

PERFORMANCE NOTE: AGENCY FORM

H.B. 239

SHORT TITLE: JUVENILE JUSTICE AMENDMENTS

funding for: New agency New services or benefits Serving a new or larger population

DUE TO THE FISCAL ANALYSIS

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HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served?

JR4-2-404(4)(c)(i)

H.B. 239 incorporates recommendations made by the Utah Juvenile Justice Working Group commissioned by Governor Herbert to examine Utah's Juvenile Justice continuum of services and make recommendations, based on research, for improvements to the continuum. Items in the bill that directly impact the Utah State Juvenile Court include:

- *Increased eligibility for youth who qualify for nonjudicial handling of their case;
- *Increased need for evaluation and intervention services in each of the judicial districts;
- *The establishment of presumptive length-of-stay guidelines for youth placed on intake probation and formal probation;
- *The increased utilization of risk assessment information prior to disposition;
- *The development of case plans for all youth on community supervision;
- *The establishment of performance-based contracting with incentives to providers for the implementation of juvenile justice, evidence-based programs and premium rates for youth who receive evidence-based dosage of treatment and who successfully complete programs within three months;
- *The development of a risk assessment tool for admission to detention or alternatives to detention;
- *Expansion of the Victim Offender Mediation program statewide;
- *Programming changes and enhancements to the Courts and Agencies Record Exchange (C.A.R.E.);
- *Increase in judicial hearings in order to obtain risk assessment information and for appointment of counsel.

2 What services are provided by the funding increase?

JR4-2-404(4)(c)(ii)

The Administrative Office of the Courts is requesting funding to address the changes required in the bill and anticipates reinvestment of existing staff due to reduction in referrals. The reinvestment of staff will focus on increased implementation of evidence-based programming for youth under the Juvenile Court's jurisdiction and in need of services as identified by a validated risk assessment. The following is requested:

- * Expand evaluation and assessment services, intensive in-home services, and intervention services for youth in the community under the supervision of the probation department.
- *Provide incentive monies for probation youth statewide;
- *Expand Victim Offender Mediation services across the state;
- *Staffing increases (Senior Researcher, Trainer, Contracts, and Quality Assurance Team) to address fidelity in programming and performance based contracting.
- *CARE programming enhancements for the following:
 - >Incentives and Sanctions dashboard
 - >Accounting module rewrite- based upon new fine and fee structure
 - >Presumptive lengths dashboard & exceptions tracking
 - >Data collection elements
 - >Notification letters
 - >Correctional Program Checklist

3 What are the expected outcomes of the new or expanded program and how will the public benefit?

JR4-2-404(4)(c)(iii)

Evidence suggests that juvenile justice youth who are served in the home have better outcomes, including subsequent reoffending and public safety outcomes. The Administrative Office is committed to expanding intensive home-based and evidence-based services for its probation youth. As such, youth will remain in the home and not in expensive out-of-home placements.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes?

JR4-2-404(4)(c)(iv)

The Administrative Office of the Courts anticipates a staged implementation of the requirements of HB239. The Division of Juvenile Justice Services will be closing several residential placement facilities. Therefore, the Juvenile Court will need to expand services for its probation youth. This includes the expansion of: evaluation and assessment services; intensive in-home services; and cognitive behavioral and other intervention services designed to reduce recidivism statewide, with specific enhancements in rural Utah. Additionally, in order to address the proposed fine structure, the CARE accounting module must be reprogrammed in order to ensure appropriate allocation of fines and fees to the general fund. Additional CARE programming is required in order to ensure data elements are captured to track expected performance-based outcomes.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

The Administrative Office of the Courts is committed to increasing implementation of evidence-based programming across the state. By enhancing this programming, youth under the direction of the Juvenile Court's Probation Department will be able to increase individual protective factors and develop the skills to reduce dynamic risk factors that are directly related to subsequent reoffending. This work will help reduce the number of youth who either return to the Juvenile Court or penetrate further into the juvenile justice system.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): Reduction in the number of youth found in contempt for violations of court orders or conditions of probation.

Measure Title: The number of contempts in delinquency cases.

Description:

HB 239 would reduce the number of contempts by limiting a Juvenile Court Judge's contempt powers for: violations of court orders, probation orders, failure to perform community services, and non-payment of fines and fees. During 2016, there were 5,551 contempts filed. The Administrative Office projects a 25% reduction in contempt orders over each of the next three fiscal years.

Fiscal Year:	2016	2017	2018	2019	
Target or Benchmark:	5,551	4,163	3,122	2,341	
Baseline:	5,551	5,551	5,551	5,551	

How will program managers collect this performance information and ensure its reliability?

Case filings and case-related activities are entered into the Courts & Agencies' Record Exchange (CARE) information system which is Utah's Juvenile Court database. Periodic reports will collect this information from that database.

Goal (public benefit): Increase in the number of delinquent youth diverted from Juvenile Court proceedings through nonjudicial adjustments.

Measure Title: The number of delinquent youth offered nonjudicial adjustments.

Description:

HB 239 provides for a very prescriptive scheme that mandates the offers of nonjudicial adjustments to youth charged with delinquent offenses. Specifically, the Juvenile Court's probation department shall offer a nonjudicial adjustment if the minor is: (A) charged with a misdemeanor, infraction, or status offense; (B) has fewer than three prior adjudications; and (C) has no more than three prior unsuccessful nonjudicial adjustment attempts. During 2016, 32% of the referrals to the Juvenile Court were handled through nonjudicial adjustment. The Administrative Office of the Courts projects an increase in offers of nonjudicial adjustment by 40% and 50% over fiscal years 2017 and 2018, respectively.

Fiscal Year:	2016	2017	2018	2019	
Target or Benchmark:	32%	40%	50%		
Baseline:	32%	32%	32%		

How will program managers collect this performance information and ensure its reliability?

Case filings and case-related activities are entered into the Courts & Agencies' Record Exchange (CARE) information system which is Utah's Juvenile Court database. Periodic reports will collect this information from that database.