

JUVENILE JUSTICE IN UTAH

An Overview of Processes, Reforms, and Trends

Abstract

Utah's juvenile justice system is a civil process that prioritizes rehabilitation and community safety. Informed by research on adolescent brain development, many states have enacted juvenile justice reforms in recent years. In Utah, these efforts have expanded diversion programs for low-level offenses and reduced the rate at which minors are sent to court and detained. This brief summarizes Utah's juvenile justice processes, key reforms, and related data trends.

Jonathan Adams

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KEY FINDINGS

- As a civil process, Utah’s juvenile justice system fundamentally differs from the adult criminal justice system.
- Beginning in 2017, Utah has implemented juvenile justice reforms that have mandated diversion for low-level offenses, limited the use of juvenile detention and confinement, restricted when minors can be tried as adults, and strengthened legal protections for minors.
- Referrals of minors to juvenile court have declined by 35% since 2017, and 63% of juvenile delinquency cases now resolve through diversion agreements.
- Research on the effectiveness of diversion programs finds mixed results due in part to variations in program design, implementation, and evaluation methods.

Background

The juvenile justice system fundamentally differs from the adult criminal justice system in both principles and processes. While the adult system sometimes emphasizes punishment and deterrence, the juvenile justice system is civil in nature and prioritizes rehabilitation and community safety.

Even the terminology used in the juvenile justice system differs somewhat from the adult criminal justice system:

Table 1: Crosswalk of Juvenile Justice Termsⁱ

ADULT TERMINOLOGY	JUVENILE TERMINOLOGY
Crime	Offense/Delinquent Act
Defendant	Minor
Trial	Adjudication hearing
Found guilty	Adjudicated delinquent
Sentence	Disposition
File charges	Petition
Diversion	Nonjudicial adjustment (NJA)

Recognizing the unique nature of juvenile justice, Utah has established specialized juvenile courts in each of its eight judicial districts. Key characteristics of juvenile courts include:

- hearings that are generally closed to the public to protect youth privacy;
- no jury trials;
- no bail system, with limited exceptions; and
- a court-operated probation department for juvenile supervision.ⁱⁱ



While this brief focuses on juvenile delinquency (unlawful behavior by minors), juvenile courts also handle cases involving child abuse and neglect, guardianship for minors, adoption, and termination of parental rights, among other issues.

Juvenile Justice Reform in Utah

In 2017, the Utah Legislature enacted comprehensive juvenile justice reforms with the passage of [HB239](#) “Juvenile Justice Amendments.” The reforms were guided by scientific evidenceⁱⁱⁱ on adolescent brain development and aimed at addressing systemic issues within the existing juvenile justice system.

Prior to 2017, Utah experienced high juvenile arrest rates for low-level offenses, inconsistent practices across counties, and burdensome fines and fees that disproportionately affected families. To address these challenges, the Utah Juvenile Justice Working Group conducted a data-driven assessment^{iv} in 2016, gathering input from stakeholders and studying best practices from other states. This effort culminated in 55 policy recommendations, forming the basis of HB239.

Among other changes, HB239:

- mandated diversion programs for certain low-level offenses;
- implemented standardized screening and risk-assessment tools;
- limited confinement by setting presumptive terms and requiring more frequent reviews; and
- expanded evidence- and community-based programs as alternatives to detention.

Reform efforts in Utah continued after HB239, with subsequent legislation strengthening procedural protections in juvenile interrogations, limiting when minors can be tried as adults, and enhancing data collection and reporting. For a more detailed discussion about key juvenile justice legislation in Utah, please see Appendix A.

Juvenile Justice Process in Utah

The juvenile justice system is a multistage process that involves various agencies and stakeholders.

Appendix B, prepared by the Commission on Criminal and Juvenile Justice (CCJJ), illustrates how Utah’s juvenile justice system works, from arrest or referral to commitment and parole.

Arrest or Referral ([80-6-2](#), [80-6-3](#))

Minors typically enter the juvenile justice system following an arrest or referral by law enforcement (and occasionally school officials or other agencies). Depending on the circumstances, law enforcement may:

- issue a warning;
- refer the minor to the juvenile court for possible prosecution or diversion; or
- take the minor to a juvenile receiving center, which serves as an alternative to detention for less severe offenses.

For serious offenses, minors may be placed in locked detention.



School-Based Offenses (53G-8-211)

For any felony, Class A misdemeanor, or Class B misdemeanor committed on school grounds, a school resource officer or school personnel may refer a student to juvenile court. However, infractions, Class C misdemeanors, and status offenses (acts illegal for minors but not adults) are generally not referable unless the student previously committed an offense on school property and was referred to an evidence-based intervention for that prior offense.^v

If a school-based offense is not referred to the juvenile court, the student generally stays within the school's own discipline and attendance system and may be subject to progressive discipline, ranging from warnings and detentions to suspension or expulsion.

Schools may also offer or require evidence-based alternative interventions (e.g., restorative justice practices, tobacco cessation programs, truancy mediation) or prevention and early intervention services provided by the Division of Juvenile Justice and Youth Services (JJYS).

Intake and Diversion (80-6-3)

Upon referral, a juvenile probation officer conducts a preliminary inquiry—including a possible risk and needs assessment—to determine whether the case should proceed formally through juvenile court or be handled informally through a diversion agreement called a nonjudicial adjustment (NJA).

In recent years, the majority of referrals have been resolved through NJAs. These agreements typically include conditions such as paying restitution, performing community service, and completing counseling or treatment programs. Successfully completing an NJA closes the case, while failure to comply results in the case returning to court for formal proceedings.

Juvenile probation officers *must* offer an NJA for minors referred for low-level offenses who have limited prior justice-involvement, minors who allegedly committed the offense prior to age 12, or habitual truancy cases. Officers *may* offer an NJA for other eligible cases at their discretion. Officers *cannot* offer an NJA for serious offenses: all felonies and specific misdemeanors (like DUI or weapons charges) for minors 12 and older, or serious felonies (like aggravated assault or murder) for minors under 12.

If the probation officer does not offer an NJA, the prosecutor may review the case and file a petition (charges) in juvenile court to initiate formal court proceedings.

Detention (80-6-2)

There are several detention options for minors awaiting court proceedings based on risk and needs.

Those who pose no immediate danger to the community may be placed on home detention, where they remain at home except to attend school, work, or other approved activities while being supervised by juvenile probation.

Higher-risk minors whose offenses meet criteria set out in the Statewide Detention Admission Guidelines^{vi} are placed in locked detention for short-term, secure confinement. If the offenses do not qualify for locked detention, the officer may instead drop off the minor at one of 11 juvenile receiving centers across the state—

TRUANCY

Truancy is a status offense that is only referable in limited cases. Students in grade 7 or above (age 12+) are deemed habitually truant after 20 unexcused absences or refusal to comply with attendance efforts. Court referral requires two prior allegations in the same year, with intervention or prevention services provided after each.



non-secure facilities that operate in partnership with JJYS, the Division of Child and Family Services, law enforcement, the juvenile court, and local communities.

A minor cannot be held in detention for more than 24 hours without a judicial finding of probable cause for the arrest. Additionally, the juvenile court must hold a detention hearing within 48 hours of admission (excluding weekends and holidays) to determine whether the minor should remain detained, be released to parents, or be placed elsewhere.

The court may only order continued detention if it finds that releasing the minor presents an unreasonable risk to public safety, less restrictive alternatives have been considered and attempted where appropriate, and the minor meets detention eligibility criteria.

Adjudication and Disposition (80-6-7)

When a prosecutor files a petition in the juvenile court, the court holds an adjudication hearing—essentially a trial before a judge without a jury. Prosecutors must prove allegations beyond a reasonable doubt, while defense attorneys advocate for the minor. If the allegations are proven, the minor is adjudicated delinquent—like a finding of guilt in the adult criminal context.

After adjudication, the court holds a separate dispositional hearing to determine appropriate consequences, which must be tailored to the minor’s specific risk and needs.

The juvenile court has several dispositional options, including:

- **Probation**, which allows the minor to remain home under supervision with conditions like counseling, community service, or treatment programs;
- **Financial obligations**, which may include fines and fees up to \$190 for minors under 16 and \$280 for minors 16 and older, based on ability to pay, as well as restitution to victims;
- **Community-based programs**, which offer non-residential interventions like day treatment, counseling, or mentoring; and
- **Commitment to JJYS custody**, which is reserved for more serious cases where non-residential options are exhausted or inappropriate. Where the minor poses significant risk to others or caused a victim’s death, the juvenile court may order secure care—the most restrictive form of JJYS commitment.

To assist juvenile judges in determining appropriate dispositions, the Utah Sentencing Commission provides advisory juvenile disposition guidelines.^{vii}

Commitment and Parole (80-6-8)

When a minor is adjudicated delinquent and committed to secure care, the minor remains there until paroled, discharged, or upon reaching the statutory age limit—21 for most, 25 for serious offenders.^{viii}

JUVENILE JUSTICE AND YOUTH SERVICES

JJYS, within the Department of Health and Human Services, provides a continuum of prevention, early intervention, supervision, and rehabilitation programs. The agency also has custody over minors admitted to locked detention, community placement, or secure care.



Youth Parole Authority (YPA) Oversight

Within 45 days of commitment to secure care, each minor appears before the YPA to review a treatment plan, set a presumptive length of stay (typically 3–6 months), and establish conditions for release. For misdemeanors—and when a community treatment program is available—the YPA may parole the minor immediately.

After the initial hearing, the YPA holds progress hearings every 3-6 months to assess compliance and readiness for release. When granting parole, the YPA sets a presumptive term of parole supervision from 3-4 months, including aftercare services to support the minor’s transition back home and into society.

Minors Tried as Adults (80-6-5)

Utah law allows or requires minors to be transferred to district court—that is, tried as adults—in specific, serious cases.

Mandatory Transfer

Minors aged 16-17 charged with murder or aggravated murder as principal actors must be tried as adults. However, minors cannot receive death sentences or life without parole.

Discretionary Transfer

Prosecutors may request that the juvenile court send the minor to district court for certain qualifying felonies:

- **For minors aged 16-17:** Aggravated assault with serious bodily injury, attempted murder, aggravated sexual assault, or dangerous weapon offenses
- **For minors aged 14-15:** Aggravated murder or murder

The juvenile court then conducts a preliminary hearing at which the prosecutor must prove probable cause and demonstrate by a preponderance of evidence that adult prosecution serves the best interests of the minor and the public.

If a district court sentences a minor to prison, the minor is provisionally housed in a JJYS secure care facility until age 25 unless paroled earlier.

Juvenile Justice Statistics in Utah

In FY2024, Utah’s juvenile courts received 13,376 referrals—a rate of 3.0 per 100 minors.

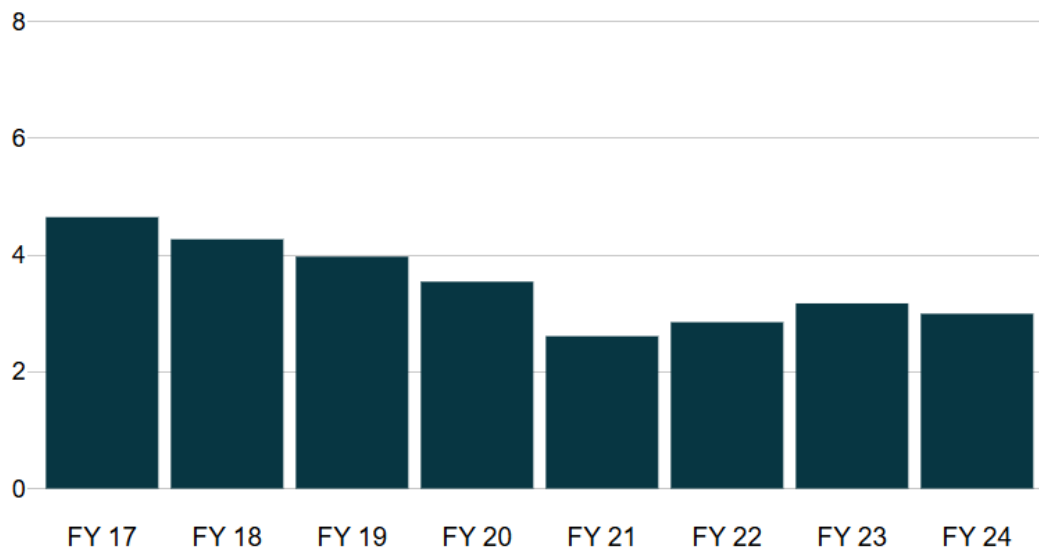
As shown in **Figure 1**, the referral rate has dropped by 35% since 2017, when juvenile justice reforms were first implemented.

YOUTH PAROLE AUTHORITY

Similar to its adult counterpart the Board of Pardons and Parole, the YPA is a governor-appointed, Senate-confirmed citizen board charged with overseeing juvenile parole hearings and setting release guidelines. The operations of the YPA are supported by JJYS staff.



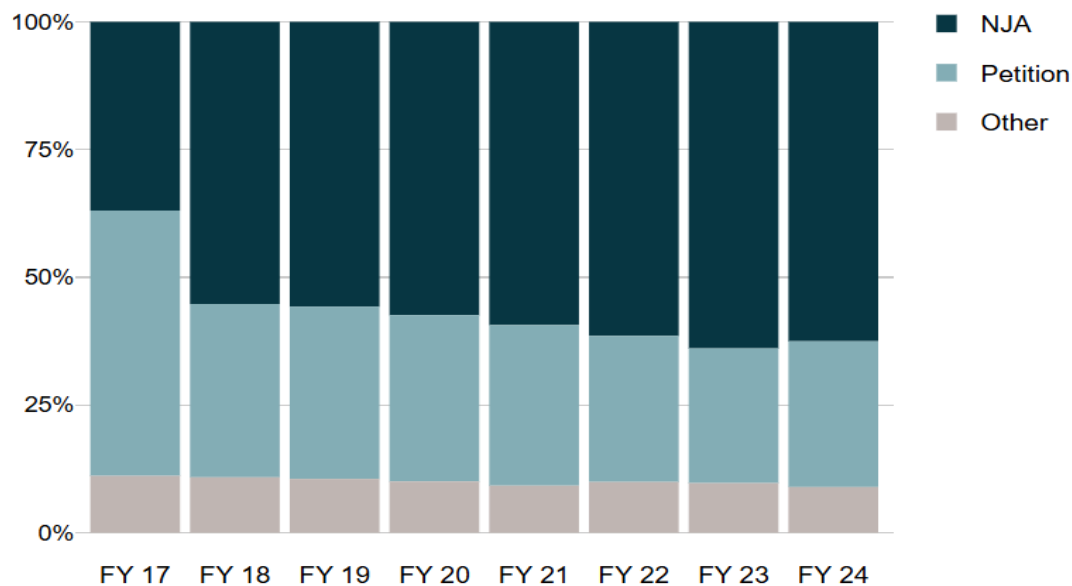
Figure 1: Rate of Court Referrals per 100 Minors



Source: [2024 Juvenile Justice Report](#)

NJAs have become an increasingly common diversion tool, particularly in urban counties with greater access to diversion programs. **Figure 2** shows that in FY2024, 63% of cases were resolved through NJAs, compared to 29% by formal petition.

Figure 2: Share of NJAs and Petitions



Source: [2024 Juvenile Justice Report](#)

Additionally, in FY2024, 94% of eligible minors successfully completed NJAs, avoiding formal court petitions.



Figure 3: NJA Outcomes



Source: [2024 Juvenile Justice Report](#)

Recidivism

Utah's juvenile justice reforms have expanded the use of diversion programs, but research on their effectiveness in reducing repeat offenses (recidivism) presents a complex picture. A 2021 report by the University of Utah characterized the existing findings as "mixed" and cited several difficulties in evaluating diversion programs:^{ix}

- Programs differ in their target populations, services, and implementation;
- Studies vary in methodology and rigor; and
- The lack of a standardized definition of recidivism.

To address the final point, CCJJ recently adopted a standardized definition of recidivism and expects to begin using it for reporting as early as October 2025.

Despite these nuances, one consistent finding in the literature is that formal involvement in the juvenile justice system can be criminogenic, meaning it can increase the likelihood of future offending. The 2016 report from the Utah Juvenile Justice Working Group, which informed the state's 2017 reforms, found that low-level offenders petitioned to juvenile court had higher recidivism rates than those who received an NJA.^x A 2020 national study similarly found that male youth who were formally processed were more likely to reoffend than those who were diverted.^{xi}

A 2022 study by the University of Utah reinforces the potential effectiveness of NJAs while highlighting implementation challenges. Based on interviews with juvenile probation officers, the study found that NJAs can be an effective tool at reducing recidivism. However, it also identified disparities in outcomes, with higher recidivism rates among minority youth, males, and those in rural areas.^{xii}

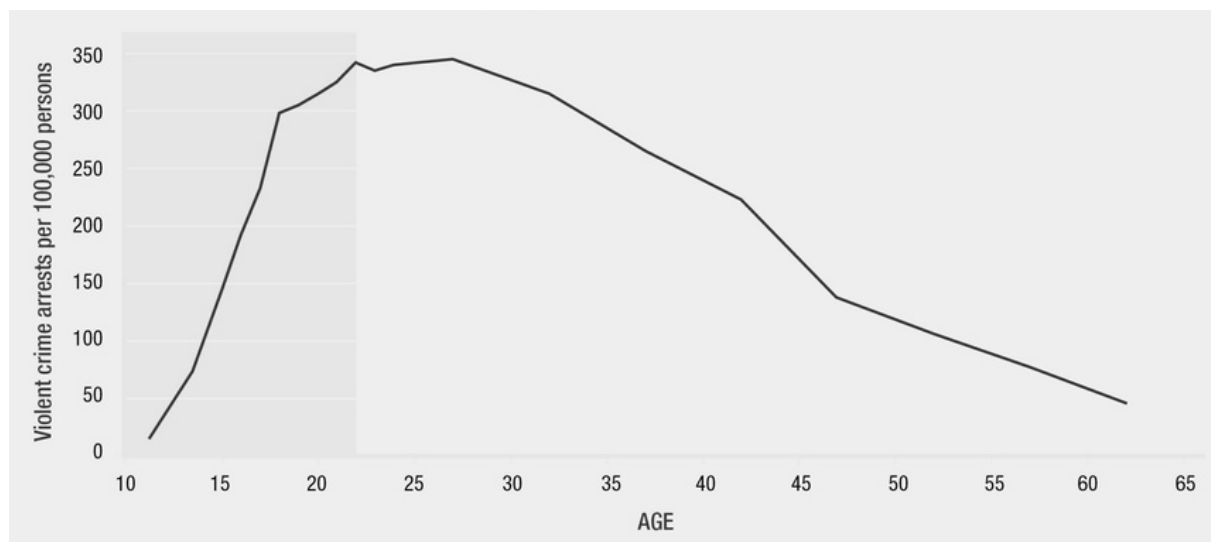
Youth courts (also known as peer or teen courts) provide another example of how diversion programs can vary in effectiveness. Youth courts are not formal courts, but rather diversion programs run by youth volunteers under adult supervision. They employ a restorative justice framework that emphasizes repairing harm done to



victims through community service, counseling, and apology letters. A 2013 evaluation of the Salt Lake Peer Court found that outcomes depended on completion: substance-abuse and violent offenders were more likely to reoffend after mere participation, while recidivism declined among participants who completed their youth court requirements.^{xiii} Nationally, a 2017 meta-analysis concluded that youth courts are no more effective at reducing recidivism than formal juvenile court processes or other diversion programs.^{xiv}

While the effectiveness of specific diversion programs warrants further study, the broader criminological evidence shows that delinquent or criminal behavior peaks in adolescence and early adulthood, then declines with age. **Figure 4** illustrates this pattern using 2020 arrest data for violent offenses.

Figure 4: Arrest Rates for Violent Crime by Age, 2020



Source: [National Institute of Justice, 2024](#).

Conclusion

Utah's juvenile justice system has undergone significant transformation since the initial 2017 reforms, and those changes are reflected in the data showing that most juvenile delinquency cases are being diverted away from formal court proceedings. Ongoing data collection and evaluation are critical to understanding these reforms' effectiveness at reducing recidivism.

Juvenile justice remains an active area of legislative focus. Recent sessions have seen bills that build on earlier reforms and others that scale back certain elements—particularly around school referrals and NJAs—reflecting ongoing policy discussions about the juvenile justice system's approach.



Appendix A: Legislative History

This section reviews significant juvenile justice legislation enacted in Utah since 2017.

The list below is not exhaustive and does not encompass all juvenile justice-related legislation or the full range of provisions within each bill. For complete details, please refer to the specific legislation.

HB239 “Juvenile Justice Amendments” (2017)

- Removed certain low-level and status offenses on school property, as well as truancy, from juvenile court jurisdiction
- Increased the availability of community-based options, such as receiving centers, as alternatives to detention.
- Required intake officials to offer NJAs for low-level offenses
- Mandated the use of validated risk assessments for detention decisions and imposed additional detention restrictions
- Directed the Courts to create a sliding scale for fines and fees based on the ability of the minor’s family to pay

HB132 “Juvenile Justice Modifications” (2018)

- Clarified the role of school resource officers with respect to alleged offenses on school grounds
- Added a list of evidence-based interventions available for low-level or status offenses on school grounds

SB32 “Indigent Defense Act Amendments” (2019)

- Defined indigent individual to include a minor who is arrested or referred for an offense

HB262 “Juvenile Delinquency Amendments” (2020)

- Prohibited the prosecution of an individual for offenses that occurred before the individual was 12 years old, with exceptions

HB384 “Juvenile Justice Amendments” (2020)

- Required referrals to JJYS for minors who refuse evidence-based interventions for school-related offenses
- Mandated probable cause for taking minors into custody, with hearings required within 24 hours
- Restricted the transfer of juveniles to the adult system to only the most serious offenses
- Extended the maximum age for minors in secure care from 21 to 25 years

HB158 “Juvenile Interrogation Amendments” (2021)

- Required parent, legal guardian, or “friendly adult” presence during interrogation of minors in custody
- Required attorney consultation and presence during interrogation of minors in detention or correctional facilities



HB138 “Juvenile Justice Modifications” (2022)

- Required minors detained while awaiting trial for specific offenses to remain in juvenile facilities until age 25 before transferring to adult jail
- Required that minors sentenced to prison by district courts be provisionally housed with the Division of Juvenile Justice and Youth Services until age 25

HB304 “Juvenile Justice Revisions” (2023)

- Directed the State Board of Education to report law enforcement and disciplinary actions occurring on school grounds to CCJJ
- Created a juvenile gang and violent crime prevention and intervention program, administered by the State Board of Education
- Required schools to develop reintegration plans for students accused of violent felonies or weapons offenses
- Criminalized possession of machinegun firearm attachments by minors
- Established data collection and reporting requirements for CCJJ and the Courts regarding juvenile offenses
- Modified the process and eligibility criteria for NJAs

HB362 “Juvenile Justice Revisions” (2024)

- Reduced the threshold for referring class C misdemeanors, infractions, or status offenses
- Expanded reintegration plans to include certain serious offenses
- Defined habitual truancy as being truant at least 20 days in one school year
- Clarified that the juvenile court has jurisdiction over a truancy referral
- Designated handgun possession by a minor as a third-degree felony
- Criminalized solicitation of a minor to commit a felony or a class A misdemeanor

SB157 “Nonjudicial Adjustment Amendments” (2025)

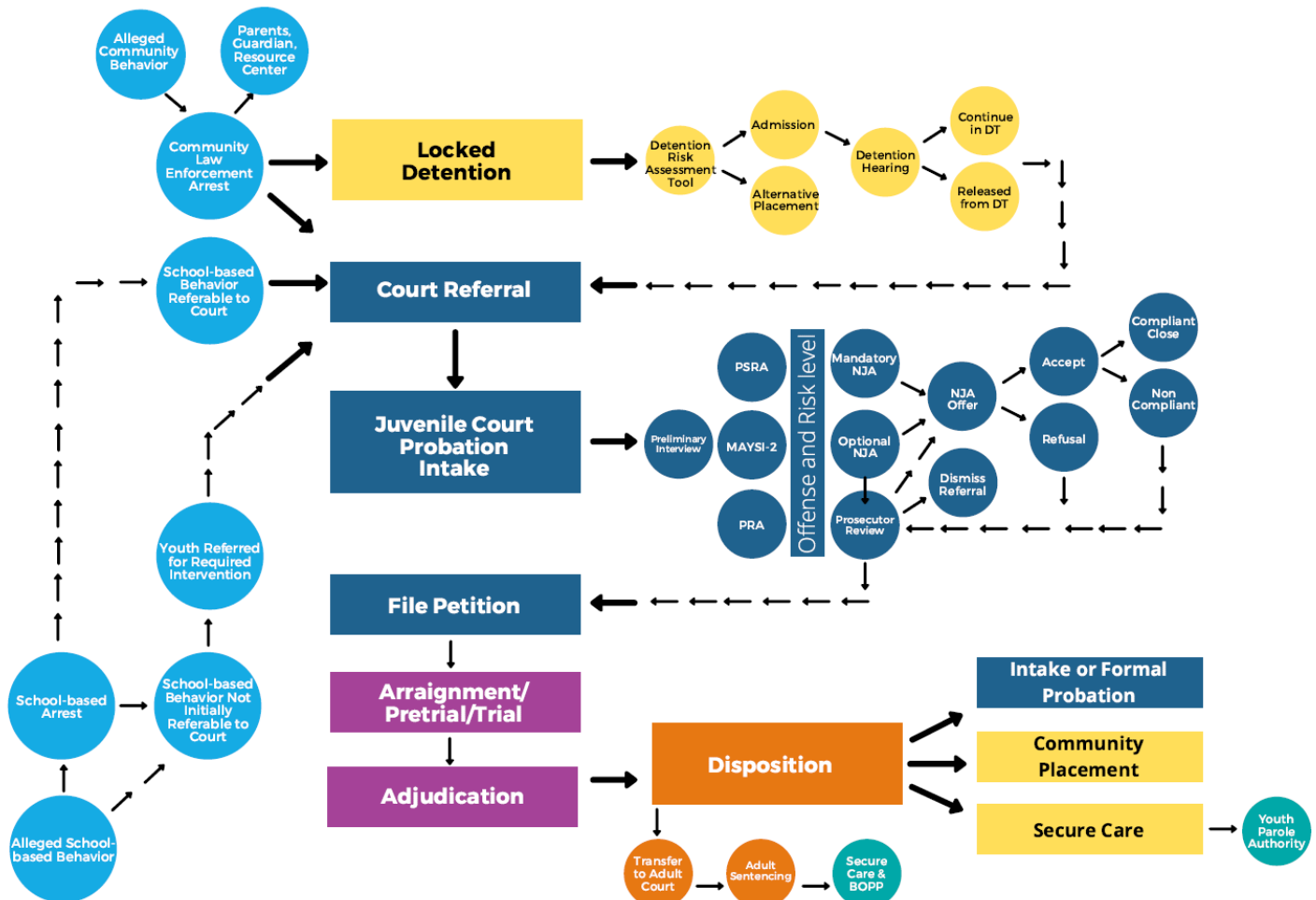
- Prohibited a minor from declining to enter into an NJA unless the minor has first received advice from legal counsel
- Requires the Office of Indigent Defense Services to provide no-cost legal advice for minors considering an NJA

SB171 “Indigent Defense Amendments” (2025)

- Created the Youth Defense Fund to pay for indigent defense services for a minor referred to the juvenile court



Appendix B: Juvenile Justice Process Flowchart



Source: Commission on Criminal and Juvenile Justice, 2024.



Endnotes

ⁱ For a comprehensive list of juvenile justice terms, see this glossary by the Utah State Courts:

<https://www.utcourts.gov/en/about/courts/juv/intro/glossary.html>

ⁱⁱ Juvenile courts maintain their own probation services to supervise youth under their jurisdiction, in contrast to adult probation services, which are administered either by counties or—for more serious offenses—by Adult Probation and Parole, a division within the Department of Corrections.

ⁱⁱⁱ National Conference of State Legislatures, "Adolescent Brain Development and Youth Justice." April 2023.

<https://www.ncsl.org/civil-and-criminal-justice/adolescent-brain-development-and-youth-justice>

^{iv} Utah Commission on Criminal and Juvenile Justice, "Utah Juvenile Justice Working Group Final Report." November 2016.

<https://justice.utah.gov/wp-content/uploads/Utah-JJ-Final-Report.pdf>

^v CCJJ has prepared this guide that lists examples of school-based offenses and whether they are referable:

<https://justice.utah.gov/wp-content/uploads/School-Offense-Referral-Guide-2025.pdf>

^{vi} Utah Admin. Code R547-143 (2025). <https://adminrules.utah.gov/public/rule/R547-13/Current%20Rules?>

^{vii} Utah Sentencing Commission, "Juvenile Disposition Guidelines." 2025. https://justice.utah.gov/wp-content/uploads/Juvenile-Guidelines-2025_v2.0-clean-copy-2.pdf

^{viii} To limit transfers to the adult system and provide more opportunities for rehabilitation, JJYS retains custody of a juvenile committed to secure care for certain serious offenses—such as aggravated murder—until the individual turns 25. Utah Code Section § [80-6-802](#) (2025).

^{ix} Derek Mueller et al., "Non-Judicial Adjustment Study: Final Report." December 2021. <https://justice.utah.gov/wp-content/uploads/UofUNJA.pdf>

^x Utah Commission on Criminal and Juvenile Justice, "Utah Juvenile Justice Working Group Final Report." November 2016.

<https://justice.utah.gov/wp-content/uploads/Utah-JJ-Final-Report.pdf>

^{xi} Elizabeth Cauffman et al., "Crossroads in juvenile justice: The impact of initial processing decision on youth 5 years after first arrest." *Development and Psychopathology*, October 2020. <https://faculty.lsu.edu/pfricklab/pdfs/juvenilejustice-pdfs/dpcauffmanetalmaincrossroadswb.pdf>

^{xii} Nathan Kunz and Sheena Yoon, "Nonjudicial Adjustment Juvenile Financial Sanctions: A Guide For Policy and Reform for Pretrial Diversion in Utah's Juvenile Justice System." May 2022. <https://justice.utah.gov/wp-content/uploads/NJA.pdf>. A key limitation of this study was its narrow definition of recidivism, which was limited to receiving a petition *during* the NJA period (typically less than 90 days).

^{xiii} Lane Crisler, "Recidivism Within Salt Lake Peer Court: A Program Evaluation of Salt Lake Peer Court based on Recidivism Analysis Between Salt Lake Peer Court and the Juvenile Division of Salt Lake City Justice Courts." 2013. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/recidivism-within-salt-lake-peer-court-program-evaluation-salt-lake>

^{xiv} Jessica Bouchard and Jennifer Wong, "A Jury of Their Peers: A Meta-Analysis of the Effects of Teen Court on Criminal Recidivism." *Journal of Youth and Adolescence*, July 2017.

https://www.researchgate.net/publication/315734338_A_Jury_of_Their_Peers_A_Meta-Analysis_of_the_Effects_of_Teen_Court_on_Criminal_Recidivism