



# OJJDP Office of Juvenile Justice and Delinquency Prevention

Shay Bilchik, Administrator

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## Delays in Juvenile Court Processing of Delinquency Cases

by Jeffrey A. Butts, Ph.D.

With the increase in delinquency caseloads throughout the Nation, juvenile justice experts are concerned that delays in case processing are reducing the effectiveness of the juvenile court process. Compared with criminal court trials, the juvenile court process may seem expeditious. However, delays in the juvenile justice system should be viewed from the perspective of an adolescent offender. Professional standards suggest that even the longest case should be processed within 90 days. Yet, a 90-day process means that a 14-year-old offender will wait the equivalent of a summer vacation for services or sanctions. In many of the Nation's juvenile courts, young offenders wait even longer.

### Case processing time

This analysis examines the timing of the juvenile court process using a large data base of case records contributed to the National Juvenile Court Data Archive. The analysis describes nearly 3 million delinquency cases handled between 1985 and 1994 by 267 jurisdictions in 17 States (Alabama, Arizona, Connecticut, Florida, Hawaii, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Carolina, Utah, and Wisconsin). These jurisdictions were analyzed because (1) they were relatively large, with populations of at least 20,000; (2) they contributed detailed case records to the Archive every year from 1985 through 1994; and (3) their data files included reliable measures of court processing time. Together they contain 22% of the U.S. juvenile population.

### Controlling the speed of the juvenile court process

The Federal constitutional right to a speedy trial has never been extended to juveniles. In some States (e.g., Illinois and Kansas) juveniles have been explicitly denied this right. Only six States (Arkansas, Florida, Minnesota, New Hampshire, New York, and Washington) have enforced the dismissal of delinquency charges when court processing time exceeds statutory limits. Most juvenile courts continue to rely on voluntary goals and professional standards to control the timing of delinquency dispositions.

Several series of juvenile justice standards have been issued by Federal agencies and national associations in the past two decades. The National District Attorneys Association recommended that no more than 60 days elapse between police referral and court disposition for juveniles held in secure detention, and that cases involving nondetained juveniles be completed in 90 days or less. Other juvenile justice standards (including those published by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the American Bar Association) have called for shorter processing times.

### The longest disposition time recommended by national juvenile justice standards is 60 days for detained youth and 90 days for all others

	Maximum Days Before Juvenile Court Adjudication and Disposition	
	Adjudication	Disposition
<b>Detained Juveniles</b>		
NDAAs (1989)	30	60
ABA (1984)	15 <sup>a</sup>	30 <sup>a</sup>
NAC/OJJDP (1980)	18	33
IJA/ABA (1977-80)	15	30
<b>Released Juveniles</b>		
NDAAs (1989)	60	90
ABA (1984)	30 <sup>b</sup>	45 <sup>b</sup>
NAC/OJJDP (1980)	65	80
IJA/ABA (1977-80)	30	60

a. Time limit begins at point of detention admission rather than referral.

b. Time limit begins at filing of delinquency petition rather than referral.

IJA/ABA = Institute of Judicial Administration/American Bar Association

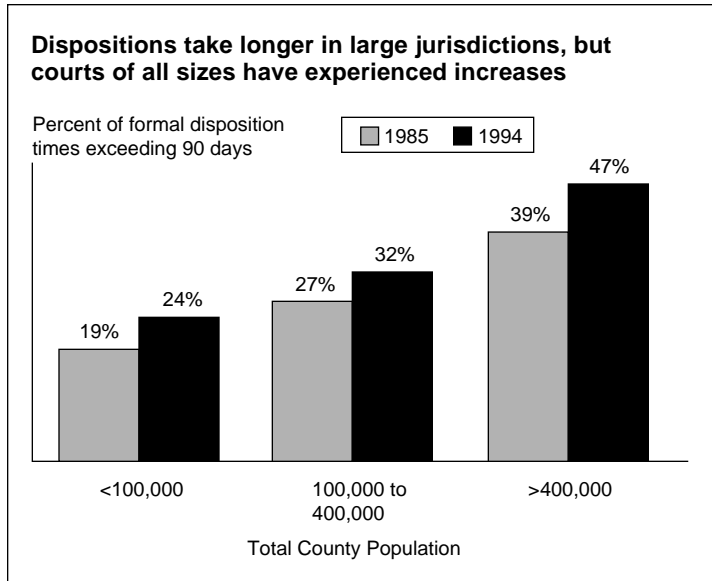
NAC/OJJDP = National Advisory Committee for Juvenile Justice and Delinquency Prevention/OJJDP

ABA = National Conference of State Trial Judges (Standards 2.50-2.56)

NDAAs = National District Attorneys Association (Standard 19.2)

## Nearly half of the formal cases in large jurisdictions take more than 90 days to reach disposition—the maximum time suggested by professional standards

The combined annual caseload of the 267 jurisdictions mentioned previously increased 57% between 1985 and 1994, from 237,509 to 372,055 cases per year. In 1985 half of the delinquency cases handled by these jurisdictions reached final disposition within 6 weeks (i.e., the median was 43 days). By 1994 the median disposition time for all delinquency cases had increased 26% to 54 days. In the largest jurisdictions (more than 400,000 in population), half of the formally handled cases involving non-detained juveniles had disposition times in excess of 82 days.



### For further information

This Fact Sheet presents findings from the Delays in Juvenile Justice Sanctions Project conducted by the National Center for

### The median time to disposition for delinquency cases increased 26% between 1985 and 1994

	Median Days to Disposition		
	1985	1994	Percent Change
<b>Total Delinquency Cases</b>	<b>43</b>	<b>54</b>	<b>26%</b>
<b>Population of Jurisdiction</b>			
<100,000	28	34	21%
100,000 to 400,000	34	46	35
>400,000	49	59	20
<b>Manner of Court Handling</b>			
Informal (nonpetitioned)	23	28	22%
Formal (petitioned)	64	72	13
<b>Formal Cases Only</b>			
<b>Population of Jurisdiction</b>			
<100,000	41	46	12%
100,000 to 400,000	53	58	9
>400,000	73	84	15
<b>Predisposition Detention</b>			
Youth not detained	69	82	19%
Youth securely detained	49	58	18
<b>Result of Court Handling</b>			
Youth not adjudicated	67	77	15%
Youth formally adjudicated	60	69	15
<b>Most Serious Offense</b>			
Person	75	82	9%
Property	64	73	14
Drug	67	77	15
Public order	47	56	19

Juvenile Justice. For a complete report of the findings, call the National Center for Juvenile Justice, 412-227-6950.

Jeffrey A. Butts was Director of the Delays in Juvenile Justice Sanctions Project, which was supported by an OJJDP grant.

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