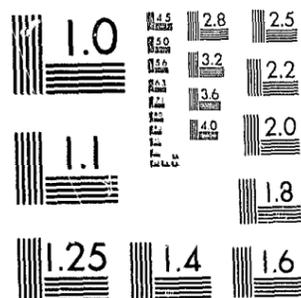


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ACQUISITIONS

JUVENILE COURT DISPOSITIONS AND THE JUVENILE DEFENDER PROJECT

November, 1977

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I. INTRODUCTION

The study that is reported on here resulted from the interest of the Juvenile Services Division of the North Carolina Administrative Office of the Courts in evaluating the Division's Juvenile Defender Project and in gaining a better understanding about how juvenile court decisions are made. The Juvenile Defender Project consisted of providing attorneys to represent indigent children in the juvenile courts of North Carolina's 21st and 26th Judicial Districts (Forsyth and Mecklenburg counties, respectively). Before the project began, indigent youngsters charged with juvenile offenses for which they could be committed to training school had been represented by private counsel assigned by the court from a list of names of available local attorneys. The Juvenile Services Division thought that service might be improved by employing a single specialized attorney in each district (part-time in the 21st and full-time in the 26th). The desire to provide counsel to children petitioned in juvenile court and to improve the quality of their defense emerged from an increased awareness of the importance of due process protection in the juvenile court. This awareness is exemplified by the report of the President's Crime Commission in 1967. The President's Task Force on Juvenile Delinquency and Youth Crime found that informal juvenile court procedures contributed to a "sense of injustice" that was detrimental to treatment of the delinquent.¹ It also found that the functions of juvenile court and the criminal court were similar in that both courts provide protection to the community through "deterrence, condemnation, and incapacitation," even though the juvenile court had the unique responsibility of protecting the child.² It therefore recommended that the child in juvenile court proceedings be given more of the procedural due process rights that adult criminal defendants have. The Task Force found that counsel was an especially important right:

The rights to confront one's accusers, to cross-examine witnesses, to present evidence and testimony of one's own, to be free of prejudicial and unreliable evidence, to participate meaningfully in the dispositional decision, to take an appeal--all have substantial meaning for the majority of persons brought before the juvenile court only if they are provided with competent lawyers who can invoke those rights effectively.

The same year that the President's Crime Commission's report appeared, the U.S. Supreme Court decided In re Gault.⁴ The Court took about the same position as the President's Commission, holding that the child subject to juvenile court proceedings is entitled to the privilege against self-incrimination (unless he makes a valid confession) and has a right to notice of the charges against him and confrontation and cross-examination of adverse witnesses. The Court also held that the child has a right to be represented by counsel--and if indigent to be represented by counsel provided by the state--if the proceeding may result in commitment to a correctional institution. North Carolina's response to Gault was to enact a statute requiring assignment of counsel at the state's expense to represent indigent juveniles.⁵ (The assigned-counsel system, as well as other forms of counsel, is described in the next section.)

The purpose of the Juvenile Defender Project was to determine whether providing a single specialized lawyer to indigent children in juvenile court would give better service than assigning a different lawyer for each case. The Administrative Office of the Courts and others who planned the project thought it likely that a specialized attorney would be more effective in bringing relevant information to the attention of the juvenile court, thus promoting a more appropriate disposition, than an assigned attorney. The planners expected that a specialized lawyer would be a more effective advocate for the child, in that he would have a better chance than assigned counsel of both avoiding a commitment of his client to training school and obtaining a disposition such as probation that would allow the child to remain at home and receive some sort of treatment in the community. The planners also thought that, to the

extent that the child's indigency put him at a disadvantage in defending himself in juvenile court, the specialized lawyer would reduce this advantage.

One purpose of this study was to compare the Juvenile Defender Project with other forms of legal representation in juvenile court in terms of effectiveness. Another purpose was to try to understand better how a variety of factors influenced juvenile court dispositions and, in particular, to obtain some rough measurement of the quality of justice in juvenile court by comparing the influence of legally relevant factors with the influence of legally irrelevant factors like race and income.

II. THE JUVENILE DEFENDER PROJECT: BACKGROUND, DESCRIPTION, AND SERVICE DELIVERY

A. North Carolina's Juvenile Court Counsel System

To be subject to the jurisdiction of the juvenile court, a child ("child" is used interchangeably with "juvenile" here) must be under 16 years of age if he (or she) is alleged to be delinquent because he committed a criminal act; or under 18 if he is alleged to have committed an "undisciplined" or "juvenile status" offense, such as truancy or running away from home, or to have violated juvenile probation or conditional release from training school (N.C. Gen. Stat. § 7A-278). Any child has the right to be represented by counsel in juvenile court, but not necessarily by counsel furnished free of charge (N.C. Gen. Stat. § 7A-285).

Under N.C. Gen. Stat. § 7A-451(a)(8), indigent children are entitled to free counsel at hearings that may result in either "commitment to an institution"-- usually a training school operated by the Department of Human Resources-- or transfer to superior court to be tried for a felony. (Transfer to superior court is allowed, in the discretion of the juvenile court judge, if the child is 14 years or older and the judge finds probable cause that he has committed

a felony; N.C. Gen. Stat. § 7A-280). The child may be committed to training school if the court finds him "delinquent" (i.e., finds that he has committed a criminal offense or violated probation conditions already imposed by the court in an earlier case), or finds that he has violated terms of conditional release from a training school commitment imposed for an earlier offense. Thus, only indigent juveniles alleged to be delinquent or in violation of conditional release have the right to free counsel. Under N.C. Gen. Stat. § 7A-450(a), an "indigent" juvenile is one who is "financially unable to secure legal representation and to provide all other necessary expenses of representation."

The assigned-counsel system is used to provide counsel to indigent children in juvenile courts throughout the state, including the 21st and 26th Judicial Districts. It operates as follows: After the juvenile court judge-- or, more often, the clerk of court acting on the judge's authority--has found that the child is indigent and does not waive the right to counsel, he assigns an attorney to represent the child from a list prepared by the district bar association, pursuant to N.C. Gen. Stat. § 7A-459 and the regulations of the State Bar Council (N.C. Gen. Stat. Vol. 4A, Appendix VIII). The list consists of the names of all local attorneys who want the opportunity to serve as assigned counsel. Normally, the assigned attorney is not a specialist in juvenile law and juvenile court practice, although he may obtain experience through repeated service. In Charlotte (which, with the rest of Mecklenburg County, constitutes the 26th Judicial District), a separate list is kept of lawyers interested in serving in juvenile cases. During the period studied, about 20 attorneys were on this list and were assigned in turn. In Winston-Salem (which, with the rest of Forsyth County, makes up the 21st Judicial District), there was one list of about 50 attorneys who were willing to be assigned in either juvenile or adult (criminal) court. The fees received by assigned counsel were fixed by the

court; they ranged from \$75 to \$125 per case in Charlotte and from \$50 to \$150 per case in Winston-Salem, depending on how much time the attorney spent.

There were several other forms of counsel representation in the Charlotte and Winston-Salem juvenile courts during the study period (1975-76). During the 1976 period, most indigent juveniles were represented by an attorney hired on salary as part of the Juvenile Defender Project, described in the next section. A few indigent children--primarily during the 1975 study period--were represented either by a legal aid project in Winston-Salem or by the regular staff of the Charlotte Public Defender Office (who normally handled criminal cases). Juveniles who were not indigent had the right to be represented by "private counsel"--i.e., lawyers paid by their parents. Finally, whether or not a child was indigent, he (or his parents) could waive the right to counsel and be unrepresented. Thus, the present study recognizes five types of counsel representation: assigned counsel, Juvenile Defender Project, legal aid or public defender, private counsel, and no counsel.

When the Juvenile Defender Project began operating in late 1975, it was necessary for the assigned-counsel system to continue. Groups of two or more children were often brought into court charged with offenses arising out of the same occurrence. It would often mean a conflict of interest for the Juvenile Defender to represent more than one such child, even though all might be indigent. The arrangement worked out for such situations by the Administrative Office and the courts was that the court would randomly assign members of the group to either the Juvenile Defender or a lawyer chosen from the list described earlier. Thus, although the Juvenile Defender was the most common form of counsel for those who had counsel, assigned counsel continued to handle cases--12 per cent of the total in Winston-Salem and 17 per cent in Charlotte--during the project's existence.

B. The Juvenile Defender Project in Winston-Salem and Charlotte

The Juvenile Defender Project was undertaken by the North Carolina Administrative Office of the Courts with (federal) Law Enforcement Assistance Administration funds granted by the Governor's Crime Commission. The project consisted of hiring attorneys to serve as specialized counsel for juveniles in the Charlotte and Winston-Salem juvenile courts, providing secretarial assistance and other support, and collecting and analyzing evaluative data.

The four attorneys directly involved in the project we shall call W, C1, C2, and C3. W was hired as the Juvenile Defender in Winston-Salem beginning in November 1975. Since the caseload was expected to be too small to require a full-time attorney, he was hired to work as many hours as needed to represent indigent juveniles. During the 1976 study period (January through June), Attorney W worked at this task from 2.23 to 9.51 hours per week, averaging 5.97 hours per week. (He also had a private law practice.)

In Charlotte, the Juvenile Defender was a full-time attorney. Attorney C1 began work on November 10, 1975, and resigned on April 30, 1976. She had considerable difficulty in handling a caseload that amounted to about 15 cases per week, and it became apparent about March 1, 1976, that she would soon resign. During March 1976, the Administrative Office of the Courts arranged for the Public Defender's office in Charlotte to take over the project. Attorney C1 continued to represent juveniles in March, but her responsibilities were gradually transferred to Attorney C2, who had been working in criminal courts as an Assistant Public Defender. During April, Attorney C2 acted as Juvenile Defender full-time. On May 1, 1976, Attorney C3 (also a former Assistant Public Defender) took over as full-time Juvenile Defender, a responsibility he kept through the end of the year. (Because of this change in project personnel in Charlotte, we decided that no study data would be collected on Charlotte

juvenile court cases for the period November 1975 through February 1976, when Attorney C1 was the sole Juvenile Defender. Thus the study periods in Charlotte were March through August 1975 and March through August 1976, whereas in Winston-Salem, where no personnel change occurred, the study periods were January through June 1975 and January through June 1976.)

The Juvenile Defender Project was strictly limited to providing counsel. Although lawyers usually learn little about juvenile law and procedure in law school--and the attorneys hired for the project were no exception--no training in these subjects was provided because of lack of funds. (Other similar projects, like a recent one conducted in Chicago and Cleveland, provided orientation to juvenile justice and instruction in relevant law.)⁶ Also, no lawyer with juvenile court experience was designated to supervise the project's attorneys. When the Charlotte Public Defender Office took over the project, the Juvenile Defender did act under the general supervision of the Public Defender, but the Public Defender had a number of other lawyers to supervise in defending adult clients in criminal courts and, in any case, was not a juvenile court specialist.

C. Delivery of Counsel Service

1. Difficulties in defining "indigency"; measurement of income.

The Juvenile Defender Project was intended primarily to serve the indigent child who was the subject of a delinquency petition or motion to revoke probation in juvenile court. It was impossible to determine which children were indigent. N.C. Gen. Stat. § 7A-450(a) says that an "indigent person is a person who is financially unable to secure legal representation and to provide all other necessary expenses of representation." Court decisions provide little help in interpreting this statute.⁷ It is not clear whether the test of indigency applies

to the child or to his parents, nor is it clear whether "financially unable" means that to be indigent one must be completely without money, or simply that paying for counsel will involve hardship. The North Carolina court system has established no guidelines for determining indigency of juveniles.

To show how the project's service was being distributed, we decided to describe how the form of counsel that juveniles had related to their families' incomes. Here we encountered another measurement problem. For the first (1975) period studied, before the project began, no information existed on the juveniles' family income. During the second (1976) study period, this information was collected on most children who came into court. As an income measure applicable to all children in the study, these data were inadequate since they were unavailable for more than half the children. Therefore, we used the median 1969 income of the census tract of the child's home address as a proxy for family income. This measure, which was available for 75 per cent of the children (those whose address could be located in a specific census tract), is an objective index that has been used in other delinquency research.⁸ By comparing census tract income with individual family income reported by the child for the 458 cases for which both were available, we found that while the tract income averaged about \$747 more than the individual annual family income, the two were positively and significantly correlated.⁹

2. Various income groups' representation by the Juvenile Defender Project and other types of counsel.

The census tract income of juveniles' families was divided into four groups: the "unknown" group (the 25 per cent whose address could not be located in a census tract), the "low-income" group (\$3,117 to \$5,953 per year); the "medium-income" group (\$6,013 to \$8,545 per year); and the "high-income" group (\$8,563 to \$20,652 per year).

Although a large proportion of the Juvenile Defender Project's clients were in the low-income group, a substantial number were in the medium- and high-income groups. Among project clients whose income was known (from their census tract), the breakdown was as follows: Winston-Salem--55 per cent low, 30 per cent medium, 15 per cent high; Charlotte--35 per cent low, 34 per cent medium, 31 per cent high. The fact that a good many project clients were in the higher-income groups may have meant that the juvenile courts, with the acquiescence of the children and their parents, tended to rely on the Juvenile Defender as a convenience. (Even when parents could afford to hire a lawyer, selecting the lawyer and engaging him on the case might have resulted in more court delay than assigning the case to the Juvenile Defender.) Another possible explanation for the project clients' having higher incomes is that the court may have tended to accept parents' claims of indigency without much challenge after the project began. These explanations are supported by the data shown in Graph 1. A high-income juvenile in the Charlotte court had only a 9.4 per cent chance of being represented by assigned counsel during March through August 1975, before the Juvenile Defender Project began; after the project began, he had a 39.3 per cent chance of being represented by the Juvenile Defender and a 9.4 per cent chance of being represented by assigned counsel. Evidently, indigency criteria were relaxed in Charlotte in 1976. Much less relaxing seems to have occurred in Winston-Salem; before the project (January through June 1975), 14.3 per cent of the high-income group received assigned counsel, and after the project (January through June 1976), 11.3 per cent received the Juvenile Defender's services and 4.8 per cent received assigned counsel (a total of 15.8 per cent).

Insert Graphs 1 and 2 about here

Graphs 1 and 2 show how counsel service was distributed with respect to income in the two judicial districts studied. The pairs of bars on the graph show the percentages of children in each income group and for all incomes together that had the indicated type of counsel before and after the Juvenile Defender Project began. In Charlotte (Graph 1), 45.8 per cent of all juveniles became clients of the project during the "after" period (March through August 1976). This percentage was about the same in all income groups except that it was a bit lower (39.1 per cent) in the high-income group. The court rejected no families' claim of indigency, and very few families waived their right to free counsel once they had been found indigent. Before the project began, more than a third of the children (36.5 per cent) apparently did not exercise their right to counsel; court records contained no indication of any counsel in their case or of any affidavit of indigency filed. After the project began, this proportion dropped from 36.5 to 22.9 per cent. The reduction was greatest in the low- and medium-income groups (from 26.2 to 11.9 per cent and from 41.6 to 22.0 per cent, respectively) but also appeared in the high-income group. These figures suggest that the project in Charlotte had the effect of increasing the exercise by juveniles and their families of their right to counsel. How did the project affect other forms of counsel? The role of assigned counsel in Charlotte declined from representing 50.5 per cent of juveniles before the project began to 7.0 per cent after it began. Surprisingly, privately paid lawyers' share of the total decreased little--from 13.0 to 10.7 per cent. Even more surprisingly, this reduction occurred only in the high- and unknown-income groups; lower-income groups actually showed a slight increase in the proportion of those who used private counsel.

In Winston-Salem (Graph 2), the Juvenile Defender handled only about half the proportion of the total cases that the Charlotte Juvenile Defender handled

(22.3 per cent compared with 45.8 per cent in the 1976 study period). This difference is somewhat exaggerated by the fact that about twice as many children and their families did not exercise their right to counsel in Winston-Salem in 1976 (46.4 per cent, compared with 22.9 per cent in Charlotte). In terms of the proportion of the total number of cases represented by any kind of counsel, the Winston-Salem Juvenile Defender still handled only about two-thirds as large a proportion of the total as the Charlotte Juvenile Defender (41.6 per cent, compared with 59.4 per cent). In absolute terms, the Winston-Salem Defender handled one-third as many cases as the Charlotte Defender (61 versus 180). But the former averaged only six hours per week of work on the project, thus costing the state only about one-sixth of what the full-time Defender in Charlotte cost. Perhaps because of these limited working hours, the proportion of families that did not exercise their right to counsel showed no substantial decline when the project began (the percentages were 48.1 and 46.4, before and after). As in Charlotte, the proportion of families who were found indigent but waived their right to free counsel was negligible. In contrast with the Charlotte court, the Winston-Salem court did apparently reject some claims of indigency by those in the medium- and high-income groups. Such rejected cases accounted for 4.8 per cent of the total high-income cases both before and after the project began; they accounted for 5.4 per cent of the medium-income cases before the project but none afterward, which suggests a relaxing of criteria. As in Charlotte, the role of assigned counsel declined considerably (from 25.3 to 12.0 per cent of the total cases). Private counsel's role did not decline substantially overall but was reduced from 7.7 per cent to zero per cent with respect to the low-income group.

It has already been noted that the proportion of juveniles and their families who were unrepresented by counsel dropped substantially in Charlotte after

the Juvenile Defender Project began. Another surprising fact about juveniles without counsel has not been mentioned: In both Winston-Salem and Charlotte, a child of medium or high income was more likely to be unrepresented than one of low income, both before and after the project began. This greater frequency of representation among low-income juveniles may have occurred because more low-income parents and juveniles believed that they ran a risk of a punitive court disposition, such as training school, and therefore felt that they needed counsel. (There is some support in the data for such a belief; the proportion in a "high risk" group, defined in terms of seriousness of offenses charged and prior juvenile court record, was 49.2 per cent for the low-income group [175 out of 356], and 35.2 per cent for other income groups [381 out of 1,081].) Also, the greater frequency of nonrepresentation in the high-income group may have occurred because it was more difficult for high-income parents to obtain counsel free of charge or because they believed that their children did not need the assistance of counsel. (As will be shown later, the study data support the latter belief.)

To sum up the findings on counsel and income, the following points can be made:

- The Juvenile Defender Project became the most common form of counsel representation during the 1976 study period, accounting for 22.3 per cent of the total cases in Winston-Salem and 45.8 per cent in Charlotte.
- As a result of the project in Charlotte, the proportion of families that did not exercise their right to counsel dropped sharply (from 36.5 to 22.9 per cent); the same result did not occur in Winston-Salem, possibly because the Juvenile Defender there worked only six hours per week on the project.
- While most Juvenile Defender Project clients were of low or middle incomes, a substantial proportion of high-income clients (31 per cent in Charlotte and 15 per cent in Winston-Salem) were represented by the project. The data suggest that standards of determining eligibility for free counsel became considerably less strict in the Charlotte Juvenile Court after the project began; this may have been due to the convenience of using the project's services.

- The use of assigned counsel to represent indigent children dropped very sharply, as expected, in both courts after the project began, but assigned counsel continued to represent 7 to 12 per cent of the cases because of the Juvenile Defenders' conflict of interest in representing more than one member of a group of juvenile "co-defendants."
- The role of private counsel declined, but only slightly, after the project began; 10.7 per cent of juveniles continued to be represented by private counsel in Charlotte and 14.6 per cent in Winston-Salem.

III. DESIGN OF THE STUDY

A. Before-and-After Design

Since one objective of the study was to evaluate the Juvenile Defender Project and in particular to compare it with other forms of counsel, the first study design considered was one in which indigent juveniles would be randomly selected to receive the services of either the project or assigned counsel.

This design was rejected by the Administrative Office of the Courts because of the added expense to the public of having two counsel systems functioning at the same time. (Actually, as explained earlier, the assigned-counsel system did continue when the project began, but only to supplement the project's services.)

Thus, it was necessary to use a historical study design. Rather than trying to match Juvenile Defender Project cases with other cases from the 1975 ("before") sample, we decided to perform a multivariate analysis in which the type of counsel in a case would be just one of a number of factors studied. The "before" and "after" samples from both the 21st and 26th Judicial Districts (Winston-Salem and Charlotte) were merged to form one sample for analysis. This approach served to give us both a general picture of how dispositions occurred and a way to estimate how much the type of counsel a child had (including no counsel at all) influenced the disposition of his case, apart from other factors that might influence it.

B. Sample Selection; Source and Unit of Data

The Juvenile Defender Project was in operation by December 1975. The study periods were selected as follows. In Winston-Salem, the "before" period was January through June 1975 and the "after" period was January through June 1976. In Charlotte, the "before" period was March through August 1975 and the "after" period was March through August 1976.¹⁰

All juvenile cases filed during the "before" (1975) and "after" (1976) study periods in both courts studied--i.e., all cases that began by delinquency petitions or motions to review probation or conditional release (for the purpose of revocation) filed during those periods--were included in the sample. These cases were identified from court docket sheets (Charlotte, 1975 period), cumulative court case folders (Winston-Salem, 1975 period), and from lists kept by the clerks of court (Charlotte and Winston-Salem, 1976 periods) that were checked by research data collectors. All data for the study were taken from police and court files.

The event for which one data form was prepared--i.e., the unit of data in the study--was a single involvement of an individual child in juvenile court. (For simplicity, this unit is referred to here as a "child" or "case.") If a child was brought to court more than once during the study periods, a separate form was prepared for each involvement; each form was updated to show the prior juvenile court involvement and the circumstances and disposition of the current charge. When a child came into court with several delinquency petitions or revocation motions filed against him within five days of each other, all petitions and motions were considered to constitute one "case," and a single form was filled out that showed the most serious type of charge filed, a seriousness score summing the seriousness values for all charges, and the court's disposition of all charges. In the entire sample, 1,437 cases

were included.¹¹ Eighty-two per cent of these involved only one petition or motion filed against the child; 12 per cent involved two petitions or motions; and 6 per cent involved three. The data collection form is shown in Appendix A.

C. Statistical Method

The statistical analysis began with a "screening" of factors to select those that produced the greatest variation in the likelihood of particular court dispositions, especially commitment to training school and transfer to superior court. After the two factors that seemed to exert a predominant influence-- court record and offense seriousness--were selected, a further analysis was performed to find effects that other factors might have on court disposition apart from the effects of record and offense. The statistical method is described further in Appendix B.

IV. JUVENILE COURT DISPOSITION

A. Juvenile Court Procedure

For the purposes of the study, the first step in juvenile court procedure is the issuance of a petition--a formal accusation--against the child.¹² After a petition has been filed, the case may be disposed of without a formal court hearing. N.C. Gen. Stat. § 7A-281 provides that the juvenile court judge may arrange for "evaluation" of the case by the chief court counselor, the county director of social services, or "such other personnel as may be available to the court." The purpose of such "evaluation," the statute says, is "to use available community resources for the diagnosis or treatment or protection of a child in cases where it is in the best interest of the child or the community to adjust the matter without a formal hearing." The statute thus gives implicit

authority for a practice known as "informal handling"--dismissal of the case without any courtroom appearance. One hundred ninety-seven of the 1,437 cases studied were "informally handled."

If a case proceeds to a formal court appearance, the case may still be dismissed without a full hearing if the state, represented by the assistant district attorney, enters a motion for a voluntary dismissal (101 of the cases studied were dismissed in this way). If the child is at least 14 years of age and charged with a felony, N.C. Gen. Stat. § 7A-280 provides that the judge may conduct a preliminary hearing and, if he finds probable cause to believe that the child committed the felony, may transfer him to superior court for trial and possible punishment as an adult. Otherwise, N.C. Gen. Stat. § 7A-285 provides a two-step court procedure. The first step is adjudication, in which "the judge shall find the facts and shall protect the rights of the child and his parents in order to assure due process of law." The youngster receives a hearing at which the judge decides whether he committed the alleged delinquent act or violated probation or conditional release. The judge may dismiss the case even though he finds that the child committed the offense, if he concludes "that the child is not in need of the care, protection or discipline of the State." (Court records usually did not distinguish this sort of dismissal from a dismissal entered because the judge found that the alleged offense had not been committed.)

If the court finds that the child has committed some offense within its jurisdiction,¹³ it then goes on to the second step--disposition. In doing so, it may hold the disposition hearing immediately--the most common practice--or postpone it while needed information is obtained. The disposition hearing is informal, and the court may consider such social or psychological information "as may be needed for the court to develop a disposition related to the needs of the child or in the best interest of the State" (N.C. Gen. Stat. § 7A-285). The kinds of dispositions the court may make are discussed below.

Because of the two-step nature of the juvenile court hearing, we considered treating court outcome in two phases: adjudication (the guilty/not guilty decision) and disposition (what the court does with those found guilty of the offense charged). We decided against this approach for several reasons. One was that it was difficult to distinguish between adjudicative fact-finding and disposition, since they were usually merged in one hearing and not treated distinctly in court records. Another was that, as already explained, a dismissal by the court did not necessarily mean that the judge had found the child not guilty. Instead, we distinguished dismissal (including "informal handling," voluntary dismissal by the prosecutor, and dismissal by the judge) from dispositions in which the court imposed some form of control, such as training school or probation.

B. Frequency of Various Dispositions

Table 1 shows the frequency of various kinds of court dispositions in the entire sample of 1,437 juvenile court cases. Dismissals of the three kinds already mentioned, including "informal handling," account for 38.2 per cent of the total. The most common disposition was leaving the child in the custody of his parents (including relatives acting as parents)--in other words, allowing the child to continue living at home; 95 per cent of such dispositions also involved probation. The court could remove the child from his home and place him in the custody of the local department of social services (DSS), which would in turn place him in a foster home or group home in the community (4.4 per cent of the cases were handled in this way), or the court could place the child in some other local residential program for delinquents (the latter accounted for only 1.9 per cent of the cases, probably because the available programs were very small). Commitments to training school constituted 8.0 per cent of the

cases. Training school commitment is always for an indefinite period of time, since the Youth Services Division of the State Department of Human Resources has the final authority to decide how long the child must stay (N.C. Gen. Stat. § 7A-286); the usual length of confinement is six to nine months. Transfer to superior court for trial as an adult occurred in only 24 (1.7 per cent) of the cases. In later stages of the analysis, transfer to superior court was combined with commitment to training school as a disposition category on the assumption that if the court had not been authorized to transfer certain children to superior court, it probably would have committed them to training school.

 .
 Insert Table 1 about here

Figures on the courts' use of probation appear at the bottom of Table 1. Forty-five and eight-tenths per cent of the juveniles were placed on probation or were allowed to continue on probation imposed for previous juvenile offenses. (About one-fourth of the 45.8 per cent were continuations and three-fourths were new probations.)

It is important to note that the court disposition variable was regrouped and redefined, as shown in Table 2, and that the redefined variable was used in the statistical analysis. The dispositions of commitment to training school and transfer to superior court (Items 1 and 2 of Table 2) were considered separately. The combination of the two--that is, the proportion of the cases receiving either disposition--was also used in the analysis, because we assumed that if the courts had lacked the power to transfer certain children to superior court

for felony trials, they probably would have committed them to training school. The combined training school-superior court rate was computed in two ways: (1) as a proportion of all cases (Table 2, Item 9), and (2) as a proportion of cases that were not dismissed (Table 2, Item 10). The first computation is an estimate of the probability that a child would be sent to training school or superior court, given that he had been petitioned in juvenile court. The second computation is an estimate of the probability that a child would be sent to training school or superior court, given that he had been petitioned and his case was not dismissed--i.e., given that the court found him "guilty" and decided to take some positive action. The "dismissed" category (Table 2, Item 6) includes cases in which the juvenile was sent home in the custody of his parents without probation supervision (there were 33 such cases) as well as cases that were "handled informally," dismissed by the state, or dismissed by the judge. "Probation at home" (Table 2, Item 5) means that the juvenile was sent home but also placed under the supervision of a court counselor (juvenile probation officer) subject to conditions of probation. (Typical conditions were attending school, abiding by a curfew, and obeying parents.) "Custody change" (Table 2, Item 11) includes any disposition that takes the child from his parents' custody--commitment to training school or placement in a foster home or other residential program. It is shown as a fraction of all cases minus the few (23) cases that were transferred to superior court. Otherwise, the disposition categories in Table 2 are the same as those in Table 1.

 Insert Table 2 about here

Summarizing court dispositions, we can say that the most common dispositions were dismissal (40.6 per cent) and probation while continuing to reside at home (40.1 per cent). Placement in a foster home, group home, or other residential program--sometimes with probation added--accounted for 6.4 per cent of the dispositions. Commitment to training school (8.0 per cent) and transfer to superior court (1.7 per cent) were infrequent. These low percentages reflect the prevailing view that training school and criminal court handling of juveniles are strong medicine, to be used only when other remedies fail. They also reflect compliance with N.C. Gen. Stat. § 7A-286(5), which requires that before committing a child to training school, the court must find that (1) his behavior constitutes a threat to persons or property or to his own welfare, and (2) probation and other local services are inadequate to deal with the threat.

V. FACTORS STUDIED AND THEIR INFLUENCE ON COURT DISPOSITION

The study dealt with the relationships of a number of factors, including type of counsel, to court disposition. These factors can be grouped into six categories: (1) the extent and nature of the child's juvenile court record before his current case; (2) the offense charged and its seriousness; (3) the strength of the case against the child, insofar as this could be measured from available data; (4) the child's demographic characteristics (age, sex, income, and race); (5) family-related factors, including the child's home situation and parental attendance at the court hearing; and (6) administrative factors controlled at least partly by the court or some other agency of state government, including the type of counsel a child had, whether the child was held in detention pending his hearing, and who the judge was. For convenience, we have included two other factors in the "administrative" category: the district where the case

was heard (either the 21st or the 26th Judicial District), and when it was heard (during either the 1975 study period before the Judicial Defender Project began or the 1976 study period when the project was in operation).

A. Juvenile Court Record

1. Measurement and hypotheses. We expected that the extent and nature of a child's record of prior involvement with juvenile court would be related to the court's disposition of his current case. The court's record was based on a search of court files in the judicial district where the child's current case was heard and was measured in terms of previous delinquency petitions (delinquency is either a criminal act or a violation of juvenile probation); previous "undisciplined" petitions ("undisciplined" behavior is an offense that only a juvenile can commit, such as running away from home or truancy); previous commitments of the child to training school; and whether he was on probation or conditional release from training school when his alleged offense occurred. The frequency distributions of these juvenile record variables appear in Table 3. Table 3 also shows a juvenile record index combining all four of the record variables, which increases in severity from Level 1 to Level 5. (The development of the index is explained in Appendix B.)

Insert Table 3 about here

Although the majority of children in the study fell into the "None" category with respect to our various measures of juvenile record, 41 per cent had one or more previous delinquency petitions on their record. Three hundred thirty-nine (23.6 per cent) of the youngsters who came before the courts during the study period were already on juvenile probation for earlier offenses, and 71 (5.0 per cent) were subject to conditions of conditional release from training school imposed for earlier offenses. These 410 children were, of course, the only ones in the study who could be charged with violations of probation and conditional release. About half (216) of them were charged with such violations (for example, repeated truancy or running away from home), and the rest (194) were charged with criminal offenses.

2. Relationship of juvenile court record to disposition. Every measure of juvenile court record was positively related to severity of disposition and negatively related to leniency (see Table 4). As each juvenile court record variable increased, the rates of training school, transfer to superior court, and custody change increased while the dismissal rate decreased. On the other hand, rates of probation at home generally decreased as measures of juvenile record increased. This may seem odd in view of the fact that--as shown later--probation rates increased as offense seriousness increased. However, if probation at home is seen as being given a "second chance," then it is not surprising that it decreased with the extent of a juvenile's past record. Probation at home can be seen as either severe or lenient treatment--severe (compared with dismissal) for an offender with little or no record, and lenient (compared with training school) for an offender with a record.

The four measures of juvenile record--previous delinquency petitions, previous "undisciplined" petitions, whether the youngster was on probation or conditional release at the time of his current alleged offense, and the number

of his previous commitments to training school--were combined to form a juvenile record index (Item 5 of Table 4). The record index was defined so that as it increased from 1 to 5, all of the measures of juvenile record increased. (For a precise definition, see Appendix B.) Level 1 consisted of children with no prior petitions (none of whom had had any previous training school commitments or had been on probation or conditional release), and Level 5 consisted of children with numerous prior delinquency petitions, many of whom were on probation or conditional release at the time of the study and had been previously committed to training school. Comparing successive levels of the record index, we see that in general as the levels increased, so did the rates of commitment to training school, transfer to superior court, training school and superior court as a fraction of nondismissals, and custody change, while the rates of dismissal and probation at home declined.

 Insert Table 4 about here

3. Selection of juvenile court record as most important factor. Juvenile record was selected as the factor most importantly related to juvenile court disposition. This was done by comparing the figures in Table 5. Columns 2 through 6 of Table 5 represent various ways of looking at juvenile court dispositions. Column 2 concerns a two-category variable: (1) training school and superior court, and (2) all other dispositions. Column 3 concerns another two-category variable: dismissal versus all other dispositions. Column 4

concerns custody change versus all other dispositions, and Column 5 concerns training school or superior court versus all others, excluding dismissed cases. Column 6 concerns the "overall" disposition, which can be any one of the seven dispositions listed in Table 2, Items 1 through 7. For each of these disposition variables, the figure shown in Table 5 is the Pearson chi-square of the relationship of the factor named on the left to that disposition variable, divided by its degrees of freedom. This figure, as well as the total chi-square, is used as a measure of the strength of the relationship.

 Insert Table 5 about here

Of the factors listed in Table 5, detention status--i.e., whether the child was held in detention pending the outcome of his case--had the highest values of chi-square per degree of freedom with regard to all the disposition variables. However, we did not select detention status as the factor most strongly related to disposition for two reasons: (1) Its total chi-squares (for example, 174.19 with respect to commitment to training school and transfer to superior court) were less than those of some of the juvenile record variables (for example, 241.80 for the relationship of previous delinquency petitions to training school and superior court disposition); and (2) as explained later, detention status is a co-dependent variable as well as an independent variable--that is, it should be considered both a result and a potential cause. We will return later to the question whether being held in detention had an independent influence on court disposition when other relevant factors were controlled for.

The highest total chi-squares and chi-squares per degree of freedom occurred among the juvenile court record factors, including previous delinquency petitions, previous "undisciplined" (status offense) petitions, previous commitments to training school, and whether the child was on probation or conditional release when his alleged offense occurred. To summarize the information in the various measures of juvenile court record and to make it easier to adjust for juvenile record in considering other factors, we constructed a juvenile record index (Item 1(e) of Table 5). This index had high chi-squares per degree of freedom with regard to all disposition variables and the highest total chi-squares of any factor except the record-offense index.

Item 3 of Table 5 concerns the record-offense index, which was developed after we selected the offense charged (as explained later) as the second most important disposition-related factor. The record-offense index is included in Table 5 simply to show that its total chi-squares were larger than those of any other factor with regard to training school and superior court, dismissal, and custody change and among the largest with respect to the overall seven-category disposition.

B. The Offense Charged

1. Measurement and hypotheses. We hypothesized that the more serious the offense or offenses charged, the more severe the court's disposition would be. In other words, we expected that the child charged with a more serious offense would be either more likely to be found guilty of the charge than a child charged with a less serious offense or more likely to receive a severe disposition when found guilty, or both.

A child could become eligible for inclusion in this study in two ways.

(1) He could be brought before the juvenile court on a delinquency petition

alleging a criminal offense; this could be either a misdemeanor (punishable by a fine or a maximum imprisonment of two years if committed by an adult).

(2) He could be charged with violating conditions of juvenile probation (imposed for an earlier offense) or conditional release from training school.¹⁴ Typical violations of probation and conditional release were running away from home and failure to attend school. Criminal acts by youngsters on probation or conditional release were sometimes charged as violations of conditions of probation or conditional release, but for our purposes they were recorded as charges of the specific criminal acts themselves. If there were several charges, only one was recorded on the data form. The type of the charge was recorded by selecting the first of the following four categories into which any of the child's charges fell: felony, misdemeanor, violation of probation, and violation of conditional release.

The frequency of the general offense categories is shown in Table 6, along with the frequency of the more detailed specific offense categories. Serious criminal charges were rare. There were, for example, only 12 felonious assaults, rapes, and homicides (more specifically, seven felonious assaults, four rapes, and one homicide). Thirty-five per cent of the charges were felonies; two-thirds of the felony charges (25 per cent of all charges) were breaking or entering. Half the cases involved misdemeanor charges, the largest categories being misdemeanor larceny (including concealment of merchandise--"shoplifting") and simple assault.

Insert Table 6 about here

Besides capturing the type of offense charged, we thought it necessary to include some kind of one-dimensional measure of the seriousness of the offense or offenses alleged. Seriousness scores were assigned to various specific offenses as shown on Page 3 of the data collection form (see Appendix A); frequencies are shown in Table 6. The Wolfgang-Sellin Index¹⁵ was consulted to set scores of 25 and 10 for murder and rape, respectively. Lacking the specific injury and damage information necessary to apply that scale to other offenses, we assigned values of 1 to 20 on the basis of our experience with the relative severity of the offenses as perceived by court officials and the public. At first we gave charges of violating probation and conditional release a score of 1. Later we decided that it was more appropriate to assign these offenses to a single category with regard to seriousness than to include them in the seriousness scale applied to criminal offenses.¹⁶ If a child was charged with several offenses, the total seriousness score was used.

The general offense category and the offense-seriousness score were used jointly to form an offense-seriousness index consisting of six levels, shown in Table 6. The index increased in seriousness from Level 1 to Level 4; Levels 5 and 6, involving violations of probation and conditional release, were treated apart from other offenses. (The derivation of this index is explained in Appendix B.)

Table 6 displays two other aspects of the offense charged: the number of "companion cases" (i.e., other youngsters charged with offenses arising out of the same circumstances), and the total number of petitions and motions filed against the child. As will be shown, the presence or absence of companions did not seem to affect the court's disposition, but the number of petitions and motions did.

2. Relationship of offense seriousness to disposition. Table 7 shows the relationship of the various measures of offense seriousness to court disposition. From Item 1, it is clear that youngsters charged with felonies were much more likely to receive a severe disposition than those charged with misdemeanors. We see this by comparing the overall proportions of commitment to training school and transfer to superior court in column 9 (15.3 per cent versus 3.8 per cent) and by comparing training school and superior court as a fraction of cases not dismissed (20.2 per cent versus 8.7 per cent; see column 10). In other words, even when we adjust for the fact that there were more dismissals (56.6 per cent) in misdemeanor cases than in felony cases (24.4 per cent), the difference in the training school-superior court disposition rate remains. Children charged with felonies were less likely to have their cases dismissed than those charged with misdemeanors (24.4 versus 56.6 per cent), more likely to be placed on probation at home (52.0 versus 34.1 per cent), and more likely to receive a "custody change" disposition (17.5 versus 6.9 per cent).

 Insert Table 7 about here

Surprisingly, children charged with violating probation were somewhat more likely than those charged with felonies to be sent to training school, whether or not dismissed cases are considered in the calculation (see Table 7, Item 1, Columns 1 and 10). Probation violation involved repeated truancy, running away from home, and the like but not criminal acts that directly inflicted or threatened property damage or personal injury.¹⁷ This suggests that the

reason for the relatively severe treatment of probation violation was something other than the direct harmfulness of the act itself. The juvenile courts' treatment of probation violation seems to reflect concern for both punishment and protection. Probation violators had already committed at least one juvenile offense (in many cases a criminal one) for which they had been given a "second chance"; thus they may have been thought to deserve punishment more than, say, children charged with a criminal offense for the first time. Another reason for a punitive tendency may have been that the courts considered probation violators to have defied their supervisory authority. A protective aspect of the courts' handling of probation violations is suggested by the fact that the courts took more than one-third of the violators from their parents' custody (16.1 per cent went to training school, 11.4 per cent to foster homes, and 8.3 per cent to other residential programs). This is twice as high as the custody-change rate for felonies and five times as large as the custody-change rate for misdemeanors. Apparently the courts felt that many probation violators were inadequately cared for and supervised at home.

So far we have not mentioned the 23 juveniles on conditional release from training school who were charged with violating conditions of their release. More than half of these cases (56.5 per cent) were dismissed; of the rest, 30 per cent were sent back to training school, 30 per cent were placed on probation at home, and 10 per cent were placed in foster homes.

The information in Table 7 on specific offense categories (Item 2) shows in more detail what has just been said. Remarkably, none of the 12 juveniles charged with felonious assault, rape, and homicide was sent to training school or transferred to superior court; two-thirds of them were placed on probation, which suggests that the initial charges were exaggerated or inappropriate.

Seriousness score (Item 3 of Table 7) was clearly and positively associated with severity of disposition. Training school as a fraction of total dispositions increased from the lowest point category to the highest shown; the same was true of transfer to superior court, probation, custody change, and training school and superior court as a fraction of dispositions other than dismissals. The proportion of cases dismissed decreased as the seriousness score increased. As explained earlier, violations of probation and conditional release were grouped separately from criminal offenses, but an examination of Item 3(e) will show that the various disposition rates for children charged with such violations were comparable with those for children at the higher end of the seriousness point scale.

The total number of petitions and motions filed concurrently against the child (Item 4 of Table 7)--i.e., the total number of separate offenses alleged--was very strongly related to the various disposition rates. As the number of petitions and motions increased, the training school and superior court disposition rate increased and the custody-change and dismissal rates both decreased. This partly results from the fact that the seriousness score, being cumulative, tended to be higher when more offenses were charged. Also, however, the presence of multiple charges apparently had an influence on the court's disposition that was independent of seriousness score. While on the one hand, the training school and superior court disposition rate increases when total petitions are held constant and seriousness score is allowed to increase, the reverse is also true--the rate increases when seriousness is held constant and the number of petitions is allowed to increase.

For reasons explained in Appendix B, offense-seriousness score was used jointly with general offense category to form an offense-seriousness index consisting of six levels (see Table 7, item 6). Misdemeanors of one or two

points constituted Level 1. Misdemeanors with more points were combined with felonies that had low scores (one to four points) to form Level 2. Levels 3 and 4 consisted of felonies with five to eight and nine to 88 points, respectively. Level 5 consisted of cases involving single probation violations, and Level 6 consisted of cases involving multiple probation violations; conditional release violation cases were combined with probation violation cases in Levels 5 and 6 because there were very few (23) of them and they were more similar to probation violation cases than to criminal cases. As expected, the rates of commitment to training school, transfer to superior court, placement on probation, and change of custody generally increased from Level 1 to Level 4, while dismissal rates declined. Children in Levels 5 and 6 (primarily probation violation) showed about the same training school and superior court disposition rates as the criminal offense cases in Levels 3 and 4, respectively; however, their custody-change rates were higher and their rates of placement on probation at home were lower, which may have reflected a tendency on the court's part to find their natural homes inadequate.

3. Selection of offense seriousness as second most important factor.

In order to select the factor most strongly related to disposition after juvenile court record had been taken into account, joint variables were formed consisting of all possible combinations of each factor's categories with the five categories of the juvenile record index (JRI). For example, the joint variable called "General Offense Category x JRI" in Table 8 [Item 1(a)] consisted of the 20 combinations of the four categories of offenses (felony, misdemeanor, violation of probation, and violation of conditional release) with the five levels of the juvenile record index. Of these 20 combinations, five turned out to be empty categories (i.e., had no cases in them); the number of categories of the joint

variable was thus 15. The joint variables were then cross-tabulated with court disposition (commitment to training school and transfer to superior court versus all other dispositions), and the Pearson chi-square was computed. (For example, for General Offense Category x JRI, the total chi-square was 387.43 with 14 degrees of freedom, and the chi-square per degree of freedom was 27.67.) The total chi-square and chi-square per degree of freedom were then used as measures of strength of relationship of each factor to court disposition adjusting for juvenile record.

 Insert Table 8 about here

The "contribution statistic" in column 4 of Table 8 indicated which factors contributed significantly to the likelihood of commitment to training school or transfer to superior court, after juvenile record was taken into account. The value of this statistic was not significant with respect to juvenile court record (Item 2), which merely confirmed that the juvenile record index incorporated all the important information contained in the various measures of juvenile court record. The statistic also was not significant with respect to demographic and family-related factors (Items 5 and 6), and they were therefore eliminated from consideration in our choice of the second most important factor. Detention status, judge, and type of counsel [Items 7(a), (b), and (c)] all had significant contribution statistic values but were not chosen for two reasons: (1) their total chi-squares (378.07, 321.43, and 376.85) were less than those of most

of the offense factors, and (2) the influence on disposition of offense and strength of case factors presumably made itself felt earlier in the juvenile court process than the influence of detention, counsel, or judge.

We had to choose between offense severity and "strength of case" as the factor with the strongest relationship to court disposition after juvenile record was adjusted for. This was a difficult choice because both groups of factors (Items 1 and 4 of Table 8) showed a strong and significant influence on court disposition independent of juvenile record. We chose by comparing the offense-seriousness index [Item 1(e)] and the strength-of-case index [Item 4(e)], which were developed to summarize the relevant information in the two groups of factors. Both indices had significant contribution statistics. The strength-of-case index had a higher joint chi-square per degree of freedom than the offense-seriousness index, but the offense-seriousness index had a higher total joint chi-square (421.70, compared with 375.54). Because we considered total joint chi-square a better measure of strength of relationship in this situation, in which unnecessary degrees of freedom had been eliminated from both factors, we chose offense seriousness as the more important factor.¹⁸

C. Combining Juvenile Record and Offense

The next step in the screening procedure was to adjust for the effects of juvenile court record and offense seriousness, which were selected as having the strongest association with court disposition, and look for any remaining effects of other variables. To adjust for record and offense without thinning the data too greatly, we constructed a record-offense index that combined information about both factors (see Appendix B). The record-offense index had six levels. For the lowest to the highest levels respectively (see Item 7 of Table 7), the training school-superior court disposition rates were 0.3, 6.0, 20.8,

34.4, 44.4, and 89.3 per cent. The custody-change rate increased from 2.0 to 89.5 per cent as the levels of the index increased, and the dismissal rate dropped from 57.3 to zero per cent. The record-offense index was strongly associated with all of these disposition categories, as shown by its high first-order chi-square per degree of freedom (Table 5, Item 3). Its association remained strong after juvenile record was adjusted for, as the significance of its contribution statistic (Table 8, Item 3) shows. When the record-offense index was controlled for, the juvenile record and offense factors no longer had a significant association with court disposition (see Table 11, Items 1 and 2); this confirmed that the index contained most of the relevant record and offense information.

D. "Strength of the Case"

1. Measurement and hypotheses. Another hypothesis of the study was that the kinds of evidence adduced to prove that the child had committed an offense would affect the likelihood that he would be found guilty and might also affect the disposition the court made. Court records offered very little information from which the weight of the evidence could be measured. However, data were collected on several indirect measures of "strength of the case." (The frequencies are shown in Table 9.) One measure was whether there was an eyewitness to the child's alleged offense, which could be determined only indirectly from the court records. We also thought that the type of person--policeman, court counselor, parent, school official, or private citizen--who signed the petition or motion against the child might be related to the court disposition. Some complainants, we hypothesized, might carry more weight than others, either because of their greater authority over the child or their greater knowledge of his activities or both. Also, we thought that if a police

officer appeared and testified at the court hearing, the chance of a finding of guilt and/or a severe disposition would be greater, because of both the officer's authority and the possibility that he might have witnessed the offense or investigated it shortly after it occurred. We developed a "strength of case index" by combining complainant and police testimony information into three groups. Group 1 contained cases in which the complainant was neither a parent nor a court counselor and no policeman testified; Group 2 contained cases in which a policeman testified but the complainant was neither a parent nor a court counselor; and Group 3 contained cases in which the complainant was a parent or court counselor.

 Insert Table 9 about here

2. Relationship of "strength of case" factors to disposition. The relationship of the "strength of case" variables to court disposition appears in Table 10. If a court counselor or the child's parent was the complainant in the case (i.e., signed the petition or motion), the rate of commitment to training school (about 20 per cent) was higher than if the petition was signed by a policeman, school official, or other person; the same was true of the custody-change rate and the rate of commitment to training school after the court had decided not to dismiss the case (see Column 10). Dismissal rates were relatively low for petitions filed by court counselors, parents, and school officials. The type of person who signed the petition or motion was strongly correlated with type of offense charged: most (88.5 per cent) of the cases initiated by

court counselors or parents involved violations of probation or conditional release; most probation violation cases were filed by counselors (82.9 per cent) and parents (5.2 per cent), and all conditional release violation cases were filed by court counselors. Almost all (98.1 per cent) of the cases initiated by policemen, school officials, and private citizens involved criminal offenses.

 Insert Table 10 about here

Whether there was an eyewitness to the alleged offense (Item 2 of Table 10) had little relationship to disposition rates. Since this information came from court records, not from direct observation of juvenile court hearings, we concluded that it was too unreliable to support any conclusion about the importance of eyewitness testimony.

Testimony by a police officer at the court hearing (Item 3 of Table 10) showed some relationship to the court's disposition. The training school and superior court disposition rate was somewhat higher when a policeman testified. Most (82.6 per cent) of the 821 cases involving police testimony had been initiated by a petition signed by a policeman, and most (76.9 per cent) of the 882 cases initiated by a policeman's petition were ones in which a policeman testified.

3. Effect of "strength of case" factors when juvenile record and offense seriousness are controlled for. The type of person who filed the complaint in the case and whether a policeman testified at the court hearing had some

relationship to court disposition. In Table 11, we see that although none of the individual strength-of-case factors had a significant contribution statistic, the strength-of-case index did, suggesting a weak but consistent contribution of the complainant and police testimony factors to court disposition independent of the effects of record and offense seriousness. As Table 12 indicates, this contribution occurred in the intermediate levels (Levels 2, 3, 4, and 5) of the record-offense index. The training school-superior court rate generally increased from Group 1 to Group 3 within each of these levels. The weakness of the relationship is revealed by the fact that the groups did not differ significantly in terms of chi-square tests computed within each record-offense level.

Insert Tables 11 and 12 about here

E. Demographic Characteristics of the Child

1. Measurement and hypotheses. In designing the study, we felt that we had to consider the possibility that the child's age, race, sex, and income might influence the court's disposition of his case. The distributions of these demographic variables are shown in Table 13. Most (89 per cent) of the youngsters in the study were from 12 to 15 years of age, and most of them were boys (76.1 per cent). A majority (57.6 per cent) were black; this meant that black children were disproportionately represented with respect to their numbers in the general population. 19

It was explained earlier that the family income of the youngsters in the study was measured indirectly as the median 1969 family income of their census tract of residence. The total range of such incomes (\$3,117 to \$20,652) was divided into intervals of \$3,117 to \$5,953, \$6,013 to \$8,545, and \$8,563 to \$20,652 to create low, medium, and high income groups of approximately equal size. (Incomes outside these intervals did not exist among the children studied.) The incomes of one-fourth of the children were classified as "unknown" because the children's residences could not be located in a census tract (most such children lived in the suburbs of Forsyth and Mecklenburg counties outside Winston-Salem and Charlotte, beyond the reach of address-tract number directories maintained by local planning departments).

Insert Table 13 about here

2. Relationship of demographic characteristics to disposition. The disposition rates for various demographic factors appear in Table 14. We see that, as age increased (Item 1), the training school and superior court rates increased and dismissal rates declined. This was apparently because juvenile court record increased with age. The proportions of children with an extensive court record--i.e., with juvenile record index values of 4 or 5--were 8.8, 14.5, 17.9, 19.1, 25.5, and 50.0 per cent for the six respective age groups. After adjusting for juvenile record and offense seriousness, we could not measure any statistically significant effect of age on the probability of commitment to training school or transfer to superior court.

Insert Table 14 about here

With respect to race (Item 2 of Table 14), 11.7 per cent of the black children were committed to training school or transferred to superior court, compared with 7.0 per cent of others; the rates when dismissed cases were excluded were 19.2 and 12.1 per cent respectively. The custody-change rate was also somewhat higher for blacks. However, most of this apparent race effect could be explained in terms of juvenile record and offense seriousness. The proportion of blacks at the high end of the record-offense index (Levels 4, 5, and 6) was 18 per cent, more than twice that of whites (7 per cent).

The child's sex (Item 3) seems to have had little to do with the court's disposition. Far more boys than girls appeared in the courts studied, but boys' and girls' combined rate of commitment to training school and transfer to superior court and their rate of custody change were about the same. All of the 23 youngsters transferred to superior court for trial as adults were boys. Boys' dismissal rate was somewhat lower than girls', and their rate of probation at home was somewhat higher. When juvenile record and offense seriousness were adjusted for, no significant difference in training school-superior court disposition rates was found between boys and girls.

Item 4 of Table 14 shows the relationship of family income to court disposition. This is an important variable in the study, because the Juvenile Defender Project was designed to reduce the disadvantage of the indigent youngster in juvenile court. The training school-superior court disposition rate was

14.6 per cent for low-income children and between 6 and 7 per cent for medium- and high-income children; for those of medium, high, and unknown income grouped together, it was 8.0 per cent. The training school-superior court disposition rate as a fraction of nondismissals was 23.0 per cent for low-income children and 13.7 per cent for all others. Custody change rates were 20.6 per cent for low-income children and 12.7 per cent for other children, although probation and dismissal rates were nearly the same for the two groups. Thus, low-income youngsters were treated somewhat more severely than others by the juvenile courts studied; however, the difference in treatment can be explained by the fact that low-income children were more likely to have extensive records and/or serious offenses. Twenty-four and two-tenths per cent of the low-income children were in the highest three levels of the record-offense index, compared with 9.5 per cent of other children.

3. Effect of demographic factors when juvenile record and offense seriousness are controlled for. Race did not have a consistent relationship to court disposition when record and offense were taken into account; this is shown by the nonsignificant value of its contribution statistic [see Table 11, Item 4(b)]. As Table 15 indicates, in some levels of record-offense seriousness, blacks were more likely than whites to be sent to training school or superior court, and in some levels they were less likely. The only statistically significant difference within record-offense levels was within Level 6, where 96.0 per cent of the 25 blacks at that level went to training school or superior court, compared with 33.3 per cent of the three whites. (Here, Fisher's exact test yielded a significance level of .02.) Thus the data did not indicate that race had any substantial influence on court disposition, except possibly in cases involving children with very serious records and offenses.

Insert Table 15 about here

When all four income groups were considered separately, income was found to have a significant relationship to the training school-superior court rate over and above the effects of record and offense [see Table 11, Item 5(d)]. However, when low-income children were compared with all others, no significant contribution was found [Table 11, Item 5(e)]; in other words, low income was not associated with any consistent advantage or disadvantage with regard to commitment to training school and transfer to superior court. Table 15 illustrates this finding. Within Levels 1, 2, and 5 of the record-offense index, the training school-superior court rates were not significantly different for the four income categories. Within Level 3, the difference was significant at the .06 level, but the relationship was "U-shaped: the rates were high for children of low and high incomes and low for children of medium incomes. Within Level 4, the rates were significantly different, but only because the rate of the unknown-income group (57.7 per cent) was much higher than that of the other three income categories, which were not significantly different from each other. Within level 5, the rates were not significantly different, but we see again a suggestion of the "U-shaped" relationship. Within Level 6, the court rates were not significantly different with respect to the four income categories considered separately. However, when the rates for low-income children (100.0 per cent) and for all other children (70.0 per cent) were compared, the difference was significant (Fisher's exact test showed a probability of .04). As with race,

the only significant effect of income apparently occurred within the highest level of juvenile record and offense seriousness. We conclude that income, like race, was not an important determinant of court disposition.

4. The effect of income before and after the Juvenile Defender Project.

As explained earlier, one assumption of those who planned the Juvenile Defender Project was that children from low-income families were at a disadvantage in juvenile court and that better legal representation (i.e., the Juvenile Defender) would help them overcome the disadvantage. The study data indicated that no such disadvantage existed before the project began and therefore there was none for the project to overcome. Comparing training school-superior court rates within levels of the record-offense index for the study period before the project began, we found no significant differences with regard to low and other income. (The figures for this comparison are not shown here.) The same was true for the study period after the project began, except that within the highest level of record and offense seriousness, 100.0 per cent of the 14 low-income children received a training school or superior court disposition, compared with 33.3 per cent of the three children of other incomes (Fisher's exact test showed the difference to be significant at .02).

F. Family-Related Factors

1. Measurement and hypotheses. The court counselors who helped design the study believed that the child's relationship with his parents would influence the court's disposition, over and above any effect of the child's offense or record. Data were collected on how many parents (including foster parents and relatives acting in loco parentis) attended the court's hearing--this was

thought to be a measure of how much support the parents gave a child in trouble-- and on whether the child lived with both natural parents, a single parent, a relative, or foster parents. The frequency distributions of these factors appear in Table 16. Although 42.4 per cent of the youngsters lived with both parents, an equal proportion (44.9 per cent) lived with a single parent. Most (88.4 per cent) of the hearings were attended by one or both parents.

Insert Table 16 about here

A "home-parent index" was defined to combine information on parental attendance and home structure. Group 1 of the index consisted of youngsters who lived with both natural parents, at least one of whom attended the hearing, and also children who lived with only one natural parent but whose hearing was attended by two parents. Group 2 consisted of those who lived with one natural parent whose hearings were attended by one or an unknown number of parents, as well as those who lived with a relative other than their natural parents whose hearings were attended by at least one parent. Group 3 of the index consisted of children whose hearings were attended by no parents or relatives, and children who did not live with natural parents or relatives-- e. g., those who lived with foster parents. The three groups of the home-parent index were thus ordered from the most conventional home situation and the greatest degree of parental support to the child in trouble--as the court may have perceived it--to the least conventional home situation and the least parental support.

2. Relationship of family-related factors to disposition. The training school rate was lowest for children who lived with both natural parents, higher for those who lived with one natural parent, still higher for those who lived with a relative other than a natural parent, and highest for those who lived with foster parents or in other arrangements such as group homes (Table 17, Item 1). The same was true of the rate of transfer to superior court, except that the rate was zero for children who lived with foster parents. The rates of placement in a foster home and custody change also rose very sharply, following the same pattern.²⁰ The dismissal rate was 46.3 per cent for children who lived with both natural parents, somewhat lower (39.3 per cent) for those who lived with one natural parent, and still lower for those who lived with relatives or foster parents (24.7 and 26.9 per cent, respectively). These figures suggest that the courts were influenced by the degree to which a child's home was a conventional one--i. e., with both natural parents--in deciding whether a change of custody was needed. However, this relationship between "conventionality" of home structure and court disposition was partly explained by differences in juvenile court record and offense seriousness. For example, of the youngsters who lived with both natural parents, only 9.2 per cent were in the highest three levels of the record-offense index, compared with more than twice that fraction--23.6 per cent--of those who lived with persons other than their natural parents.

Insert Table 17 about here

The number of parents (including stepparents, foster parents, and relatives acting as parents) who came to court for their child's hearing (Table 17, Item 2) was also related to court disposition rates. The training school rate decreased from 12.8 per cent for those cases in which no parent attended to 9.3 per cent for those in which one parent attended and 4.3 per cent for those in which both attended. The custody-change rate declined in the same way. Here again, the relationship between the variable and court disposition was partly explained by juvenile court record and offense seriousness; 6.2 per cent of the children whose parents both attended were in the highest three levels of the record-offense index, compared with 23.4 per cent of those with no parents attending.

3. Effect of family-related factors when juvenile record and offense seriousness are controlled for. Family-related factors, as measured by the "home-parent index," were significantly associated with the likelihood of being committed to training school or transferred to superior court, apart from the effects of record and offense; this is shown by the significant value of the contribution statistic [see Table 11, Item 6(c)]. Table 18 shows this association in more detail. Although there was no significant difference in the training school-superior court disposition rate among the three home-parent groups within Level 1 of the record-offense index, there was a difference significant at the .03 level within Level 2 (with rates of 2.4 for children whose parents both attended their hearing [Group 1], 8.9 for those with one parent attending [Group 2], and 9.5 per cent for those with no parent attending [Group 3]). Within Level 3 of the record-offense index, the rates were 20.4, 13.0, and 31.7 per cent for the respective groups; this was not a significant overall difference, but the difference between the rates of Groups 1 and 2 (16.5 per cent) and Group 3 (31.7 per cent) was significant at .08. Within Level 4 of

the record-offense index, training school-superior court disposition rates did not differ significantly with regard to the home-parent index, although the rates did increase in the expected direction (26.3, 35.9, and 43.5 per cent for the respective groups). Within Levels 5 and 6 of the record-offense index, there were no significant differences among the three groups taken separately or between Groups 1 and 2 combined and Group 3. Our interpretation of these figures is that home situation and parental attendance at the hearing did not influence court disposition when the child's record and offense were at either the least serious level or the most serious levels but did influence the disposition consistently, although not strongly, when the record and offense were at intermediate levels of seriousness.

Insert Table 18 about here

G. Administrative Factors, Including Type of Counsel

1. Measurement and hypotheses. Judicial district was included as a variable because of the possibility that there might be significant differences between juvenile court dispositions in Winston-Salem and Charlotte--perhaps because of differences in the personalities of court officials or in the two communities' values.

Thirteen judges were represented in hearing the cases studied in the two districts; five of these handled less than 10 cases each (Judges 1, 3, 4,

10, and 11), while most (80 per cent) of the cases were handled by Judges 5, 6, and 12. We hypothesized that the attitudes and personality of individual judges would strongly influence the disposition of the case independently of other factors. (We were wrong; the analysis showed little difference among judges' disposition patterns.)

Insert Table 19 about here

Whether the child was held in detention pending his juvenile court hearing was included in the study because we thought it would be statistically related to the severity of the court's disposition. Detention is a factor unlike others in the study. Like the final disposition of the case, detention resulted from a decision by the court and was based on criteria similar to those applicable to the decision to commit a child to training school [see Section IV (A) above]. N.C. Gen. Stat. § 7A-286(3) authorizes detention when the court finds it necessary "for the protection of the community or in the best interest of the child before or after a hearing on the merits of the case"; a hearing must be held within five days of detaining the child, and detention may be continued if the judge makes a written finding that it is necessary.²¹ Thus to some extent detention should be considered a result rather than a cause--a result of the same factors that lead to court disposition--and treated as a co-dependent rather than an independent variable. On the other hand, the fact that a child is detained, entirely apart from other factors, may have some influence on the court's disposition, in that it makes defense more difficult than if he were free.²²

2. Relationship of detention status to disposition. Detention of a child before his case was finally disposed of by the juvenile court was associated with higher rates of commitment to training school, transfer to superior court, and custody change and lower rates of dismissal and probation (Table 20, Item 1). This does not necessarily mean that being detained caused training school to be more likely and dismissal to be less likely, because, as explained earlier, the decision to detain a child is based on the same kinds of criteria as the decision to commit him to training school. Perhaps the best measures that the present study provides of the need for protection, as perceived by the juvenile court, are juvenile court record and seriousness of offense. Of the children detained, 32.3 per cent were in the highest three levels of the record-offense index, compared with only 6.9 per cent of those not detained. This difference explains much of the relationship between detention and disposition. However, detention contributed significantly to the likelihood of commitment to training school or transfer to superior court, entirely apart from the effects of record and offense seriousness, as shown by the highly significant value of its contribution statistic [see Table 11, Item 7(a)]. The influence of detention was strong enough to hold up within intermediate levels of the record-offense index. As Table 21 shows, detention was associated with a substantially larger probability of being sent to training school or superior court within Levels 2, 3, 4, and 5; the association was significant at .01 within Level 3, at .05 within Level 4, and at .10 (using Fisher's exact test) within Level 5. In other words, except when his record and offense seriousness was very low or very high, a child was more likely to be sent to training school or transferred to superior court if he was detained pending his hearing than if he was not detained.

Insert Tables 20 and 21 about here

3. Relationship of judge to disposition. In North Carolina, juvenile court is a division of district court, the lower trial court whose jurisdiction includes misdemeanor trials, felony preliminary hearings, civil suits involving \$5,000 or less, and divorce and nonsupport proceedings, as well as juvenile matters (N.C. Gen. Stat. §§ 7A-272, -243, -244). While any district judge may be assigned to preside in juvenile court, the statutory policy is to encourage specialization by certification of those judges specially qualified to hear juvenile cases (N.C. Gen. Stat. §§ 7A-146, -147). As Table 19 shows, three of the 13 judges in the study (Judges 5, 6, and 12)--the specialized judges--handled most of the juvenile cases in the two courts, although five others (Judges 2, 7, 8, 9, and 13) also handled substantial numbers.

The disposition rates for the various judges in the study are shown in Item 2 of Table 20. The figures for Judges 1, 3, 4, 10, and 11 cannot be considered individually representative because those judges handled so few cases. For the other eight judges, the highest combined training school-superior court disposition rate (Column 9) was 14.8 per cent for Judge 13 and the lowest was zero per cent for Judge 7; the remaining judges had combined rates of from 7.4 to 11.1 per cent, which were very close to the overall combined rate of 9.6 per cent. In other words, there was little variation in the combined training school-superior court disposition rate except for Judges 7 and 13. Judge 7's low rate was evidently due to the types of cases he heard; 16 of

his 17 were in the lowest three levels of the record-offense index, and half (nine) were in the lowest level. Judge 13's high rate was not explainable in this way. Most (81) of his 88 cases were in the lowest three levels of the record-offense index, and more than half (54) were in Level 1. It does not seem remarkable that one or two judges' disposition patterns should stand out; what does seem remarkable is that the judges did not greatly vary in their combined training school-superior court disposition rates. Nor was there much variation in other rates. For example, the eight judges (not counting Judges 1, 3, 4, 10, and 11, who handled very few cases) had custody-change rates between 5.2 and 17.0 per cent compared with 14.6 per cent, the rate for the entire sample. Five of those eight had rates between 10.3 and 15.6 per cent.

Some further analysis was done to check our tentative conclusion that variation among judges in the training school-superior court disposition rate was insubstantial. This further analysis did not consider all 13 judges separately, because of the difficulty caused by the resultant thinning of the data; it was limited to verifying whether Judge 13 and Judge 7--the judges with the highest and lowest rates--differed from other judges when record and offense seriousness were controlled for. Whether the hearing judge was Judge 13, Judge 7, or some other judge did prove to contribute significantly to the likelihood of a training school or superior court disposition, as the contribution statistic shows [see Table 11, Item 7(b)]. This contribution was primarily due to Judge 13 rather than Judge 7. Table 21 shows how the training school-superior court rates of Judge 13 and Judge 7 compared with those of all the other judges combined within each level of the record-offense index. Within Level 1, the differences were not substantial. Within Level 2, the training school-superior court rates were 15.4, 0.0, and 5.7 per cent for Judge 13, Judge 7, and other judges,

respectively; when Judge 13 and Judge 7 were each compared with others, the differences were not significant. Within Level 3, Judge 7 had too few cases to be compared with others, but the difference in rates between Judge 13 and others (57.1 versus 17.3 per cent) was significant at .01. Within Level 4, there was no significant difference between the rates of Judge 13 and others (Judge 7 had only one case at this level). Levels 5 and 6 of the record-offense index can be excluded from consideration, since Judge 13 had only one case in each level and Judge 7 had none. Our conclusion is that (1) these data afford no clear indication that Judge 7 was more lenient than other judges when juvenile record and offense seriousness are taken into account; and (2) they do indicate that Judge 13 was stricter than other judges, but only with regard to youngsters whose records and offenses were at intermediate levels of seriousness.

4. Relationship of form of counsel to disposition. The disposition rates of children with various forms of counsel, including no counsel, are shown in Item 3 of Table 20. The 16 children represented by the Legal Aid program in Winston-Salem and the 12 children represented by the Charlotte Public Defender's Office before it took over the Juvenile Defender Project are combined in Item 3 (e); this group of 28 cases is too small and heterogeneous with regard to counsel representation for its rates to be meaningful. When we look at the four other forms of counsel, it is clear that children without counsel received the most lenient dispositions; their rates of commitment to training school, transfer to superior court, and custody change (see Item 22 (a)) were the lowest of any group, and their dismissal rate was the highest of any group except the private-counsel group. One reason for their lenient treatment was that their juvenile records were not extensive and their offenses were usually not serious. As Table 22 indicates, children without counsel had the lowest proportions in Levels 4, 5, and 6 of the record-offense index of all

of the five groups except for the private-counsel group. The children whose parents were willing and able to pay for a lawyer's services (the private-counsel group) were very similar to the "no counsel" group with respect to records and offenses; both groups were at the lowest levels of the record-offense index. The disposition rates of the "no counsel" and private-counsel groups were very similar (see Items 3(a) and 3(b) of Table 20); the private-counsel group fared slightly better than the "no counsel" group in terms of dismissal and custody-change rates, but slightly worse in terms of the training school-superior court rate. These findings suggest that those who paid for counsel did not get their money's worth, in that they probably would have been about as likely to receive lenient dispositions without counsel.

The Juvenile Defenders and assigned counsel generally had harder cases to defend than private counsel did; their clients usually had more extensive records and more serious charges than the "no counsel" and private counsel groups. Their clients' disposition rates were also very similar (Table 20, Items 3(c) and (d)).

 Insert Table 22 about here

Form of counsel had a significant contribution statistic with respect to court disposition when counsel was treated as a five-category factor (Table 11, Item 6(c)) but not when it was treated as a two-category factor (Juvenile Defender versus assigned counsel, excluding all cases with other

forms of counsel). The significant value of this statistic for the five-category counsel factor was evidently due to the fact that the training school-superior court rate was lower for youngsters with no counsel than for those with counsel within Levels 2, 3, and 4 of the record-offense index (see Table 21). When children without counsel were compared with all others, their training school-superior court rates were found to be 2.5 and 9.8 per cent, 13.6 and 25.9 per cent, and 22.7 and 36.9 per cent within Levels 2, 3, and 4, respectively. These individual differences were not statistically significant. Comparing the rates for different forms of counsel within each level of the record-offense index, we also found no significant differences. Within Level 1, the rates were zero or nearly zero for all forms of counsel. Within Levels 2 and 3, the rates for private counsel, Juvenile Defender, and assigned counsel were not significantly different. (For Public Defender and Legal Aid, there were too few cases in Levels 2 through 6 for meaningful comparisons.) Nothing can be said about the efficacy of private counsel for children classified in Levels 4, 5, and 6 of the record-offense index since so few had private counsel. The rates for Juvenile Defender and assigned counsel were very close within Levels 4 and 6; their difference within Level 5 (60.0 and 39.1 per cent, respectively) was not significant.

To sum up these findings, the form of counsel a child had apparently made no difference in his likelihood of being committed to training school or transferred to superior court--or at least no difference that could be detected in our data. Children with private counsel--almost all were in the lowest three levels of record and offense seriousness--fared neither better nor worse than those represented by the Juvenile Defender or assigned counsel. Juvenile Defender clients did not do significantly better or worse than clients of assigned counsel. Surprisingly, youngsters who were represented by lawyers were

somewhat more likely to be sent to training school or superior court, when their records and offenses were at intermediate levels of seriousness, than those who were not represented. One interpretation of this finding is that having a lawyer was a positive disadvantage. Another interpretation, which we find more plausible, is that those who did without counsel chose to do so because they were aware of circumstances that would make dismissal or some other lenient disposition of their cases very likely. These circumstances may have been other factors measured in our study but not controlled for in this section of the analysis, such as a conventional home structure, parents who were willing to attend the hearing, and a complainant other than a probation officer, all of which may have been known to raise the probability of avoiding commitment to training school and transfer to superior court. These circumstances may have also been factors that could not have been measured in our study; for example, parents may have sometimes been told by court personnel or police that the case against their child was weak and would probably be dismissed, leading them to conclude they needed no lawyer.

5. Relationship of judicial district to disposition. Judicial district had a significant contribution statistic, indicating some relationship with court disposition after record and offense seriousness was adjusted for [see Table 11, Item 7(e)]. This probably results from the fact that the training school-superior court rate was higher in the 21st Judicial District (Winston-Salem and Forsyth County) than in the 26th Judicial District (Charlotte and Mecklenburg County) with regard to cases at Levels 2, 3, and 5 of the record-offense index. The only significant difference in training school-superior court rates within levels of the record-offense index was in Level 2; the rates there were 11.9 and 3.8 per cent for the 21st and 26th districts, respectively (see Table 21).

The data thus provide some evidence that the 21st District tended to be slightly more severe than the 26th in its dispositions of juvenile court cases that were at intermediate levels of record and offense seriousness.

6. Relationship of time period to disposition. To check for possible differences between the two study periods--the 1975 period, before the Juvenile Defender Project began, and the 1976 period, while the project was in operation--we compared disposition rates and record-offense index distributions in the two periods. Item 5 of Table 20 shows that dispositions were slightly more severe in 1976; the training school rate, combined training school-superior court rate, and custody change rate were all slightly higher. This difference was explainable in terms of the records and offenses of the children who came before the courts in the two years. While the two courts' total case intake dropped substantially from the 1975 to the 1976 study period (from 770 to 667), the cases become somewhat more serious. The proportion of cases at the lowest level of the record-offense index decreased from 56.5 per cent in 1975 to 45.1 per cent in 1976. This suggests that either the courts themselves or those who brought cases to the courts (court counselors, policemen, etc.) were screening out nonserious cases in 1976 more than they had in 1975.

VI. SUMMARY OF FINDINGS

This analysis concerned the cases of 1,437 children who appeared in 1975 and 1976 in the juvenile courts of Winston-Salem and Charlotte, North Carolina, on charges of criminal acts or violations of juvenile probation or conditional release. The principal questions considered were whether North Carolina's Juvenile Defender Project was more or less effective than other

forms of counsel and, in general, what factors had an important influence on the juvenile courts in reaching their dispositions. The study emphasized the dispositions of commitment to training school and transfer to superior court for trial as an adult, but dismissal, placement on probation at home, and placement in a foster home or other residential program were also considered.

Because the study was in part an evaluation of the Juvenile Defender Project, the first step was to compare the service the project provided with other types of counsel. In 1976, the year the project began, the Juvenile Defenders became the most common form of counsel, handling 45.8 per cent of all cases studied in Charlotte and 22.3 per cent in Winston-Salem. (The lower percentage in Winston-Salem resulted partly from the fact that the part-time Defender there worked an average of only six hours per week in juvenile court, in contrast to the Defender in Charlotte, who worked full-time.) The project served not only low-income children but also a good many middle- and high-income children. This fact suggests a relaxing of indigency criteria by the courts. It may have been more convenient to assign cases to the Defenders because they were available in court more often than other attorneys. The project seemed to encourage children and parents to exercise their right to counsel in Charlotte, where the percentage who did not exercise the right dropped from 36.5 in 1975 to 22.9 in 1976, but not in Winston-Salem, where the percentage remained about 47. As expected, the use of assigned counsel decreased sharply when the project began. Assigned counsel continued to represent from 7 to 12 per cent of the children most of whom were "co-defendants" of children represented by the Juvenile Defenders and could not be represented by the Defenders due to conflict of interest. The role of privately paid counsel, which had not been large before the Juvenile Defender Project began, declined only slightly after it was under way.

Several factors were examined to determine the strength of their relationship to juvenile court disposition. The child's juvenile court record--measured in terms of prior court petitions, training school commitments, and current probation/conditional release status--had the strongest relationship to court dispositions of all kinds, including commitment to training school, transfer to superior court, probation, dismissal, and custody change (the latter combined commitment to training school with placement in a foster home or residential program.) When juvenile court record was controlled for, the next most important factor in the child's likelihood of being sent to training school or superior court proved to be the seriousness of the offense he was charged with. Seriousness was measured in terms of type of offense (felony, misdemeanor, probation violation, or conditional release violation), "seriousness score" of all offenses charged, and the number of petitions and motions filed against the child.

To condense relevant information on record and offense seriousness, a "record-offense index" was developed that had six levels, ranked from least serious to most serious combinations of record and offense factors. For Levels 1 through 6 of this index, the percentage of children committed to training school or transferred to superior court was 0.3, 6.0, 20.8, 34.4, 44.4, and 89.3 respectively. The index was used in determining whether other factors had effects that were independent of record and offense.

When juvenile record and offense were taken into account, the influence of most other factors proved to be minor. Sex had no significant relationship to the likelihood of being sent to training school or superior court, and age had none independent of record (which tended to increase somewhat with age). The training school-superior court disposition rate (11.7 per cent) was higher for black children than for other children (7.0 per cent). However, on the average, blacks had more serious court records and/or charges than others.

When blacks and whites with the same level of record and offense seriousness were compared, no significant differences in the training school-superior court disposition rate were found, except among children in the most serious category of record and offense; there, the rate was 96.0 per cent for blacks and 33.³/₁₀ per cent for others. The finding with regard to income was similar. Children from low-income families had a higher training school-superior court disposition rate than others (14.6 versus 8.0 per cent), but after record and offense were controlled for, no significant differences were found except at the highest record-offense level; there the rate was 100.0 per cent for low-income children and 70.0 per cent for others. At intermediate levels of record and offense seriousness, the distribution of the training school-superior court rate apparently was "U-shaped," with low-income and high-income children having higher rates than medium-income children.

The Juvenile Defender Project was based on an assumption that low-income children were at a disadvantage in juvenile court--i.e., had a greater likelihood of being sent to training school or superior court--than others. The data indicated that, when juvenile record and offense seriousness were taken into account, the training school-superior court rate was not significantly different for low-income and other children during the six-month study period before the project began. Thus, the income discrimination the project was intended to overcome apparently did not exist.

Whether there was an eyewitness to the child's alleged offense apparently had no relationship to court disposition, but this finding may have been due to inaccurate data. If a law enforcement officer testified in the case, the child was more likely to be sent to training school or superior court. The same was true if the complainant who initiated the case was a court counselor (juvenile probation officer) or parent rather than a policeman, school official, or private

citizen. These two factors (police testimony and whether the complainant was a court counselor or parent) had a weak but significant influence on whether the child went to training school or superior court if his juvenile court record and offense seriousness were at intermediate levels (i. e. , neither very minor nor very serious) .

Independent of record and offense, family-related factors had some effect on the probability of a training school or superior court disposition. When the child's record and offense were at intermediate levels of seriousness, his likelihood of not being sent to training school or superior court was improved if he lived with one or two of his natural parents (rather than with some other relative or foster parents) and if his parents attended the court hearing. When the record and the offense were at extremes--very minor or very serious--the courts were evidently not influenced by the degree of parental support shown by parents' appearance or by the home structure.

Whether the child was held in detention pending his court hearing proved to have a fairly strong relationship to court disposition independent of record and offense. Except at the lowest and highest levels of record and offense seriousness, detained children were significantly more likely than others to be sent to training school or transferred to superior court. This finding supports the view that being detained put the child at a disadvantage with respect to court disposition.

Surprisingly little variation was found in disposition rates among the judges included in the study. No conclusion could be reached about the five judges who handled only seven juvenile cases or less each. For the other eight judges, the training school-superior court disposition rate varied little (from 7.4 to 11.1 per cent) except for two judges, one of whom had a zero rate and the other a 14.8 per cent rate. The zero rate was explainable in terms

of the type of cases handled (for the judge with the zero rate, 16 of his 17 cases were at low levels of record and offense seriousness), but the 14.8 per cent rate was not (81 out of 88 of that judge's cases were at low record-offense levels). The data indicated that the judge with the high rate was somewhat more likely to impose training school than other judges, but only when the record and offense were at intermediate levels and not at extremes.

The two judicial districts studied were compared with respect to the training school-superior court disposition rate, taking record and offense into account. The Winston-Salem court was apparently somewhat more severe in its dispositions than the Charlotte court, but only in cases at middling levels of record and offense seriousness. Whether a case was filed in 1975 (before the Juvenile Defender Project) or 1976 (after the project began) made no significant difference in the likelihood of going to training school or superior court, when juvenile record and offense seriousness were taken into account. The cases filed in 1976 tended to be somewhat more serious, in terms of record and offense, than those filed in 1975. This finding suggests that efforts to divert nonserious cases from court intake were succeeding in 1976.

The data provided no evidence that the type of counsel youngsters had in juvenile court (assigned counsel, Juvenile Defender, private counsel) affected their probability of being committed to training school or transferred to superior court. When cases involving private counsel--most of which were in the lowest three levels of the record-offense index--were compared with assigned-counsel and Juvenile Defender cases within the same index levels, no significant differences were found in the training school-superior court disposition rates for the two groups. There were also no significant differences in the training school-superior court rates of children represented by assigned counsel and children represented by the Juvenile Defender, at any level of record and

offense seriousness. The data indicated that a youngster with a record and an offense of moderate seriousness--i.e., neither trivial nor extremely serious--was somewhat more likely to go to training school or be transferred to superior court if he had a lawyer than if he had none. This finding may mean that children with moderate records and offenses were actually handicapped by having a lawyer; a more plausible interpretation is that they (or their parents) were aware of some special circumstances--other than the child's record and alleged offense--that they knew would make a lenient disposition very likely, and therefore chose to do without counsel.

FOOTNOTES

1. President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Juvenile Delinquency and Youth Crime, (U.S. Government Printing Office, Washington, D.C., p. 31, 1967).
2. Ibid.
3. Ibid, p. 32.
4. 387 U.S. 1 (1967).
5. In re Gault, 387 U.S. 1, 561, 33, 56, 34-42 (1967).
6. W. Vaughn Stapleton, and Lee E. Teitelbaum, In Defense of Youth (New York: Russell Sage Foundation, 1972), pp. 58-60.
7. In several cases, North Carolina appellate courts have held that defendants in specific financial circumstances were indigent within the meaning of N.C. Gen. Stat. § 7A-450, but their reasoning indicates that indigency is determined on a case-by-case basis rather than under a uniform standard [State v. Cradle, 281 N.C. 198, 188 S.E.2d 296 (1972); State v. Wright, 281 N.C. 38, 187 S.E.2d 761 (1972); State v. Haire, 19 N.C. App. 89, 198 S.E.2d 31 (1973)].
8. Marvin E. Wolfgang, Robert M. Figlio, and Thorsten Sellin, Delinquency in a Birth Cohort (Chicago: University of Chicago Press, 1972), pp. 47-52.
9. The regression equation was: Individual Income = (1.007) (Tract Income) - \$747. The F value for the regression was 132.89 with degrees of freedom 1 and 456, and was significant at .0001. R was .475 and R² was .226.
10. The reason for delaying data collection until March in Charlotte is explained in Section II(B) above.
11. Not every complaint about a juvenile brought to the juvenile court results in the filing of a petition (formal accusation) against the child. N.C. Gen. Stat. § 7A-289.7 provides for a preliminary inquiry by "intake personnel" of the juvenile court to determine whether filing a petition is in the child's best interests. (If they decide against filing a petition, the complainant may request the juvenile court judge to review that decision.) Obviously, the intake decision is an important stage in the processing of a complaint; many factors, including the assistance of counsel, may influence it. This study did not include the intake decision.
12. Many of these tables show total figures of somewhat less than 1,437 because some items of data were missing from official records or coded wrong.
13. This offense may be not the offense first alleged but a lesser included offense. Because there was no reliable information on what offense the court found had been committed, only the original offense and its seriousness were coded on the data form.

14. The study did not include cases in which the child was alleged to be "undisciplined" (truant, a runaway, etc.), "dependent", or "neglected" (the latter terms refer to inadequate home conditions, abandonment or abuse by parents, and the like), even though these types of cases are also within the juvenile courts' jurisdiction (N.C. Gen. Stat. §§ 7A-279, -278).

15. Thorsten Sellin and Marvin E. Wolfgang, The Measurement of Delinquency (New York: Wiley, 1964), p. 402.

16. One reason for this decision was that these offenses turned out to carry a much greater risk of commitment to training school than one-point criminal offenses. Another a priori reason was that violation of probation and conditional release differ qualitatively from criminal offenses in that they involve direct insubordination to the court's authority imposed for earlier offenses. (Both probationers and conditional releasees are supervised by juvenile court counselors.)

17. As noted earlier, criminal acts allegedly committed by children on probation or conditional release were sometimes charged as violations of probation or conditional release; however, in this study such charges were counted as felony or misdemeanor charges.

18. The strength-of-case and offense-seriousness factors are highly correlated. For example, the proportion of cases in the highest offense-seriousness index levels (4, 5, and 6) is 9.8 per cent for Group 1 of the strength-of-case index, 16.3 per cent for Group 2, and 91.7 per cent for Group 3. Looking just at Group 3 of the strength-of-case index--the "worst" group, in which the complainant was a court counselor or parent--we found that record and offense still made a big difference; the rate of commitment to training school or transfer to superior court was 16.3 per cent for cases in Levels 1, 2, and 3 of the combined record-offense index and 45.5 per cent for cases in Levels 4, 5, and 6. On the other hand, within the highest three levels of the record-offense index, whether the complainant was a court counselor or parent seemed immaterial; in the cases initiated by a court counselor or parent, the training school-superior court disposition rate was 45.5 per cent, compared with 44.3 per cent for other cases. Another reason for considering offense seriousness as more important in determining court disposition than our strength-of-case factors is that the former was causally prior to the latter. That is, it was the nature of the offense that causes the court counselor or parent (rather than some other person) to file the petition and the police officer to testify in court.

19. Of all persons age 12 through 15 in 1970 in Forsyth County, 25.6 per cent were black; the comparable figure for Mecklenburg County was 28.3 per cent. U.S. Bureau of the Census, Census of Population: 1970, Vol. I, Characteristics of the Population, Part 35, North Carolina, pp. 135, 141.

20. One may ask why children in the "other" home category--item 1(d) of Table 18--had a high rate (23.7 per cent) of placement in foster or group homes. These placements included shifting a child from one foster or group home to another as well as placing a child on probation and then sending him back to the same (or a different) foster or group home.

21. No information was collected on how long the child's detention lasted, although our impression is that usually it lasted the entire time the child's case was pending in juvenile court. The median disposition time (from filing of petition to juvenile court disposition) was 36 days among the cases studied (N = 1,430). The median for cases involving detained youngsters would probably have been somewhat less.

22. On the subject of detention's influence on criminal court dispositions, see Stevens H. Clarke and Gary G. Koch, "The Influence of Income and Other Factors on Whether Criminal Defendants Go to Prison," Law & Society Review, 11 (1976), 57, 60-61, 69-71, 83-84, and sources cited therein.

APPENDIX A
Data Collection Form

Data Collection Form - AOC Juvenile Defender Project

1 Judicial district ("21" or "26")

IF AFFIDAVIT OF
INDIGENCY FILED,
ENTER "X" HERE

3 A Period: B-before, A-after

4 Identification number - TO BE ASSIGNED BY DATA CONTROLLER
(MS. JACKIE GOVAN OR MRS. JUDY ADAMS)

mo. day year

NAME OF JUVENILE (last, comma, first and middle)

DATE OF BIRTH

8 - File (docket) number. Enter year at left and
number right-justified at right.

Note: If more than one petition
or motion are filed pertaining to
this child on one day, or within
five consecutive days, or are
adjudicated together by the court,
all such petitions and motions
are covered by one form.

16 - - Date petition or motion for review issued.
mo. day year Right-justify month and date. If multiple
petitions, use earliest date.

22 Sex of juvenile (male -1, female -2)

23 Age when alleged offense occurred (right-justify)

Mailing Address (if not in county, indicate city and state).

25 Census tract - NOT TO BE FILLED IN BY COURT PERSONNEL

31 Race of juvenile (black -1, other -2)

32 Indicate number of companion cases (other juveniles involved in alleged offense) (0 - none, 1 - one, 2 - two, etc;
9 - nine or more)

33 Monthly income of juvenile's immediate family. Indicate total of all sources of income to nearest dollar.
Right-justify in space provided.

37 Number of children under 18 } Indicate number of persons
39 Number of persons 18 and over } living on this income.
(right-justify)

41 Number of previous delinquency petitions (right-justify)

43 Number of previous undisciplined petitions (right-justify)

45 Number of previous commitments to training school (right-justify)

47 Who requested the petition or motion for review? (1 - law enforcement officer, 2 - court counselor, 3 - parent or guardian,
4 - school personnel, 5 - other)

48 Eyewitness: If there was a witness who personally observed the alleged felony or misdemeanor, enter "1". To
determine whether such a witness exists, check police offense report. If there was no such witness, or if probation
violation without a criminal offense is alleged, enter "2". If unknown or uncertain, enter "3".

THIS FORM IS TO BE COMPLETED FOR ALL JUVENILES ALLEGED TO BE DELINQUENT OR IN VIOLATION OF PROBATION
OR CONDITIONAL RELEASE, BUT NOT FOR UNDISCIPLINED, DEPENDENT, AND NEGLECTED JUVENILES.

PLEASE USE ERASABLE PENCIL AND PRINT NEATLY

If difficulty arises in completing form, call Mr. Edward F. Taylor, AOC, Raleigh. 919-2450.

- 51 Indicate total number of petitions and motions now being adjudicated with respect to this child (if nine or more, enter "9").
- 52 General offense code of most serious offense:

| | |
|-----------------|-----------------------------------|
| F - felony | P - probation violation |
| M - misdemeanor | C - conditional release violation |
- 53 Specific offense code of most serious offense charged. IF ANY FELONIES ARE CHARGED, enter code of most serious felony.

| | | |
|--------------------|--|-------------------------------|
| 01 Homicide | 07 Motor vehicle theft or unauthorized use | 11 Misd. assault |
| 02 Rape | 08 Forgery or worthless check | 12 Motor vehicle offense |
| 03 Fel. assault | 09 Larceny except motor vehicle | 13 Other criminal offense |
| 04 Robbery | 10 Narcotics | 14 Truancy |
| 05 Kidnapping | | 15 Running away |
| 06 Burglary, B & E | | 16 Other non-criminal offense |
- 54 Total seriousness score. Count all offenses and violations now being adjudicated. Compute total as sum of individual offense scores on page 3 of form.
- 55 Committed to detention pending hearing? (1 - yes, 2 - no)
- 56 Counsel code. If child DID NOT have counsel at any hearing, enter one of these codes:
 - 1 - No affidavit of indigency filed
 - 2 - Affidavit filed, judge found indigent, but right to counsel was waived.
 - 3 - Affidavit filed, judge DID NOT find indigent.
 If child DID have counsel at any hearing, enter one of these codes:
 - 4 - Privately paid counsel
 - 5 - Juvenile defender
 - 6 - Public defender or legal aid
 - 7 - Court-assigned counsel other than the above
- 57 Did assistant district attorney appear for state? (1 - yes, 2 - no)
- 58 Did law enforcement officer testify at hearing? (1 - yes, 2 - no)
- 59 Did parents attend hearing? (0 - no parents, 1 - one parent, 2 - two parents)
- 60 Did child admit offense? (1 - admitted, 2 - denied or mute)
- 61 Date of final disposition. Right-justify month and date. If multiple petitions, use latest date.

| | | |
|-----|-----|------|
| mo. | day | year |
|-----|-----|------|
- 67 Was probation supervision imposed? (1 - yes, 2 - no)
- 68 Enter code for final disposition, whether or not probation was imposed. (Temporary commitment to DYS for testing is not "final".)
 - 1 - No supervision ordered ("handled informally")
 - 2 - Voluntary dismissal by assistant district attorney
 - 3 - Dismissed by judge
 - 4 - Child left in custody of parents or relatives
 - 5 - Placement in residential program other than DSS
 - 6 - Custody given to DSS (foster or group home operated by DSS)
 - 7 - Transferred to superior court (felony only)
 - 8 - Committed to training school (Div. of Youth Devel. or Youth Services)
 - 9 - Other (Includes change of venue)
- 69 Community program?
 - 1 - None mentioned in disposition
 - 2 - Judge made participation a condition of probation
 - 3 - Judge made voluntary referral
- 70 First and last initials of judge who made disposition.

72

Was child on probation or conditional release at time of offense?

- 1 - Neither
- 2 - Probation
- 3 - Conditional release

73

Home situation of child

- 1 - Lives with father and mother
- 2 - Lives with one parent only
- 3 - Lives with other relatives
- 4 - Other

OFFENSE SERIOUSNESS SCORES
(F - Felony, M - Misdemeanor)

| Type of Offense | Score | Number of Offenses of This Type | Total (Score X Number) |
|---|-------|---------------------------------|------------------------|
| Arson or other burning | 5 | _____ | _____ |
| M - Assault | 2 | _____ | _____ |
| F - Assault | 5 | _____ | _____ |
| F - Burglary or B & E | 4 | _____ | _____ |
| M - B & E | 2 | _____ | _____ |
| M - Carrying concealed weapon | 3 | _____ | _____ |
| Damage to property (other than burning) | 2 | _____ | _____ |
| Disorderly conduct | 1 | _____ | _____ |
| Forgery | 4 | _____ | _____ |
| Gambling | 1 | _____ | _____ |
| Kidnapping | 5 | _____ | _____ |
| F - Larceny | 4 | _____ | _____ |
| M - Larceny | 2 | _____ | _____ |
| M - Liquor law | 1 | _____ | _____ |
| F - Manslaughter | 20 | _____ | _____ |
| F - Murder | 25 | _____ | _____ |
| Morals offense | 2 | _____ | _____ |
| MOTOR VEHICLE: | | | |
| Driving without license or registration | 2 | _____ | _____ |
| Other license offense | 1 | _____ | _____ |
| Failure to stop for blue light | 1 | _____ | _____ |
| Equipment violation | 1 | _____ | _____ |
| Driving without insurance | 1 | _____ | _____ |
| Accident & fail to stop or provide info. or assistance | 2 | _____ | _____ |
| DUI - alcohol or drugs | 2 | _____ | _____ |
| Reckless driving | 2 | _____ | _____ |
| Speeding | 1 | _____ | _____ |
| Racing | 2 | _____ | _____ |
| Other moving violation | 1 | _____ | _____ |
| F - Narcotics | 5 | _____ | _____ |
| M - Narcotics or glue | 2 | _____ | _____ |
| Prostitution | 3 | _____ | _____ |
| Public drunkenness | 1 | _____ | _____ |
| Rape | 10 | _____ | _____ |
| Robbery | 5 | _____ | _____ |
| Resisting arrest | 2 | _____ | _____ |
| Trespassing | 1 | _____ | _____ |
| Unlawful Concealment (shoplifting) | 2 | _____ | _____ |
| UNDISCIPLINED OFFENSE (truancy, running away from home, etc.) | 1 | _____ | _____ |
| Worthless check | 2 | _____ | _____ |

GRAND TOTAL _____
(ENTER THIS AS
"TOTAL SERIOUSNESS SCORE"
ON PAGE 2.)

NOTE: If an offense is not on this list find the offense most like it on the list and use the score for that offense.

APPENDIX B: FURTHER DISCUSSION OF STATISTICAL METHOD

There are two phases to the statistical analysis. The first phase consists of screening the factors to select those responsible for the greatest amount of variation in the rates of various court dispositions. (Commitment to training school and transfer to superior court are treated as the most important dispositions.) The second phase consists of looking for effects of remaining factors after the most important factors are controlled for.

The first, or screening, phase of the analysis is similar to forward stepwise regression. Certain Pearson chi-square statistics, similar to the "F to enter" statistic in multiple regression, are used as measures of relative importance of factors in a multivariate relationship. The total value of this chi-square is treated as the most important measure of strength of relationship, but no factor would be selected unless its chi-square divided by its degrees of freedom were also quite high (this serves as a check on a chi-square that might be inflated due to unnecessary categories of the factor). The first factor selected is the one with the largest total chi-square with regard to its first-order relationship to the probability of training school or superior court. The next factor is selected by examining each joint variable consisting of all possible combinations of the categories of each factor not previously selected with the categories of the first factor selected, and selecting the factor whose joint variable has the largest chi-square with respect to the probability of training school or superior court (as long as its chi-square per degree of freedom is also very high). The next factor is selected in a similar manner by forming joint variables consisting of all possible combinations of the categories of each factor not previously selected with the categories of the first and second factors selected.

The result of the screening process is the selection of juvenile court record and offense seriousness as the most important factors influencing court disposition. We decided not to continue the selection process further because the bulk of the variation explainable by the study factors had apparently already been explained by juvenile record and offense seriousness, as indicated by the very large chi-square (443.25) with respect to the relationship of the combined record-offense index to the training school-superior court rate. (This was by far the highest such chi-square of any of the factors studied.)

An indexing process is carried on concurrently with the other steps performed during the screening phase. Indexing, which consists of merging related factors and factor categories, is important for two reasons: (1) to deal with multicollinearity where, as in this study, there are several related measures of each source of potential influence on the dependent variable (court disposition); and (2) to reduce the data thinning that occurs when the indexed factor is selected and later adjusted for while other factors are considered.

As an example of indexing, we can consider the construction of the juvenile record index. The measures of juvenile record are previous delinquency petitions, previous "undisciplined" petitions, previous commitments to training school, and probation/conditional release status. The first three of these factors were "collapsed" to some extent for convenience of handling the data; e.g., children with 6, 7, or 8 prior delinquency petitions were merged into one category. The four record factors were crosstabulated with court disposition (training school and superior court versus other dispositions); the resulting training school-superior court rates are shown in Table B-1. (The size of each subpopulation formed from crosstabulating the four factors is shown underneath each

rate.) The levels of the juvenile record index were defined by inspection of Table B-1. The rationale for the index construction is partly a priori and partly a posteriori. In terms of initial hypotheses, it makes sense to think of juvenile record of increasing as all of the record factors increase, or in a "northwest to southeast" direction in Table B-1. More specific assignments of subpopulations to index levels were made by inspecting the actual training school-superior court rates; the objective was to combine subpopulations with the same rates in the same level and at the same time to try to make the levels contiguous within Table B-1. This is the same kind of smoothing process that one would use in drawing a continuous curve freehand through a set of disjoint points on a grid, except that the "points" (subpopulations) with a large n carry more weight than others. To the extent that this is an a posteriori process, we feel that it is justified in that we are developing a tentative model of juvenile court decision-making, using our data in descriptive fashion, rather than testing a previously-developed model. The definition of the juvenile record index was confirmed by determining that each of its component factors ceased to contribute significantly to court disposition when the index was controlled for (see Table 8, Item 2).

 Insert Table B-1 about here

A similar process was used to develop the offense seriousness index, whose component factors were general offense category and offense seriousness score (Table 6 gives the precise definition). When it became necessary

to control for both record and offense seriousness in examining effects of other factors, a record-offense index was formed whose components were the juvenile record index, the offense seriousness index, and the total number of petitions and motions filed against the child. The last factor was included because it turned out that in some combinations of levels of the offense seriousness index and juvenile record index, the number of separate petitions filed against the child had an independent relationship to the training school-superior court rate; in other words, there were situations in which two offenses of four seriousness points each were "worse" than one offense of eight seriousness points. The resulting definition of the record-offense index is shown in Table B-2. The definition was confirmed by the fact that each of the component factors of the record-offense index ceased to show a significant relationship to court disposition when the index was controlled for (see Table 11 below, Items 1 and 2).

 Insert Table B-2 about here

In the second phase of the analysis (and also to some extent in the first phase), a "contribution statistic" is used to indicate when a factor has a significant relationship to court disposition independent of the effects of juvenile record and offense seriousness. The statistic was developed by Cochran^a

a. Cochran, William G., Some Methods for Strengthening the Common Chi-Square Test, 10 Biometrics 417 (1954).

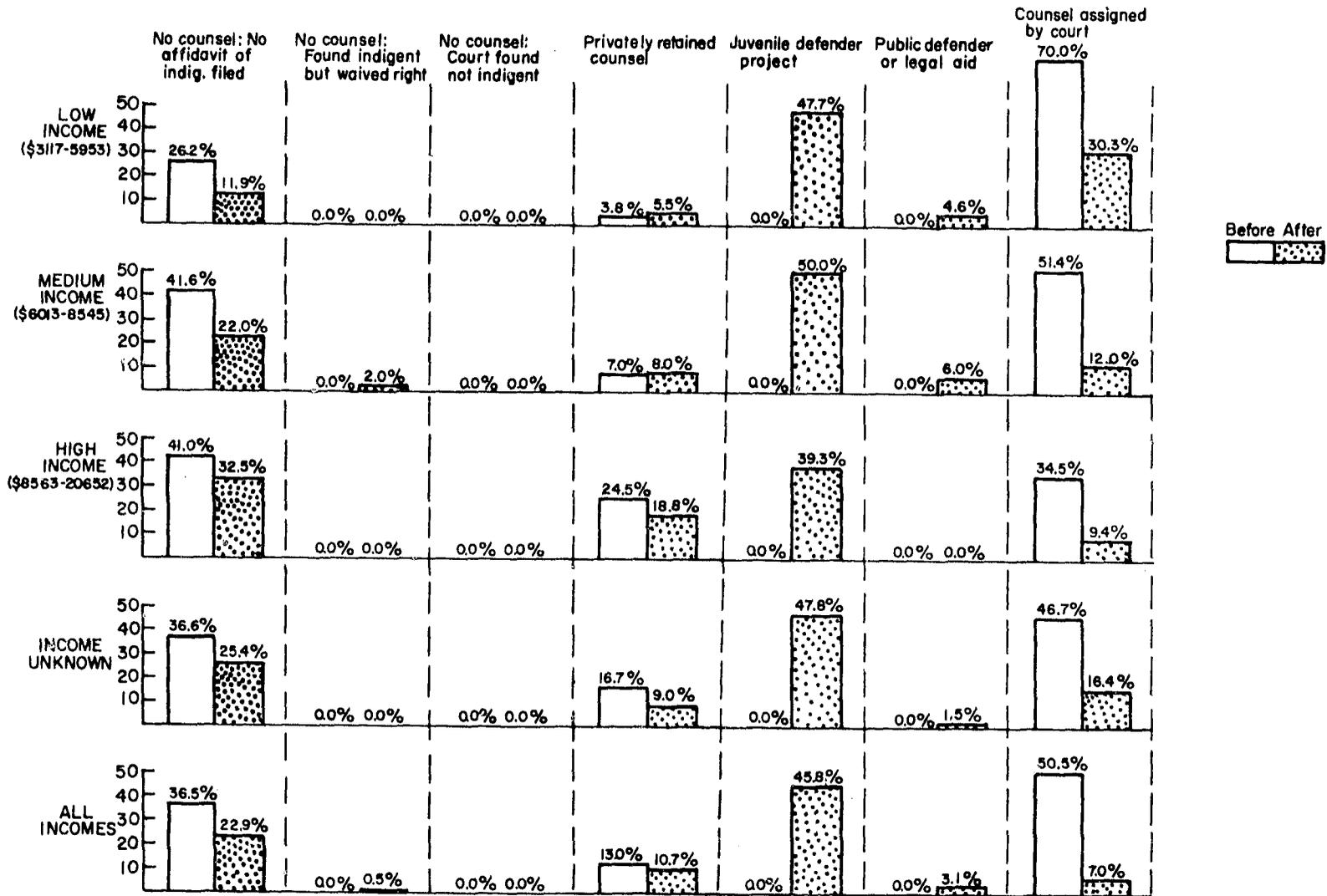
and by Mantel and Haenszel,^b and subsequently modified by Campbell^c and by Koch and Reinfurt.^d It has a chi-square distribution with degrees of freedom equal to one less than the number of categories of the factor it is associated with. The contribution statistic combines information across all combinations of previously selected factors and is thus resistant to "thinning" of data. It is highly sensitive to weak but consistent relationships that factors not yet selected may have with court disposition.

The final step in the analysis is to consider those factors whose contribution statistics are significant after controlling for juvenile record and offense seriousness. Chi-square and Fisher's exact test are used to determine the significance of differences in training school-superior court rates within each level of the record-offense index.

-
- b. Mantel, Nathan, and William Haenszel, Statistical Aspects of the Analysis of Data from Retrospective Studies of Disease, 22 Journal of the National Cancer Institute 719 (1959).
- c. Campbell, Robert, Driver Injury in Automobile Accidents involving Certain Car Models (N.C. Highway Research Center, University of North Carolina at Chapel Hill, 1970).
- d. Koch, Gary G., and Donald Reinfurt, An Analysis of the Relationship between Driver Injury and Vehicle Age for Automobiles Involved in North Carolina Accidents During 1966-1970 (N.C. Highway Safety Research Center, University of North Carolina at Chapel Hill, 1973).

GRAPH 1.

26TH DISTRICT (CHARLOTTE AND MECKLENBURG COUNTY):
 Percentage of Children in Each Income Group Having Various Types of Counsel Representation,
 Before and After Juvenile Defender Project Began



GRAPH 2.

21ST DISTRICT (WINSTON-SALEM AND FORSYTH COUNTY):
 Percentage of Children in Each Income Group Having Various Types of Counsel Representation,
 Before and After Juvenile Defender Project Began

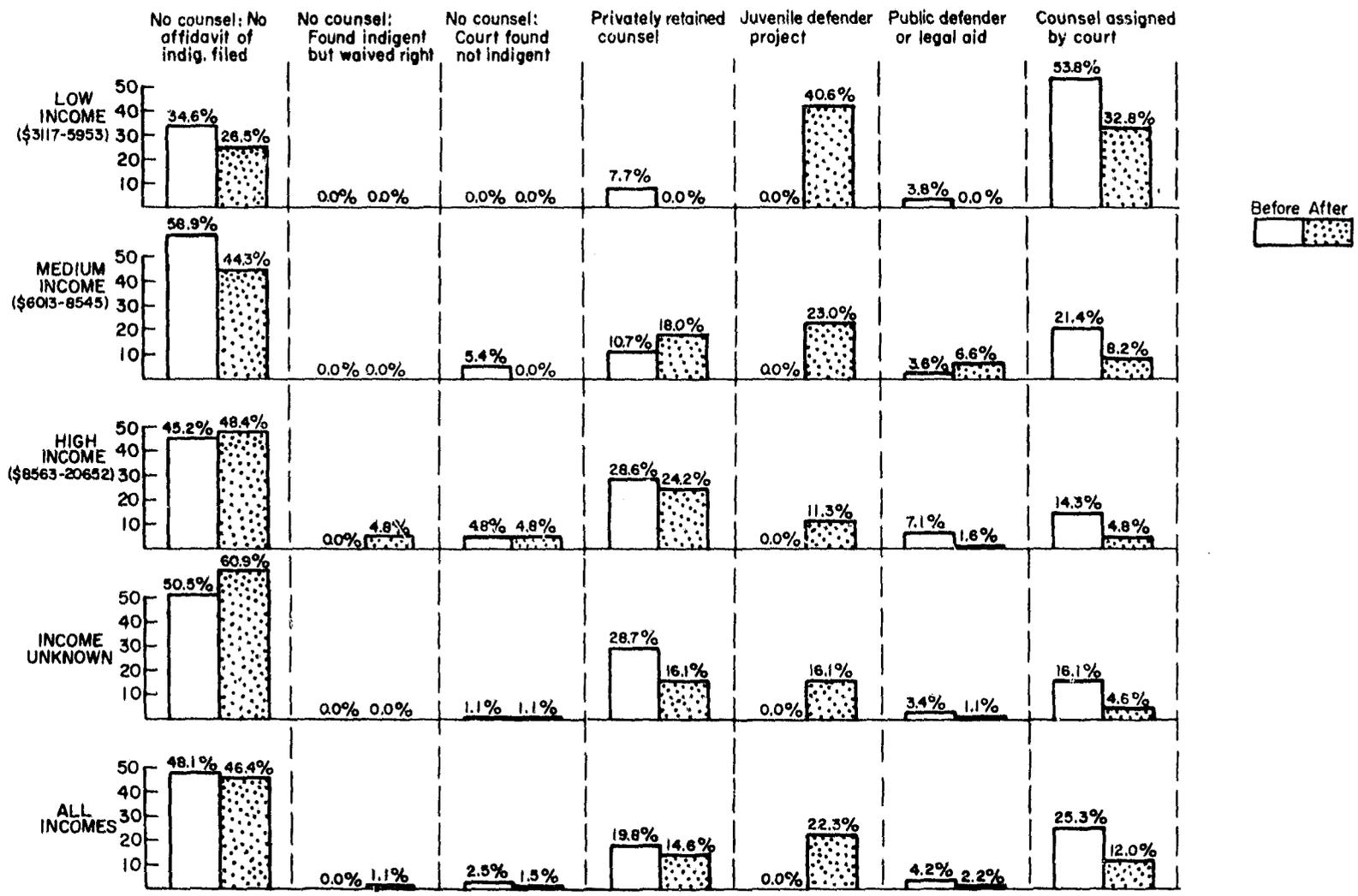


Table 1. Juvenile Court Dispositions

| | <u>Total</u> | <u>Percent</u> |
|--|-----------------|----------------|
| 1. "Handled informally" (no supervision ordered) | 197 | 13.7% |
| 2. Voluntary dismissal by assistant D.A. | 101 | 7.0 |
| 3. Dismissed by judge | 251 | 17.5 |
| 4. Child left in custody of parents or relatives | 608 | 42.3 |
| 5. Placement in residential program <u>other than</u> D.S.S. foster or group home | 28 | 1.9 |
| 6. Custody given to Dept. of Social Services (D.S.S.) | 63 | 4.4 |
| 7. Transferred to superior court (only possible for 14- and 15-year-olds charged with felonies) | 24 | 1.7 |
| 8. Committed to training school (Div. of Youth Services, Dept. of Human Resources) | 115 | 8.0 |
| 9. Other (includes change of venue, death, and restitution order by judge) | 50 | 3.5 |
| 10. Total | 1,437 | 100.0 |
| Placed or continued on probation | 657 (45.8%) | |
| Not placed on probation | 778 (54.2%) | |
| Total | 1,435* (100.0%) | |

*Total not 1,437 due to missing data.

Table 2. Regrouped Juvenile Court Dispositions

| | <u>Total</u> | <u>Percent</u> |
|---|--------------|----------------|
| 1. Training school | 115 | 8.0% |
| 2. Transfer to superior court | 23 | 1.6% |
| 3. D.S.S. foster or group home | 63 | 4.4% |
| 4. Other residential program | 28 | 2.0% |
| 5. Probation at home | 575 | 40.1% |
| 6. Dismissed (includes "handled informally") | 582 | 40.6% |
| 7. Other | 49 | 3.4% |
| 8. TOTAL | 1,435* | 100.0% |
| 9. Training school and superior court combined | (138) | (9.6%) |
| 10. Training school and super. ct. as per cent of the 853 cases not dismissed | (138) | (16.2%) |
| 11. Custody change (training school, foster home, and residential program) as per cent of all cases excluding super. ct. (total 1,412) | (206) | (14.6%) |

*Total less than 1,437 due to missing data.

Table 3. Frequency of Juvenile Record¹ Variables

PREVIOUS DELINQUENCY PETITIONS

| | | |
|-------|--------|-------|
| None | 846 | 59.0% |
| 1 | 251 | 17.5 |
| 2 | 133 | 9.3 |
| 3 | 70 | 4.9 |
| 4 | 47 | 3.3 |
| 5 | 28 | 2.0 |
| 6-8 | 38 | 2.6 |
| 9-18 | 22 | 1.5 |
| Total | 1,435* | 100.0 |

JUVENILE RECORD INDEX²
(COMBINES PREVIOUS PETITIONS,
COMMITMENTS, AND PROBATION/
CONDITIONAL RELEASE STATUS)

| | | |
|---------|--------|-------|
| Level 1 | 732 | 51.0% |
| Level 2 | 179 | 12.5 |
| Level 3 | 224 | 15.6 |
| Level 4 | 171 | 11.9 |
| Level 5 | 129 | 9.0 |
| Total | 1,435* | 100.0 |

PREVIOUS "UNDISCIPLINED" PETITIONS

| | | |
|-------|--------|-------|
| None | 1,102 | 76.8% |
| 1 | 252 | 17.6 |
| 2 | 48 | 3.3 |
| 3-6 | 33 | 2.3 |
| Total | 1,435* | 100.0 |

PREVIOUS COMMITMENTS TO TRAINING SCHOOL

| | | |
|-------|--------|-------|
| None | 1,327 | 92.5% |
| 1 | 77 | 5.4 |
| 2-3 | 31 | 2.2 |
| Total | 1,435* | 100.0 |

PROBATION/CONDITIONAL RELEASE STATUS AT TIME OF CURRENT OFFENSE

| | | |
|----------------------------|--------|-------|
| Not on prob. or cond. rel. | 1,024 | 71.4% |
| On probation | 339 | 23.6 |
| On cond. rel. | 71 | 5.0 |
| Total | 1,434* | 100.0 |

*Total less than 1,437 due to missing data.

¹Juvenile court record information was limited to the judicial district (i.e., county) in which the child's current case was filed.

²See statistical methods section of report for definition of levels.

Table 4. First-Order Relationship of Juvenile Record to Court Disposition

| | 1. Training School (% of total) | 2. Transfer to Superior Court (% of total) | 3. Foster or Group Home (DSS) (% of total) | 4. Residential Program (% of total) | 5. Probation at Home (% of total) | 6. Dismissed (% of total) | 7. Other (% of total) | 8. TOTAL | 9. Training School & Super. Ct. (% of total) | 10. Training School & Super. Ct. (% of cases not dismissed) | 11. Custody Change (% of total except Sup. Ct.) |
|--|--|--|--|--|--|---------------------------------|-----------------------------|-------------|--|---|---|
| 1. Previous Delinquency Petitions in this Judicial District | | | | | | | | | | | |
| (a) None | 2.1% | 0.4% | 2.5% | 1.1% | 41.6% | 49.4% | 3.0% | 846 | 2.5% | 4.9% | 5.7% |
| (b) 1 | 7.2 | 0.8 | 7.2 | 4.0 | 49.8 | 27.9 | 3.2 | 251 | 8.0 | 11.0 | 18.5 |
| (c) 2 | 15.8 | 1.5 | 7.5 | 3.0 | 39.1 | 29.3 | 3.8 | 133 | 17.3 | 24.5 | 26.7 |
| (d) 3 | 21.4 | 2.9 | 10.0 | 1.4 | 28.6 | 32.9 | 2.9 | 70 | 24.3 | 36.2 | 33.8 |
| (e) 4-18 | 31.9 | 10.4 | 5.2 | 3.0 | 19.3 | 23.7 | 6.7 | 135 | 42.2 | 55.3 | 44.6 |
| 2. Previous Undisciplined Petitions in this Judicial District | | | | | | | | | | | |
| (a) None | 4.7 | 1.5 | 3.4 | 1.0 | 41.5 | 45.6 | 2.4 | 1,102 | 6.2 | 11.4 | 9.2 |
| (b) 1 | 15.9 | 1.2 | 6.7 | 4.8 | 41.7 | 22.6 | 7.1 | 252 | 17.1 | 22.1 | 27.7 |
| (c) 2-6 | 28.4 | 4.9 | 11.1 | 6.2 | 16.0 | 27.2 | 6.2 | 81 | 33.3 | 45.8 | 48.1 |
| 3. Previous Commitments to Training School by Juvenile Court in this Judicial District | | | | | | | | | | | |
| (a) None | 6.4 | 1.0 | 4.6 | 2.0 | 41.6 | 41.2 | 3.2 | 1,327 | 7.4 | 12.6 | 13.2 |
| (b) 1, 2, or 3 | 27.8 | 9.3 | 1.9 | 0.9 | 21.3 | 32.4 | 6.5 | 108 | 37.0 | 54.8 | 33.7 |
| 4. Probation/Conditional Release Status at Time of Offense | | | | | | | | | | | |
| (a) Not on probation or conditional release | 2.3 | 1.2 | 2.8 | 0.7 | 42.8 | 47.9 | 2.2 | 1,024 | 3.5 | 6.8 | 5.9 |
| (b) On probation | 20.4 | 1.2 | 9.7 | 5.9 | 36.6 | 20.1 | 6.2 | 339 | 21.5 | 26.9 | 36.4 |
| (c) On conditional release | 31.0 | 9.9 | 1.4 | 1.4 | 16.9 | 32.4 | 7.0 | 71 | 40.8 | 60.4 | 37.5 |
| 5. Juvenile Record Index (combines prior peti- tions, commitments and probation/cond. rel. status) | | | | | | | | | | | |
| (a) Level 1 | 0.4 | 0.3 | 1.9 | 0.4 | 40.8 | 54.0 | 2.2 | 732 | 0.7 | 1.5 | 2.7 |
| (b) Level 2 | 3.4 | 1.7 | 4.5 | 1.7 | 55.3 | 31.8 | 1.7 | 179 | 5.0 | 7.4 | 9.7 |
| (c) Level 3 | 9.4 | 3.4 | 7.6 | 4.0 | 45.5 | 25.9 | 7.1 | 224 | 9.8 | 13.3 | 21.1 |
| (d) Level 4 | 22.8 | 2.9 | 10.5 | 5.8 | 31.6 | 24.0 | 2.3 | 171 | 25.7 | 33.8 | 40.4 |
| (e) Level 5 | 35.7 | 9.3 | 4.7 | 2.3 | 16.3 | 24.0 | 7.8 | 129 | 45.0 | 59.2 | 47.0 |

*Custody change includes training school, foster home, and residential program dispositions; percentage shown is percentage of all cases except those transferred to superior court.

Table 5. Strength of First-Order Relationship of Factors to Court Disposition

| | Chi-Square Divided by Degrees of Freedom | | | | | |
|---|--|--|---------------------|--------------------------|--|-------------------------------------|
| | 1. Degrees of Freedom | 2. Training School and Super. Ct./ Other | 3. Dismissal/ Other | 4. Custody Change/ Other | 5. Training School & Super. Ct./ Other (Excluding Dismissed Cases) | 6. Overall Disposition ¹ |
| 1. Juvenile Court Record | | | | | | |
| (a) Previous Delinquency Petitions | 4 | 60.45 | 17.20 | 44.96 | 44.68 | 13.83 |
| (b) Previous Undisciplined Petitions | 2 | 41.78 | 25.75 | 64.42 | 26.66 | 14.83 |
| (c) Previous Commitments to Training School | 1 | 97.64 | 2.86 | 29.16 | 84.70 | 19.56 |
| (d) Probation/Conditional Release Status | 2 | 89.40 | 42.12 | 107.92 | 63.60 | 27.13 |
| (e) Juvenile Record Index | 4 | 77.01 | 28.57 | 70.09 | 56.31 | 19.49 |
| 2. Type and Severity of Offense | | | | | | |
| (a) General Offense Category | 3 | 18.73 | 54.53 | 35.68 | 6.91 | 17.12 |
| (b) Specific Offense Category | 17 | 4.05 | 10.88 | 7.70 | 1.89 | 4.44 |
| (c) Seriousness Score | 4 | 18.14 | 50.75 | 29.00 | 6.15 | 15.56 |
| (d) Number of Petitions and Motions | 2 | 41.46 | 48.46 | 39.16 | 15.88 | 14.83 |
| (e) Number of Crim. Cases | 3 | 3.27 | 0.22 | 8.07 | 3.61 | 3.81 |
| (f) Offense Seriousness Index | 5 | 18.67 | 43.25 | 20.46 | 7.52 | 13.50 |
| 3. Record-Offense Index | 5 | 88.65 | 37.04 | 70.82 | 38.50 | 17.00 |
| 4. "Strength of Case" Factors | | | | | | |
| (a) Complainant | 4 | 8.06 | 13.43 | 21.30 | 4.04 | 8.18 |
| (b) Eyewitness | 2 | 5.54 | 30.82 | 10.16 | 1.19 | 6.13 |
| (c) Police Testimony (Yes/No/Unknown) | 2 | 3.23 | 8.24 | 1.75 | 1.21 | 7.08 |
| (d) Police Testimony | 1 | 6.01 | 15.71 | 1.62 | 2.09 | 11.43 |
| (e) Strength of Case Index | 2 | 23.29 | 46.75 | 45.50 | 10.32 | 18.05 |
| 5. Demographic Factors | | | | | | |
| (a) Age | 5 | 3.48 | 5.48 | 1.41 | 2.95 | 3.48 |
| (b) Race | 1 | 8.47 | 1.66 | 2.69 | 7.08 | 4.54 |
| (c) Sex | 1 | 0.10 | 6.54 | 0.36 | 0.04 | 2.93 |
| (d) Income (Low/Medium/High/Unknown) | 3 | 5.90 | 1.28 | 7.68 | 5.17 | 2.94 |
| (e) Income (Low/All other) | 1 | 12.81 | 2.98 | 12.52 | 9.90 | 5.37 |

¹The chi-square for the overall 7-category disposition has six times the degrees of freedom shown in column 1 of the table. The chi-square values in column 6 are equal to the chi-square for the overall disposition divided by its degrees of freedom.

Table 5 (cont'd)

| | Chi-Square Divided by Degrees of Freedom | | | | | |
|---|--|--|---------------------|--------------------------|--|-------------------------------------|
| | 1. Degrees of Freedom | 2. Training School and Super. Ct./ Other | 3. Dismissal/ Other | 4. Custody Change/ Other | 5. Training School Super. Ct./ Other (Excluding Dismissed Cases) | 6. Overall Disposition ¹ |
| 6. Family-Related Factors | | | | | | |
| (a) Parents in Home | 3 | 10.01 | 8.42 | 38.94 | 8.02 | 10.11 |
| (b) Number of Parents Who Attended Hearing | 3 | 4.74 | 6.83 | 15.36 | 6.35 | 7.60 |
| (c) Home-Parent Index | 2 | 15.52 | 7.56 | 47.94 | 10.84 | 11.60 |
| 7. Administrative Factors | | | | | | |
| (a) Detention Status | 1 | 174.19 | 80.49 | 236.41 | 104.62 ² | 49.21 |
| (b) Judge (13 judges) | 12 | 1.82 | 1.61 | 1.40 | 1.20 ² | 1.78 |
| (c) Judge (Judge 13/ Judge 7/Others) | 2 | 4.57 | 3.00 | 1.46 | 3.47 | 1.51 |
| (d) Counsel (5 forms) | 4 | 16.34 | 8.95 | 20.79 | 12.05 | 6.17 |
| (e) Counsel (Juvenile Defender/Assigned Counsel) ³ | 1 | 0.42 | 1.91 | 1.52 | 1.36 | 5.29 |
| (f) Judicial District | 1 | 0.66 | 7.72 | 0.78 | 0.00 | 6.93 |
| (g) Year Petition Filed | 1 | 2.94 | 0.32 | 2.74 | 2.58 | 3.03 |

²The chi-square for this entry had 11 degrees of freedom.

³Excludes cases with other forms of counsel.

Table 7. First-Order Relationship of Offense Charged and Record-Offense Index to Court Disposition

| | 1. Training School (% of total) | 2. Transfer to Superior Court (% of total) | 3. Foster or Group Home (DSS) (% of total) | 4. Residential Program (% of total) | 5. Probation at Home (% of total) | 6. Dismissed (% of total) | 7. Other (% of total) | 8. TOTAL | 9. Training School & Super. Ct. (% of total) | 10. Training School & Super. Ct. (% of cases not dismissed) | 11. Custody Change (% of total except Sup. Ct.) |
|---|--|--|--|--|--|---------------------------------|-----------------------------|-------------|--|---|---|
| 1. General Offense Category | | | | | | | | | | | |
| (a) Felony | 10.7% | 4.6% | 4.4% | 1.6% | 52.0% | 24.4% | 2.4% | 504 | 15.3% | 20.2% | 17.5% |
| (b) Misdemeanor | 3.8 | 0.0 | 2.5 | 0.6 | 34.1 | 56.6 | 2.4 | 715 | 3.8 | 8.7 | 6.9 |
| (c) Probation Violation | 16.1 | 0.0 | 11.4 | 8.3 | 34.2 | 21.2 | 8.8 | 193 | 16.1 | 20.4 | 35.8 |
| (d) Conditional Release Violation | 13.0 | 0.0 | 4.3 | 0.0 | 13.0 | 56.5 | 13.0 | 23 | 13.0 | 30.0 | 17.4 |
| 2. Specific Offense Category | | | | | | | | | | | |
| (a) F01, F02, F03--Felony assault, rape and homicide | 0.0 | 0.0 | 8.3 | 0.0 | 66.7 | 16.7 | 8.3 | 12 | 0.0 | 0.0 | 8.3 |
| (b) F04--Robbery | 7.0 | 14.0 | 9.3 | 0.0 | 37.2 | 30.2 | 2.3 | 13 | 20.9 | 30.0 | 18.9 |
| (c) F06--Burglary and felony- ous breaking and entering | 10.4 | 4.5 | 4.2 | 2.0 | 53.9 | 23.3 | 1.7 | 356 | 14.9 | 19.4 | 17.4 |
| (d) F07--Felony larceny of motor vehicle | 18.4 | 2.6 | 5.3 | 2.6 | 52.6 | 13.2 | 5.3 | 38 | 21.1 | 24.2 | 27.0 |
| (e) F09--Felony larceny (not motor vehicle) | 16.1 | 0.0 | 0.0 | 0.0 | 41.9 | 38.7 | 3.2 | 31 | 16.1 | 26.3 | 16.1 |
| (f) F10--Narcotics felony | 18.2 | 0.0 | 0.0 | 0.0 | 54.5 | 18.2 | 9.1 | 11 | 18.2 | 22.2 | 18.2 |
| (g) F13--Other felony | 0.0 | 0.0 | 0.0 | 0.0 | 53.8 | 46.2 | 0.0 | 13 | 0.0 | 0.0 | 0.0 |
| (h) M06--Misdemeanor, breaking and entering | 5.4 | 0.0 | 2.7 | 0.0 | 51.4 | 40.5 | 0.0 | 37 | 5.4 | 0.1 | 8.1 |
| (i) M07--Unauthorized use of vehicle | 11.1 | 0.0 | 5.6 | 5.6 | 33.3 | 44.4 | 0.0 | 18 | 11.1 | 20.0 | 22.2 |
| (j) M09--Misdemeanor larceny | 2.8 | 0.0 | 3.8 | 0.7 | 35.6 | 54.8 | 2.4 | 289 | 2.8 | 6.1 | 7.3 |
| (k) M10--Narcotics misde- meanor | 4.0 | 0.0 | 0.0 | 0.0 | 40.0 | 52.0 | 4.0 | 25 | 4.0 | 8.9 | 4.0 |
| (l) M11--Misdemeanor assault | 4.1 | 0.0 | 2.8 | 0.7 | 35.2 | 54.5 | 2.8 | 145 | 4.1 | 9.1 | 7.6 |
| (m) M12--Traffic offense | 6.3 | 0.0 | 0.0 | 0.0 | 27.1 | 64.6 | 2.1 | 48 | 6.3 | 17.6 | 6.3 |
| (n) M13--Other misdemeanor | 3.3 | 0.0 | 0.7 | 0.0 | 27.5 | 66.0 | 2.6 | 153 | 3.3 | 9.6 | 3.9 |
| (o) P14--Truancy as probation violation | 13.2 | 0.0 | 1.9 | 7.5 | 49.1 | 22.6 | 5.7 | 53 | 13.2 | 17.1 | 22.6 |

| | 1. Training School (% of total) | 2. Transfer to Superior Court (% of total) | 3. Foster or Group Home (DSS) (% of total) | 4. Residential Program (% of total) | 5. Probation at Home (% of total) | 6. Dismissed (% of total) | 7. Other (% of total) | 8. TOTAL | 9. Training School & Super. Ct. (% of total) | 10. Training School & Super. Ct. not dismissed (% of cases dismissed) | 11. Custody Change (% of total except Sup. Ct.) |
|--|--|--|--|--|--|---------------------------------|-----------------------------|-------------|--|--|---|
| (p) P15--Running away from home as probation violation | 17.3% | 0.0% | 19.2% | 6.7% | 29.8% | 20.2% | 6.7% | 104 | 17.3% | 21.7% | 43.3% |
| (q) P16--Other probation violation | 16.7 | 0.0 | 2.8 | 13.9 | 25.0 | 22.2 | 19.4 | 36 | 16.7 | 21.4 | 33.3 |
| (r) C11, C14, C15, C16--Conditional release violation | 13.3 | 0.0 | 4.3 | 0.0 | 13.0 | 56.5 | 13.0 | 23 | 13.0 | 30.0 | 17.4 |
| 3. Seriousness Score | | | | | | | | | | | |
| (a) 1-2 points | 3.5 | 0.0 | 1.8 | 0.3 | 30.8 | 61.3 | 2.2 | 595 | 3.5 | 9.1 | 5.7 |
| (b) 3-4 points | 8.2 | 0.9 | 3.9 | 2.1 | 46.8 | 35.6 | 2.6 | 233 | 9.0 | 14.0 | 14.3 |
| (c) 5-8 points | 8.5 | 3.1 | 3.1 | 1.5 | 54.2 | 26.2 | 3.5 | 260 | 11.5 | 15.6 | 13.5 |
| (d) 9-88 points | 16.5 | 0.2 | 8.9 | 0.6 | 51.9 | 12.7 | 1.3 | 158 | 24.7 | 28.3 | 28.3 |
| (e) Single probation or conditional release violation | 14.3 | 0.0 | 11.1 | 8.5 | 31.7 | 24.3 | 10.1 | 188 | 14.3 | 18.9 | 33.9 |
| 4. Number of Petitions and Motions Filed Against Child | | | | | | | | | | | |
| (a) 1 petition | 5.9 | 0.8 | 3.2 | 1.9 | 38.3 | 46.3 | 3.6 | 1,182 | 6.7 | 12.4 | 11.2 |
| (b) 2 petitions | 14.9 | 3.4 | 8.0 | 2.3 | 50.5 | 18.9 | 2.3 | 175 | 18.3 | 22.5 | 26.0 |
| (c) 3-9 petitions | 24.4 | 10.3 | 14.1 | 1.3 | 43.6 | 2.6 | 3.8 | 78 | 34.6 | 35.5 | 44.3 |
| 5. Number of Companion Cases | | | | | | | | | | | |
| (a) None | 10.6 | 0.9 | 5.4 | 2.4 | 35.4 | 40.6 | 4.8 | 800 | 11.5 | 19.4 | 18.5 |
| (b) 1 | 3.5 | 3.8 | 4.2 | 2.1 | 44.6 | 38.8 | 3.1 | 289 | 7.3 | 11.9 | 10.1 |
| (c) 2 | 6.7 | 3.4 | 4.0 | 0.7 | 42.3 | 42.3 | 0.7 | 149 | 10.1 | 17.4 | 11.8 |
| (d) 3-7 | 5.1 | 0.0 | 1.0 | 1.0 | 50.8 | 41.6 | 0.5 | 197 | 5.1 | 8.7 | 7.1 |
| 6. Offense Seriousness Index (combines seriousness score and general offense category) | | | | | | | | | | | |
| (a) Level 1 (Misdemeanor, 1-2 points) | 2.5 | 0.0 | 1.8 | 0.4 | 30.3 | 63.0 | 2.1 | 567 | 2.5 | 6.7 | 4.6 |

CONTINUED

1 OF 2

| | 1. Training School (% of total) | 2. Transfer to Superior Court (% of total) | 3. Foster or Group Home (DSS) (% of total) | 4. Residential Program (% of total) | 5. Probation at Home (% of total) | 6. Dismissed (% of total) | 7. Other (% of total) | 8. TOTAL | 9. Training School & Super. Ct. (% of total) | 10. Training School & Super. Ct. (% of cases not dismissed) | 11. Custody Change (% of total except Sup. Ct.) |
|--|--|--|--|--|--|---------------------------------|-----------------------------|-------------|--|---|---|
| (b) Level 2 (Misdemeanor, 3 or more points; or felony, 1-4 points) | 7.7 | 0.7 | 3.6 | 1.8 | 49.3 | 33.9 | 2.9 | 274 | 8.4 | 12.7 | 13.2 |
| (c) Level 3 (Felony, 5-8 points) | 8.8 | 3.5 | 3.1 | 1.8 | 52.7 | 27.0 | 3.1 | 226 | 12.4 | 17.0 | 14.2 |
| (d) Level 4 (Felony, 9-88 points) | 17.2 | 8.6 | 8.6 | 0.7 | 52.3 | 11.3 | 1.3 | 151 | 25.8 | 29.1 | 29.0 |
| (e) Level 5 (Probation or conditional release violation; one offense) | 14.4 | 0.0 | 11.2 | 8.5 | 31.4 | 24.5 | 10.1 | 188 | 14.4 | 19.0 | 34.0 |
| (f) Level 6 (Probation or conditional release violation; 2, 3, or 4 offenses) | 24.1 | 0.0 | 6.9 | 0.0 | 37.9 | 27.6 | 3.4 | 29 | 24.1 | 33.3 | 31.0 |
| 7. Record-Offense Index (combines juvenile record index, offense seriousness index, and total petitions against child) | | | | | | | | | | | |
| (a) Group 1 (lowest risk) | 0.3 | 0.0 | 1.4 | 0.4 | 38.4 | 57.3 | 2.3 | 735 | 0.3 | 0.6 | 2.0 |
| (b) Group 2 | 5.4 | 0.5 | 6.0 | 3.0 | 54.0 | 26.7 | 4.4 | 367 | 6.0 | 8.2 | 14.5 |
| (c) Group 3 | 18.8 | 2.1 | 13.2 | 6.9 | 27.8 | 24.3 | 6.9 | 144 | 20.8 | 27.5 | 39.7 |
| (d) Group 4 | 29.6 | 4.8 | 4.0 | 3.2 | 36.8 | 17.6 | 4.0 | 125 | 34.4 | 41.7 | 38.7 |
| (e) Group 5 | 36.1 | 8.3 | 16.7 | 0.0 | 22.2 | 16.7 | 0.0 | 36 | 44.4 | 53.3 | 57.6 |
| (f) Group 6 (highest risk) | 57.1 | 32.1 | 3.6 | 0.0 | 3.6 | 0.0 | 3.6 | 28 | 89.3 | 89.3 | 89.5 |

Table 8. Strength of Second-Order Relationship of Factors to Court Disposition, Adjusting for Juvenile Record Index

NOTE: In this table, court disposition is a single outcome variable with two categories: (1) training school and transfer to superior court; and (2) foster home, residential program, probation at home, dismissal, and other.

| Two-Way Combinations of Factors with Juvenile Record Index | Statistics Regarding Relationship of Factor to Disposition | | | | |
|--|--|--------------------------------|---|--|---|
| | 1. Chi-Square for Joint Variable | 2. Degrees of Freedom | 3. Joint Chi-Square Divided by D.F. | 4. Mantel-Haenszel "Contribution Statistic" Chi.-Sq. D.F. | |
| 1. Type and Severity of Offense¹ | | | | | |
| (a) General Offense Category x JRI ² | 387.43 | 14 | 27.67 | 40.45 ^S | 3 |
| (b) Seriousness Score x JRI | 411.95 | 22 | 18.72 | 49.60 ^S | 4 |
| (c) Number of Petitions and Motions x JRI | 395.96 | 14 | 28.28 | 45.90 ^S | 2 |
| (d) Number of Companion Cases x JRI | 349.87 | 19 | 18.41 | 2.03 | 3 |
| (e) Offense Seriousness Index x JRI | 421.70 | 25 | 16.87 | 54.73 ^S | 5 |
| 2. Juvenile Court Record | | | | | |
| (a) Prev. Delinquency Petitions x JRI | * | * | * | 2.07 | 4 |
| (b) Prev. Undisciplined Pet. x JRI | * | * | * | 0.81 | 2 |
| (c) Prev. Training School x JRI | * | * | * | 1.02 | 1 |
| (d) Probation/Conditional Release Status x JRI | * | * | * | 0.44 | 2 |
| 3. Record-Offense Index x JRI | * | * | * | 77.94 ^S | 5 |
| 4. "Strength of Case" Factors | | | | | |
| (a) Complainant x JRI | 369.44 | 23 | 16.06 | 5.38 | 4 |
| (b) Eyewitness x JRI | 310.63 | 14 | 22.19 | 1.49 | 2 |
| (c) Police Testimony (Yes/No/Unknown) x JRI | 391.68 | 14 | 27.98 | 26.32 ^S | 1 |
| (d) Police Testimony (Yes/No and Unknown) x JRI | 380.24 | 9 | 42.25 | 26.23 ^S | 1 |
| (e) Strength of Case Index x JRI | 375.54 | 14 | 26.82 | 21.43 ^S | 2 |

^SSignificant at .05 or less.

*Missing because the Juvenile Record Index incorporates all or part of the information in these factors by definition.

¹Specific Offense Category is omitted because its large number of levels made chi-squares meaningless.

²"JRI" refers to the Juvenile Record Index.

| Two-Way Combinations of Factors with Juvenile Record Index | 1. Chi-Square for Joint Variable | 2. Degrees of Freedom | 3. Joint Chi-Square Divided by D.F. | 4 Mantel-Haenszel "Contribution Statistic" Chi.-Sq. D.F. |
|--|---|--------------------------------|---|---|
| 5. Demographic Factors | | | | |
| (a) Age x JRI | 319.37 | 29 | 11.01 | 3.20 5 |
| (b) Race x JRI | 317.99 | 9 | 35.33 | 2.25 1 |
| (c) Sex x JRI | 312.52 | 9 | 34.72 | 0.20 1 |
| (d) Income (Low/Medium/High/Unknown) x JRI | 357.25 | 19 | 18.80 | 7.25 3 |
| (e) Income (Low/All Other) x JRI | 321.09 | 9 | 35.68 | 0.71 1 |
| 6. Family-Related Factors | | | | |
| (a) Parents in Home x JRI | 340.75 | 19 | 17.93 | 5.22 3 |
| (b) Number Parents Attending Hearing x JRI | 333.09 | 19 | 17.53 | 1.46 3 |
| (c) Home-Parent Index x JRI | 333.46 | 14 | 23.82 | 4.75 2 |
| 7. Administrative Factors | | | | |
| (a) Detention Status x JRI | 378.07 | 9 | 42.01 | 38.39 ^S 1 |
| (b) Judge ³ (Judge 13/Judge7/Others) x JRI | 321.43 | 14 | 22.96 | 6.89 ^S 2 |
| (c) Counsel (5 forms) x JRI | 376.85 | 24 | 15.70 | 29.27 ^S 4 |
| (d) Counsel ⁴ (Juvenile Defender/Assigned Counsel) x JRI | 167.99 | 9 | 18.67 | 0.00 1 |
| (e) Judicial District x JRI | 317.02 | 9 | 35.22 | 2.84 1 |
| (f) Year Petition Filed x JRI | 310.17 | 9 | 34.46 | 0.13 1 |

³The full judge variable including all 13 judges separately is omitted because its large number of levels made chi-squares meaningless.

⁴N=670; excludes 765 cases with forms of counsel other than Juvenile Defender and assigned counsel.

Table 9. Frequency of "Strength of Case" Variables

COMPLAINANT WHO SIGNED PETITION OR MOTION

| | | |
|---|--------|-------|
| Police Officer | 882 | 61.5% |
| Court counselor (probation officer) | 201 | 14.0 |
| Child's parent | 17 | 1.2 |
| School official | 63 | 4.4 |
| Other (includes private citizen other than parent) | 272 | 19.0 |
| Total | 1,435* | 100.0 |

WAS THERE EYEWITNESS TO ALLEGED OFFENSE?

| | | |
|---------|--------|-------|
| Yes | 670 | 46.7% |
| No | 565 | 39.4 |
| Unknown | 200 | 13.9 |
| Total | 1,435* | 100.0 |

DID POLICE OFFICER TESTIFY AT HEARING?

| | | |
|---------|--------|-------|
| Yes | 821 | 57.2% |
| No | 585 | 40.8 |
| Unknown | 29 | 2.0 |
| Total | 1,435* | 100.0 |

"STRENGTH OF CASE" INDEX

| | | |
|---|--------|-------|
| Group 1 (No police testimony or unknown, and complainant was not parent or court counselor) | 408 | 28.4% |
| Group 2 (Police officer testified, and complainant was not parent or court counselor) | 809 | 56.4 |
| Group 3 (Complainant was parent or court counselor) | 218 | 15.2 |
| Total | 1,435* | 100.0 |

*Total less than 1,437 due to missing data.

Table 10. First-Order Relationship of "Strength of Case"
Factors to Court Disposition

| | 1. Training School (% of total) | 2. Transfer to Superior Court (% of total) | 3. Foster or Group Home (DSS) (% of total) | 4. Residential Program (% of total) | 5. Probation at Home (% of total) | 6. Dismissed (% of total) | 7. Other (% of total) | 8. TOTAL | 9. Training School & Super. Ct. (% of total) | 10. Training School & Super. Ct. (% of cases not dismissed) | 11. Custody Change (% of total except Sup. Ct.) |
|--|--|--|--|--|--|---------------------------------|-----------------------------|-------------|--|---|---|
| 1. Complainant Who Signed Petition or Motion | | | | | | | | | | | |
| (a) Law enforcement officer | 6.1% | 2.5% | 3.4% | 1.0% | 39.8% | 45.5% | 1.7% | 882 | 8.6% | 15.8% | 10.8% |
| (b) Court counselor (probation officer) | 18.9 | 0.0 | 10.0 | 6.0 | 32.3 | 21.9 | 10.9 | 201 | 18.9 | 24.2 | 34.8 |
| (c) Parent | 23.5 | 0.0 | 0.0 | 11.8 | 41.2 | 23.5 | 0.0 | 17 | 23.5 | 30.8 | 35.3 |
| (d) School official | 11.1 | 0.0 | 0.0 | 1.6 | 68.3 | 19.0 | 0.0 | 63 | 11.1 | 13.7 | 12.7 |
| (e) Other (includes private citizen other than parent) | 4.4 | 0.4 | 4.8 | 1.5 | 40.1 | 44.5 | 4.4 | 272 | 4.8 | 8.6 | 10.7 |
| 2. Was there an eyewitness to alleged offense? | | | | | | | | | | | |
| (a) Yes | 6.1 | 1.0 | 3.6 | 1.5 | 37.5 | 48.2 | 2.1 | 670 | 7.2 | 13.8 | 11.3 |
| (b) No | 10.8 | 1.9 | 5.8 | 2.8 | 46.2 | 28.0 | 4.4 | 585 | 12.7 | 17.7 | 19.9 |
| (c) Unknown | 6.5 | 2.5 | 3.0 | 1.0 | 31.5 | 50.5 | 5.0 | 200 | 9.0 | 18.2 | 10.8 |
| 3. Did police officer testify at hearing? | | | | | | | | | | | |
| (a) Yes | 8.9 | 2.4 | 3.3 | 1.0 | 46.5 | 36.1 | 1.8 | 821 | 11.3 | 17.7 | 13.5 |
| (b) No | 7.2 | 0.2 | 6.2 | 3.1 | 31.3 | 46.8 | 5.3 | 585 | 7.4 | 13.8 | 16.4 |
| (c) Unknown | 0.0 | 6.9 | 0.0 | 6.9 | 34.5 | 41.4 | 10.3 | 29 | 6.9 | 11.8 | 7.4 |
| (d) No and unknown combined | 6.8 | 0.5 | 5.9 | 3.3 | 31.4 | 46.6 | 5.5 | 614 | 7.3 | 13.7 | 16.0 |
| 4. Strength of Case Index | | | | | | | | | | | |
| (a) Group 1 (no police testi- mony or unknown, and complainant was <u>not</u> parent or court counselor) | 2.0 | 0.7 | 3.9 | 1.5 | 29.9 | 58.8 | 3.2 | 408 | 2.7 | 6.5 | 7.4 |
| (b) Group 2 (police officer testified, and com- plainant was <u>not</u> parent or court counselor) | 8.0 | 2.5 | 3.3 | 1.0 | 47.1 | 36.3 | 1.7 | 809 | 10.5 | 16.5 | 12.7 |
| (c) Group 3 (complainant was parent or court counselor) | 19.3 | 0.0 | 9.2 | 6.4 | 33.0 | 22.0 | 10.1 | 218 | 19.3 | 24.7 | 34.9 |

Table 11. Strength of Second-Order Relationships of Factors to Court Disposition, Adjusting for Record-Offense Index.

NOTE: In this table, court disposition is a single outcome variable with two categories: (1) training school and transfer to superior court; and (2) foster home, residential program, probation at home, dismissal, and other.

| Two-Way Combinations of Factors with Record-Offense Index | Mantel-Haenszel "Contribution Statistic" | |
|--|--|------|
| | Chi-Sq. | D.F. |
| 1. Type and Severity of Offense ¹ | | |
| (a) General Offense Category x ROI ² | 1.58 | 3 |
| (b) Seriousness Score x ROI | 1.67 | 4 |
| (c) Number of Petitions and Motions x ROI | 0.76 | 2 |
| (d) Number of Companion Cases x ROI | 3.28 | 3 |
| (e) Offense Seriousness Index x ROI | 1.71 | 5 |
| 2. Juvenile Court Record | | |
| (a) Prev. Delinquency Petitions x ROI | 1.18 | 4 |
| (b) Prev. Undisciplined Petitions x ROI | 1.58 | 2 |
| (c) Prev. Training School x ROI | 0.29 | 1 |
| (d) Probation/Conditional Release Status x ROI | 1.70 | 2 |
| 3. "Strength of Case" Factors | | |
| (a) Complainant x ROI | 5.68 | 4 |
| (b) Eyewitness x ROI | 2.99 | 2 |
| (c) Police Testimony (Yes/No/Unknown) x ROI | 3.51 | 2 |
| (d) Police Testimony (Yes/No and Unknown) x ROI | 3.48 | 1 |
| (e) Strength of Case Index x ROI | 8.19 ^S | 2 |
| 4. Demographic Factors | | |
| (a) Age x ROI | 4.19 | 5 |
| (b) Race x ROI | 0.17 | 1 |
| (c) Sex x ROI | 2.56 | 1 |
| (d) Income (Low/Medium/High/Unknown) x ROI | 8.49 ^S | 3 |
| (e) Income (Low/All other) x ROI | 0.39 | 1 |
| 5. Family-Related Factors | | |
| (a) Parents in Home x ROI | 7.17 | 3 |
| (b) Number Parents Attending Hearing x ROI | 1.06 | 3 |
| (c) Home-Parent Index x ROI | 6.67 ^S | 2 |
| 6. Administrative Factors | | |
| (a) Detention Status x ROI | 16.69 ^S | 1 |
| (b) Judge ³ (Judge 13/ Judge 7/ Others) x ROI | 9.84 ^S | 2 |
| (c) Counsel ⁴ (5 forms) x ROI | 10.95 ^S | 4 |
| (d) Counsel ⁴ (Juvenile Defender/ Assigned Counsel) x ROI | 0.33 | 1 |
| (e) Judicial District x ROI | 4.56 ^S | 1 |
| (f) Year Petition Filed x ROI | 0.43 | 1 |

^SSignificant at .05 or less.

¹Specific Offense Category is omitted because its large number of levels made chi-squares meaningless.

²"ROI" refers to the Record-Offense Index.

³The full judge variable including all 13 judges separately is omitted because its large number of levels made chi-squares meaningless.

⁴N=670; excludes cases with forms of counsel other than Juvenile Defender and assigned counsel.

Table 12. Relationship of Strength of Case Index to Court Disposition Within Levels of Record-Offense Index

| Record-Offense Index | Strength of Case Index | Proportion of Children Receiving Training School or Super. Ct. Disposition | N |
|----------------------|------------------------|--|-----|
| Level 1 | Group 1 | 0.0% | 281 |
| | Group 2 | 0.4 | 451 |
| | Group 3 | 0.0 | 3 |
| Level 2 | Group 1 | 2.5 | 80 |
| | Group 2 | 6.1 | 197 |
| | Group 3 | 8.9 | 90 |
| Level 3 | Group 1 | 11.8 | 17 |
| | Group 2 | 16.7 | 24 |
| | Group 3 | 23.3 | 103 |
| Level 4 | Group 1 | 21.7 | 23 |
| | Group 2 | 37.6 | 85 |
| | Group 3 | 35.3 | 17 |
| Level 5 | Group 1 | 16.7 | 6 |
| | Group 2 | 46.4 | 28 |
| | Group 3 | 100.0 | 2 |
| Level 6 | Group 1 | 100.0 | 1 |
| | Group 2 | 91.7 | 24 |
| | Group 3 | 66.7 | 3 |

Table 13. Frequency of Demographic Variables

CHILD'S AGE AT TIME OF OFFENSE

| | | |
|-----------|--------|-------|
| 7-8 years | 9 | 0.6% |
| 9 " | 18 | 1.3 |
| 10 " | 35 | 2.4 |
| 11 " | 51 | 3.6 |
| 12 " | 117 | 8.2 |
| 13 " | 234 | 16.4 |
| 14 " | 383 | 26.8 |
| 15 " | 546 | 38.2 |
| 16-17 " | 36 | 2.5 |
| Total | 1,429* | 100.0 |

RACE OF CHILD

| | | |
|-------|--------|-------|
| Black | 818 | 57.6% |
| Other | 603 | 42.4 |
| Total | 1,421* | 100.0 |

CHILD'S SEX

| | | |
|--------|--------|--------|
| Male | 1,091 | 76.1% |
| Female | 343 | 23.9% |
| Total | 1,434* | 100.0% |

ANNUAL INCOME¹ OF CHILD'S FAMILY

| | | |
|------------------------------|--------|-------|
| Low (\$3,117-5,953) | 356 | 24.8% |
| Medium (\$6,013-8,545) | 358 | 24.9 |
| High (\$8,563-20,652) | 360 | 25.1 |
| Unknown (suburban residence) | 361 | 25.2 |
| Total | 1,435* | 100.0 |

*Total less than 1,437 due to missing data.

¹Income is median 1969 family income of child's census tract of residence; see text.

Table 14. First-Order Relationship of Child's Demographic Characteristics to Court Disposition

| | 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. | 11. |
|--|---------------------------------|--|--|-------------------------------------|-----------------------------------|---------------------------|-----------------------|-------|--|--|---|
| | Training School (% of total) | Transfer to Superior Court (% of total) | Foster or Group Home (DSS) (% of total) | Residential Program (% of total) | Probation at Home (% of total) | Dismissed (% of total) | Other (% of total) | TOTAL | Training School & Super. Ct. (% of total) | Training School & Super. Ct. not dismissed (% of cases) | Custody Change (% of total except Sup. Ct.) |
| 1. Age at Time of Offense | | | | | | | | | | | |
| (a) 7-11 years | 3.5% | 0.0% | 11.5% | 0.9% | 22.1% | 60.2% | 1.8% | 119 | 3.5% | 8.9% | 15.9% |
| (b) 12 years | 6.8 | 0.0 | 1.7 | 0.9 | 39.3 | 44.6 | 1.7 | 117 | 6.8 | 13.6 | 9.4 |
| (c) 13 years | 6.0 | 0.4 | 7.7 | 2.1 | 43.2 | 37.6 | 3.0 | 234 | 6.4 | 10.3 | 15.9 |
| (d) 14 years | 7.3 | 1.6 | 3.7 | 1.8 | 46.5 | 35.5 | 3.7 | 383 | 8.9 | 13.8 | 13.0 |
| (e) 15 years | 9.9 | 2.9 | 2.7 | 2.0 | 39.6 | 39.6 | 3.3 | 546 | 12.8 | 21.2 | 15.1 |
| (f) 16-17 years | 16.7 | 0.0 | 2.8 | 5.6 | 22.2 | 36.1 | 16.7 | 36 | 16.7 | 26.1 | 25.0 |
| 2. Race of Child | | | | | | | | | | | |
| (a) Black | 9.4 | 2.3 | 5.3 | 1.1 | 40.8 | 38.8 | 2.3 | 818 | 11.7 | 19.2 | 16.1 |
| (b) Other | 6.3 | 0.7 | 3.3 | 3.2 | 39.6 | 42.3 | 4.6 | 603 | 7.0 | 12.1 | 12.9 |
| 3. Sex of Child | | | | | | | | | | | |
| (a) Male | 7.7 | 2.1 | 4.4 | 1.8 | 42.1 | 38.7 | 3.2 | 1,091 | 9.8 | 16.0 | 14.2 |
| (b) Female | 9.0 | 0.0 | 4.4 | 2.3 | 33.5 | 46.6 | 4.1 | 343 | 9.0 | 16.9 | 15.7 |
| 4. Income of Child's Family | | | | | | | | | | | |
| (a) Low (\$3,117-5,953) | 11.5 | 3.1 | 7.3 | 1.1 | 39.0 | 36.5 | 1.4 | 356 | 14.6 | 23.0 | 20.6 |
| (b) Medium (\$6,013-8,545) | 5.6 | 1.4 | 4.2 | 1.1 | 43.0 | 40.2 | 3.9 | 358 | 7.0 | 11.7 | 11.0 |
| (c) High (\$8,563-20,652) | 5.6 | 0.8 | 2.5 | 1.4 | 42.5 | 42.8 | 4.4 | 360 | 6.4 | 11.2 | 9.5 |
| (d) Unknown | 9.4 | 1.1 | 3.6 | 2.4 | 35.2 | 42.7 | 3.9 | 361 | 10.5 | 18.4 | 17.4 |
| (e) Medium, high, and unknown combined | 6.9 | 1.1 | 3.4 | 2.2 | 40.4 | 41.9 | 4.1 | 1,079 | 8.0 | 13.7 | 12.7 |

Table 15. Relationship of Race and Income to Court Disposition
Within Levels of Record-Offense Index

| <u>Record-Offense Index</u> | <u>Race/Income</u> | <u>Proportion of Children Receiving Training School or Super. Ct. Disposition</u> | <u>N</u> |
|-----------------------------|--------------------|---|-----------------|
| Level 1 | Black | 0.5% | 41 ² |
| | Other | 0.0 | 3 ¹ |
| Level 2 | Black | 7.9 | 190 |
| | Other | 4.0 | 176 |
| Level 3 | Black | 17.4 | 69 |
| | Other | 24.0 | 75 |
| Level 4 | Black | 32.6 | 95 |
| | Other | 41.4 | 29 |
| Level 5 | Black | 44.4 | 27 |
| | Other | 44.4 | 9 |
| Level 6 | Black | 96.0 | 25 |
| | Other | 33.3 | 3 |

| | | | |
|---------|----------------|-------|-----|
| Level 1 | Low income | 0.0 | 147 |
| | Medium income | 0.0 | 186 |
| | High income | 0.5 | 198 |
| | Unknown income | 0.5 | 204 |
| Level 2 | Low income | 5.9 | 85 |
| | Medium income | 6.5 | 93 |
| | High income | 4.7 | 107 |
| | Unknown income | 7.3 | 82 |
| Level 3 | Low income | 21.1 | 38 |
| | Medium income | 5.7 | 35 |
| | High income | 30.0 | 30 |
| | Unknown income | 26.8 | 41 |
| Level 4 | Low income | 26.0 | 50 |
| | Medium income | 33.3 | 30 |
| | High income | 26.3 | 19 |
| | Unknown income | 57.7 | 26 |
| Level 5 | Low income | 44.4 | 18 |
| | Medium income | 33.3 | 9 |
| | High income | 66.7 | 3 |
| | Unknown income | 50.0 | 6 |
| Level 6 | Low income | 100.0 | 18 |
| | Medium income | 80.0 | 5 |
| | High income | 33.3 | 3 |
| | Unknown income | 100.0 | 2 |

Table 16. Frequency of Family-Related Variables

| <u>PARENTS IN HOME</u> | | |
|--------------------------------------|--------|-------|
| Both father and mother | 609 | 42.4% |
| One parent (father or mother) | 644 | 44.9 |
| Relative other than father or mother | 89 | 6.2 |
| Other (includes foster parents) | 93 | 6.5 |
| Total | 1,435* | 100.0 |

| <u>NUMBER OF PARENTS WHO ATTENDED COURT HEARING</u> | | |
|---|--------|-------|
| None | 141 | 9.8% |
| 1 | 851 | 59.3 |
| 2 | 417 | 29.1 |
| Unknown | 26 | 1.8 |
| Total | 1,435* | 100.0 |

| <u>HOME-PARENT INDEX</u> | | |
|--|--------|-------|
| Group 1 (father and mother in home and at least one parent attends hearing or number attending is unknown, or one parent in home but two parents attend) | 645 | 44.9% |
| Group 2 (one parent in home and one or unknown number attend, or relative in home and one, two, or unknown number of parents or relatives attend) | 606 | 42.2 |
| Group 3 (no parents or relatives attend or child does not live with natural parents or relatives) | 184 | 12.8 |
| Total | 1,435* | 100.0 |

*Total less than 1,437 due to missing data.

Table 17. First-Order Relationship of Family-Related Factors to Court Disposition

| | 1. Training School (% of total) | 2. Transfer to Superior Court (% of total) | 3. Foster or Group Home (DSS) (% of total) | 4. Residential Program (% of total) | 5. Probation at Home (% of total) | 6. Dismissed (% of total) | 7. Other (% of total) | 8. TOTAL | 9. Training School & Super. Ct. (% of total) | 10. Training School & Super. Ct. (% of cases not dismissed) | 11. Custody Change (% of total except Sup. Ct.) |
|--|--|--|--|--|--|---------------------------------|-----------------------------|-------------|--|---|---|
| 1. Parents in Home | | | | | | | | | | | |
| (a) Both father & mother | 4.8% | 1.1% | 1.6% | 2.3% | 40.7% | 46.3% | 3.1% | 609 | 5.9% | 11.0% | 8.8% |
| (b) One parent (father or mother) | 8.7 | 2.0 | 3.4 | 1.4 | 42.5 | 39.3 | 2.6 | 644 | 10.7 | 17.6 | 13.8 |
| (c) Relative other than father or mother | 10.1 | 3.4 | 10.1 | 1.1 | 44.9 | 24.7 | 5.6 | 89 | 13.5 | 17.9 | 22.1 |
| (d) Other (includes foster parents) | 22.6 | 0.0 | 23.7 | 4.3 | 14.0 | 26.9 | 8.6 | 93 | 22.6 | 30.9 | 50.5 |
| 2. Number of Parents who attended hearing | | | | | | | | | | | |
| (a) None | 12.8 | 1.4 | 17.0 | 1.4 | 24.1 | 36.2 | 7.1 | 141 | 14.2 | 22.2 | 31.7 |
| (b) 1 | 9.3 | 1.6 | 3.5 | 1.8 | 41.5 | 38.9 | 3.4 | 851 | 10.9 | 17.9 | 14.8 |
| (c) 2 | 4.3 | 1.0 | 2.2 | 2.6 | 45.1 | 42.9 | 1.9 | 417 | 5.3 | 9.2 | 9.2 |
| (d) Unknown | 0.0 | 11.5 | 0.0 | 0.0 | 0.0 | 80.8 | 7.7 | 26 | 11.5 | 60.0 | 0.0 |
| 3. Home-Parent Index | | | | | | | | | | | |
| Group 1 (father and mother in home and at least one parent attends or number attending is un- known, <u>or</u> only one parent in home but two parents attend) | 4.5 | 1.2 | 1.6 | 2.2 | 41.6 | 45.9 | 3.1 | 645 | 5.7 | 10.6 | 8.3 |
| Group 2 (One parent in home and one or un- known number attend, <u>or</u> relative in home and one, two, or unknown number of parents or relatives attend) | 3.7 | 2.1 | 3.8 | 1.5 | 43.7 | 37.3 | 2.8 | 606 | 10.9 | 17.4 | 14.3 |
| Group 3 (No parents or relatives attend <u>or</u> child does not live with natural parents or relatives) | 17.9 | 1.1 | 16.3 | 2.7 | 22.8 | 32.6 | 6.5 | 184 | 19.0 | 28.2 | 37.4 |

Table 18. Relationship of Home-Parent Index to Court Disposition
Within Levels of Record-Offense Index

| <u>Record-Offense Index</u> | <u>Home-Parent Index</u> | <u>Proportion of Children</u> <u>Receiving Training School</u> <u>or Super. Ct. Disposition</u> | <u>N</u> |
|-----------------------------|--------------------------|---|----------|
| Level 1 | Group 1 | 0.5% | 373 |
| | Group 2 | 0.0 | 299 |
| | Group 3 | 0.0 | 63 |
| Level 2 | Group 1 | 2.4 | 167 |
| | Group 2 | 8.9 | 158 |
| | Group 3 | 9.5 | 42 |
| Level 3 | Group 1 | 20.4 | 49 |
| | Group 2 | 13.0 | 54 |
| | Group 3 | 31.7 | 41 |
| Level 4 | Group 1 | 26.3 | 38 |
| | Group 2 | 35.9 | 64 |
| | Group 3 | 43.5 | 23 |
| Level 5 | Group 1 | 22.2 | 9 |
| | Group 2 | 60.0 | 15 |
| | Group 3 | 41.7 | 12 |
| Level 6 | Group 1 | 100.0 | 9 |
| | Group 2 | 81.3 | 16 |
| | Group 3 | 100.0 | 3 |

Table 19. Frequency of Administrative Variables

| <u>DETENTION STATUS</u> | | |
|---|--------|-------|
| Held in detention before court disposition | 353 | 24.6% |
| Not held in detention | 1,080 | 75.4 |
| Total | 1,433* | 100.0 |

| | <u>JUDGE WHO HELD</u> <u>HEARING(S) IN CASE</u> | | <u>TYPE OF COUNSEL</u> | |
|----------|--|-------|---------------------------------|--------------|
| | Judge 1 | 6 | 0.4% | No counsel |
| Judge 2 | 62 | 4.3 | Privately retained counsel | 198 13.8 |
| Judge 3 | 1 | 0.1 | Juvenile Defender | 243 16.9 |
| Judge 4 | 1 | 0.1 | Public Defender or Legal Aid | 28 2.0 |
| Judge 5 | 735 | 51.2 | Assigned counsel | 427 29.8 |
| Judge 6 | 177 | 12.3 | Total | 1,435* 100.0 |
| Judge 7 | 17 | 1.2 | | |
| Judge 8 | 25 | 1.7 | | |
| Judge 9 | 68 | 4.7 | | |
| Judge 10 | 5 | 0.3 | | |
| Judge 11 | 7 | 0.5 | | |
| Judge 12 | 243 | 16.9 | | |
| Judge 13 | 88 | 6.1 | | |
| Total | 1,435* | 100.0 | | |

| <u>JUDICIAL DISTRICT</u> | | |
|--|--------|-------|
| 21st (Winston-Salem and Forsyth County) | 511 | 35.6% |
| 26th (Charlotte and Mecklenburg County) | 924 | 64.4 |
| Total | 1,435* | 100.0 |

| <u>YEAR PETITION OR MOTION FILED</u> | | |
|--|--------|-------|
| 1975 (before a Juvenile Defender Project) | 770 | 53.7% |
| 1976 (during Juvenile Defender Project) | 665 | 46.3 |
| Total | 1,435* | 100.0 |

*Total less than 1,437 due to missing data.

Table 20. First-Order Relationship of Administrative Factors to Court Disposition

| | 1. Training School (% of total) | 2. Transfer to Superior Court (% of total) | 3. Foster or Group Home (DSS) (% of total) | 4. Residential Program (% of total) | 5. Probation at Home (% of total) | 6. Dismissed (% of total) | 7. Other (% of total) | 8. TOTAL | 9. Training School & Super. Ct. (% of total) | 10. Training School & Super. Ct. (% of cases not dismissed) | 11. Custody Change (% of total except Sup. Ct.) |
|---|--|--|--|--|--|---------------------------------|-----------------------------|-------------|--|---|---|
| 1. Detention Status | | | | | | | | | | | |
| (a) Held in detention before court disposition | 22.4% | 5.4% | 12.2% | 4.0% | 31.4% | 20.1% | 4.5% | 353 | 27.8% | 34.8% | 40.7% |
| (b) Not held in detention | 3.3 | 0.4 | 1.9 | 1.3 | 42.9 | 47.3 | 3.0 | 1,080 | 3.7 | 7.0 | 6.5 |
| 2. Judge | | | | | | | | | | | |
| (a) Judge 1 | 0.0 | 0.0 | 0.0 | 0.0 | 66.7 | 33.0 | 0.0 | 6 | 0.0 | 0.0 | 0.0 |
| (b) Judge 2 | 3.2 | 6.5 | 0.0 | 1.6 | 51.6 | 35.5 | 1.6 | 62 | 9.7 | 15.0 | 5.2 |
| (c) Judge 3 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 100.0 | 0.0 | 1 | 0.0 | -- | 0.0 |
| (d) Judge 4 | 100.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1 | 100.0 | 100.0 | 100.0 |
| (e) Judge 5 | 7.1 | 1.8 | 6.9 | 0.8 | 36.2 | 43.5 | 3.7 | 735 | 8.8 | 15.7 | 15.1 |
| (f) Judge 6 | 9.0 | 0.0 | 3.4 | 2.8 | 37.3 | 43.5 | 4.0 | 177 | 9.0 | 16.0 | 15.3 |
| (g) Judge 7 | 0.0 | 0.0 | 0.0 | 5.9 | 29.4 | 58.8 | 5.9 | 17 | 0.0 | 0.0 | 5.9 |
| (h) Judge 8 | 8.0 | 0.0 | 4.0 | 0.0 | 36.0 | 48.0 | 4.0 | 25 | 8.0 | 15.4 | 12.0 |
| (i) Judge 9 | 7.4 | 0.0 | 1.5 | 1.5 | 61.8 | 27.9 | 0.0 | 68 | 7.4 | 10.2 | 10.3 |
| (j) Judge 10 | 40.0 | 0.0 | 0.0 | 0.0 | 20.0 | 20.0 | 20.0 | 5 | 40.0 | 50.0 | 40.0 |
| (k) Judge 11 | 14.3 | 0.0 | 0.0 | 0.0 | 28.6 | 42.9 | 14.3 | 7 | 14.3 | 25.0 | 14.3 |
| (l) Judge 12 | 8.6 | 2.5 | 1.6 | 4.9 | 44.9 | 34.2 | 3.3 | 243 | 11.1 | 16.9 | 15.6 |
| (m) Judge 13 | 14.8 | 0.0 | 0.0 | 2.3 | 44.3 | 36.4 | 2.3 | 88 | 14.8 | 23.2 | 17.0 |
| 3. Type of Counsel | | | | | | | | | | | |
| (a) No counsel | 3.3 | 0.0 | 2.0 | 2.2 | 41.6 | 46.4 | 4.5 | 539 | 3.3 | 6.2 | 7.6 |
| (b) Privately retained counsel | 3.5 | 1.5 | 1.0 | 0.5 | 40.9 | 51.0 | 1.5 | 198 | 5.1 | 10.3 | 5.1 |
| (c) Juvenile Defender | 15.2 | 2.5 | 7.8 | 2.9 | 28.4 | 36.2 | 7.0 | 243 | 17.7 | 27.7 | 26.6 |
| (d) Counsel assigned by court | 12.4 | 3.0 | 7.3 | 1.6 | 44.0 | 30.7 | 0.9 | 427 | 15.5 | 22.3 | 22.0 |
| (e) Public Defender or Legal Aid | 0.0 | 3.6 | 0.0 | 3.6 | 46.4 | 42.9 | 3.6 | 28 | 3.6 | 6.3 | 3.7 |
| 4. Judicial District | | | | | | | | | | | |
| (a) 21st (Winston-Salem and Forsyth County) | 8.6 | 2.0 | 1.2 | 3.3 | 46.6 | 35.6 | 2.7 | 511 | 10.6 | 16.4 | 13.4 |
| (b) 26th (Charlotte and Mecklenburg County) | 7.7 | 1.4 | 6.2 | 1.2 | 36.5 | 43.3 | 3.8 | 924 | 9.1 | 16.0 | 15.3 |
| 5. Year Petition Filed | | | | | | | | | | | |
| (a) 1975 (Before Juvenile Defender Project began) | 6.6 | 1.7 | 5.1 | 1.2 | 41.8 | 41.3 | 2.3 | 770 | 8.3 | 14.2 | 13.1 |
| (b) 1976 (While Juvenile Defender Project was in operation) | 9.6 | 1.5 | 3.6 | 2.9 | 38.0 | 39.7 | 4.7 | 665 | 11.1 | 18.5 | 16.3 |

Table 21. Relationship of Administrative Factors to Court Disposition Within Levels of Record-Offense Index

| Record-Offense Index | | Proportion of Children Receiving Training School or Super. Ct. Disposition | N |
|----------------------|------------------------------|--|-----|
| Level 1 | In detention | 1.6% | 61 |
| | Free | 0.1 | 673 |
| Level 2 | In detention | 9.8 | 92 |
| | Free | 4.7 | 274 |
| Level 3 | In detention | 29.1 | 86 |
| | Free | 8.6 | 58 |
| Level 4 | In detention | 43.5 | 62 |
| | Free | 25.4 | 63 |
| Level 5 | In detention | 51.9 | 27 |
| | Free | 22.2 | 9 |
| Level 6 | In detention | 88.0 | 25 |
| | Free | 100.0 | 3 |
| <hr/> | | | |
| Level 1 | Judge 13 | 1.9 | 54 |
| | Judge 7 | 0.0 | 9 |
| | Other judges | 0.1 | 672 |
| Level 2 | Judge 13 | 15.4 | 13 |
| | Judge 7 | 0.0 | 4 |
| | Other judges | 5.7 | 350 |
| Level 3 | Judge 13 | 57.1 | 14 |
| | Judge 7 | 0.0 | 3 |
| | Other judges | 17.3 | 127 |
| Level 4 | Judge 13 | 40.0 | 5 |
| | Judge 7 | 0.0 | 1 |
| | Other judges | 34.5 | 119 |
| Level 5 | Judge 13 | 0.0 | 1 |
| | Judge 7 | -- | 0 |
| | Other judges | 45.7 | 35 |
| Level 6 | Judge 13 | 0.0 | 1 |
| | Judge 7 | -- | 0 |
| | Other judges | 92.6 | 27 |
| <hr/> | | | |
| Level 1 | No counsel | 0.0 | 333 |
| | Private counsel | 0.8 | 133 |
| | Public Defender or Legal Aid | 0.0 | 14 |
| | Juvenile Defender | 1.1 | 88 |
| | Assigned counsel | 0.0 | 167 |
| Level 2 | No counsel | 2.5 | 122 |
| | Private counsel | 8.0 | 50 |
| | Public Defender or Legal Aid | 0.0 | 9 |
| | Juvenile Defender | 8.6 | 70 |
| | Assigned Counsel | 7.8 | 116 |

Table 21 (cont'd)

| Record-Offense Index | | Proportion of Children Receiving Training School or Super. Ct. Disposition | N |
|----------------------|------------------------------|--|-----|
| Level 3 | No counsel | 13.6 | 59 |
| | Private counsel | 33.3 | 12 |
| | Public Defender or Legal Aid | 0.0 | 2 |
| | Juvenile Defender | 28.6 | 28 |
| | Assigned counsel | 23.3 | 43 |
| Level 4 | No counsel | 22.7 | 22 |
| | Private counsel | 50.0 | 2 |
| | Public Defender or Legal Aid | 50.0 | 2 |
| | Juvenile Defender | 33.3 | 36 |
| Level 5 | Assigned counsel | 38.1 | 63 |
| | No counsel | 50.0 | 2 |
| | Private counsel | -- | 0 |
| | Public Defender or Legal Aid | 0.0 | 1 |
| | Juvenile Defender | 60.0 | 10 |
| Level 6 | Assigned Counsel | 39.1 | 23 |
| | No counsel | 100.0 | 1 |
| | Private counsel | 0.0 | 1 |
| | Public Defender or Legal Aid | -- | 0 |
| Level 1 | Juvenile Defender | 90.9 | 11 |
| | Assigned counsel | 93.3 | 15 |
| <hr/> | | | |
| Level 1 | 21st Judicial District | 0.3 | 300 |
| | 26th Judicial District | 0.2 | 435 |
| Level 2 | 21st Judicial District | 11.9 | 101 |
| | 26th Judicial District | 3.8 | 266 |
| Level 3 | 21st Judicial District | 25.5 | 55 |
| | 26th Judicial District | 18.0 | 89 |
| Level 4 | 21st Judicial District | 33.3 | 33 |
| | 26th Judicial District | 34.8 | 92 |
| Level 5 | 21st Judicial District | 60.0 | 10 |
| | 26th Judicial District | 38.5 | 26 |
| Level 6 | 21st Judicial District | 83.3 | 12 |
| | 26th Judicial District | 93.8 | 16 |

Table 22. Record-Offense Index Distribution
for Children with Various Types of Counsel

| <u>Type of Counsel</u> | Level 1 (least serious) | Level 2 | <u>Record-Offense Index</u> | | Level 5 | Level 6 (most serious) | (Total) (100.0%) |
|------------------------------------|-------------------------------|---------|-----------------------------|---------|---------|------------------------------|---------------------|
| | | | Level 3 | Level 4 | | | |
| 1. No Counsel | 61.8% | 22.6% | 10.9% | 4.1% | 0.4% | 0.2% | (539) |
| 2. Privately retained counsel | 67.2 | 25.3 | 6.1 | 1.0 | 0.0 | 0.5 | (198) |
| 3. Juvenile Defender Project | 36.2 | 28.8 | 11.5 | 14.8 | 4.1 | 4.5 | (243) |
| 4. Counsel assigned by court | 39.1 | 27.2 | 10.1 | 14.8 | 5.4 | 3.5 | (427) |
| 5. Public Defender or Legal Aid | 50.0 | 32.1 | 7.1 | 7.1 | 3.6 | 0.0 | (28) |

Table B-1. Correspondence of Levels of Juvenile Record Index
to Various Combinations of Record Factors

| Previous Delinquency Petitions | Previous Undisciplined Petitions | <u>Not on Prob. or C.R.</u> | | <u>On Probation</u> | | <u>On Conditional Release</u> | |
|--------------------------------------|--|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| | | <u>Previous Training Sch.</u> |
| | | 0 | 1-3 | 0 | 1-3 | 0 | 1-3 |
| 0 | 0 | ¹ .007 732 | — 0 | — 0 | — 0 | — 0 | — 0 |
| 0 | 1 | ² .038 26 | — 0 | ³ .092 65 | ³ .000 1 | — 0 | — 0 |
| 0 | 2-6 | ² .250 4 | — 0 | ⁴ .444 18 | — 0 | — 0 | — 0 |
| 1 | 0 | ² .047 129 | — 0 | ³ .075 53 | — 0 | — 0 | — 0 |
| 1 | 1 | ² .067 15 | ² .000 1 | ³ .147 34 | — 0 | — 0 | ⁴ .000 1 |
| 1 | 2-6 | ² .000 3 | ² .000 1 | ⁴ .308 13 | — 0 | — 0 | — 0 |
| 2 | 0 | ³ .152 33 | — 0 | ⁴ .220 50 | ⁴ .000 1 | — 0 | ⁴ .000 3 |
| 2 | 1 | ³ .000 9 | ³ .000 2 | ⁴ .125 24 | — 0 | — 0 | ⁴ .500 2 |
| 2 | 2-6 | ³ .000 2 | ³ .000 2 | ⁴ .750 4 | ⁴ .000 1 | — 0 | — 0 |
| 3 | 0 | ³ .167 12 | ³ .000 1 | ⁴ .235 17 | — 0 | — 0 | ⁵ .250 4 |
| 3 | 1 | ³ .000 7 | ³ .000 1 | ⁴ .308 13 | — 0 | — 0 | ⁵ .500 2 |
| 3 | 2-6 | — 0 | ³ .000 2 | ⁵ 1.000 3 | ⁵ .000 1 | — 0 | ⁵ .286 7 |
| 4-18 | 0 | ⁴ .278 18 | ⁵ .375 8 | ⁵ .444 18 | ⁵ .500 2 | — 0 | ⁵ .650 20 |
| 4-18 | 1 | ⁴ .167 6 | ⁵ 1.000 2 | ⁵ .500 12 | ⁵ .500 4 | — 0 | ⁵ .400 25 |
| 4-18 | 2-6 | ⁵ .500 2 | ⁵ .500 6 | ⁵ .250 4 | ⁵ .000 1 | — 0 | ⁵ .143 7 |

Note: Superscript numbers at left of decimal numbers are levels of Juvenile Record Index. Decimal numbers are training school-superior court rates. Numbers below decimal numbers are n's of subpopulations.

Table B-2. Correspondence of Levels of Record-Offense Index to Various Combinations of Record and Offense Factors

| Offense Seriousness Index | Total Petitions and Motions | Juvenile Record Index | | | | |
|---------------------------|-----------------------------|--------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| | | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 |
| Level 1 | 1 | ¹ .000 396 | ¹ .014 69 | ² .047 43 | ² .074 27 | ⁴ .333 24 |
| | 2 | ¹ — 0 | ¹ .000 3 | ² .500 2 | ² .000 1 | ⁴ .000 2 |
| | 3-9 | — 0 | — 0 | — 0 | — 0 | — 0 |
| Level 2 | 1 | ¹ .000 118 | ² .061 33 | ² .056 18 | ⁴ .300 10 | ⁴ .444 9 |
| | 2 | ¹ .000 25 | ² .000 12 | ² .182 11 | ⁴ .455 11 | ⁴ .455 11 |
| | 3-9 | ¹ .000 9 | ³ .000 4 | ³ .500 2 | ⁵ .000 1 | — 0 |
| Level 3 | 1 | ¹ .011 95 | ² .125 32 | ² .080 25 | ⁴ .250 16 | ⁵ .438 16 |
| | 2 | ¹ .000 15 | ² .000 5 | ² .000 4 | ⁴ .333 3 | ⁶ 1.000 5 |
| | 3-9 | ¹ .000 5 | — 0 | ³ .000 1 | ⁵ 1.000 1 | ⁶ 1.000 3 |
| Level 4 | 1 | ² .000 27 | ² .167 6 | ⁴ .500 4 | ⁴ .460 5 | ⁵ .333 3 |
| | 2 | ² .036 28 | ² .000 7 | ⁴ .200 5 | ⁴ .333 9 | ⁶ 1.000 6 |
| | 3-9 | ³ .214 14 | ³ .125 8 | ⁵ .400 10 | ⁵ .600 5 | ⁶ .786 14 |
| Level 5 | 1 | — 0 | — 0 | ² .047 85 | ³ .232 69 | ³ .200 30 |
| | 2 | — 0 | — 0 | ² .000 1 | ³ .500 2 | ³ .000 1 |
| | 3-9 | — 0 | — 0 | — 0 | — 0 | — 0 |
| Level 6 | 1 | — 0 | — 0 | ³ .143 7 | ⁴ .300 10 | ⁴ .400 5 |
| | 2 | — 0 | — 0 | ³ .200 5 | ⁴ .000 1 | — 0 |
| | 3-9 | — 0 | — 0 | ³ 1.000 1 | — 0 | — 0 |

Note: Superscript numbers at left of decimal numbers are levels of Record-Offense Index. Decimal numbers are training school-superior court rates. Numbers below decimal numbers are n's of subpopulations.

END