reevaluate timeliness standards that already exist and are not followed. The following recommendations describe some of the specific steps we believe local law enforcement agencies and juvenile court administrators and personnel should consider as they attempt to reduce the time it takes to process juvenile offenders.

Referrals Should Be Submitted Within 10 Days. Each local law enforcement agency should ensure referrals are submitted to the juvenile court within 10 days of the arrest date. Each agency should examine its internal process for reviewing referrals and eliminate or expedite any procedures that may prevent it from reaching this goal. In some cases, it may be a matter of helping those responsible for referrals in each local jurisdiction to know exactly where referrals should be sent. Such training should reduce the delays that occur when cases are referred to the wrong court and need redirection.

To more effectively monitor compliance with the 10-day requirement, the juvenile court needs to add the arrest date to the information maintained on the juvenile justice database. This date can easily be tracked when the juvenile court's information management system is re-engineered. In addition, local juvenile court staff must begin to date stamp their referrals the day they are received by the court not the date the referral is processed by court staff. This type of uniformity will allow juvenile courts not only to better monitor how long cases remain within each area of the juvenile justice process but also to identify areas where excessive time delays could be eliminated.

Make Better Use of Existing Technology. Both local law enforcement agencies and the juvenile courts need to make better use of electronic data processing systems to more effectively investigate and process juvenile referrals.

In recent years it has been increasingly evident that the juvenile justice database has become too burdensome to operate and maintain. Some of the technology is outdated which causes a large amount of extra, inefficient work for the court staff who rely on the system for information. A report released in June 1998 by an outside consultant recommends a number of strategies for improving the system and, in turn, the productivity of court staff. In fact, the report suggests that improvements to the system could achieve a reduction in staff time of about 15-25%. Officials from the Court Administrators Office told us that the report is a blue print for upgrading the juvenile justice database. Currently, the court has received a \$1.8 million Juvenile Accountability Incentive Block Grant to re-engineer the state's juvenile information system. According to Court Administrators, the court is in the initial information gathering stage and the implementation of the report recommendations will take a couple of years.

Similarly, the local law enforcement agencies should look toward increasing the use of already existing technology to speed up the court filing process and investigation. Currently, most law enforcement agencies in the state use some type of electronic reporting system. A part of the reporting system also includes a case management system which allows for the monitoring and tracking of cases. We have been told by law enforcement personnel that the full capability of these systems is generally not used. However, we have found that those agencies that do use such a system can reduce excessive delays in referral time. For example, during the past two years, the West Jordan Police have been

using an electronic data processing system to manage its referrals and investigations. This case management system allows police administrators to monitor (1) the case load for individual police officers, (2) which cases remain unassigned, (3) the length of time a case has been open, (4) the latest notes used to update investigations, and (4) the date each case was referred to an outside organization. Since they began using the system, we found that West Jordan has reduced their average time from arrest date to referral date from 21 to 13 days.

Implement a Calendaring System. The juvenile court should consider adopting a calendaring method that will provide a more efficient and accountable juvenile case processing system. A calendaring system that is both automated and encompasses case-flow management techniques can help judges, court clerks and staff reduce delays due to scheduling conflicts, canceled hearings, no shows, or early settlement agreements.

An automated calendaring system could include the following components to assist judges and court clerks in actively and consistently monitoring cases from start to finish:

- ***Type of hearing:*** Each judge's calendar could be partitioned into specific segments for various types of hearings requested such as dependency, delinquency, status offenses and reviews.
- ***Hearing time frames:*** Designating time frames—minimum and maximum days from date, petition or first hearing, whichever is most appropriate for specific types of hearings.
- ***Searching for earliest or latest available slot:*** A parameter to search for the earliest or latest available date for specific types of hearings.

- ***Amount of hearing time needed:*** A pre-defined time period for various hearing types (e.g., 10 minutes for routine disposition hearings, 15 minutes for adjudication hearings, etc.).
- ***Handling scheduling conflicts of other interested parties:*** The calendar could consider the court schedules of the county attorney, public defender and juvenile probation officer assigned to the case.
- ***Notification of hearing changes:*** All parties to a hearing are automatically notified through electronic mail, where feasible, of any changes to scheduled hearings.

Administrators in the Juvenile Court Administrative Office state that since the fall of 1997, the juvenile court has been working on creating an electronic calendaring system. By the beginning of the summer, the calendaring system should be ready for use. The electronic system includes the ability to create and modify the following components: time blocks for hearings and days of the week, rescheduling hearings according to cases and days if conflicts arise, available times of judges and probation officers, a rotation system for dispersing cases, and the ability to search for the next available hearing time. The calendaring system also has the ability to electronically generate hearing notifications for all parties involved.

Case-flow management techniques that could work parallel to an automated court calendaring system could include: keeping the docket on schedule and organized, ensuring parties are adequately prepared for the hearing, and sending out notices to those individuals needed for each hearing so they can be sure to attend and be on time.

Keeping a timely schedule is one of the most important ways the court can maintain an environment of fairness, respect, and equal treatment for all parties. Questions the juvenile court could consider include, "Are dockets divided into meaningful periods of time?" "Is adequate time allowed for meaningful hearings with limited continuances?"

Lack of preparedness by those involved in hearings (attorneys, caseworkers, and probation officers) create frustration and unnecessary delay. The court should examine ways to ensure that participating parties understand the matters that will be discussed in the hearing, the nature of the proceedings, and deadlines that must be adhered to.

A number of circumstances cause individuals to miss their appointed hearing time. As a general rule, the courts need to create the expectation that the hearing will take place and participants will be prepared for the hearing.

Implement Case-Flow Management Techniques. There is no single solution to eliminating unnecessary delays in the juvenile referral process. However, juvenile justice experts suggest courts can reduce excessive delay by implementing case-flow management techniques that establish and maintain a set of performance expectations where justice can be achieved through prompt and expeditious movement of cases throughout the juvenile justice system. Experts also suggest that court administrators can further reduce the time to process cases if they show a long-term commitment to expeditious case processing, communicate well with case participants, and have active oversight of each phase in the juvenile process using direct and frequent consultations between juvenile justice stakeholders.

The American Bar Association describes some of the essential characteristics of effective case-flow management systems, which include:

- Personal commitment and leadership of judges, especially the chief or presiding judge to principles of timely practice and willingness to integrate such principles into the activities of the court.
- Dedication to ensure that the court plays an early and active role in managing the progress of each case to the point of disposition.
- Establishment of controls over the use of continuances, with clear policies for when hearings may be postponed. Dates for hearings should be clearly stated and credible, and the case-flow management system should ensure they occur with certainty.
- Incorporation of several types of standards: a) “overall time” standards related to case disposition; b) “intermediate time” standards controlling the time between major case events; and, c) “system management” standards related to issues such as continuances.
- Monitoring by an information system capable of tracking individual case progress and providing regular measurements of performance.

Adopt a Team Approach to Increase Efficiency. Many stakeholders are involved in the juvenile justice process and unnecessary delays caused by one individual becomes not only costly but inconvenient for everyone else involved. Where feasible, individual teams involving juvenile justice stakeholders should be organized to promote efficiency and reduce unnecessary case processing delays.

The “team approach” that monitors the progress of cases could include court personnel such as: a team leader (who could act as a case manager), clerical staff, court clerk, and intake officers who perform all the work on all the cases to be heard by the judge. Each team would be assigned a judge and could conduct calendar management, schedule all court events, perform pretrial work, provide

courtroom support, enter computer data, manage active court files and records, and coordinate court dates with prosecutors and public defenders. Team members would work in unison and all members could generally perform the work of any member within that team.

Judicial teams could also coordinate with other juvenile justice stakeholders such as: attorneys, law enforcement officers, school representatives, and mental health and social service workers. The purpose of such coordination would be to provide a forum where individuals could discuss mutual concerns regarding a juvenile's delinquency or dependency, neglect and abuse, obtaining evaluation feedback, and setting goals.

According to judicial administrators, the courtroom "team approach" consisting of an attorney general, guardian ad litem, and court appointed attorney for parents are already utilized in monitoring and disposing of juvenile dependency cases. We suggest that judicial administrators consider implementing a similar "team" approach in processing, monitoring, and properly disposing of juvenile delinquency cases.

Workload Analysis is Needed to Support Future Requests for Staff. By implementing the recommendations described above, local law enforcement agencies and the juvenile court should be able to reduce the time it takes to process juvenile delinquency cases closer to the time standards required by statute and recommended by various professional organizations and agencies. However, these improvements in procedures and technology may not be sufficient to reduce the time required to process juvenile delinquency cases to acceptable levels. If this is the case, the Legislature may need to consider whether additional resources should be committed to the juvenile court system. Such an appropriation, however, should be based on a careful and precise analysis of the workload tracked by the juvenile court.

We recommend that the Legislature require the juvenile court to supply an updated and precise analysis of the workload of juvenile court staff and judges to support such requests. While some self-reported information could be used to identify workload needs, we believe that "time-in-motion" tests of the actual time required to process juvenile delinquency cases should be performed to provide verification of the self-reported information previously used to determine how long it takes juvenile court personnel to carry out their responsibilities.

Recommendations:

1. We recommend that the Utah Chiefs of Police Association and Utah Sheriffs Association encourage its members to identify ways to reduce the time required to submit referrals to the

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juvenile court.

2. We recommend that the Administrative Office of the Courts, as well as individual juvenile court districts, identify ways to reduce the time required to perform the court intake process and the court hearing process.
3. We recommend that the Legislature require the juvenile court to supply a more precise analysis of the workload of juvenile court staff and judges to support requests for additional court personnel.

We hope this letter addresses your concerns. Response letters from the Office of the Court Administrator and the Utah Chiefs of Police Association are attached. If there is any additional information you need or if you have any further questions, please feel free to contact our office.

Sincerely,

Wayne L. Welsh
Auditor General

WLW:JPB/lm

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Administrative Office of the Courts

Chief Justice Richard C. Howe
Chairman, Utah Judicial Council

May 12, 1999

Daniel J. Becker
State Court Administrator
Myron K. March
Deputy Court Administrator

Wayne L. Welch, Auditor General
Office of the Legislative Auditor General
130 State Capitol
P.O. Box 140130
Salt Lake City, Utah 84114-0131


Dear Mr. Welch:

Thank you for the opportunity to respond to the timeliness of the Juvenile Justice System Audit (Report #99-03). As you know, during this audit of the Juvenile Court, our staff had an opportunity to work very closely with your staff. During the audit, there was considerable dialogue about what data meant, an opportunity for exchange of ideas, and meaningful discussion about recommendations that could assist all facets of the system. In my opinion, this has resulted in an audit which will be very useful and ultimately benefit the state.

As the audit points out, there are several different projects that were already underway that will compliment the recommendations made in the audit. We view the findings of the audit as reflecting positively on the Juvenile Court and yet, with some effort, we can further improve the system. For instance, we believe that the result of the reengineering effort will be more accurate data that can be retrieved. Similarly, the case management/delay reduction project, which is federally funded, will be able to use the audit as a "jumping off" point that the committee can use to impact delays in juvenile court. In addition, it is timely to evaluate the calendaring system in light of the suggestions and incorporate the recommendations of the audit on workload analysis, resulting in more confidence in the data produced.

I am personally committed to working with the parts of the system that impact delays. I'm told that this audit is an example of a positive audit with some suggestions on improvement. I do not think it is just by accident that your findings have been positive. Utah's Juvenile Court has often been held up as a model statewide juvenile court system. With the findings of the audit, we will continue to improve upon a very effective court process whose major objective is to make decisions that are in the best interest of the children and the community in a timely manner.

Sincerely,



Ray Wahl
Juvenile Court Administrator

cc: Richard C. Howe, Chief Justice, Utah Judicial Council
Jeril B. Wilson, Chair, Board of Juvenile Court Judges
Dan Becker, State Court Administrator

The mission of the Utah judiciary is to provide the people an open, fair,
efficient, and independent system for the advancement of justice under the law.

450 South State Street / P.O. Box 140041 / Salt Lake City, Utah 84114-0241 / 801-378-3800 / Fax: 801-378-3843

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UTAH CHIEFS OF POLICE ASSOCIATION

3135 South 3600 West
Salt Lake City, Utah 84119
1-800-968-8762
FAX: (801) 968-6973
email: upaa@vii.com

PRESIDENT

Chief Dennis J. Nordfall
West Valley Police Dept.

1ST VICE- PRESIDENT

Chief Rich W. Herchicks
Logan Police Dept.

2ND VICE-PRESIDENT

Chief Greg M. Cooper
Provo Police Dept.

SECRETARY/HISTORIAN

Chief Morton Sparks
Clearfield Police Dept.

TREASURER

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J. Scott Finlayson
Springville Police Dept.

PAST PRESIDENT

Chief Mike Ferte
Pleasant Grove Police Dept.

SACOP REPRESENTATIVE

Chief Doyle Talbot
Layton Police Dept.

JUDGE ADVOCATE

Howard Lemcke
Salt Lake County D.A.'s Office

EXECUTIVE DIRECTOR

Chief Wayne D. Shepherd (ret)

May 12, 1999

John Schaff
Auditor General's Office
Utah State Capitol
Faxed: 538-1063

Mr. Schaff:

The Utah Chiefs of Police Association has had an opportunity to review the findings of the audit on Juvenile Crime and the time frame from arrest by the officer, referral to juvenile court, filing date by the courts, to the final disposition of the case.

Reviewing the findings and trends statewide, it is obvious that the delays are far too long. Often times the juvenile has committed other crimes while waiting for their first court appearance.

While we disagree with some of the information, we as an Association will work with the chiefs of police within the State of Utah to reduce needless time frame delays by law enforcement in the filing of juvenile crime in our Statewide Crime Reduction Planning Process.

We request that a more comprehensive audit of the handling of juvenile court cases be done on the 1998 reporting and time frame of juvenile court cases, from start of arrest til final disposition of the court case.

Respectfully,

Wayne Dee Shepherd
Executive Director

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Speaker Marty Stephens
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