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~~X~~ ANALYSIS OF THE JUVENILE COURT
PROBATION DEPARTMENT AND COURT-RELATED

JUVENILE SERVICE PROGRAMS

~~X~~ GEAUGA COUNTY, OHIO

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ACQUISITIONS

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I. INTRODUCTION

A. General

In January 1979, Mr. Robert Shields, Chief Probation Officer for the Geauga County, Ohio, Juvenile Court requested LEAA technical assistance on behalf of the court and its presiding judge, Honorable Frank Lavrich. His request was sent through the Ohio Governor's Office of Criminal Justice Services to LEAA's Criminal Courts Technical Assistance Project at American University.

The request asked for assistance in studying two related areas of the court's operations: first, an analysis of present management practices utilized in the court with a view to identifying problems and areas needing change, with an emphasis on personnel issues, and secondly, an analysis of issues relating to the coordination of numerous youth-oriented programs in the county.

The consultant services of Mr. H. Ted Rubin and Mr. Joseph Butler were retained to provide this assistance. Mr. Rubin is the Assistant Executive Director of the Institute for Court Management in Denver, Colorado and directs the Institute's juvenile justice programs. Mr. Butler is the Deputy Administrator of the Rhode Island Family Court which has jurisdiction over juvenile matters. Both consultants brought to the assignment broad experience in all facets of juvenile justice system management.

B. Site Schedule

From June 6-8, 1979, the consultants conducted an on-site visit to Geauga County. The methodology for the study included: (1) interviews with key actors in the juvenile system; (2) observation of various aspects of the court and its ancillary services; and (3) the examination of court statistics

and reports such as the Geauga Alliance Report of Juvenile Programming in Geauga County. For the majority of the site work, both consultants interviewed the same parties together.* During the course of this consultation, the following persons were interviewed:

Chris Richard and Steve Fried, Ohio State Office of Criminal Justice Services

Hon. Frank Lavrich, Juvenile and Probate Judge

Robert E. Zulantz, Referee

Robert Shields, Chief Probation Officer

John Puch, Probation Officer

Eileen Weber, Chief Deputy Clerk (Juvenile)

Kirk Halliday, County Administrator

Gloria Trope, Project Director, Geauga County Restitution Program

Allen Benek, Restitution Project Supervisor

Walt Kramer, Portage County Juvenile Court

Becky Lemaster, Director, Portage County Rehabilitation Center

An officer of the Sheriff's Department

C. Background on Geauga County and its Criminal/Juvenile Justice System

As a result of the interviews and an examination of statistical reports and summaries, the consultants became acquainted with the general environment of the court. The Geauga County Probate and Juvenile Court is a part of the county's Court of Common Pleas, the general jurisdiction trial court. The Court serves several townships having the combined population of nearly 100,000. The county borders on Cuyahoga County with its Cleveland metropolitan center, where many of Geauga County's residents are employed. This proximity

* The team varied from this approach when one member observed the court's record keeping system while the other interviewed management personnel at the Portage County Rehabilitation Center.

to Cleveland has contributed to Geauga County's rapidly growing population which is estimated to have increased by 21% between 1970 and 1975. The caseload of the court has reflected this increase in population. According to court statistics, the Juvenile Court heard 729 cases in 1970 while 1,240 cases were heard in 1977, for a 41.9% increase during this seven-year span.

Basically, the core services provided by the court have remained relatively small, while ancillary services, (e.g., Community Level Intake, Boy's Group Home, Restitution Project) have substantially increased the number of juvenile programs available within the county.

The Probate and Juvenile Court is a one-judge court having jurisdiction over juveniles charged with traffic, unruly or delinquent offenses. The court's jurisdiction also includes dependency/neglect/abuse cases and adult offenses such as non-support, contributing to delinquency of a minor and paternity. According to the judge, the Honorable Frank Lavrich, more than 90% of his time is spent on juvenile matters, with the remainder allocated to probate cases. In order to more effectively handle the rising juvenile caseload of the court, a referee position was established in 1975 with federal funds. The major portion of the referee's caseload is directed toward traffic, unruly and minor delinquency offenders. As such, the referee project has been very beneficial in allowing the judge additional hearing time for contested and major delinquency cases.

The court is also staffed by a Probation Department. Included within this unit of the court are a Chief Probation Officer and two probation officers. One of the probation officer positions was vacant at the time of this study. In essence, the Probation Department undertakes a supervisory

role for juveniles placed on probation by the court who are required to report to their probation officer on a monthly basis. It would appear from interviews and observation that additional contacts with clients are limited (some contact at schools) and often precipitated by a crisis. The probation staff rarely prepares social studies. Intake screening, which is normally performed by probation staff in other jurisdictions, is a function of the County Clerk's Office. As a result, almost all of the court's referrals are calendared before the judge or referee. The Probation Department does not provide any screening services to youngsters detained overnight at the safety center; instead, the judge or chief probation officer is telephoned for permission to detain.

The court is also served by the Clerk's Office which handles juvenile and probate filings. The staff of four is so arranged that juvenile and probate functions are independent.

Although the staffing of the court proper is small, significant human services are available to the court as a result of federal grants on which the juvenile judge serves a project director. The Geauga County Group Home is one example. The home is a residential treatment facility for 13-17 year old males who have been adjudicated as status offenders or mild delinquents and who have evidenced a need to be removed from their home environment. The home has a capacity for ten juveniles, and the court's inability to meet this level has been criticized because of the ensuing high cost per client being served.

A group home for female status offenders between the ages of 12 and 17 has also received federal funding. However, no adequate facility had yet been found at the time of the consultants' visit to Geauga County. There is presently a proposal to combine both the girls' group home and a welfare

department group facility, which may be more cost beneficial and practical.

A Community Level Intake Project also provides services to Geauga County and adjoining Portage and Trumbull counties. The project attempts to divert status offenders and lesser delinquents from involvement with the juvenile justice system, and offers preventive services to youths experiencing adjustment and educational difficulties.

Another project relating to the court is the Geauga County Restitution Program. Although the program is federally funded through a grant administered by the county commissioners, the project is connected closely to the operation of the court, as its services affect juveniles adjudicated of delinquent actions. In this capacity, the program attempts to provide alternatives to incarceration, increase the juvenile's sense of accountability, and compensate the victim for his loss. Since its inception in January 1979, the program has become involved with 25 juveniles. Because of this low rate of contact, Portage County has been invited to participate in the program.

In effect, the court proper has been staffed at a minimal level while programs functionally related to and often administered by the court have mushroomed with the backing of federal funds. This has basically created the problem for which technical assistance was sought. The problem has been most concisely summarized in a grant proposal prepared to fund a central manager of the court and its ancillary services. "Youth services, and court services, within Geauga County are characterized by serious problems of fragmented effort, under-utilization of existing services, some duplication of services, and no existing process to monitor and evaluate services, or to effectively plan for future needs or service gaps. In order to maintain the function of the current system, the court has developed an 'ad hoc' approach to the assignment of managerial tasks that has resulted in diminished effectiveness

of the staff to perform their primary duties." In essence, the court and the various youth service programs have grown rapidly without the benefits of centralized management and planning. As a result, certain problems have been brought to surface. Section II of this report analyzes these problems. In Section III, recommendations are made regarding alternatives available to solve these problems and to plan for future court and youth services.

II. ANALYSIS OF EXISTING SITUATION

This section will analyze the current court and probation management, the present coordination of court-administered and court-related programs, and the need for a juvenile court administrator position.

A. Current Court and Probation Management

The Court is the dominant force in the juvenile justice system in this county. The Juvenile Court judge is the central figure in court and program operations. The Court referee project has relieved the judge of substantial hearing responsibilities and, most particularly, from hearing juvenile traffic offenses. The chief probation officer has functioned successfully in the grant writing and administration area but these time-consuming tasks detrimentally affect the attention given to discharging responsibilities normally associated with such a position. The juvenile justice caseflow process reflects inadequacies in the areas of planning and prioritization.

1. The Judicial Function

The Juvenile Court judge is elected specially to the Juvenile-Probate Division of the Court of Common Pleas. In effect, this division functions as a separate entity from the general court and its two other judges. The elected clerk of the Court of Common Pleas is not responsible for the juvenile and probate clerks. Basically, the two general jurisdiction judges and the juvenile-probate judge do not assist each other during their respective absences. During Judge Lavrich's absence, the juvenile court referee assumes the responsibilities of a hearing officer. The judge is committed to his work and its responsibilities. He selects the court's employees (i.e., clerks, referee, probation personnel, and group home personnel).

He sets their salaries. He is the chief policy maker for the court and is relied upon to determine fundamental administrative and process decisions. He serves as project director for all juvenile justice grants except the juvenile restitution program. It is his budget which is proposed to the county commissioners. He approves the allocation of the court's facilities and space utilization; agencies solicit his support for their programs and referrals to their programs. He exercised a judicial role vastly more broad than the hearing of cases.

2. The Chief Probation Officer

The chief probation officer, Robert Shields, a member of the Probation Department for seven years, was recently designated chief. He is paid \$11,000; he holds a bachelor's degree. A female probation officer who recently resigned, earned approximately \$8,500 annually. The other male probation officer holds a BA degree and worked for two years in a children's residential center before taking this position in August 1978; he is paid \$8,600 annually. Probation Officer salaries are not tied into existing county or state pay scales which are generally higher for similar positions and responsibilities.

The Chief Probation Officer performs a wide range of official and un-official duties in the Court. As a consequence, he is not able to provide continuous supervision to other court probation officers and sometimes must neglect his own caseload because of other functions he performs. Mr. Shields works closely with Judge Lavrich concerning grants and program development and much of his time is spent in grant writing and administration and in relating with other local agencies. The Chief Probation Officer does not supervise the clerks although he advises them, upon their request or at the request of Judge Lavrich. Neither he nor other probation personnel have

secretarial assistance responsible to them. Consequently, probation records are maintained more often through informal notes than typewritten statements or reports. Mr. Shield also indicated that he has had difficulty in obtaining secretarial services for typing the grant proposals and reports he has prepared. (The June 1979 absorption of the referee project secretary from a half-time to a full-time position will provide secretarial services to Judge Lavrich but not to the Probation Department.)

3. The Referee Function

During 1978, the Juvenile Court Referee heard 763 traffic cases, five detention hearings, seven delinquency cases, 31 unruly cases and 27 unofficial juvenile matters, and 13 other hearings of an undetermined nature. The use of a referee in the Geauga County Juvenile Court has reduced the average case processing time by more than six days and also has reduced the number of formal adjudicative hearings before the judge (by 78 cases in 1978), which has had a beneficial impact on the probation department caseload.

The referee devotes eight hours per week to Juvenile Court matters. The scheduling of his case docket is presently handled by his secretary. While traffic cases continue to comprise the largest single category of cases which he hears, and these are usually heard within three weeks of the offense, he now also hears a majority of truancy and less serious delinquency cases. The referee consults with Judge Lavrich when formulating case dispositions and it was found that Judge Lavrich almost always ratifies the referee's findings and recommendation. The referee frequently imposes fines and court costs as penalties and also assigns offenders to a traffic school operated for the court by an external group.

During the consultants' discussion with the referee, he stated that in Geauga County, an unruly child's violation of probation is deemed to be grounds

for a delinquency petition and that some juveniles have been committed to the Ohio Youth Commission on this basis. This is a practice which is statutorily prohibited in a growing number of states, and has been prohibited by court decision in others.

4. The Juvenile Court and Juvenile Probation Caseload

The 1977 annual report of the court reflects that a total of 1,149 juvenile cases, 606 were traffic violations, 275 were delinquencies, 167 were unruly cases, and the balance were dependency and neglect cases (44), unofficial cases (48), and special services cases (7). For 1978, juvenile cases totaled 1,166, which included 702 traffic violations, 266 delinquencies, 125 unruly, 43 dependency and neglect cases, 26 unofficial cases, and miscellaneous cases. Official delinquency and unruliness is not a severe problem in this country. The most frequent 1977 offenses were "other delinquency" (97); running away (73); "other theft" (65); and school truancy (57). For 1978, the most frequent offenses included: running away (59); "other theft" (52); truancy (50); "other delinquency" (47). Drug referrals totalled 41 in 1977 and 36 in 1978.

According to Mr. Shields, the court has transferred only two youngsters to criminal court during the past seven years. Both because the nature of the cases coming before the Court involved less serious offenses and because of the expanding number of institutional alternatives available to the court, only three youngsters were committed to the Ohio Youth Commission during 1978. Sixty-two youngsters were ordered into the Portage County Rehabilitation Center for detention, evaluation or treatment purposes during 1978 for an average stay of nineteen days. Also, during 1978 nine youngsters were placed in the boy's group home administered by the court and twelve youths were placed in foster

homes, other group homes, or private institutions.

The court's report to the Ohio Youth Commission for 1978 indicated that 103 delinquent youngsters received probation that year. The number of delinquent youngsters recorded as being on official probation status was 297 (12/31/77), 291 (6/30/78), and 200 (12/31/78). The court's 1977 report indicates that 90 delinquent and unruly youngsters were assigned to a probation officer that year; its 1978 report reveals that 85 delinquent and unruly youngsters were assigned to probation officer supervision for that year. Probation officers receive responsibility for certain additional youths assigned to other agencies. Judge Lavrich stated that he uses three types of probation orders: (1) indefinite, (2) six month, (3) at least six months.

Because of the variety of responsibilities he must perform, Mr. Shields indicated that he had not had the time to close out a number of cases that should have been terminated. Probation officers are instructed to close out cases after 18 months if not earlier terminated. It appears that the Geauga County practice is to retain many youngsters on caseloads well beyond the point of active probation service delivery. A revised policy in this area and more effective management and monitoring of probation caseloads could substantially reduce the total probation caseload. Through such efforts, many other probation departments have been able to terminate the strong majority of their cases within six months to a year. Many juvenile courts have also been able to significantly reduce their involvement with status offenders.

5. The Probation Office Involvement in the Caseflow Process

In contrast to the dominant practice throughout the country, no formal intake screening process is performed in the Juvenile Court. Geauga

County probation officials do not routinely perform a delinquency intake review function to ascertain whether a referral requires judicial review. Rather, police and agency complaints are accepted and formalized by a juvenile court clerk, although some intake review is performed by probation officials where a parental complaint of unruliness has been made.

Approximately 60-70 youths are detained overnight each year. The Sheriff's Department indicated that the judge or Chief Probation Officer is contacted for approval if it appears necessary to hold a juvenile overnight. If they are not available, the youngster is detained. Except for weekends, detained youngsters are brought to a juvenile court detention hearing the day following their overnight detention. Probation officers do not conduct detention screenings, a practice which has become increasingly common in other juvenile courts. The child and parent are not generally interviewed prior to the decision to admit the child to secure detention. Nor is there any pre-trial home detention or home supervision program which, in many communities, provides daily or intensive surveillance, counselling and advocacy services to youths whose detention is thereby avoided. At the detention hearing in Geauga County, the child is either released to his parents or ordered to the Portage County Center for detention purposes or a ten day evaluation. A Center official indicated that Geauga probation officials generally do not participate in the evaluation staffing of their own youngsters and do not prepare any reports for use by the Juvenile Unit of the County Jail.

Other than the Portage Center evaluations or a rare mental health assessment, Geauga County dispositions are made from information elicited at disposition hearings, which are not attended by Probation officers. It is common practice in many other juvenile courts for probation officials to prepare social studies which are considered at the disposition hearing.

Since probation officials generally do not enter the caseload process until a youngster is placed on probation, Geauga County probation officials can allocate their time primarily to case supervision. While the site visit did not afford sufficient opportunity to rigorously review probation caseload management, it appeared that, generally, caseloads are monitored through a simplified scheme of monthly reporting. On one or several days a month, the probationers report to the probation officer. To some degree, they are visited in their school settings. Generally, the probation functions appears to be more reactive than pro-active, more reporting-oriented and less juvenile or family counselling-oriented, more responsive to crisis and reported problems than to active, aggressive case management.

The female probation officer's*caseload is approximately 36 girls, a substantially smaller caseload than the two male probation officer caseloads. The male caseloads are districted, each officer being responsible for a defined geographical part of the county. The chief probation officer holds reporting day once a month and otherwise attends only to problems which arise in the caseload. A small number of adults are also supervised by the department (contributing to delinquency cases, for example).

In reviewing the Probation Office involvement in the juvenile case process in Geauga County, it is apparent that much greater utilization of the Probation Office and other community resources could provide the Court with information, support and assistance to better serve the interests of the child and the community. Increased coordination and management of these resources could be of particular value at the points at which determinations are made regarding intake, detention and disposition.

*This position was filled as of July 9, 1979.

Although it was not within the team's mandate or intention to evaluate the entire juvenile case process in Geauga County -- nor was such an evaluation possible within the limited time allowed for this analysis -- note should be made of deficiencies perceived regarding the detention facilities for the juveniles coming before the Court. Although beyond the scope of this technical assistance assignment, it should be noted that these detention facilities appear inadequate. The County jail is not a pleasant place, and conditions in the Jail's Juvenile Unit do not permit separation of juveniles from adult detainees. Moreover, the juvenile detention facilities at the Portage Center do not permit separation of status offenders from other juvenile offenders. The Center is an undifferentiated mix of status offenders and delinquent youths, pre-adjudicated and adjudicated.

B. The Present Coordination of Court-Administered and Court-Related Programs

There is minimal probation management of community-based resources and only modest coordination of the proliferating ancillary programs in the county.

While numerous, valid program concepts have been initiated in this county and, with the exception of the jail holding facility, represent enlightened program thrusts, there have been many difficulties in implementing most of these projects, and a related absence of schematization in resource utilization. These problems have been amply set forth in other reports. The group homes project, for example, has been beset with innumerable difficulties, the boys' home being underutilized and the girls' home never having opened. There appears to be justification for combining into one girls' home its own projected home and the welfare department-sponsored home that faces termination due to funding difficulties. The Portage Center obtained funding approval only as a two county center, but its respective use by each of the counties is radically different, and Geauga County has failed

to use it as its own primary detention facility. A juvenile restitution program, not court administered, has had serious difficulties obtaining a sufficient number of youngsters to come close to utilizing its extensive program grant. While some referrals proceed from the court to the Community Level Intake Program, the absence of a concerted court intake mechanism curbs the use of this program. A number of the elements of a community based approach to delinquency rehabilitation are present but severe administration/coordination problems prevent their effective utilization. Certainly this is not a problem unique to this county, and yet the limited number of youngsters who experience the justice system here should permit greater coherency and collaboration than appears to be present. The Ohio "model", present here, of an extremely strong juvenile court role in assuming expansive program responsibility and project direction with other agency programs affords the opportunity of greater coordination than is currently maintained.

C. The Merit to Creating a Juvenile Court Administrator Position

The creation of this position is one way to approach several of the problems in the present Geauga County Juvenile Court. Strengthened management and coordination is needed in the court, and a full-time position offers greatest potential for achieving these needs. Shortcomings in the present management scheme, as noted earlier in this report, are set out more fully in the grant proposal for this position. The creation of this position, as envisioned in the pending grant proposal, would enable the court to also create a third line-probation officer position. The development of a full-time administrative position, if carefully defined and professionalized, would provide an opportunity for a full-time administrator without having the present chief probation officer's energies diluted by trying to perform these functions while also carrying a caseload. The judge, while still retaining overall administrative authority, could delegate day-to-day management functions to such an administrator. Con-

ceivably, day-to-day responsibility for seeking to insure suitable probation department performance could be delegated to a skilled chief probation officer or probation supervisor who, under the superintendency of the administrator, could oversee the other two probation officers. The importance of this position, of course, would need to be accepted by all court officials.

While the title "juvenile court administrator" might suggest a person responsible for internal juvenile court administration to the exclusion of the probation administration function, this is not what is intended for Geauga County. Rather, what is intended is an overall monitor of court program services, an administrator for all court processes including the clerk's office, and a coordinator for county juvenile programs. While a strictly defined juvenile court administrator role is difficult to justify in such a small court, the special nature of the Geauga County Juvenile Court as the central agency and clearinghouse for juvenile justice programs in the county and the range of responsibilities which must be performed well justifies this position.

D. Analysis of the Existing Record Keeping System

The Juvenile Court's record keeping system relating to case processing was briefly analyzed. The present system is reflective of others in effect in other jurisdictions where the original record keeping design has been severely impaired by the problem of rising caseloads.

Under present procedures, a juvenile appearance docket and a daily journal are maintained for unruly or delinquent actions. The juvenile appearance docket and journal are large bound books which cost approximately \$200.00 apiece. Several volumes of each are available in the Clerk's Office. The juvenile appearance docket gives a summary of all legal documents filed in a given case. The juvenile's name, case number, age, and date of birth are recorded in long-hand, along with the complainant's name and address. Following this information

is a chronological listing of all legal papers filed in the case, (e.g., summons, warrant, order, etc.). The front section of the juvenile appearance docket contains an index. Before recording a complaint in the appearance docket, the front index is referenced to determine whether the juvenile has previously been before the court. This task can be time consuming for two reasons. First, although John Brown would be recorded in the "B" section of the index, his name would have no further alphabetical breakdown in this section since names are recorded in their order of referral to the court. Therefore, the clerk must check the entire listing to see if the particular juvenile has a previous record. Secondly, when the name cannot be found in the initial juvenile appearance docket index, the clerk often must check the previous volume to ascertain whether the juvenile has been previously known to the court. Naturally, this can be a time consuming and often frustrating exercise since the index only identifies by name, and contains no further information, such as date of birth, with which to distinguish individuals.

The other main volume concerning juveniles is the daily journal which is used to record the daily occurrences within the Juvenile Court. For example, each new filing and each court order are typed in the journal. The front of the journal contains an index where the juvenile's name is recorded along with page numbers indicating entries relating to that juvenile. Under this system the complaint in a case could be recorded on page 60, and the order relating to same case would be typed on page 80.

In effect, neither the juvenile appearance docket nor the daily journal provides readily available information. For instance, if a person were searching for a juvenile history, it would be necessary to leaf through several sections of the bulky and cumbersome journal to produce any semblance of the case.

An additional problem with the record keeping system involves the individual case jackets (folders). Papers which are used appear to be placed in the file in no apparent order. When dealing with a recidivist offender it would take the clerk or judge several minutes to ascertain that person's past record.

In sum, it would seem that the record keeping is inadequate for the following reasons: (1) no central name index is available; (2) a central juvenile history is not present; and (3) the contents of the jackets are not identified and do not exhibit a chronological order. Also, the present use of large bound volumes is expensive and cumbersome.

III. RECOMMENDATIONS

● A court administrator should be appointed to address the central management activities of the Probate and Juvenile Court of Geauga County.

Because of an increased caseload and a growing complexity in juvenile cases, the judge of the Geauga County Juvenile Court does not have sufficient time to perform his judicial functions and also manage the juvenile justice system within Geauga County. As a result, he has had to depend on his Chief Probation Officer to assume certain management tasks, such as grant request preparations. This has created a problem, in that the Chief Probation Officer has not been able to provide adequate attention to his own division, and, as a result the Probation Department is rather weak, providing only reporting services to the court.

To ameliorate this situation and to provide for better management and coordination of ancillary services, the responsibilities of probation supervisor and central court management should be separated.

Several remedial alternatives seem to be available. The first would be to establish a court administrator position for the entire Geauga County Court of Common Pleas. There seemed to be little support for this proposal at the time of the site visit since the juvenile and general sections of this court seem to act quite independently of each other. This proposal therefore would not seem to be responsive to the current situation. It should, however, be reviewed in the future as the size of the court and its caseload increases.

Another alternative that was examined concerned the creation of the position of administrative assistant to the judge of the Probate and Juvenile Court. This person would not supervise the various department directors (e.g.,

Chief Probation Officer). Instead, he or she would perform tasks upon assignment by the judge. Conceivably, these would include grant preparation and records management review. In effect this person would act as a trouble shooter for the court, while relinquishing responsibilities for probation. Such a position would, however, lack the range of responsibility required to manage the court and coordinate its ancillary services.

It would seem most preferable to expand the role to that of a juvenile court administrator. Working under the general supervision of the Probate and Juvenile Court Judge, this person would be responsible for performing generally accepted juvenile court managerial tasks.

These managerial functions include: caseflow management; budget and fiscal control; records management; implementation of legal procedures; personnel system management; training program coordination; planning and development; jury management; procurement of supplies and services; monitoring and liaison responsibilities with agencies serving the court; and the provision of public information. The chief probation officer or probation supervisor could also report to the court administrator. One person is not responsible for all these activities at the present, and as a result, internal management and external program coordination has suffered.

● The Juvenile Court Administrator should be given specialized training

Several national court training and education organizations provide training programs for managers within the juvenile justice system. This training not only provides the theory and practice of court administration, but also enables participants to meet with a cross-section of juvenile justice system personnel from other jurisdictions, thus allowing for a reservoir of future contacts with professionals who have specific skills in juvenile justice. Other organizations also offer programs

in general court administration which would be useful to the administrator. Such courses include caseflow management, records management, personnel management, court budgeting and planning, and the management of information systems.

● A citizen advisory council to the Juvenile Court should be formed to allow for community input into the local juvenile justice system. The court administrator should serve as the secretary to the council. Interested citizens who are not professionally employed within the juvenile justice system should comprise the majority of members.

In the past a number of the Geauga County Juvenile Court programs have been criticized because they have not economically addressed the needs of the county. For example, the Boys' Group Home only housed two boys while it had a capacity for ten. Also, a rather large restitution program was established even though only 25 juveniles have been serviced since the program's inception in January, 1979. It would therefore, seem necessary to obtain more input from the community before such programs are established.

The advisory council could also provide assistance in areas other than planning. In fact, its greatest contribution might be related to the administration of youth-serving programs in the county. For example, federal funding has been approved for a Girls' Group Home. Although this funding is available, the court has been unable to locate a proper facility. If an advisory council had recommended the group home, the court would have been assisted by a number of community advocates, who probably could have been instrumental in identifying a suitable facility.

● The functions of the Probation Department should be increased to include intake, detention screening, supervision, and the preparation of social studies.

The present role of the Juvenile Court Probation Department is to serve as a supervisory service for juveniles placed on probation. Normally, such juveniles report on a monthly basis to the probation counselor. Generally, only a crisis increases the number of these visitations.

Initially, this range of activity should be expanded to include intake screening. Presently, all juvenile complaints are filed with the clerk and docketed on the judge's or referee's calendars. Many other jurisdictions have found it desirable to adopt a procedure whereby a probation officer or intake supervisor examines the complaint and decides whether official court action is necessary. Factors influencing the decision to docket the case or divert the matter include the age of juvenile, the nature of offense, the past record of the offender, the attitudes and strengths of juvenile and parents, and alternative, non-coercive agency services to which the juvenile can be referred. (See Appendix A for Rhode Island Guidelines). By implementing intake screening rather than blanket docketing, a significant number of unruly/delinquent filings can be diverted from the court, making available additional judicial hearing time for contested cases and matters involving serious offenders and recidivists. As one example of the effect that this system will have on court calendars, the Rhode Island Juvenile Intake Unit diverted almost half of the complaints filed against juvenile offenders during the past year.

In regard to pretrial detention, the practice of housing juveniles at the jail should be stopped immediately and completely. The Portage Center should become the only secure detention facility for Geauga County youths. Attention

also should be given to developing a systematic pretrial detention screening program. In their efforts to reduce the number of overnight detentions, many jurisdictions involve a probation counselor at the time the decision is made whether or not to detain. In cases involving unruly and minor delinquent offenses, the probation counselor conducts crisis counseling for the entire family as a means of avoiding the need for detention. Often agreements can be reached whereby the parents will accept the juvenile back in the home prior to a court appearance. The Juvenile Court Administrator, if appointed, should experiment with detention screening to measure its results in Geauga County. Within a year, detention guidelines should be written, reviewed by collaborative juvenile justice agencies, and approved in final form by Judge Lavrich (see for example, Milwaukee Detention Guidelines which are attached at Appendix B).

The supervision of juveniles on probation should continue to be a responsibility of the court's probation counselors, but the approach to probation service delivery should become more professionalized, more sophisticated, and more prioritized. The principles associated with probation caseload management (see for example, Melvin G. Hawkins, "Qualified Management in Probation: A Missing Ingredient?", Juvenile Justice, May 1976) and varying levels of supervision should be adopted. Staff members should be actively supervised and their service delivery should be monitored. The probation role and function should be defined, job descriptions written, and probation department personnel formally evaluated every six months.

The Probation Department should also be responsible for the preparation of social histories which can be helpful to the judge or referee at the dispositional stage of the juvenile court process. Presently, such reports are not available, and dispositions are made without the judge having access to information which is important, such as home conditions. Definitive secretarial assignments should be provided to the Probation Department.

In summary, the Probation Department is presently weak in many areas. In order to upgrade its program, the department needs a major reorganization which will permit performance of the management and coordination responsibilities discussed earlier in this report.

● The position of Chief Probation Officer should be filled by a person with a master's degree in a behavioral science or with a bachelor's degree and at least five years of experience in the counseling of juveniles. The salary scale for the Chief Probation Officer should be competitive with similar positions in other communities.

The person presently serving as the Chief Probation Officer has performed many of the duties generally carried out by a Juvenile Court administrator. He should receive serious consideration when recruiting for the position of court administrator, assuming this position is established.

The court should attempt to fill the Chief Probation Officer position with an individual possessing necessary training and experience in the juvenile justice system. In order to attract a person with such qualities, the court must be able to present prospective candidates with a competitive salary scale. The present salary would not attract a person with the necessary skills and knowledge to conduct the much needed reorganization of the Probation Department.

● The present record keeping system within the juvenile office should be reconstructed to include a master index, a juvenile history file, and a chronological ordering of the contents within the case jackets.

Although the record keeping system was observed for only a short period, it was apparent that the system is in need of a thorough overhaul to adjust to the rising juvenile caseload in Geauga County. Other juvenile courts within Ohio should be contacted to see how their record keeping procedures have been modernized, and to gain insight into ways which the present system can be changed

to conform with state statutes and record management requirements.

The court might also examine the following alternatives. Indexing within the front section of the Juvenile Appearance Docket should be abandoned. This represents a very cumbersome and time consuming procedure. Instead a master card (3x5) index should be created. In addition to the juvenile's name and number, the card should also include identifying information relative to the juvenile, (i.e., date of birth and names of parents). Street address information is probably not needed since it could change and lead to confusion when checking records.

The juvenile appearance docket and journal should be replaced by a document that will provide a summary of legal documents in addition to a summary relating to offenses and dispositions. A copy of this form could also serve as a chronological index to the jackets.

The procedure for implementing this system would be as follows: when a complaint is received on a juvenile, a juvenile face sheet would be created for first offenders or updated for recidivists. In the case of the first offender, the complaint would be assigned a case number, (e.g., 79J230). The number "1" would be placed on the bottom of the complaint indicating that this was the first document filed against the juvenile. A juvenile face sheet would be prepared with identifying information such as the youth's name, number, date of birth and parents' names being recorded on the top of the sheet. On the next section of the face sheet the clerk would type the date the complaint was received along with the document number (#1). This would be followed by a complaint number, for example 79J230, along with the nature of offense and the name of the referring agency. The entry would appear as follows:

May 8, 1979

#1

79J230: Breaking and Entry
filed by Chardon Police

If an order was issued on the following day the order would be numbered (#2) and recorded on the face sheet as:

May 9, 1979

#2

79J230: Juvenile ordered to be held at
Portage County Rehabilitation
Center until trial on May 12, 1979

The face sheet would be updated whenever a document is added to the file and whenever a disposition is made. An original of the face sheet would be maintained in the case jacket to serve as a chronological index and summary of the juvenile's court history. A carbon copy of this document could be maintained in a post binder to serve as a back-up whenever the jacket is out-of-file. This would also seem to serve the same functions of the journal and the juvenile appearance docket, in that it would list all documents and summarize complaint and dispositional information. A copy of the proposed face sheet is attached at Appendix C.

The folders or jackets should also have a metal clasp to keep the contents in order.

IV. SUMMARY

The Geauga County Juvenile's Court management problems can be reduced and best dealt with by creating a juvenile court administrator position. This full-time official should have three primary functions:

1. Responsibility for the management of the juvenile court, including court personnel and case processing;
2. Coordination of juvenile justice and child welfare programs serving court;
3. Superintendency (but not day-to-day administration) of the juvenile probation department and of court-administered juvenile justice programs.

Day-to-day administration of the probation department should be assigned to the chief probation officer or a probation supervisor. Detention and intake screening and social study preparation/presentation should be added as legitimate probation functions. Early termination of probationers who have conformed to legal norms and who do not clearly require on-going services from the probation department, together with a systematic intake screening approach toward pre-court dismissal/adjustment/referral/restitution payment/diversion, can reduce the probation supervision caseload to permit staff absorption of the necessary additional functions described above.

The adoption of the recommendations set forth in this report should facilitate an improved juvenile court and juvenile justice system in this county. But it must be recognized that great effort, careful planning, coordination skills, and continuing reassessment and modifications will be necessary.

V. APPENDICES

APPENDIX A: Rhode Island Family Court Intake Guidelines

INTAKE GUIDELINES

Court Jurisdiction

- After examination of the referral and other supporting documents, Intake should ascertain whether the court has jurisdiction over the case. If not, the documents should be returned to the referring authority.

Not Guilty

- If the juvenile plans to enter a not guilty plea, he should be calendared for a court appearance.

Danger to Self and/or Community

- Usually such cases will be referred on an emergency basis. If this is not revealed until the interview, Intake should move for an immediate scheduling of the case.

Seriousness of the Offense

- Cases involving murder, rape, arson, robbery, and aggravated assault will be set-up immediately for court appearance.
- Depending on the offender's past background, all other cases will be subject to intake intervention and diversion.

Previous Court Contacts

- Juveniles who have experienced several contacts with the court shall be subject to immediate appearance in court.
- Juveniles who have repeatedly committed the same offense will be calendared.

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- If a juvenile is under supervision and he commits a minor offense, Intake will contact the supervising agency to ascertain whether the offense merits a court appearance.

Number of Charges

- Juveniles charged with multiple offenses or numerous counts of one offense should be considered for court appearance.

Age

- Serious consideration should be given to diverting juveniles under the age of fourteen who have not committed a serious offense.
- In cases involving matters such as truancy, Intake should be attentive to the possibility of neglect.

Cooperation of Juvenile and Parents

- Intake should make every attempt to ascertain whether the juvenile and family will attempt to cooperate with the prescribed plan.
- A written contract might be made between the court, juvenile and parents; the juvenile and parents should be informed that a court appearance will be required if the contract is broken.

Consideration of the Victim

- Every attempt should be made to reconcile the differences between the offender and victim. This may be accomplished by requiring restitution. In some cases Intake might schedule a meeting between the victim and offender so as to provide for a disposition amenable to the victim.

**APPENDIX B: Milwaukee County, Wisconsin Policies
and Guidelines for Intake Workers**

POLICIES AND GUIDELINES FOR INTAKE WORKERS

- Secure Detention Guidelines
- Status Cases

MILWAUKEE COUNTY (WISCONSIN) CHILDREN'S COURT CENTER 9/78

III Secure Detention GuidelinesA) Mandatory Detentions1. Major felonies:

Detain all juveniles alleged to be involved in a homicide, forceable sexual assault or robbery.

2. Capias:

Detain all juveniles outside of normal court hours if there is an open capias. Outside of court hours if the capias is not delivered with the juvenile, call the sheriff's department, 273-4713 or 273-4700 and ask that the capias be delivered and cleared.

EXCEPTIONS:

If the juvenile is apprehended solely on a capias during normal court hours, the in-take worker is not to detain the child. These cases will be heard by the judge who issued the capias.

Request law enforcement officer to take the juvenile to the bailiff of the issuing court. If the issuing court is unavailable, the other judge will hear the capias. If no judge is available, the juvenile is to be admitted into detention and brought before the issuing court as soon as its work resumes, as outlined herein. The supervisor of the worker who last handled the case is to be notified immediately.

3. Warrants:

Detain all juveniles for whom a warrant has been issued by a judicial officer. The police should have the warrant with them.

4. Court Orders for Detention Issued by Judges Other Than Juvenile Court Judges.

Detain all juveniles for whom any judge has issued a court order regarding detention. These must be written orders.

These juveniles follow regular procedures:

Notification of his or her lawyer, and medical form verification and assignments by a supervisor. No detention hearing is needed. The detention slip should reflect the court order. These juveniles can only be re-admitted with a new written order. If the juvenile is brought before a hearing in the building on the day of the hearing, he is not to be detained but the sheriff should be requested to take the juvenile to the appropriate bailiff.

5. Home Detention Violators:

Detain all juveniles whom the court has placed on Outreach Home Detention Program if probable cause exists that a new delinquency offense has been committed by the juvenile and either the child presents a substantial risk of physical harm to another person or a substantial risk of running away as evidenced by previous acts or attempts so as to be unavailable for court hearing. The probation file should contain the information that the child is on home detention.

During the normal court hours, the assigned probation officers should be contacted regarding the advisability of immediate hearings.

6. Probationers:

Detain all juveniles who are currently under a court probation or stayed order if probable cause exists that a new delinquency offense has been committed by the juvenile and either the child presents a substantial risk of physical harm to another person or a substantial risk of running away as evidenced by previous acts or attempts so as to be unavailable for court hearing.

EXCEPTIONS:

In some special circumstances, if the charge is of a very minor one and/or other significant facts

are present depending upon the reasonableness of the hour, intake officers can contact the assigned probation officer and discuss this situation. The child need not be detained if the assigned probation officer and that probation officer, supervisor feels detention is not warranted or other mandatory detention guidelines do not apply.

7. Parolees:

- (a) Detain all juveniles whose legal custody is with the Wisconsin Department of Health and Social Services, Division of Corrections if probable cause exists that a new delinquency offense has been committed by the juvenile and either the child presents a substantial risk of physical harm to another person or a substantial risk of running away as evidenced by previous acts or attempts so as to be unavailable for court hearing or administrative hearing.
- (b) Detain all juveniles who are listed as escapees from the institutions at Wales or Lincoln. Detain all juveniles who have run away from after care of Juvenile 'C' Commitments if an Apprehension Order has been issued by state parole agent.

EXCEPTIONS:

In some instances when the offense is a minor one the parole agent can be contacted and the child need not be detained if the agent feels that is the appropriate action. Juvenile should know the name of the parole agent.

If the juvenile is an escapee from an institution and charges are of a status or misdemeanor nature the institution can be notified as well as the parole agent, and the juvenile released to their personnel.

If the charges are felonies in nature and the child meets the criteria as indicated in Section 43.203 the juvenile should be held in detention for Division of Corrections review and for review by the

district attorney at the children's court center.

The above listed juveniles who are referred for detention by the parole agent during the normal course of working hours are not to be detained by in-take workers. These situations should be heard by the Court Commissioner under the criteria of Section 48.203. The in-take worker is to immediately refer such requests to the appropriate supervisor or so and an immediate hearing may be held. The agent is requested to wait with the juvenile.

8. Juveniles Already Pending a Court Hearing on Delinquencies:

Detain all children who have a delinquency case already pending and that meet the criteria of 48.203 (1) and Sub Section (4).

9. Run Aways from other Jurisdictions: (Delinquency Matters Only)

Run aways from other jurisdictions should be detained until they can be released to their parents or local authorities or returned transportation can be arranged. The child's parents should be notified by the in-take via long distance telephone calls, do not depend on teletypes, and release plans begun.

If complex release plans are involved, advise the parents that the probation officer will contact them on the next working day.

This section is governed by Section 48.203 (5) indicating that probable cause exists to believe that the child has been adjudged or alleged to be delinquent or has run away from another county and would run away from unsecure custody pending his or her return.

Under this section child may only be detained for 24 hours and this may be extended for another 24 hours only upon order of the judge. There is no need for detention hearing on the first 24 hour's detention.

3) Discretionary Detention:

1. Other Delinquent Acts:

Detain all juveniles who are alleged to have committed an offense which would be a felony if committed by an adult if the following factors are present: Probable cause exists to believe that the child has committed a delinquent act and either presents a substantial risk of physical harm to another person or a substantial risk of running away as evidenced by previous acts or attempts so as to be unavailable for a court hearing.

2. Misdemeanors:

Generally juveniles who are alleged to have committed an offense which would be a misdemeanor if committed by an adult should not be detained unless other factors are present. Children should be returned to the home with the understanding that the charge will be handled by the probation staff. If the parent cannot be contacted or refuses to have the child returned home, or if the child refuses to return home a dependency factor should be investigated and temporary shelter resources explored.

EXCEPTIONS:

If the child appears to be in danger to himself or others because of threatening behavior, involved with a gun or other significant acting out as indicated by the criteria in 43.208 (1) as defined in this memo.

IV. Status Cases:

A. Generally:

Juveniles from Milwaukee County who are alleged to have committed status offenses, run away, uncontrollable, truancy, and curfew, should not be placed in secure detention unless other factors are present.

That category includes juveniles referred by police departments and walk ins. The parents of a child should be involved in counseling sessions as soon as possible and the child returned home with further family counseling and diversion resources planned. If this is not possible, the child should be placed in temporary shelter under Section 48.207.

Secure detention should only be considered if temporary shelter has been attempted and the child has run from temporary shelter several times or in a short period of time after placement, or if the child refuses to cooperate with temporary shelter. Use of secure detention in this type of case is generally governed by Section 48.203 (4) which indicates that probable cause exists to believe that the child, having been placed in a non-secure custody by the in-take worker under Section 48.207 or by the judge or juvenile court commissioner, under 48.21 (4) has run away or committed a delinquent act and no other suitable alternative exists.
...

APPENDIX C: Proposed Juvenile Record Face Sheet

JUVENILE NUMBER

102320

JUVENILE NAME	John Doe	
ADDRESS	7 Smith Street	
	Chardon, Ohio	D.O.B. 9/18/63

MOTHER'S NAME	Mary Doe	
ADDRESS	Same as above	
FATHER'S NAME	Joseph Doe	
ADDRESS	Same as above	

DATE	#	ENTRIES
5/8/79	1	79J230: Breaking and Entry Filed by Chardon Police
5/9/79	2	79J230: Juvenile ordered to be held at the Portage County Rehabilitation Center until hearing on May 12, 1979 <i>... defendant fact and is found delinquent. Placed on 6 months probation</i>
6/17/79	4	79J404: Arson filed b Chardon Police

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END