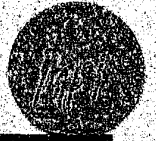




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Intake

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INTAKE

Prepared For

The Office of Juvenile Justice
and Delinquency Prevention

The Law Enforcement Assistance Administration

U.S. Department of Justice

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FOREWORD

The booklet addresses one of the most crucial points in the processing of a youth in the juvenile justice system -- intake. It is at this stage that a child's needs and his offense are evaluated and a decision made how best to help the child and serve justice.

The intake process, if done properly, benefits both the child and the system. A good intake process can assure, for example, that children are not inappropriately held in detention by allowing for a more deliberate consideration of the youth's circumstance and available community alternatives. The system benefits in that the docket is reduced to only those cases which must come before the judge. Also, the judge receives more sufficient information on the cases he is required to hear and adjudicate.

The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, recognizes the importance of the intake process by calling for "twenty-four hour intake screening". It is hoped that this booklet will help in that effort, by showing specific steps local police departments and courts can take to ensure that the process flows justly and smoothly and that children are served in the most appropriate way possible.

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INTRODUCTION

Detention decisions and dispositional decisions made by juvenile court intake officers are easily the most controversial individual case decisions confronting the juvenile justice system on a day-to-day basis. There is constant pressure on intake officers from police, attorneys, prosecutors, parents, courts, administrators, standard setting bodies, funding sources, and advocacy groups. Intake officers are constantly "under fire" and virtually every decision has the potential of making someone angry.

Probably the best statement as to the purpose of juvenile court intake appeared in an April 1964 issue of Crime and Delinquency. In an article entitled "Juvenile Court Intake -- A Unique and Valuable Tool," Judge Wallace Waalkes made the following observation.

"Intake is a permissive tool of potentially great value to the juvenile court. It is unique because it permits the court to screen its own intake not just on jurisdictional grounds but, within some limits, upon social grounds as well. It can cull out cases which should not be dignified with further court process. It can save the court from subsequent time-consuming procedures to dismiss a case. It provides an immediate test of jurisdiction at the first presentation of a case. It ferrets out the contested matters in the beginning and gives the opportunity for laying down guidelines for appointment of counsel and stopping all social investigation and reporting until the contested issues of fact have been adjudicated. It provides machinery for referral of cases to other agencies when appropriate and beneficial to the child. It gives the court an early opportunity to discover the attitudes of the child, the parents, the police, and any other referral sources. It is a real help in controlling the court's caseload because it operates in the sensitive area of direct confrontation with the police, the school and other community agencies. Intake can make or break the community's good communication with and understanding of the juvenile court's role."

In practice, however, juvenile court intake ranges all the way from an ideal screening assessment decision-making system to systems which do little more than process paper and file petitions. Somewhere in between these two extremes lies a prevalent view of intake which sees itself as making only two decisions: (1) whether or not to detain the child; and (2) whether or not to take a case to court.

While these decisions are the heart of the intake process a court or agency that limits its intake officers to making these two yes/no decisions is severely limiting the productivity of its intake service.

In the best of systems, the intake officers view themselves as service brokers in addition to assessors, evaluators, and decision-makers.

- They begin with a complaint and determine what further information is needed.
- They gather the necessary information.
- They assess what is known to determine what information is relevant to the decisions they have to make.
- They reach their decisions.
- They properly document the information they have gathered, the decisions they have made, and the rationale for those decisions.
- They take the steps necessary to initiate action on their decisions.
- They approach the decision-making process from the point of view of one having knowledge of all the resources and services that can be brought to bear on the problem at hand.
- Their decisions are seen as appropriate matching of resources with the situations of the children they are dealing with.

The purpose of this paper is to present some of the policy issues, procedural questions and staffing considerations confronting a planner, administrator or practitioner dealing with juvenile court intake. A chart on the general processes involved in intake entitled "Juvenile Court Intake Decisions and Dispositions" is included in Appendix A.

POLICY ISSUES

A number of policy issues confront any practitioner, planner or manager concerned with intake services. The list that follows is not exhaustive, nor is there an attempt made to give the "right answer" to each issue. Some of them are subjects of national debate and several of them require individualized solutions tailored to local situations. This section, rather, identifies some crucial issues and points out some of the considerations involved in each.

How Much Discretion for Intake Staff?

The question of how much discretion should be allowed "front line" intake staff is critical to the mission of any intake service. Obviously, if the intake system is to fulfill its purpose as outlined in the preceding section, a certain amount of discretion must be given staff members assigned intake responsibility. Total discretion, however, is obviously not acceptable. Limits must be set to protect both the child and the community. The amount of discretion is usually limited by both law and policy.

Even a unit supervisor who is responsible for intake services must determine how much discretion he will allow his employees in the exercise of their duties. The debate about discretion has two extremes. On one hand is the thought that allowing discretion at intake works against fundamental fairness. This point of view would call for a highly structured decision-making process on the part of intake staff. Each decision point would be clearly defined and very specific criteria would be delineated. As an example of the efficiency and fairness of such a system, the fast food restaurant is sometimes cited. In a fast food restaurant everything is pre-measured and each step in the process is carefully calculated. An employee preparing French fries has no discretion as to the size of the fries, the temperature of the grease, how long they are fried, or how many go in a serving. Thus, everyone receives the same amount and the same quality of French fries for his money. As the argument goes, the same should be true of the justice system.

The other extreme point of view would allow for total discretion within the law by the individual intake staff member so that he could always take whatever action was in the "best interest of the child." The reality in most jurisdictions is somewhere between the two extremes. Enough discretion has to be allowed to take advantage of the intake officer's good judgement and personal knowledge of the case. The behavioral sciences are a long way from being exact enough to apply the fast food methodology to the delivery of social services. On the other hand, the individual judge, administrator or unit supervisor needs to establish sufficient guidelines to ensure basic accountability on the part of his staff.

Certain intake decisions are sensitive political issues so for that reason alone they should require supervisory approval. Examples include the release of violent and repeat felony offenders or the detention of particularly young offenders. More specific suggestions with regard to limitations on discretion are outlined in the following issues.

Criteria for Judicial or Non-Judicial Handling

Inherent in the very purpose of an intake system is determining which cases should go to court. Most systems specify certain categories of cases in which a petition must be filed with the juvenile court. Generally, these categories are related to the age of the juvenile, the prior court history, and seriousness of the current allegations.

Some systems, of course, still require that a petition be filed in virtually every case coming to the attention of the intake system. In those systems intake essentially serves only a processing function and is not serving a screening function as outlined in Section I of this paper.

The suggested approach for determining whether or not a petition should be filed with the court is as follows:

- The intake officer should determine whether or not the child, family and attorney desire a hearing before the court. If they do, they have a right to a hearing on the charges. This is true regardless of the intake officer's desire to keep the judicial handling rate down through the use of non-judicial alternatives.
- The intake officer should determine whether any kind of services are required in order to correct the situation. If no services outside the child's own family are required to protect society or to correct the child, then a petition to the court would serve no purpose.
- The intake officer should determine whether the child and family are willing to accept voluntarily whatever services or corrective measures are needed. If so, a petition to the court would serve no purpose.
- If services or corrective measures are required and the child and family are unwilling to accept them voluntarily, then a petition to the court is required. This is true in order to protect the rights of the child and the family, as well as to ensure the protection of the community through the delivery of appropriate services or corrective measures. Intake staff should not have coercive powers beyond the necessary short-term detention authority.

The following are factors that should be considered in making the foregoing judgements:

- The seriousness of the allegation.
- Previously confirmed history of delinquent behavior.
- The role the juvenile is alleged to have played in the current offense.
- The juvenile's age and maturity.
- Stability of the family and the family's apparent ability to control the child without external intervention.
- Willingness on the part of the child and family to accept services on a voluntary basis.

The whole decision-making process should be approached from the point of view of a service broker. The officer determines the least intrusive measures that will have the desired effect and utilizes the courtroom and the judge only when it is necessary in order to effect those measures.

If a petition is not filed and a non-judicial, contractual agreement is used, experts recommend the following conditions:

- The agreement promises the intake officer will not file a petition in exchange for commitments by the juvenile and his parents as to their future conduct.
- The agreement is signed voluntarily and intelligently.
- The juvenile and parents are notified of their rights to refuse to sign and to request a formal adjudication.
- The agreement covers a limited time period.
- All terms within the agreement are clearly stated.
- The juvenile's willingness to follow the terms of the agreement precludes a petition from being filed after the contract has been signed.

A sample contractual agreement is in Appendix A.

Criteria for Detention Decisions

As in the preceding issue, clear written guidelines are called for to govern the amount of discretion allowed intake staff in their use of detention authority. In most jurisdictions intake staff are granted the authority to detain or release a child during the time between the child's arrest and a detention hearing before the court.

Most state's juvenile statutes establish broad general criteria for any person charged with determining whether or not to detain a juvenile. They generally conform to the following:

- Children who are likely to commit an offense dangerous to themselves or the community.
- Those who are likely not to appear for a hearing.
- Those who must be held for another jurisdiction.

Some states also permit the detention of a child if he has been charged with an offense and there is no parent, custodian or guardian to whom he may be released. National standard-setting groups such as the John Howard Association, the National Advisory Commission on Criminal Justice Standards and Goals, the National Council on Crime and Delinquency and the IJA/ABA standards do not recommend detention in the absence of anyone to release to. Further, they use language such as "almost certain" where the word "likely" appears above.

Detention is suggested in the following cases:

- The charge is an offense that resulted in the victim requiring medical attention.
- The juvenile has been delinquent three or more times within the last year, or five times within the past two years.

In practice, even when these general criteria are strongly worded, they have proved to be so vague as to allow almost total discretion on the part of intake staff who are charged with their implementation. Wide disparities exist from place to place in the same state and even from employee to employee within the same court. Therefore, in the interest of safeguarding both the rights of the juveniles involved and the safety of the community, specific criteria are recommended. Various advocacy groups make different recommendations in this regard depending upon their point of view. Typically, law enforcement agencies, prosecuting attorneys and some segments of the public will demand that certain categories of offenders always be detained. Standard-setting groups and child advocacy groups, on the other hand, insist that certain categories of offenders should not be detained. Tolerance levels of various communities differ greatly. An offense that a police officer might not even bother to report in one community might be front-page headlines in another community.

All of these conflicting pressures are not as irresolvable as they may first appear. They do, however, need formal resolution. Without formalized detention screening criteria, each individual intake officer has to weigh and balance all of the conflicting community pressures each time he makes a decision to detain or not to detain a juvenile. It is incumbent upon the court or the management of the agency supervising intake to bear some of that burden.

The best approach is to involve the prosecutor, the court, the law enforcement agencies, local advocacy groups and social agencies, in the criteria-setting process. In so doing, agreement frequently can be reached as to detention screening criteria and as to the amount of discretion to be allowed the intake officer. Usually the result is categories of serious offenses or serious offense/history combinations which the intake officer will always detain pending a hearing before the court. On the other end of the spectrum there will be categories of offenses which the intake counselor will never detain without first obtaining a court order. Between these two extremes there will be a middle ground of categories in which the intake officer is allowed to use discretion. To further structure the use of discretion in this middle ground, it is wise to establish certain additional categories in which the intake officer must have the permission of his supervisor to take certain actions. Examples might include the detention of any child twelve years of age or less or the release of a probationer whose current charge is not in the mandatory detention category.

The factors to be considered in reaching a detention decision are similar to those to be considered when determining whether or not to file a petition against a child.

- The nature of the offense is important in determining whether or not his release would constitute a threat to persons or property. The severity of the offense, whether it was committed on impulse or to gain revenge or as a reaction to peer pressure, whether there was a weapon involved, whether the offense was planned in advance, all may be indicators of how great the future threat would be if the child were to be released.
- The prior history, age and attitude of the youth also should be examined as possible indicators of whether or not the intake officer could substantiate an allegation that to release the child would cause a threat to the safety of the community. Attitude, of course, is a somewhat controversial consideration and rightfully so. An intake officer should not let his personal feelings about a child's belligerent attitude influence his decision. The child's attitude is important, though, as it relates to his willingness to make a commitment with regard to his future behavior and as it relates to such considerations as to whether he has expressed an intent to get revenge on someone such as a police officer or a victim.
- Again, family structure and adequacy of parental supervision is important. In order for a child to be released during the processing of the case, the parents must be willing to control his behavior during that period and to guarantee his appearance.
- If detention is being considered because of a fear that a child would not appear for future processing events, such as an intake interview or court appearance, consideration should be given to whether he has ever failed to appear for such processing events in the past. In addition, consideration should be given to whether placement in the community outside his own home might keep him from running away without the need for detention.

Two additional factors should be considered in making detention decisions:

- The purposes of detention as defined in most juvenile courts are to secure the presence of the child for further processing in the case and to ensure that he does not commit additional legal violations during the period of time that the case is being processed. In view of this fact and in view of the fact that the juvenile is being held on allegations rather than upon findings of the court, pre-trial detention should never be used as punishment or as treatment. It is not designed to accomplish either of those goals. Further, neither of those goals is appropriate until the case has had due process and the youngster has been adjudicated by the juvenile court.

-- Detention should not be used as a last resort for lack of other resources in the community. Children who are emotionally disturbed, mentally retarded or physically handicapped frequently are placed in detention on minor charges when other children would have been released under the same circumstances. Experience has shown that as long as this practice is allowed to continue, necessary resources for the children will not be forthcoming.

An Approach to Status Offenders

The various states are at different points in their efforts to establish standards on the deinstitutionalization of status offenders. There is a great national debate about the appropriateness of juvenile court jurisdiction over status offenders. There is debate as well about whether it should be the juvenile justice agencies or the child welfare agencies that provide service to status offenders and their families. Regardless of where you or your court or your agency stand on these issues, it is important that you have written policies with regard to the provision of services to status offenders. At a minimum, policy should provide for compliance with the Juvenile Justice and Delinquency Prevention Act and for the establishment of reasonable limits on the amount of intervention that will be allowed into the lives of status offenders and their families. The policies should focus attention on the family as a unit rather than on the child and his behavior alone.

Accountability of the Juvenile for his Actions

Each community should develop an intake policy that encourages the intake system to ensure that juveniles are held accountable for delinquent acts. This and the range of voluntary services available in the community should include such programs as work restitution so that a youngster can volunteer to "work off" his obligation by serving the community. Accountability, however, need not be as formal as an organized work program. Parental discipline should be an early consideration in any case. Parentally imposed consequences as simple as restitution, curfew, or fewer privileges are often very effective.

Certainly in any case involving loss to a victim some consideration should be given to at least a therapeutic amount of restitution. Even if the youngster cannot be expected to make full restitution, some token amount either in cash or services can help him to understand that he is responsible for his own actions.

Family-Centered Versus a Child-Centered Approach

While in a delinquency proceeding it is the child who must be held accountable for a delinquent act, intake policies and procedures must focus attention on the total family. Far too often plans are made to "correct" the child without regard to changes that need to be made in the family as a whole. Experience has shown that a child cannot be "treated" without full consideration of his environment, particularly that part of his environment which affects his life most. The child's family, whatever form it may take, must be taken into consideration and its cooperation must be solicited in reaching decisions as to what action will be in the best interest of the child and the community.

PROCEDURAL QUESTIONS

Intake typically is a very intricate, involved process. As has been pointed out earlier, at its best intake is much more than a process. The quality of the decision made by an intake unit is generally no better than the unit's record at handling the procedural parts of the job. Intake officers deal with law, court rules, policies, procedural manuals and a large number of agencies, community pressures, and highly volatile situations. They cannot deal adequately in this environment without clearly delineated procedures to assist them. Procedures naturally will vary greatly from state to state and from jurisdiction to jurisdiction within a state. Appendix A includes a sample intake form. The following are a number of procedural issues that need to be addressed in every jurisdiction.

Records

- What kinds of records will be kept?
- What forms will be used?
- Who will fill out the forms?
- Who will be allowed access to the records?
- What will be the order of materials within the files?
- How will they be filed (alphabetically by the child's name, by parents name, by case number)?
- How long will they be kept?
- When is a records check required?

Statistical Reporting

Every intake system must have some kind of statistical reporting system for budgeting, staffing and management purposes. At a minimum, the statistical system must account for the number of referrals received and some breakdown by type of referral. Further, the system should provide a breakdown of types of action taken by intake. It is helpful, of course, if the system can go a step further and correlate the types of action taken with type of referral and with whatever demographic information is available. In larger jurisdictions, however, such correlation would probably require an automated data processing system. Many jurisdictions now do have access to automated data processing equipment and staff. In those cases, statistical reporting can become highly sophisticated, generating as many kinds of reports as managers of the system could ever possibly use.

As a general rule of thumb, however, the type of referral correlated with the type of action taken is the most helpful information. It can be used for managing the intake system as well as for planning and budgeting both for intake and for the resources utilized by intake, e.g., detention, probation, or commitment programs.

Police Relations

One of the most crucial relationships in the juvenile justice system is that between the police agencies and the intake staff serving the court. It is a relationship that can become strained very easily if a conscious effort is not made to maintain good relations. Clear procedures should exist requiring proper notification of police officers at each step in the intake process. As an example, a police officer should always be informed if intake is releasing a child the officer has taken into custody. Further, the police officer should always be informed if intake is recommending non-judicial action on a case in which the police officer was involved. Reasons should be given for such a decision. Procedures should be written in such a way as to treat the police officer as a fellow team member in the juvenile justice system rather than as an adversary. Regular meetings should be scheduled no less than monthly between intake supervisors and juvenile divisions of the various law enforcement agencies. Those meetings should be designed to head off any problems before they reach crisis proportions.

Victim Relations

Though he is one of the most personally involved people in the juvenile justice system, the victim is the most frequently overlooked. Clearly defined procedures should exist requiring contact with the victim both before and after each intake decision. The nature and the extent of the injuries to the victim are primary considerations in each intake decision. Further, the victim should be advised of each intake decision and of the rationale for that decision.

Time Limits

Time limits are important for two reasons. First, intake is constantly getting new referrals to process. Without time limits, backlogs grow very quickly and an intake officer can easily be overwhelmed by a volume of pending work. The purely procedural part of this problem is compounded by the human desire on the part of intake staff to get more involved in some of their cases than the intake system allows. They miss the rewards of on-going casework and want to hold on to cases long enough to form some relationships and see some changes. Hanging on to cases has to be discouraged to keep the flow of work going, but the desire of intake staff to form more lasting relationships can be recognized by allowing for a small specialized caseload on the side.

Second, and equally as important is the fact that the child's due process rights demand that there be an end to an intake assessment. A child who is accused of a violation of law has a right to a determination in the case and a right not to have it forever pending in an intake counselor's desk drawer. A child who is being detained particularly has a right to speedy court hearings to determine: (1) the need for detention, (2) his guilt or innocence, and (3) an appropriate disposition of the case.

Supervisory Case Control

Because of the involved nature of the intake process in most jurisdictions and because of the typically large volume, it is easy for an intake officer to get behind or to lose track of a case in the process. For these reasons supervisory case control is especially crucial in intake. Intake operations with access to an on-line automated data processing system may have very sophisticated ways of keeping track of what is happening in the intake process. Such systems can bring caseload listings and give reminders of work that is overdue or soon to become due. In the absence of such a system, however, there is a very simple straightforward approach that can be used for a supervisor to keep track of case progress in the intake unit. The tool is a simple form, usually a legal size piece of paper turned sideways, with a listing of case events across the top and room to list children's names down the lefthand side. The first case event, for example, might be "Date Referral Received." The second event might be the reason for referral; the third event might be an indication of whether or not the child was detained on the charge. The final event on the far righthand side of the page would be the date the case was closed.

The same clerical staff who maintain the files and records can keep track of case events as various pieces of paper are placed in the files. As a new case comes in a name is added to the bottom of the list with the date of referral and the reason for referral. When an intake conference is held, the date of that conference is entered. When a petition is filed, the date of the petition is entered, etc. A separate sheet should be used for each intake officer.

Utilization of the form by the supervisor simply requires scanning the sheet. A quick look will show how many cases each intake officer has open. A closer look will reveal what action is pending next in any given case and will show what time limits are not being met. A case control form is in Appendix A.

Advising of Rights

Virtually every jurisdiction calls for some kind of formal advisement of the rights of the juvenile during the course of the intake process. This procedure should be standard throughout the jurisdiction and should be in a written form so that proper records are kept. Procedures should establish precisely which rights the youngster will be advised of and at what point in the process that advisement must take place. A "Notification of Rights" form is in Appendix A.

Use of Volunteer Supervision and Other Voluntary Alternatives

As was pointed out earlier, coercion in the juvenile justice system is appropriate only after due process has been applied and the youngster has been adjudicated by the Court. In order to protect the lives of juveniles and their families against inappropriate intervention, specific procedural safeguards must be developed. Such procedures should ensure that any alternative accepted by the child and the family is, in fact, voluntary. Such an alternative should be selected only if the child and the parents are receptive to the possibility of voluntary supervision or a voluntary alternative and if they would be likely to cooperate with developing and complying with specific conditions of a voluntary case plan. Such an alternative should not be used if "leverage" is needed in order to implement the case plan.

To that end the procedures should not include such provisions as a waiver of speedy trial or a provision for later filing of a petition if the "voluntary" plan does not work out.

STAFFING CONSIDERATIONS

Organization

Organizational structures for the delivery of intake services vary greatly with the size of the jurisdiction and with the nature of the workload. In the smallest jurisdictions the probation officer usually doubles as an intake officer when intake services are required. National standards recommend specialization in the intake function in jurisdictions that have a sufficient workload to occupy at least one full-time intake officer. Most courts or agencies of any size do comply with these standards, forming an intake unit or even an intake division as the case may be. In the largest jurisdictions specialization sometimes goes a step further with certain intake officers specializing in portions of the intake function. For example, in systems where the detention screening workload is sufficient, there will be intake officers who specialize only in that function. Generally, they are housed in the detention center and they are assigned to shifts in order to be available around the clock.

Another type of specialization is the utilization of certain designated intake officers as court liaisons to present cases in court. This practice again is usually limited to larger jurisdictions where the court workload is sufficient to justify such specialization. This kind of utilization of intake staff frees the rest of the staff from lengthy court hearings and long periods of delay when waiting for their case to come up on the docket.

Experience Requirements, Pay Levels, and Supervisory Ratios

All of the national standards that speak to the issue of experience requirements for intake officers call for the appointment of the most experienced staff to the intake function. Desirable skills include:

- The ability to make sound judgements under pressure.
- The ability to cope with stress.
- The ability to determine what information is needed in order to make a decision and the ability to gather that information quickly and accurately.
- The ability to establish rapport and assist a family in working through a crisis without inappropriate intervention.
- The ability to assess large volumes of information and determine what is important.
- The ability to write clearly and concisely and the ability to summarize large volumes of information in a clear and logical fashion.
- The lack of a need for long-term counseling relationships.
- The knowledge of juvenile court law, rules, policies and procedures, the juvenile correctional system referral alternatives in the community, referral procedures and the role and functions of various personnel in the juvenile justice system.

Commensurate with these abilities, intake staff pay levels should be appropriately higher than pay levels of entry level staff. Further, in keeping with the complexity of the intake process and in keeping with the great impact that intake decisions have on people's lives, the ratio of supervisors to counselors should be somewhat lower than it is for other court services.

Staffing Levels

There is no easy answer to the question as to how many intake officers a given intake system needs. The process and procedures vary so greatly that to use someone else's budgeting formula would likely do a great disservice to the needs of your system. The only really defensible way to staff an intake system is to do an activity analysis of that system.

Such an analysis requires a listing of all the activities performed by the intake staff and an assessment of how much time is required on the average to perform each activity. As an example, a detention screening activity could be broken down into a records check, the various interviews required and completion of the necessary paperwork. Once an assessment was made of the amount of time required to perform each of these functions, an estimate would be needed of how many detention screenings will be required during the next budget period. Multiplying the number of screenings by the amount of time required for each and dividing by the number of hours available to one staff member during the budget period will yield the number of staff members required to fulfill that function. There are several recognized methods for assigning times to activities, some of them more involved than others. The public health service is one example of a non-juvenile justice agency that has done a great deal of work with this type of staffing methodology.

Executive Versus Judicial Administration of Intake

There is still a great deal of national debate over the issue of whether intake and probation services should be administered by the judicial or the executive branch of government. The most complete presentation of both arguments can be found in the report of the 1973 National Advisory Commission on Criminal Justice Standards and Goals. Arguments on both sides have merit. The decision is ultimately a trade-off between advantages.

The pro-judicial arguments are:

- Probation would be more responsive to the court which could provide guidance to probation workers and take corrective action when policies are not followed or are ineffective.
- The judiciary would receive automatic feedback from probation staff reports on the effectiveness of dispositions.
- Courts would be more aware of needed resources and may advocate better services.
- Courts may use more pre-trial diversion.

The arguments against placing the services in the judicial branch are:

- Judges do not have the time or training to assume additional probation responsibilities.
- Probation staff may put court demands before probation services.
- Probation staff may become involved in unrelated functions, such as serving subpoenas or running errands for judges.
- Probation functions, which are fundamentally service oriented, will become subservient to the court's adjudicatory and regulatory functions.

Arguments in favor of executive control of probation and intake functions are:

- Dispositions may be more closely coordinated and integrated with other corrections' personnel.
- The executive branch contains related human service agencies such as social and rehabilitation services, medical service, employment services, education, and housing. Opportunities are increased for cooperative and comprehensive planning.
- The executive branch makes decisions regarding resource allocations should be more familiar with probation needs.
- Probation administrators are in a better position to negotiate and present their case if they are in the executive branch.

Traditionally, these functions have been lodged in the judicial branch of government. The Advisory Commission, however, as well as the 1965 Standards and Guides of the National Council on Crime and Delinquency, the 1967 President's Commission on Law Enforcement and Administration of Justice, and most recently the Institute of Judicial Administration -- American Bar Association Standards Relating to the Juvenile Probation Function: Intake and Pre-Disposition and Investigative Services have recommended that the administration of intake and probation services be in the executive branch of government.

SUMMARY

A smoothly functioning intake service is an invaluable tool for a juvenile court and indeed for the whole juvenile justice system. It provides for an early assessment as to the need for intervention and can pay for itself many times over by identifying the least intrusive measures that will have the desired effect, thus minimizing any unnecessary use of such resources as detention or the formal judicial process.

Because of the highly volatile and controversial nature of the intake environment and because of the magnitude of the impact that intake decisions have on the lives of children and families in the community, it is essential that intake officers be guided by clearly defined, written policies and procedures. Each policy and each procedure should be written with the goal of protecting the community from future delinquent acts while at the same time protecting the child and his family from unnecessary or unjustified intervention on the part of the government.

APPENDIX A

Juvenile Court Intake Decisions and Dispositions

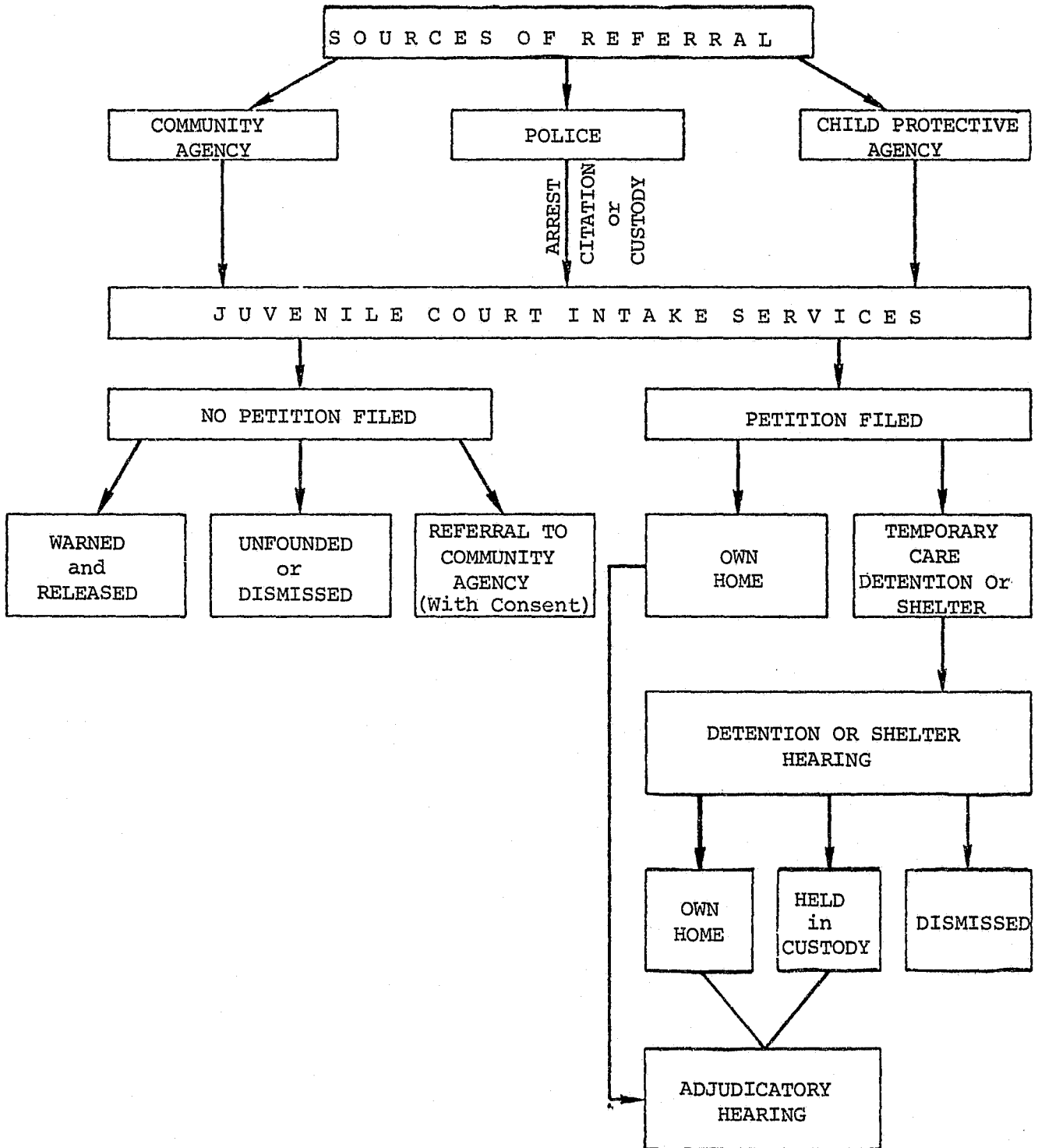
Non-Judicial Supervision Agreement

Intake Face Sheet

Case Control Device

Notification of Rights

JUVENILE COURT INTAKE DECISIONS AND DISPOSITIONS*



*Source: U.S. Department of Health, Education, and Welfare, Office of Human Development and Office of Youth Development

Non-Judicial Supervision

AGREEMENT

We request the help of the Department of Health and Rehabilitative Services and voluntarily agree to _____ being assisted and supervised by a counselor of the Department.

We recognize that this service may require the imposition of conditions of supervision to be determined and listed below. It is understood that this agreement will not become effective unless our request for supervision is accepted by the counselor or worker and the conditions of supervision are agreeable to all concerned.

We have read the above and it has been fully explained to us.

Date _____
Child _____
Parent _____
Parent _____

Intake Counselor _____

The conditions of supervision are as follows:

We agree to the above conditions of supervision.

Date _____
Child _____
Parent _____
Supervision Counselor/Worker _____
Parent _____

APPENDIX B

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Books

Articles

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