



JAIBG

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A Message From OJJDP

The establishment of juvenile drug court programs and their integration into other juvenile justice sanctions and services is 1 of the 12 purpose areas of the Juvenile Accountability Incentive Block Grants (JAIBG) program.

Part of OJJDP's JAIBG Best Practices Series, this Bulletin provides local officials with the perspectives of juvenile justice practitioners and policymakers who have juvenile drug court program experience. Often established within juvenile courts, juvenile drug courts are intensive treatment programs that provide specialized services for drug-involved youth and their families.

Initial assessment of juvenile drug courts indicates considerable promise. The information and resources provided within this Bulletin should facilitate the development of constructive, well-conceived programs that will improve the juvenile justice system's capacity to hold offenders accountable and protect the public.



Juvenile Drug Court Programs

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This Bulletin is part of OJJDP's Juvenile Accountability Incentive Block Grants (JAIBG) Best Practices Series. The basic premise underlying the JAIBG program, initially funded in fiscal year 1998, is that young people who violate the law need to be held accountable for their offenses if society is to improve the quality of life in the Nation's communities. Holding a juvenile offender "accountable" in the juvenile justice system means that once the juvenile is determined to have committed law-violating behavior, by admission or adjudication, he or she is held responsible for the act through consequences or sanctions, imposed pursuant to law, that are proportionate to the offense. Consequences or sanctions that are applied swiftly, surely, and consistently, and are graduated to provide appropriate and effective responses to varying levels of offense seriousness and offender chronicity, work best in preventing, controlling, and reducing further law violations.

In an effort to help States and units of local government develop programs in the 12 purpose areas established for JAIBG funding, Bulletins in this series are designed to present the most up-to-date knowledge to juvenile justice policymakers, researchers, and practitioners about programs and approaches that

hold juvenile offenders accountable for their behavior. An indepth description of the JAIBG program and a list of the 12 program purpose areas appear in the overview Bulletin for this series.

Juvenile drug courts are intensive treatment programs established within and supervised by juvenile courts to provide specialized services for eligible drug-involved youth and their families. Cases are assigned to a juvenile drug court docket based on criteria set by local officials to carry out the goals of the drug court program.

Juvenile drug courts provide (1) intensive and continuous judicial supervision over delinquency and status offense cases that involve substance-abusing juveniles and (2) coordinated and supervised delivery of an array of support services necessary to address the problems that contribute to juvenile involvement in the justice system. Service areas include substance abuse treatment, mental health, primary care, family, and education. Since 1995, more than 140 juvenile drug courts have been established in the United States, and more than 125 are currently being planned.

This Bulletin addresses JAIBG program purpose area 9—the establishment of juvenile drug court programs to provide continuing judicial supervision of juvenile offenders with substance abuse problems and to integrate the administration of other sanctions and services. The purpose of this Bulletin is twofold: (1) to share with local officials the experience and perspective of juvenile justice policymakers and practitioners who have been involved with juvenile drug court programs during the past several years and (2) to facilitate the development of constructive, well-conceived programs that improve the juvenile justice system’s ability to hold youthful offenders accountable for their behavior while enhancing public safety and strengthening existing State and local programs.

Indicators of Need

The primary indicators of the potential value of developing a juvenile drug court program in a particular community are the (1) extent to which delinquency is associated with drug and alcohol use in the community; (2) juvenile justice system’s existing ability to address this use through substance abuse treatment, supervision, and other core adolescent and family services (e.g., family therapy, mentoring, vocational training); and (3) degree of accountability that the juvenile justice system promotes for both juvenile offenders and service providers. To assess these indicators, jurisdictions considering a juvenile drug court may want to review the following aspects of juvenile justice operations:

- The extent and nature of substance use by juveniles referred to juvenile court.
- The nature and effectiveness of existing alcohol and substance abuse treatment programs and other core adolescent resources available in the community.

- Recidivism rates among substance-involved juveniles who have come through the juvenile justice system.
- Mechanisms in the existing juvenile justice system that promote accountability.

The nature of information relevant to assessing each of these factors is discussed below.

Caseload Factors

Analysis of the delinquency caseload should focus on the nature and volume of juvenile court cases that involve alcohol and/or drug use. Efforts should also be made to identify youth who may be at risk of using alcohol or drugs. Local juvenile justice system and treatment professionals may want to identify indicators associated with drug use by youth and certain “red flags,” such as persistent truancy, that may suggest the risk of substance use even if drug use is not apparent in an initial screening. Information regarding substance use by youth involved in delinquency proceedings should be augmented with information about other potential special needs of this population and case-specific issues, including level of family functioning, learning disabilities, physical disabilities, and mental health problems. The absence of assessment information concerning these areas should alert courts to potential gaps in their screening and assessment process for juvenile offenders.

Availability of Treatment and Other Core Services

Once the extent of juvenile substance use is determined, local officials should decide whether existing resources—including the judicial system, school system, treatment services, and other community organizations and services—can adequately address the needs of juveniles in a timely and effective manner. Local officials should develop an inventory of

community resources that addresses the needs of juvenile offenders who use or who are at risk of using drugs and alcohol. This inventory should include both treatment-specific resources and other core services, examples of which include:

- Education, mental health, and public health services.
- Family therapy.
- Literacy skills building.
- Mentoring.
- Prosocial activities.
- Vocational training.
- Other family support services.

This list of services will provide a measure of the extent of a community’s existing resources and will indicate any gaps in services and resources. Even if treatment and other core adolescent services are available, juvenile justice system officials need to assess whether the services are developmentally based, culturally relevant, and gender specific.

Officials would benefit from conducting a preliminary review of existing services for handling substance-involved offenders, the degree of coordination provided in their delivery, and the extent to which these services promote accountability. Jurisdictions should keep the following key factors in mind when conducting this review:

- Extent of drug and alcohol use by juveniles after their initial contact with the juvenile court and the court’s ability to measure such use on an ongoing basis.
- Degree to which the court obtains prompt notification of the juvenile’s progress or lack thereof in court-ordered treatment and other services.
- Extent of flexibility provided to the court to modify initial orders for treatment and other services to

meet the emerging and/or evolving needs of juveniles.

- Degree to which the court is able to address problems in the juvenile's living environment, including his or her family situation, that may contribute to the juvenile's substance use.
- Recidivism rates—with regard to crimes related to or precipitated by substance use—of juveniles who have come through the system.

If information on these factors is not readily available, local officials may find it useful to identify a sample of juveniles who have appeared before the court during the past several years and track their progress in certain key areas such as drug-free living, recidivism in either the juvenile or criminal justice system, and educational and vocational achievement. This process may provide additional perspective in identifying potential gaps in the type or extent of services existing to meet the needs of substance-involved juveniles in the community.

Court Responsiveness and Accountability Mechanisms

The JAIBG program resolves “to promote greater accountability in the juvenile justice system” (Office of Juvenile Justice and Delinquency Prevention, 1998). To determine the extent to which establishing a juvenile drug court can promote increased accountability, officials should consider the following:

- **How quickly and effectively can the judicial system currently respond to juvenile delinquent activity?** Juvenile drug courts are designed to screen eligible youth shortly after arrest and promote their prompt entry into the juvenile drug court process. The juvenile drug court can then respond to subsequent delinquent activity

by a participant immediately, either at the routine judicial review hearing (often held weekly)¹ or at a special hearing to address the new delinquent offense.

- **How quickly and effectively can the judicial system respond to juvenile drug and alcohol use?** The frequent and random drug testing (often at least twice weekly) conducted by juvenile drug courts permits prompt detection and response to alcohol and drug use by participating youth. Judicial and/or treatment responses to such use generally can include any one or a combination of the following: home detention, secure detention, more frequent drug testing, more frequent contacts with the treatment provider, writing assignments, and community service.
- **How effective is the delivery of treatment services?** In many jurisdictions, youth referred for treatment or other special programs must wait weeks or months for an available opening. Even when services are provided, the intervention may not be designed to resolve the range of presenting issues. For example, the youth may have mental health needs that become apparent during the course of treatment or other collateral needs that relate to his or her family or living situation. In addition, the services delivered may not be developmentally based, culturally relevant, or gender specific. For these reasons, juvenile drug courts have dedicated treatment and other service slots specifically for juvenile drug court participants where the multifaceted issues they are confronting can be addressed by the collaboration of service delivery options. For these slots, no waiting time is required, allowing

¹ See OJP Drug Court Clearinghouse and Technical Assistance Project, 1999.

juvenile participants to access these services immediately. The frequent status hearings conducted by the juvenile drug court permit the judge and the drug court team to monitor the provision of services continually and to immediately identify situations in which service delivery plans need modification or enhancement to meet a juvenile's needs.

- **How well are treatment and other services being coordinated? Are services to individual juveniles or to families being duplicated?** Most officials involved with the juvenile justice system recognize that it is quite common for one family unit to be involved in cases on multiple court dockets and therefore receive duplicative services pursuant to separate court orders or social service agency directives. To promote accountability and the coordination of services that are critical to the operation of a juvenile drug court, local officials initially must identify other court dockets or agencies with which a juvenile's immediate family members may be involved and promote coordination of services to reduce this duplication of effort.

Key Elements of a Juvenile Drug Court Program

Although tailored to the needs and resources of individual jurisdictions, juvenile drug court programs are characterized by the following common and essential elements:

- Establishment of a drug court team to include, at a minimum, a judge, prosecutor, defense attorney, treatment provider, evaluator, and school representative working collaboratively to meet the needs of the juvenile and his or her family.

- Intervention by the court as soon as possible following the juvenile's initial contact with the justice system and continuous judicial supervision of the juvenile through frequent (often weekly) status hearings with the juvenile and his or her family.
- Development of a court-supervised program of substance abuse treatment and other core services to address the multifaceted issues that the juvenile and his or her family face (e.g., the juvenile's substance use, family and educational needs, and behavioral problems as they affect his or her ability to lead a drug-free life).
- Coordination of treatment and other services provided.
- Ongoing monitoring of the juvenile's progress in the program through frequent random urinalysis, continuous supervision, and proactive case management.
- Immediate judicial response to the progress of each participating juvenile or his or her noncompliance with the court's program conditions.
- A judge who is concerned about juveniles and their families, sensitive to cultural and other factors unique to each participant, and interested and trained in adolescent development and behavior, substance abuse, and pharmacology.
- A program philosophy that focuses on capitalizing on the strengths of each juvenile and his or her family.

Enhancements to the Traditional Process

Juvenile drug courts generally require the following enhancements to the traditional court process (Roberts, Brophy, and Cooper, 1997):

- Comprehensive assessment of the juvenile at intake, with followup assessments conducted periodically thereafter.
- Integration of the information obtained during the intake and assessment process with subsequent decisions in the case.
- Focus on the functioning of the family and its effects on the juvenile throughout his or her participation in the drug court program.
- Coordination among the court, the treatment community, the school system, and other community agencies as they respond to the needs of the juvenile, the family, and the court.
- Focus on the training of officials involved in the program on adolescent developmental issues and the bearing of these issues on drug use and withdrawal.²

Operational Elements

Juvenile drug court programs are built on the following core elements that provide the framework for program operations:

- Goals and indicators of success.
- The drug court team.
- Clearly defined program eligibility requirements.
- An identified target population.
- Substance abuse treatment, case management, and other core services.
- Monitoring and supervision of participants.

²See *Juvenile and Family Drug Courts: An Overview*, which describes the consensus of a focus group assembled in August 1996 by the Office of Justice Programs' Drug Courts Program Office and the State Justice Institute regarding juvenile drug court elements (OJP Drug Court Clearinghouse and Technical Assistance Project, 1999).

- Development of a range of incentives and sanctions/consequences that are applied in response to participant progress or lack thereof.
- Establishment of the locus of the program in the judicial system process (e.g., preplea or postplea).
- Program monitoring, management, and evaluation.

Each of these operational elements is discussed briefly below.

Goals and indicators of success

The first step in planning and implementing a juvenile drug court is to identify the nature and extent of problems that the program must address, goals that the program must achieve, and indicators that will reveal the degree to which these goals are met. In most instances, this process is initiated by a juvenile court judge, who is frequently joined by representatives from the prosecutor's office, public defender's office, and juvenile intake and probation staff. If a review of caseload and case disposition characteristics suggests that a juvenile drug court would be useful, this initial planning group should invite representatives from social service agencies, treatment agencies, and other youth service agencies.

Members of this group or their designees can then form the nucleus of the juvenile drug court planning team, which will determine the goals of the program collaboratively. While reducing recidivism and substance abuse are common goals for adult drug courts, juvenile drug courts must go beyond this definition of success to address factors that promote the youth's successful functioning as an adult. Many programs, therefore, include indicators such as educational development, competency/skills building, and improved family relationships.

The drug court team

The judge is the key leader for the juvenile drug court program. The judge oversees not only the juvenile's performance and that of his or her family, but also the coordination and delivery of treatment and other core services. These services include those within the juvenile justice system and those associated with community, educational, vocational, public health, mental health, prosocial, and other resources needed to help the juvenile lead a drug- and crime-free life.

Although the judge is a key leader for the juvenile drug court program, the decisionmaking process is collegial, drawing on the perspectives and expertise of all members of the drug court team: judge, prosecutor, defense attorney, treatment provider, case manager, family therapist, probation official, law enforcement official, and others involved in the provision of treatment and other support services to the juvenile and his or her family. Most juvenile drug courts conduct "staffings" prior to each drug court hearing at which the team members meet to discuss issues in an individual's case to agree on appropriate responses to both problems and progress. The team recommendations discussed at these staffings are then generally followed by the judge at the court status hearing with the client. Judicial decisions, however, remain with the judge.

Eligibility requirements and target population

The process of determining who the program will serve—the juvenile drug court's target population—has tended to focus on how best to use limited available resources. The choice of a target population must not be dictated by desires to achieve high success rates by focusing on youth who present minimal risks. Rather, the target population should be

representative of the community's detention population and include youth who have serious problems and need the intensity of services and supervision provided by the program.

Most juvenile drug courts, at least initially, focus on juveniles who (1) demonstrate moderate to heavy substance use and (2) present no danger to the community. Determining an offender's potential danger to the community frequently presents more complex screening and assessment tasks for the juvenile drug court than it does for an adult drug court. Little historical information regarding a youth's propensity for violence is available for many of the youth brought before the juvenile drug court. Determining a youth's potential danger is further complicated by confidentiality requirements that inhibit the exchange of information regarding a youth's prior activities, including acts of violence.

Most jurisdictions must also determine which situations the drug court will target initially. Currently, most juvenile drug courts target youth who have committed nonviolent drug or drug-related offenses, although some programs include certain assault cases involving substance use (e.g., fighting at school). Certain eligibility qualifications are determined by various grant programs that may impose special eligibility requirements.³

Practitioners disagree as to whether youth involved in gang activity should be permitted in a juvenile drug court. Some argue that, at least initially, a juvenile drug court should exclude youth involved in gangs. Others, however, are concerned about labeling youth as gang involved and excluding them from consideration without taking into account the

³See, for example, OJP Drug Courts Program Office funding requirements pursuant to the 1994 Crime Act and Local Law Enforcement Block Grant funding requirements.

nature and extent of their involvement and the youth's need for the services, supervision, and monitoring provided by the juvenile drug court.

The target population should reflect the demographic characteristics of the community and the juvenile arrestee population. Once the program becomes operational, the team must examine the program to ensure that it continues to be representative of the community and the arrestee population.

Treatment, case management, and other core services

Juvenile drug court services are not confined to only those provided by the treatment provider. All activity generated by the juvenile drug court is designed to have therapeutic value, including those programs that promote competency development (e.g., writing, computer literacy, and artistic skills) and the ongoing interaction between treatment and court processes. Among the special attributes of juvenile drug court treatment services are:

- Early and extensive assessment of the juvenile and his or her family situation.
- Provision of developmentally based, gender-specific, and culturally appropriate treatment and other core services.
- Significant focus on family therapy and other services to assist and improve the capacity of the family and juvenile to work together to achieve program goals.
- Sustained attention to each juvenile participant's school performance, peer relationships, development of competencies, and self-esteem.
- Ongoing case management of services to ensure that the program meets each participant's current

and evolving needs. Treatment and other services for juvenile drug court participants may be necessary beyond the period of the court's jurisdiction, so the availability of aftercare services is vital.

Monitoring and supervision

The hallmark of juvenile drug courts is the intensive, continuous judicial monitoring and supervision of participants. Each member of the juvenile drug court team works closely with the juvenile and monitors his or her compliance with the court-imposed conditions of participation (e.g., treatment program participation, school attendance, drug testing, community service, court appearances). However, the judge's frequent involvement and continual supervision play a paramount role in improving the functioning of a juvenile and his or her family. A participant's noncompliance with any of the conditions of participation is immediately detected and brought to the court's attention for prompt action.

Sanctions/consequences and incentives

Sanctions in the juvenile drug court must promote each juvenile's ability to take responsibility and be accountable for his or her actions. Most drug court professionals agree that the hallmarks of any sanctioning and motivational scheme are consistency, predictability, and, when working with juveniles, immediacy. When developing sanctions—increasingly called consequences—and incentives, it is important for communities also to ask what competencies are being built by these responses to youth delinquency. Among the sanctions commonly used by juvenile drug courts are (1) imposition of or increase in curfew conditions, (2) requirement of community service hours, and/or (3) increase in the frequency of court

and/or treatment contacts and/or urinalysis. Positive rewards and incentives for compliance with program conditions are considered as important as sanctions for noncompliance. Examples of positive incentives that juvenile drug courts frequently use to recognize participant progress are (1) promotion to a subsequent program phase, (2) award of a gift voucher or a ticket to a local sports or other event contributed by local merchants, and/or (3) presentation of a certificate or other token acknowledging the participant's accomplishments. The praise of the judge is, as always, of immeasurable motivational value.

The emphasis on sanctions and incentives for juveniles involved with the justice system may be new to many communities, and local officials need to be educated in their use. The key is using sanctions and incentives to promote positive behavioral change (rather than to simply use sanctions as punishment), keeping in mind that the factors that motivate an adolescent generally are quite different from those that motivate an adult. It is also important to use treatment as a resource, not as a punishment, so that a determination to increase treatment contacts, for example, is based on a determination that this increase is necessary to better serve the participant's needs rather than to punish him or her for past behavior.

As noted above, at the time of a juvenile's entry into a drug court program, many courts impose suspended periods of incarceration contingent on successful participation in the drug court. As a sanction, short-term incarceration is generally considered much more effective than long-term incarceration.

The positive incentives that appear most highly valued by drug court participants, both juvenile and adult,

are a judge's handshake and words of encouragement and the accolades of other drug court participants. Specially designed contracts between the drug court and the participant provide both positive and negative reinforcements and help develop the participant's sense of accountability. Some juvenile drug court programs require participants to keep a daily journal or maintain a "thinking log." One judge has a drug court library from which all participants must read and has designated a portion of the courtroom wall for the display of artwork produced by the participating juveniles. Although community service and mentoring programs may not seem to be incentives, program personnel agree that many juveniles view them as incentives.

Program locus in the judicial system process

Most juvenile drug courts are post-adjudication programs—meaning that they operate after a youth has been adjudicated delinquent. A postadjudication, rather than diversion, model is preferred by many because the court has more authority after guilt has been established and more options are available in the event the youth fails to complete the program. Nevertheless, the drug court disposition process can include suspending a sentence of commitment pending successful program completion, deferring sentencing pending ongoing reviews of the juvenile's program performance, and/or dismissing the charge if the youth successfully completes the program.

Management and evaluation

The need to maintain adequate information on juvenile drug court participants and the overall operation of the

Goals of the Juvenile Drug Court

- Provide immediate intervention, treatment, and structure in the lives of juveniles using drugs through the ongoing, active oversight and monitoring by the drug court judge.
- Improve juveniles' level of functioning in their environment, address problems that may be contributing to their use of drugs, and develop/strengthen their ability to lead crime- and drug-free lives.
- Provide juveniles with skills that will aid them in leading productive substance-free and crime-free lives, including skills relating to their educational development, sense of self-worth, and capacity to develop positive relationships in the community (see Roberts, Brophy, and Cooper, 1997).
- Strengthen the families of drug-involved youth by improving the capacity of families to provide structure and guidance to their children.
- Improve system capacity to promote accountability for both juvenile offenders and the services they are provided.

program is critical. This information is particularly important for two purposes:

- Monitoring of participant progress and compliance with drug court conditions.
- Evaluating the program to ensure that it is operating as intended and that the desired outcomes are being achieved.

The evaluation design should address the following:

- What problems will be addressed by the juvenile drug court?
- What are the expected outcomes for the juvenile drug court?
- What impact will the program have on the juvenile, the family, and the community?
- What changes in policies, procedures, and services are needed to implement the program?

Some juvenile drug courts have encountered difficulties integrating the various databases (e.g., court, school, public health, social services, law enforcement, treatment provider) that

contain essential information but are frequently incompatible. Jurisdictions that integrate existing information systems for juvenile and family drug court purposes must also comply with Federal and State confidentiality requirements. Many programs find that the first step in developing useful information systems is to have representatives of the key agencies involved in the program identify the critical data elements needed to make decisions and measure outcomes. These representatives must then determine how these data can be compiled, maintained, and accessed on a regular basis.

Program Planning and Implementation

To establish a juvenile drug court, communities must complete the tasks and address the critical issues discussed below.

Required Tasks

The tasks required to establish a juvenile drug court fall into the following categories.

Assemble a planning team

The juvenile drug court planning team should include a broad range of justice system, treatment, public health, education, mental health, vocational, and other community personnel who can provide the foundation for the services delivered by the program. The planning team should meet frequently and regularly both before and after launching the program. During the planning process, many jurisdictions designate a policy-level planning/oversight committee consisting of policymakers from the critical agencies involved to develop program policies and procedures and to meet periodically thereafter. Following program implementation, most jurisdictions then designate a working committee to address the day-to-day operational aspects of the program. A major task of the planning committee is developing links among the essential agencies, which will promote ongoing communication and coordination.

Identify resources

Among the most critical tasks the planning committee must perform is identifying resources necessary to implement the juvenile drug court program. These resources should include substance abuse treatment and mental health services, related community support services (e.g., housing, parenting skills, medical services, transportation), case management, and supervision and related staff resources. Additional resources may include an array of supporting skills-building services—which must be developmentally based, culturally competent, and gender specific—designed to enhance participants' competencies, self-esteem, and skills and promote their capacity to live drug and alcohol free. These services include tutoring, vocational training, mentoring, recreational opportunities, and literacy development.

Once jurisdictions identify the range of services and resources needed to support the juvenile drug court, local officials can catalog and assess existing resources to determine the degree to which they can support program goals. This process will identify gaps and areas where existing services may require enhancement or modification.

Develop procedures for drug court program operation

Determining the operational procedures for the juvenile drug court program entails first reviewing the juvenile justice system's caseflow process (from arrest, through screening and intake, to final court disposition). The next step is to develop a series of hypothetical case studies that can demonstrate what modifications to the traditional adjudication process may be necessary to implement the juvenile drug court program. The newly developed operational procedures should include steps necessary to develop the interagency relations, agreements, and services that are fundamental to juvenile drug court program operations (e.g., screening and assessment, case management, drug testing, ongoing judicial supervision, mental health services, family counseling, and educational service components).

Develop program management and monitoring capacity

As noted above, the planning process should include developing the capacity to manage the program and monitor the performance of both individual participants and the overall program. Officials involved in the program's operations should meet as soon as possible to identify:

- Information needed to manage the program.
- Program activities that should be monitored on an ongoing basis.

Steps in Developing a Juvenile Drug Court

- Identify program goals.
- Develop the planning committee.
- Identify target population.
- Identify resources necessary to support the program.
- Determine existing resources and gaps.
- Develop procedures for program operation.
- Develop program management and monitoring capacity.
- Develop a plan for program evaluation.
- Delineate the key roles and responsibilities for the drug court team.
- Gain community support by involving a broad range of community organizations.

- Elements of participant performance that the program should track, both continuously and periodically.

Although an automated information system may ultimately be necessary to address these issues, local officials should first identify the information elements that need to be compiled on an ongoing basis and the available sources for these data.

Develop a program evaluation plan

Developing an evaluation plan for the program involves several critical tasks, including:

- Determining the questions necessary to establish whether the program is achieving its goals and having the desired impact on participants, their families, the justice system, the community, and agencies involved in the program.
- Identifying data and sources of data that are responsive to evaluation inquiries.
- Developing the appropriate management information system for these purposes.

The activities involved in developing the program's management and monitoring capabilities, described above, are critical to developing evaluation capability.⁴

Delineate key roles and responsibilities for operating the program

The planning committee needs to define the key roles and responsibilities of the drug court team. This entails defining the roles and responsibilities of each team member and outlining team members' functions and interrelationships in the drug court setting.

Develop and maintain community support

Drug courts—juvenile drug courts in particular—rely on community support for their survival. Upon establishing the feasibility of developing a juvenile drug court, the planning committee should clearly explain the goals and services of the program to all segments of the community and establish mechanisms for ongoing communication with the community. In addition, the planning committee

⁴See Drug Courts Program Office, 1998, for more information on program evaluation.

should, on an ongoing basis, actively seek out agencies, organizations, and community volunteers that can contribute to the program. Among some of the common community agencies providing support to juvenile drug courts are local parks and recreation departments, arts centers, school systems and community colleges, chambers of commerce (which can provide job banks and job training), YMCAs (Young Men's Christian Associations), and YWCAs (Young Women's Christian Associations).

Critical Issues

Most judicial system leaders who have developed juvenile drug court programs have found that their perceptions of the complexity of factors surrounding juvenile substance abuse that motivated them to develop juvenile drug courts are also presenting the programs' greatest challenges. The initial period of juvenile drug court operations has also brought to light a number of other special issues that were not readily apparent at the start.

Adequately assessing the treatment and other needs of juvenile drug court participants

The nature of juvenile drug court participants' substance use and other problems is complex, requiring the provision of an array of family services, specialized treatment, and other core adolescent services. Programs frequently report not only considerable substance use by youth but significant percentages of participants with mental health problems (particularly depression, fetal alcohol syndrome or effects, and learning disabilities) and physical problems (see OJP Drug Court Clearinghouse and Technical Assistance Project, 2001). In many instances, the nature and extent of these problems do not become apparent until a juvenile has been involved in the program for some time.

Ongoing and updated assessments are therefore critical.

Providing a broad spectrum of family, treatment, skills-building, and other core adolescent services for participants

The initial experience of juvenile drug courts strongly suggests that services need to be family focused and complemented by a sound program of other core adolescent services. In addition, individualized treatment services often need to be developed for participants. Programs also must enable participants to develop the capacity and the self-confidence to fill time previously devoted to drugs and crime with productive activity, thereby increasing the likelihood that they will lead drug- and crime-free lives.

A number of juvenile drug courts have been adopting the Multi-systemic Therapy (MST) approach, which is designed to provide family-based treatment to reduce or eliminate the need for out-of-home placement. MST's "family preservation" model of service delivery is based on the philosophy that the most effective strategy for helping substance-involved juvenile offenders is through improving intrafamilial relations and assisting the family in providing the support structure that can function during and after the period of the court's intervention. The MST approach was developed in response to the lack of scientifically proven, cost-effective strategies designed to treat adolescent substance abuse. Preliminary evaluation of MST programs has indicated that, compared with traditional service, MST has been significantly more effective in reducing long-term rates of criminal behavior and also is considerably less expensive. Additional evaluations now in progress appear to corroborate these results.

Adequately assessing and addressing family needs and problems

Most practitioners agree that drug use by adults has a direct effect on the children with whom the adults are in contact, whether the contact occurs in utero, in person, or by example or other involvement. It is vital for juvenile drug courts to include in their assessment process a review of possible substance use by a juvenile's family members to assess its potential impact on the juvenile. Most juvenile drug court practitioners observe a high correlation between a juvenile's drug abuse and that of a parent or other family member. It is unlikely, therefore, that juvenile drug courts will be able to deal with delinquency issues without getting involved with dependency issues—even if no formal dependency action is pending. Conversely, if family issues are not addressed, practitioners consider it likely that the child will continue to be involved with drugs and delinquent activity. The challenge for the juvenile drug court is to fully assess family needs and meaningfully engage the family in the court's efforts to address the needs of the juvenile to the greatest extent feasible.

Involving parents of juvenile drug court participants

Once the above assessment is completed, juvenile drug court judges must determine how to engage parents and other family members in supporting a juvenile's participation in the drug court program while also addressing their child's substance use and related behavioral issues.

A number of juvenile drug court programs, for example, require parents or other adults in the youth's life to participate in special parent groups that provide both support and the opportunity to develop parenting skills. Even if the court has the authority to

incarcerate or impose other sanctions on noncompliant parents, it is unclear whether such actions would help or harm the parent-child relationship and the drug court's ability to achieve its goals. Most juvenile drug court judges are coming to realize that the long-term effectiveness of programs depends on their ability to achieve parental cooperation with program requirements through persuasion rather than coercion. Parental incarceration or removal of a child from the home is therefore generally viewed as a last resort.

Some States require parents to participate in court proceedings involving their children; in some States (e.g., Indiana), this requirement extends to any adult living in a child's household. In others, however, no clear authority compels parental participation. While most juvenile drug courts are using existing legal authority to compel parental participation, strategies for dealing with a truly noncompliant parent, such as appointment of a guardian *ad litem* for the juvenile, may need to be explored further on a case-by-case basis.

One special issue relating to family involvement and compliance that many juvenile courts are addressing is how to define "family." A child's immediate family may not be nuclear; it may include godparents, stepparents, other relatives, live-in friends of parents, neighbors, or other caretakers. Juvenile drug court programs, therefore, frequently find it necessary to identify an adult figure in the child's life with whom the child can work, recognizing that this adult figure may change during the period of the court's jurisdiction.

Some drug court programs use peer groups of juveniles who are further along in the juvenile drug court process to reinforce positive family forces and overcome negative ones.

Drug court programs, though focusing on family issues, also recognize that some families may be unable to provide meaningful support despite the court's best efforts. Juvenile drug courts, therefore, must equip participants with life and coping skills and, if necessary, strive to help them find alternative adult role models.

Developing constructive relationships with local schools

Most juvenile drug courts make a special effort to develop a close relationship with local schools, as it is in everyone's best interest for participants to succeed in school. In a number of jurisdictions, school systems that previously expelled students arrested for illicit substance use have begun working with the court to keep these youth in school. Schools also have provided additional support services for the juvenile drug court.

Jurisdictions are finding that the juvenile drug court program's rigid supervision elements can benefit the school system by reinforcing school policies and providing a mechanism for addressing school-related problems as soon as they occur. Because juvenile drug court participants often are not attending school at the time of program entry, drug courts are making special efforts to develop relationships with local school systems to ensure that participants can reenroll and obtain any special support services deemed necessary.

The most recent information from juvenile drug courts indicates that more than 80 percent of participants have returned to, or remained in, school full-time as a result of program participation—a significantly higher rate than would have been expected if the juvenile drug court program had not been established (OJP Drug Court Clearinghouse and Technical Assistance Project, 2001).

Program's Potential Impact on Juvenile Justice System Components

The implementation of a juvenile drug court affects the operational activities of existing justice system entities in three principal ways: expediting the timeframe within which various juvenile justice system functions are performed, increasing the level of supervision provided for juvenile participants, and improving the level and frequency of communication and coordination among juvenile justice, treatment, and other youth services agencies. These impacts are particularly significant for the following functions and entities involved in the juvenile justice process.

Juvenile Intake

The intake function takes on special significance for juvenile drug courts. In addition to serving as the initial point for obtaining background information on alleged juvenile offenders, the juvenile intake process becomes the essential screening point for identifying the treatment and related needs of juvenile drug court participants. It is therefore essential that juvenile drug courts obtain comprehensive and relevant information at intake to determine the nature and extent of the juvenile's involvement with alcohol or other drugs and other collateral problems that need to be addressed.

Juvenile Services

Juvenile drug courts must be capable of promptly delivering an array of services appropriate for each juvenile offender. It may be necessary to enlarge the scope of services provided to substance-involved juveniles to include in-home family services, skills-building opportunities, and mental health services. The intensive

Exemplary Juvenile Drug Court Programs

With the rapid growth of juvenile drug courts, many exemplary programs are emerging. The seven programs listed below illustrate the range of jurisdictions and environments in which juvenile drug court programs have been implemented.

Jurisdiction and Start Date	Population	Total Participants	Age Range		Retention Rate*	Contact
			Male	Female		
Escambia County Pensacola, FL 4/95	371,000	137	14–17	14–17	56%	Hon. Edward Nickinson 850–595–3910 Robin Wright Drug Court Coordinator 850–595–3055
Las Cruces, NM 12/97	160,000	138	12–17	12–17	65%	Hon. Tom Cornish 505–523–8240 Ann Wallace Drug Court Coordinator 505–523–8287
Missoula County Missoula, MT 10/96	85,669	63	13–18	15–17	69%	Hon. John Larson 406–523–4773 Hon. Brenda Desmond Drug Court Master 406–523–4773
Monroe County Key West, FL 10/95	100,000	200	13–18	13–18	72%	Hon. Mark Jones 305–292–3422 Betsy Smith Drug Court Coordinator 305–292–3463
Orlando, FL 4/97	784,000	320	15–18	15–18	77%	Hon. Jose Rodriguez 407–836–7590 Ken Allison Drug Court Coordinator 407–522–2260
San Francisco, CA 11/97	723,959	132	14–17	14–17	57%	Hon. Ina Gyrmant 415–551–5756 Margo Gibney Drug Court Coordinator 415–753–4439
Santa Clara County San Jose, CA 8/95	1,557,211	80	14–17	16–17	74%	Hon. Eugene M. Hymen 408–299–3609 Carl Tademaru Drug Court Coordinator 408–278–6156

*Retention rates may vary among jurisdictions, depending on the extent of substance involvement of the individual participants, nature of other participant problems being addressed, and resources available to address them.

Drug Courts Program Office

In 1989, several communities began experimenting with an approach to dealing with low-level drug offenses that differed from the approach of the traditional justice system, which rarely provided substance abuse treatment to defendants in any systematic way and, in many cases, provided little or no threat of sanctions for continued drug use. Local coalitions of judges, prosecutors, attorneys, substance abuse treatment professionals, probation officers, community-based organizations, law enforcement officials, and others began using the court to force abstinence from drugs and alter the behavior of substance-abusing offenders. This new approach—the drug court—integrates substance abuse treatment, sanctions, and incentives with case processing to place nonviolent drug-involved defendants in judicially supervised rehabilitation programs. As such, drug courts offer a way to eliminate the revolving-door syndrome of drug offenders cycling in and out of the juvenile and criminal justice systems.

In 1995, the Drug Courts Program Office (DCPO), under the authority of the Assistant Attorney General, U.S. Department of Justice, was established to make grants available to States, State courts, local courts, units of local government, and tribal governments for the development and formation of drug courts.¹

Grant Program

The Drug Court Grant Program is a competitive, discretionary grant program designed to help communities plan, implement, and enhance drug courts. From 1995 to 2000, more than 275 drug courts became operational with DCPO's support. The grant program assists jurisdictions in establishing programs that provide a multitude of services, including (1) regular status hearings at which the supervising judicial official reviews the defendant's progress, (2) appropriate and specific responses to a defendant's compliance or noncompliance with program requirements, and (3) ongoing supervision through pretrial, probation, and other release programs.

Training and Technical Assistance

Drug courts require justice system and treatment professionals to step outside traditional practices and procedures to achieve a nonadversarial, problem-solving

approach to treating substance-abusing offenders. To facilitate this process, DCPO supports training and technical assistance to promote and support best practices in the development, implementation, evaluation, and institutionalization of drug courts. DCPO enters into partnerships with qualified organizations that have expertise in the following areas:

- Team building, goal setting, and action planning.
- Substance abuse treatment and collateral services.
- Cultural competency.
- Court systems and case processing.
- Evaluation.
- Automated management information systems.
- Drug testing.
- Case management.
- Juvenile, tribal, and driving-under-the-influence drug courts.

Resources

The following DCPO publications can be obtained by contacting the National Criminal Justice Reference Service (NCJRS) at 800-851-3420 or visiting the NCJRS Web site at www.ncjrs.org:

- *Drug Court Monitoring, Evaluation, and Management Information Systems*. 1998. NCJ 171138.
- *Defining Drug Courts: The Key Components*. 1997. NCJ 165478.
- *Drug Testing in a Drug Court Environment: Common Issues To Address*. 2000. NCJ 181103.
- *Guideline for Drug Courts on Screening and Assessment*. 1998. NCJ 171143.
- *The Interrelationship Between the Use of Alcohol and Other Drugs: Summary Overview for Drug Court Practitioners*. 1999. NCJ 178940.
- *Juvenile and Family Drug Courts: An Overview*. 1998. NCJ 171139.
- *Looking at a Decade of Drug Courts*. 1998. NCJ 171140.
- *Practical Guide for Applying Federal Confidentiality Laws to Drug Court Operations*. 1999. NCJ 176977.

¹ DCPO was created to implement and support title I, subchapter XII-J of the Omnibus Crime Control and Safe Streets Act, as amended, 42 U.S.C. §§ 3796ii-3796ii8 (repealed). Although the statute authorizing DCPO was repealed, the office has been receiving an appropriation since 1995.

judicial oversight each case receives requires the juvenile drug court program to be structured in a way that will promote greater coordination of and accountability for these services.

The Court

The frequency of review hearings for juvenile drug court participants and the coordinated service delivery and supervision provided by the drug court team significantly increase the court's contact with youthful offenders, thereby increasing the youth's accountability to the presiding judge. It is essential to develop specialized docketing and procedures for emergency hearings in the course of developing a drug court program.

Prosecutor's Office

Juvenile drug courts require prosecutors to conduct early screening of delinquency cases. Screening generally involves an assessment of the circumstances of the current charge, review of the juvenile's delinquent history and background, cursory assessment of the juvenile's current social history, and assessment of the juvenile's substance abuse history. It also is advisable for the prosecutor to attend the staffings before court and the periodic status hearings conducted for the juvenile drug court participants.

Public Defender's Office

If the juvenile offender is assigned court-appointed counsel, juvenile drug courts require the public defender's office to (1) promptly consult with eligible youth who need legal advice before determining whether such a program (if voluntary) is appropriate for them, (2) participate in the precourt staffings process, and (3) attend the staffings and court status hearings with the youth.

Potential Impact on Accountability of Youth Affected

Juvenile drug courts are intended to promote greater behavioral accountability on the part of participants, resulting in an increased level of compliance with court-ordered conditions of release. As a result of the intensive supervision focused on the juvenile participant and the close collaboration of the drug court team, the juvenile drug court can:

- Respond immediately when a participant becomes involved in recidivist delinquent activity.
- Respond immediately to subsequent substance use by the participant.
- Supervise the participant intensively.
- Help the participant develop structure and accountability that can benefit the participant during the period of initial program participation and after the court's jurisdiction terminates.

Although most juvenile drug courts are still relatively new and remain in the process of documenting the full range of their impact, most have demonstrated the following results (see OJP Drug Court Clearinghouse and Technical Assistance Project, 2001):

- Substantial reductions in recidivism.
- Substantial reductions in drug use, as measured by the frequency of positive urinalyses (compared with urinalyses of a comparison group).
- School progress of program participants, as measured by percentages of participants who remain in school, return to school, or obtain a general equivalency diploma (GED).

- Improved family functioning.
- Development of participants' life skills to promote their capacity to live crime and drug free.

Conclusion

This Bulletin has shared the experiences and perspectives of practitioners who have developed and implemented juvenile drug court programs and has detailed critical components that may help the juvenile justice system hold offenders accountable through juvenile drug court programs. Juvenile drug courts are relatively new, however, and no significant, long-term results are currently available.

Juvenile drug court judges anecdotally report that these programs are able to achieve greater accountability and provide a broader array of treatment and other services to youth and their families than traditional juvenile courts. Initial analyses of juvenile drug court program operations are demonstrating remarkable rehabilitation of youth who were assessed to be at high risk of continued, escalating delinquent involvement and illicit substance use. Measured by indicators such as recidivism, drug use, and educational achievement, juvenile drug courts appear to hold significant promise.

Beyond the judicial reports, all other professional personnel involved with these programs agree that juvenile drug courts exercise more intensive supervision over juvenile offenders than do traditional juvenile courts. It is believed that the rigorous monitoring of participants and the treatment and rehabilitation requirements of juvenile drug court programs promote a greater likelihood of success in reducing drug use and delinquent activity than can be achieved through most existing juvenile court processes.

Resources

Technical Assistance Resources

Drug Courts Program Office

Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW.
Washington, DC 20531
202-616-5001
202-514-6452 (fax)
Internet: www.ojp.usdoj.gov/dcpo

Office of Juvenile Justice and Delinquency Prevention

Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW.
Washington, DC 20531
202-307-5911
202-307-2093 (fax)
Internet: www.ojjdp.ncjrs.org

Development Services Group, Inc.

7315 Wisconsin Avenue
Suite 700E
Bethesda, MD 20814
877-465-2424
301-951-3324 (fax)
Internet: www.dsgonline.com

OJP Drug Court Clearinghouse and Technical Assistance Project

Justice Programs Office, School of Public Affairs
American University
Brandywine Building, Suite 100
4400 Massachusetts Avenue NW.
Washington, DC 20016-8159
202-885-2875
202-885-2885 (fax)
Internet: www.american.edu/justice

National Council of Juvenile and Family Court Judges

P.O. Box 8970
Reno, NV 89507
775-784-1663
775-784-6628 (fax)
Internet: www.ncjfcj.unr.edu

National Association of Drug Court Professionals

901 North Pitt Street, Suite 370
Alexandria, VA 22314
703-706-0576
703-706-0577 (fax)
Internet: www.nadcp.org

Institute on Family and Neighborhood Life

Clemson University
158 Poole Agricultural Center
Clemson, SC 29634-0132
864-656-6271
864-656-6281 (fax)
Internet: virtual.clemson.edu/groups/ifnl

Other Resources

Center for Substance Abuse Treatment

Substance Abuse and Mental Health Services Administration
Rockwall II
Suite 615
5600 Fishers Lane
Rockville, MD 20857
301-443-5700
301-443-8751
Internet: www.samhsa.gov/centers/csac/csac.html

Join Together

441 Stuart Street
Seventh Floor
Boston, MA 02116
617-437-1500
617-437-9394 (fax)
Internet: www.jointogether.org

Journal of Adolescent Health

Division of Adolescent Medicine
Stanford University School of Medicine
750 Welch Road, Suite 325
Mailcode 5731
Palo Alto, CA 94304
650-725-8293
650-725-8347 (fax)
Internet: www.elsevier.com/locate/jahonline

Juvenile Justice Center

American Bar Association
740 15th Street NW.
10th Floor
Washington, DC 20005
202-662-1506
202-662-1501 (fax)
Internet: www.abanet.org/crimjust/juvjus

National Center for Juvenile Justice

710 Fifth Avenue, Suite 3000
Pittsburgh, PA 15219-3000
412-227-6950
412-227-6955 (fax)
Internet: www.ncjj.org

National Criminal Justice Reference Service

P.O. Box 6000
Rockville, MD 20849-6000
800-851-3420
301-519-5500
301-519-5212 (fax)
Internet: www.ncjrs.org

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Points of view or opinions expressed in this document are those of the author and do not necessarily represent the official position or policies of OJJDP or the U.S. Department of Justice.

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