



CASA Guide to Juvenile Justice

Learning about the Juvenile Justice System and How to Advocate for Youth Involved

Written with the assistance of multiple California CASA programs, Sacramento County Probation and Sacramento County Public Defender's Office

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BEFORE WE START: THIS AND NOT THAT!

CASA Sacramento strongly recommends monitoring our language and how we talk about the young people we serve and their families. Consult with your Case Supervisor to learn more.

THIS!	NOT THAT!
NAME	MINOR
WHY? “Minor” dehumanizes the youth. Use of their name should be exercised whenever possible and appropriate.	
JUVENILE JUSTICE	DELINQUENCY
WHY? This shift in language is due to the negative connotation often associated with the word “delinquency”. Using “Juvenile Justice” instead destigmatizes the youth involved and brings attention to the “justice” part of the process that is often forgotten.	
LEFT THEIR HOME WITHOUT PERMISSION	WENT AWOL
WHY? AWOL (absent without leave) is a military term and we are not working with soldiers. Using the word AWOL further allows others to criminalize youth and does not adequately describe what happened. Youth often run away from their home or placement in an effort to cope with their circumstances or to protect themselves.	
THEY ARE INVOLVED IN THE JUVENILE JUSTICE SYSTEM	THEY ARE A JUVENILE OFFENDER/ THEY ARE A CRIMINAL/DELINQUENT
WHY? A major part of a CASA’s role is to reframe the narrative and encourage others to view the youth as a person, someone who has positive characteristics, and someone who deserves an opportunity. Often, youth are remembered as their worst charge/allegation and that label prevents them from thriving.	
IT IS ALLEGED THAT THEY ARE GANG-INVOLVED	THEY ARE GANG INVOLVED/ THEY ARE IN A GANG
WHY? Documentation of gang-involvement has been found by many professionals to often be inaccurate. Youth may often claim gang membership in an effort to fit in or protect themselves, even if they are not gang-involved. Their alleged involvement goes into court documents and that label often follows them the rest of their lives, preventing them from getting placed, given the opportunity to thrive, or be placed in certain schools. Regardless of what is found in a file, CASAs are encouraged to exercise caution and not further propagate negative and positively false views of the youth they serve.	
ENGAGING IN SUBSTANCE USE	ALCOHOLIC/DRUG ADDICT/CRACKHEAD
WHY? Describing anybody as the latter perpetuates the negative stigma associated with people who struggle with substance use. It also strips them of their identity as a person and reduces them to be identified only as a person who is struggling with their addiction.	

CASA SACRAMENTO JUVENILE JUSTICE PROGRAM

OVERVIEW

This manual contains information to guide advocacy efforts and improve outcomes for youth that are justice-involved.

CROSSOVER

While CASA advocacy has centered primarily on the overall well-being of youth in the dependency system, CASAs are more frequently having to advocate for youth in Juvenile Justice Court. Unfortunately, it is not uncommon for youth in the dependency system to come in contact with the juvenile justice system. Youth already served by the dependency system are also more likely to receive harsher sentencing when compared to youth that are not systems involved (Ryan, Herz, Hernandez, & Marshall, 2007). Young people that “crossover” experience high rates of placement changes, mental health and substance abuse issues, and are more likely to become further involved in the juvenile justice and child welfare system (Herz, Ryan, & Bilchik, 2010). If your youth crosses into Juvenile Justice or becomes a Ward, CASAs can collaborate with a team of professionals to ensure all services are in place and the youth’s needs are being met.

WARDSHIP

Being made a Ward of the Court means the Court takes over primary responsibility for the control and treatment of the youth. Youth in the juvenile justice system are not much different from youth in the dependency system. In fact, researchers have found various similarities between these groups. A recent study (McCroskey, Herz, & Putnam-Hornstein, 2017), showed that in a cohort of justice-involved youth in Los Angeles County, at least one referral for alleged abuse or neglect was identified for approximately 83% of youth. When reviewing individual risk factors, traumatic experiences were found to increase the risk for youth violence, including exposure to violence and conflict in the family, harsh or inconsistent disciplinary practices, low parental involvement, parental abuse or criminality, poor family functioning, and poor monitoring of children (Centers for Disease Control and Prevention, 2018); all factors that can also elicit a referral or lead to an open case with DCFAS. Much like the dependency system, the juvenile justice system is also difficult to navigate; accessing care, coordinating services, and participating in Juvenile Justice Court hearings are even more challenging when a youth is criminalized. There is a strong need for the individualized and holistic advocacy CASAs can provide within the juvenile justice system and CASA Sacramento hopes to assist in filling that need by providing advocates for youth.

AT RISK

Youth in the dependency system have all experienced trauma which makes them more likely to have poor emotional regulation, impulse control, and decision-making skills. As such, they are at risk of being justice involved. CASAs can reduce the likelihood of their youth coming into contact with law enforcement by providing a consistent, positive adult in their life and ensuring they have access to services.

JUVENILE JUSTICE SYSTEM PROCESS

INITIAL INVOLVEMENT

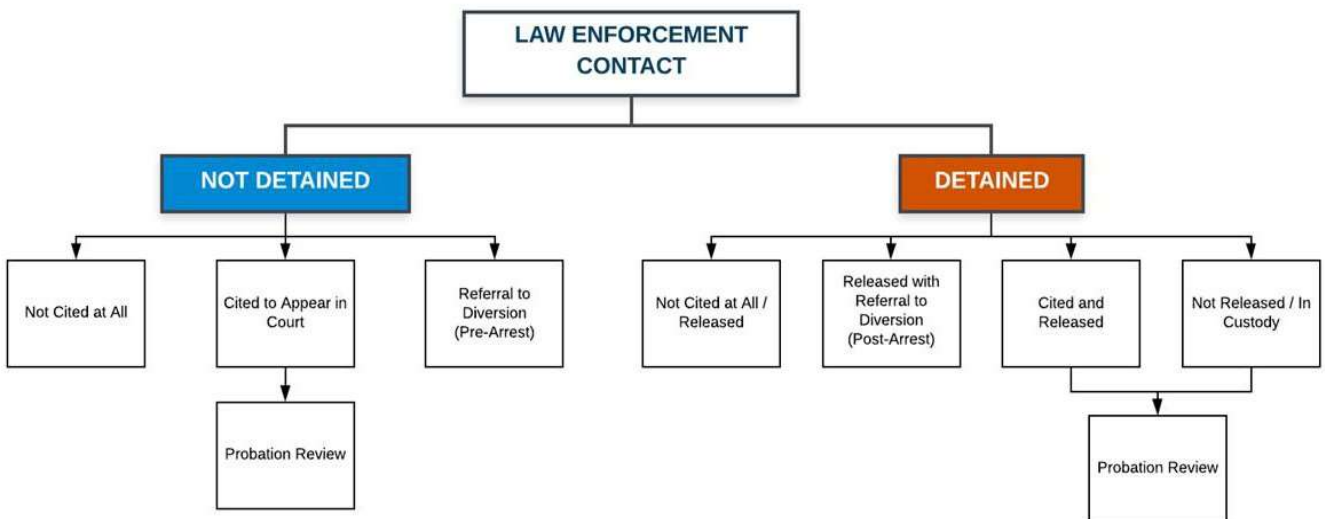
PURPOSE OF JUVENILE JUSTICE COURT

Juvenile Justice Court is the counterpart to dependency court and was created for the following reasons:

- Balance the interests of public safety, rehabilitation of minor, preserving family ties, and only removing the minor from the home when necessary. [WIC §202]
- Minors. . . shall, in conformity with interests of public safety and protection, receive care, treatment, and guidance that is consistent with their best interest, that holds them accountable for their behavior, and that is appropriate for their circumstances. [WIC §202(b)]
- Any punishment must be consistent with rehabilitation. [WIC §202(b)]

LAW ENFORCEMENT CONTACT

When a youth comes into contact with law enforcement, law enforcement is able to handle it in different ways. Ideally, youth will not be detained. Please review the chart below to learn more.



A YOUTH IS ARRESTED—NOW WHAT?

There are multiple routes that exist when a youth is arrested, as shown above. The route largely depends on the youth's juvenile justice history, the seriousness of the crime, and is also up to the District Attorney's discretion.

Some of the possible routes are:

- Youth are counseled (not cited) and released
- Youth are cited and released

- Youth are released and referred to a diversion program
- Youth are cited to appear in Juvenile Justice Court (generally within 60 days of their arrest) and released
- Youth is detained in juvenile hall and is transitioned to Probation

NOTIFYING PARENTS/GUARDIANS

- When a youth is detained in juvenile hall, the officer must try to notify caregivers immediately that the youth is in custody and their location.
- Within an hour of being taken to custody, the youth must be advised of their right to make two phone calls; one call for a caregiver/family relative and another to an attorney.

PETITION

A petition is the charging document filed in Juvenile Justice Court by the state. The petition formally initiates a juvenile proceeding and describes the alleged offenses committed by that child. The petition requests that the Juvenile Justice Court assume jurisdiction over the juvenile and in some cases, an additional motion is filed requesting the juvenile be transferred to Criminal Court for prosecution as an adult. (National Juvenile Defender Center; <https://njdc.info/juvenile-court-terminology/>)

**Filing a petition: For some cases, probation has the discretion to refer the case to the District Attorney. Other, more serious cases, require a mandatory referral to a District Attorney. The District Attorney then has the ability to agree or disagree about the recommendation.*

YOUTH ON PROBATION

When a youth has allegedly broken a law or committed crimes, a petition can be filed. If the case is adjudicated as true and a disposition (sentencing) is ordered by the Juvenile Justice Court, a youth can be released back into the community under certain conditions and under the supervision of a probation officer for a specified period of time. This is known as probation.

AGE LIMITS

Youth on probation range from 12 to 17 years of age, although probation can last up to 21 years of age. Youth 12 years and under can be prosecuted but only for more serious offenses.

There is a presumption for persons under 14 and prosecution (district attorney) must prove that the youth knows the wrongfulness of their actions.

JUVENILE HALL

A youth may be detained for any alleged crime. Specifically, these are the reasons by age group:

- 14 years old or over and
 - Continuance in the home is contrary to the youth's welfare
 - Immediate and urgent detention is necessary to protect the youth and/or others
 - Youth is likely to flee
 - The youth has violated a Juvenile Justice Court order

- There is an allegation of personal use of a firearm in the attempted commission of an offense (these youth cannot be released without being brought before a judicial officer)
- Under 14 years old and
 - Attempted a 707(b) offense
 - The allegation of personal use of a firearm

**As an alternative to detention, youth may be eligible to be sent home on electronic monitoring, which the court calls Home Supervision with GPS monitoring. This is an alternative for youth who would otherwise remain detained in a juvenile detention center. This option is also an alternative to being removed from the community. Important to Note: This option is available for youth in the dependency/JJ system who live in resource family homes. It is not available for youth living in STRTPs (group homes).*

PROBATION PLACEMENTS

Please refer to the Placement Options Through Probation chart found in the Appendix on Page 39.

CONSTITUTIONAL PROTECTIONS

Youth on probation are entitled to some of the legal rights as adults in criminal proceedings, including:

- Right to Counsel
- Right to Confront and Cross-Examine Witnesses
- Right to Remain Silent and Not Incriminate Yourself
- Right to Produce Evidence and to Present a Defense

Youth do not have a right to bail and jury trial. Youth 17 years of age and younger must be given the opportunity to speak to an attorney before waiving their Miranda rights.

PEOPLE INVOLVED

WHO IS A PART OF THE PROCESS?

PARENTS/GUARDIANS

Parents or caregivers can be involved in their youth's probation case and play a large role in ensuring their child is compliant with the terms of their probation. It is important to note that a large number of youths on probation are still placed in their parents' home. Parents/caregivers do not get legal representation in juvenile justice court.

DEFENSE ATTORNEYS

The youth is represented by a defense attorney. A youth's defense attorney will likely be from the Sacramento County Public Defender's Office, Juvenile Division but if there is any conflict, there are multiple offices or sources of representation for the youth.

Depending on conflicts of interest, the order of appointment by law is as follows:

- Public defender (PD)
- Conflict Panel
- Paid Private Counsel

**If you do not know who the defense attorney is, please ask your case supervisor.*

COLLABORATING WITH DEFENSE ATTORNEYS

CASAs may collaborate with defense attorneys. Your Case Supervisor will initially introduce you to the Defense Attorney. It is important to explain a CASA's role to the defense attorney as they may not be familiar. Please ensure that you provide them with proper documentation as stated in the **CASA's Role**, *Identifying Yourself as a CASA* section on page 28.

It is important to note that, unlike youth's attorneys in dependency court, who represent the youth's best interests, juvenile defense attorneys are ethically bound to represent their clients' expressed interests. A juvenile client, like an adult client, is generally entitled to "call the shots" on how their case will proceed. A juvenile defender's focus, is generally on defending against the allegations in the petition and obtaining the least punitive and restrictive outcome for their client. This includes getting charges dismissed if possible, negotiating for the sustaining of the least serious charges, arguing for the lowest level disposition, and minimizing collateral consequences. Collateral consequences include the ability to seal arrest and court records, sex offender registration, the possibility of juvenile strikes, immigration implications, effects on driving privileges, and other consequences (access by employers/military, DNA collection, victim restitution, gun ownership bans).

Defense attorneys are also ethically bound by the attorney-client privilege. As such, defense attorneys may not legally disclose information obtained from their client or in the course of their investigation without their client's consent. Defense attorneys will generally require a written consent signed and dated by the client. CASAs should understand that unless the CASA is considered part of the defense team, information that is disclosed to CASAs may be construed as a

waiver of the privilege, and for that reason defense attorneys may and should be very circumspect with any information they chose to share.

As such, there may be times when CASA volunteers may not be able to get much information from the defense attorney or may not fully agree with the defense attorney's defense strategy. If this is the case, CASAs must ultimately respect a defense attorney's position or strategy. CASAs may always consult with their Case Supervisors if they have questions or concerns about collaboration with defense attorneys.

To support defense attorneys in advocating for and representing youth, CASAs may disclose any of the following information:

- Abuse and neglect or maltreatment background
- Trauma since being in the child welfare system
- Current dependency case plan and services youth is receiving
- Placement options
- Current placement, medical, education, mental health, and Regional Center information
- Identifying the negative consequences of a 602 wardship finding
 - E.g., if they're suitably placed, running away becomes a probation violation and can lead to juvenile hall (vs replacement by CWS if solely 300 ward)
- Family and sibling relationships

**Occasionally, a youth may disclose something to a CASA that, as a mandated reporter, they are compelled to report. This may include an intent to harm themselves or others. If that is the case, the CASA should inform the PD about this instance and inform them that it will be reported. Reach out to your Case Supervisor for direction and guidance on this issue.*

DISTRICT ATTORNEY (DA)

The DA represents the public and decides whether to file a petition (charges) against the youth and prosecute them. The DA also recommends consequences to the Juvenile Justice Court.

PROBATION OFFICER (PO)

POs are responsible for the "care, custody, and control" of a youth. Probation officers make recommendations and refer youth to services. They supervise compliance with probation conditions and submit reports to the Judge, updating them on the status of the youth's well-being and how they are doing in terms of their probation plan.

Any information DAs and POs have on the youth may be used against them in Juvenile Justice Court. See **Sharing Information for more details.*

JUDGE/COMMISSIONER/REFEREE

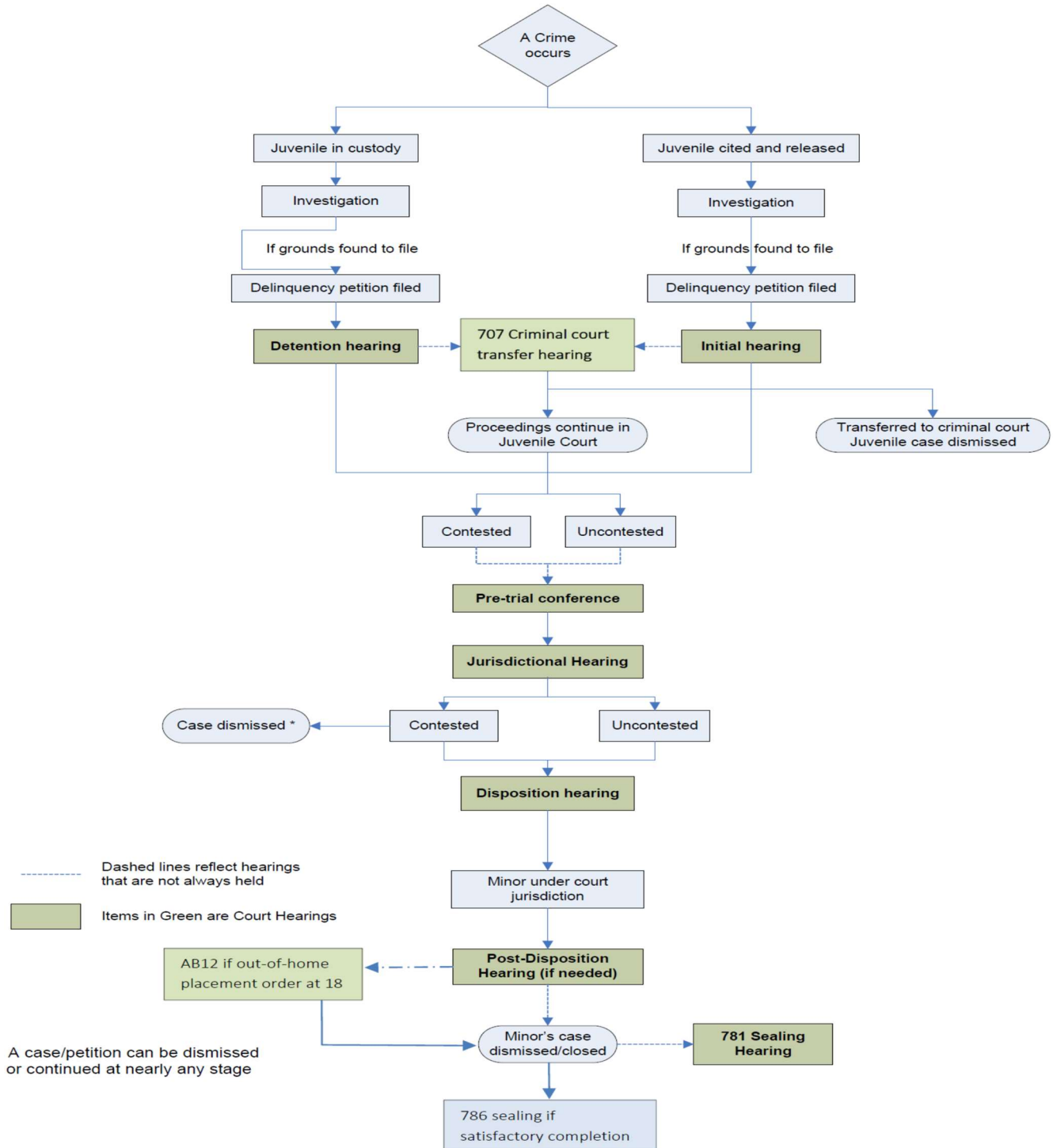
This person is responsible for reviewing all the information presented and making decisions in the best interests of the youth. Orders facilitate rehabilitation of the youth while considering the needs and safety of the public.

COURT OFFICER

This person is responsible for checking in the people present at the hearing, calling the cases (including listing who is present before the Court), taking notes on the hearing for Probation or CWS, and keeping the hearing calendar on track. The Court Officer is a member of the probation or CWS office, depending on the hearing.

JUVENILE JUSTICE COURT PROCESS

The life of a case within the juvenile justice system is outlined below. While there may be some factors that influence the speed of the process or continuance of hearings, this is the general order that is followed.



TYPES OF HEARINGS

ARRAIGNMENT/DETENTION HEARING

The criminal charge is read to the youth in Juvenile Justice Court and their constitutional rights are explained. The attorney can and often waives this part of the hearing.

- An attorney is appointed prior to arraignment. If an attorney has not already been appointed, one will be appointed at this time.
- If the youth is detained, the court considers and may order release, release with monitoring or continued detention.
- If a youth has an open case with the dependency system, the WIC 241.1 Protocol is initiated.

**There are very strict timelines that must be kept for both the filing of the petition and the youth being brought to court. A violation of the timelines will require the court to release the youth.*

**The defense attorney can ask the court at arraignment to release the youth. Any information the CASA can provide the defense attorney in support of the motion to release can be very helpful.*

PRIMA FACIE HEARING (Commonly known as a “Dennis H.” Hearing)

Prima facie is the initial examination of the allegations or claim. During this hearing, the evidence is evaluated to determine if there is enough to move forward with the case. No live witnesses are called in these hearings; only the preparer of the report will be called to testify. The attorney can also request another detention hearing at this same time and argue for the youth’s release.

PRE-PLEA HEARING

The defense attorney and district attorney negotiate a disposition of the youth’s case. The defense attorney will inform the youth of the offer and discuss the pros and cons of that offer with the youth. The attorney will also discuss the charges with the youth and discuss any possible defenses that the youth may have as well. The youth will make a decision about whether they want to accept the offer or go to trial.

JURISDICTIONAL HEARING OR ADJUDICATION

At the Adjudication, the youth will admit to the charge or there will be a trial. The trial can resemble an adult trial but is without a jury. The Juvenile Justice Court makes a decision about whether the petition is “true” or “not true”. If found “true”, a decision is made about whether a youth is described in WIC Section 601 or 602. If the allegations are found “true”, the Juvenile Justice Court “sustains” the juvenile justice petition.

DISPOSITION HEARING

The judge reviews the disposition report. This is the Juvenile Justice Court equivalent of adult “sentencing”. The court makes decisions about whether the youth will be declared a “ward” of the court, what type of Probation the youth will be put on, what setting they will be ordered to (home, STRTP, locked facility).

POSSIBLE DISPOSITIONS

DISMISSAL	
<p>The Juvenile Justice Court dismisses the petition. This can happen where there is insufficient evidence, or after a period of probation has been completed. In addition, the court can dismiss “in the interests of justice.”</p>	
Dismissal with Prejudice	Dismissal of an action with a bar to bringing any other petition on the same set of allegations.
Dismissal without Prejudice	Dismissal of an action specifically not barring subsequent petitions on the same set of allegations.
INFORMAL PROBATION	
Informal probation comes with probation conditions. The following are known as non-wardship probations.	
Informal Probation (654 WIC)	<p>Absent a dismissal, the “ideal situation” is for a youth to be placed on informal probation. A 654 is the lowest level of probation and usually for those who have committed their first offense. It lasts a minimum of six months to complete and may be extended past six months. If the youth completes the terms of their probation successfully, the case is dismissed and their record is automatically sealed. If the youth is not successful, the court can terminate without sealing, or set the matter for adjudication.</p>
Informal Supervision (725 WIC)	<p>This supervision lasts approximately six months, is only available for misdemeanor(s), or if a youth is younger than 14 years of age. This disposition requires an admission or a sustained petition. Youth that have had multiple offenses may also qualify for this disposition. After six months of monitoring, the Juvenile Justice Court must either dismiss or proceed to disposition.</p>
Deferred Entry of Judgment (790 WIC)	<p>This option lasts 12-36 months. This disposition is only for those that are over 14 years of age and are facing a felony. It is not available for serious felony offenses. If the youth is successful in completing their requirements, their admission is set aside, and their records are automatically sealed. If the youth is not successful, the Juvenile Justice Court will make a decision on how to proceed to a higher level of disposition.</p>

FORMAL PROBATION

This establishes the youth as a Ward of the Court with probation conditions.

<p>Home Supervision</p>	<p>Court order for probation where the youth resides in the community (usually with a parent/guardian). The default time for monitoring the youth's progress is approximately 12 months but the Juvenile Justice Court can also have jurisdiction of the youth until 21 years old. Probation completes reviews and progress reports to submit to the judge.</p>
<p>Suitable Placement (602 SP)</p>	<p>Court order for the youth to be placed in foster care, at either a residential placement, STRTP, or relative's home. The court reviews the youth's progress in suitable placement on a six-month time frame. While the youth is waiting to go to placement, the court must review the case each 15 days to ensure the probation department is making reasonable efforts to find a placement. If they are in a foster care placement, this does not necessarily mean they are in the dependency system.</p> <p><i>*For youth going to foster care placements, there are strict rules on what constitutes reasonable efforts and unexcused delay in finding placement will require release. Consult with the youth's Defense Attorney or your Advocacy Supervisor if you believe this applies to your youth.</i></p>
<p>Community Placement (602 CCP)</p>	<p>Court order for the youth for placement in a community placement operated by the Probation Department. The commitment to a community placement is either 5-7 months or 7-9 months, although Probation may request additional time.</p>

REVIEW HEARINGS

15-DAY REVIEW HEARING

When a youth's suitable placement is pending, the Juvenile Justice Court shall periodically review the case every 15 days to determine whether the delay is reasonable. The Juvenile Justice Court can ask probation about efforts made to carry out orders that have been made, reasons for delay, and the effect of the delay upon the youth.

6-MONTH REVIEW HEARING

The youth's status overall should be reviewed no less frequently than every 6 months. If youth is a Ward, and CASA is appointed in Juvenile Justice Court, CASAs should submit a report for this hearing type.

COMPETENCE

Concern over a youth's competence usually arises if a youth's developmental or cognitive delays prevent them from participating in and understanding Juvenile Justice Court proceedings. When there is a concern, the youth's defense attorney can declare doubt as to the youth's competency. Once a doubt is declared, court proceedings are suspended and the defense attorney or the Juvenile Justice Court will then request a Competency to Stand Trial (CST) evaluation. The Juvenile Justice Court then appoints an expert from the Juvenile Competency to Stand Trial Panel (JCST Panel) to perform a CST evaluation.

**If a youth is detained in juvenile hall when a declaration of doubt is made, the youth may potentially have to stay detained during the process. A CASA is encouraged to talk to the defense attorney to see if the youth can be released during this time.*

If the CST evaluation findings determine the youth is not competent, the youth may receive competency restoration trainings, or remediation services, and be ordered to attend competency restoration hearings, where the judge will learn about their progress. Remediation services can be provided by Probation and Behavioral Health, or Regional Center and usually last several weeks.

- If, following competency training, the youth is found competent, the youth is declared "restored" and the judge will move forward with the youth's case.
- If it is determined that the youth cannot regain competency in the reasonably foreseeable future, the court may release the youth and may also dismiss the petition.

Other times, defense attorneys can seek to have an independent expert appointed to conduct a confidential psychological evaluation, or prepare a social history. The independent expert becomes part of the defense team, covered by attorney-client privilege. The report is done under the provisions of the penal code and evidence code section 730. For that reason, defense attorneys will often request "730s" and these experts and their reports are often referred to as "730's." The report does not need to be disclosed to anyone but can be released by the defense attorney if they believe it can be useful. With a 730 request, many types of assessments can be requested, including a psychological or neuropsychological evaluation which provides insight as to the youth's needs and intellectual functioning. This is another way that defense attorneys can learn more about the youth's needs. It is important to note that when 730s are requested, there

is no pause/hold put on hearings like there is when a declaration of doubt is made and a CST evaluation is requested.

**Please note: 730s requested through defense attorneys can remain confidential, while 730s requested through dependency attorneys are more accessible by others because they are part of the youth's dependency file. It is best practice for both attorneys to consult whenever a 730 is going to be requested so that they can take a strategic approach that is mindful of the youth's privacy and reduces the risk for harm.*

Due to these procedures, it is important to note that the timeline for this process is often slow.

PROBATION CONDITIONS

PROBATION CONDITIONS

Juvenile Probation is a court order given to some youth who enter the juvenile justice court system. Whether the minor admits responsibility or the judge determines after the jurisdictional hearing that the charges are true, the court may impose a wide variety of probation terms and conditions. These terms can include school attendance, obeying all laws, and curfew restrictions. Other terms will be tailored to the nature of the offense and the youth's needs and may include drug testing, counseling, and payment of restitution to the victim.

These general conditions of probation may include:

- Not to be away from home, or out of home care overnight until age 18 without permission of a parent(s)/guardian(s), or Short Term Residential Therapeutic Program staff/resource family. Not to be away from home more than 48 hours without having secured permission from the Probation Officer.
- Reside in Sacramento County and not relocate without the advanced permission of the Probation Officer or the Sacramento Juvenile Court.
- Obey all laws and obey all reasonable directives of the Probation Officer, parent(s), legal guardian(s), Short Term Residential Therapeutic Program staff/Resource Family, and school officials.
- Keep the Probation Officer informed of your physical and mailing address and telephone number(s).
- Allow the Probation Officer to meet with you at any reasonable time of the day.
- Submit to search and seizure of your person, property, vehicle, and any object under your control by any law enforcement officer or probation officer, in or out of your presence, at any time, with or without your consent, and with or without a Warrant.
- If you are under the age of 18, you must attend a school program approved by the Probation Officer. The school program must be a structured, onsite, five day a week educational program leading to a high school diploma, GED, or technical career path.
You shall not be absent from school or tardy to school for more than 30 minutes without a valid excuse and shall not be suspended or excluded from school for any reason of misconduct or non-attendance.

Special conditions of probation tailored to meet a youth's specific needs may include:

- The youth is ordered to enroll in and complete a program of professional counseling approved by the Probation Officer to address various needs such as:
 - Wraparound services
 - Individual therapy
 - Family therapy
 - Drug and Alcohol counseling
 - Sex Offender Treatment
 - Theft Education
 - Batterer's Treatment Program

- Not to knowingly use or possess alcohol or illegal drugs, including marijuana and narcotics, nor possess paraphernalia associated with the use of such substances, nor use or possess any controlled substance not prescribed by a licensed physician or dentist, and not knowingly possess tobacco products.
- Not to associate with persons whom you know or whom the Probation Officer knows to be users or sellers of illegal drugs, including marijuana, or knowingly be in a place where such substances are known to be present.
- Shall not associate with persons the youth knows, reasonably should know, or whom the Probation Officer advises are involved in gang activities, nor possess or wear clothing, display items or emblems reasonably known or to be identified as symbolic of a gang or membership, or enter any gang or drug area specifically designated by the Probation Officer.
- The youth is to participate in (set hours) community service to be approved by the Probation Officer to be completed in (set months).
- Restitution – fees owed to compensate for the victim’s loss
 - The youth should consult with their attorney about challenging the amount of restitution alleged.
- Not to possess dangerous or deadly weapons or be in places where dangerous or deadly weapons are present.
- The youth shall not associate with (name of co-defendant(s))
- Not knowingly have any contact or communication with victim(s).

VIOLATION OF PROBATION CONDITIONS

The consequence of violating the terms and conditions of probation depend on the seriousness of the violation. Violations may be handled informally with a verbal warning, the probation officer may request the youth have additional terms and conditions of probation be imposed, the probation officer can impose intermediate sanctions such as a Waiver in Lieu, community service, or electronic monitoring, or the youth may appear before the court.

REQUESTING PROBATION CONDITIONS

CASAs are allowed access to probation conditions and may obtain them from the defense attorney or through probation.

**777 WIC, also known as TRIPLE 7, is a probation violation and an order changing or modifying a previous order. The probation officer may file a violation report to court (called a Triple 7). The youth can admit the violation or have a hearing. It is recommended that the youth consult with their defense attorney prior to admitting anything. Violations occur anytime a youth breaks the terms of probation (e.g., missing curfew, running away).*

COMPLETING PROBATION

Probation officers determine whether a youth completes probation successfully based on the case plan requirements and whether they were met. Probation also makes a decision based on reoffending behaviors and additional charges. When probation notes that a youth has completed

their probation terms and has maintained positive behaviors for a period of time, probation may recommend to the Court that the youth's case be successfully closed.

CROSSOVER

CROSSOVER YOUTH

A youth receiving services from both child welfare and juvenile justice systems. Youth may also be called “Dually Involved”.

CROSSOVER STATUS

There are different routes that lead to involvement in both systems:

- A DCFAS-involved youth who gets arrested and has a juvenile justice petition filed.
- Youth who is declared a WIC 602 (ward of the court via the juvenile justice system), placed home on probation and then removed from their home by DCFAS.
- Youth who was declared a 602, successfully completed probation but has no safe home to return to.
- Youth who has pending petitions in both Dependency and Juvenile Justice Courts.
- Non *WIC 300 youth** with new juvenile justice petition suggesting abuse
 - Meaning, a youth who is charged through the juvenile justice system where facts arise suggesting the youth might also be abused or neglected
- WIC 300 youth on informal or formal probation who commits a new offense or violates probation

*WIC 300 youth describes a young person that is a Dependent of the Court due to experiencing abuse and neglect.

WHEN YOUTH IN THE DEPENDENCY SYSTEM ARE DETAINED

Similar to youth only on probation, they may be counseled and released, referred to diversion, cited to appear in Juvenile Justice Court, or be detained. When a young person in the dependency system is detained, however, it is important for the CASA to first notify their dependency attorney.

**CASAs must always first consult with the youth’s attorney before informing the Social Worker about a youth’s arrest or detainment. The youth may be referred to diversion or released with a citation which is meant to stay off of the youth’s record. Informing attorneys first allows them to advocate on behalf of the youth and avoid further involvement in juvenile justice system. Notifying SWs of the arrest first may prevent youth from these opportunities and the incidents may be documented in reports, depriving the youth of confidentiality.*

**When visiting their youth, CASA volunteers may not ask the youth about the charge or investigate juvenile justice matters. Additionally, if made privy to case information, the CASA may not disclose any information related to the youth’s charges. The CASA may only inform the parties above that the youth is detained and refer them to the defense attorney for additional information. Please see Sharing Information for information on confidentiality.*

LEAD AGENCY

LEAD AGENCY—RESPONSIBILITY FOR PLACING THE YOUTH

A lead agency is responsible for placing the youth in an appropriate setting and determining their case plan. The lead agency is determined by which system would more adequately address the youth's needs and which system provides the least restrictive status. This responsibility is determined by the outcome of the court hearing where the 241.1 WIC report is considered. The Judge will determine if Delinquency or Dependency is in the best interest of the youth and community. If Delinquency, then the Probation Department is responsible for placement of the youth. If Dependency, then DCFAS/CPS is responsible for placement of the youth.

**If a CASA notices that the youth is not getting equal support from both systems, they should inform their Case Supervisor as soon as possible.*

WIC 241.1 PROTOCOL

A youth who appears to come within the description of WIC 300 and WIC 602 must, by law, receive a Joint Assessment by the Probation Department and DCFAS. This joint assessment determines and recommends a status that would best serve the youth and best protect society.

The Sacramento County Probation Department uses the Crossover Youth Practice Model. The focus is to try to prevent DCFAS/CPS youth from crossing over to the Juvenile Justice System.

PROCESS

The joint assessment process shall commence when there is a Sacramento County youth under the age of 18 and one of the following criteria is met:

- A delinquency WIC 602 Petition has been filed by the District Attorney against the youth who is already a WIC 300 Dependent of the Juvenile Court.
- The youth is pending a WIC 602 petition and a report has been filed with CPS (referral opened), and the allegation is substantiated, and either a voluntary informal supervision case or court case will be opened.
- A dependency WIC 300 petition has been filed and the youth is already a WIC 602 Ward of the Juvenile Justice Court (reverse 241.1 joint assessment).
- The youth is pending a WIC 602 petition and the Juvenile Justice Court has ordered a 241.1 Joint Assessment because the youth may be described by WIC 300.

PROCEDURE

Probation will send the JARS Notice with their introduction letter asking to set a date for the Joint Assessment Meeting. They will attach all of the documents to the email: Intake Report, Police Report, DA Petition, Minute Orders, and the most recent previous Social Study Report if applicable. (The bullets below are their internal procedures for their probation officers)

- Email the Jars notice with the Introduction letter to the Social Worker (SW) & their supervisor. (Suggestion: leave the SW a voice message informing them of the 241.1 WIC Joint Assessment). Follow up in 2-3 days if you have not heard from the SW or supervisor. Email the Children's Law Center (CLC) to get the name of the dependency attorney if they have one and Court Appointed Special Advocate (CASA) to see if the minor has either. (If they have a CLC, email the person for a statement and give them a due date. ***this can be done within a few days of being assigned the report).
- Attach documents as listed in the checklist to the Jars Notice.
- Chrono that you have sent the SW & supervisor the information & request.
- Suggest a date and time that fits your schedule and ask if that works for them. If not ask them for a date and time.
- Ideally the JAM occurs within 5 days of the report being assigned (there is flexibility-do not list the date of the JAM in your report).

JOINT ASSESSMENT MEETING (JAM)

- Probation will call the Social Worker, confirm they have the 241.1 WIC Guideline document, as they need to refer to it during the JAM.
- Probation will introduce themselves to anyone else in attendance. Usually the JAM is for the social worker and probation officer only.
- Probation will let the SW know that they will cover the 8 criteria within the assessment and each of them could have different opinions/conclusions on each criteria. It is ok for the probation officer to change your mind on any of the criteria as the meeting could introduce new information.
- **Probation and CPS could already know the conclusion before the JAM: this happens when CPS is not filing a 300 WIC Petition or if the minor is a Ward with an especially egregious criminally sophisticated background and offenses continue to escalate. **The JAM still needs to occur.** Additionally, most of the criteria could be for Dependency and the end result could still be Delinquency.
- The overall conclusion needs to be agreed upon.
- **Note:** Delinquency status on the 241.1 WIC Joint Assessment does not equal being a Ward. It could mean that CPS has no grounds to file a 300 WIC Petition, and the minor could be on Informal Probation. The minor could receive Informal Services through DCFAS and be on Informal Probation at the same time.
- If there is no agreement at the conclusion of the JAM: The Supervisors of CPS and Probation will schedule and conduct a JAM. If they cannot agree the Juvenile Court Division Chief will meet with their counterpart from DCFAS. IF there is no agreement the matter goes to the Interagency Placement Committee (IPC) for a recommendation.
- Note: The judge could disagree with the IPC recommendation.

REVERSE WIC 241.1 JOINT ASSESSMENT

This is an assessment ordered by Dependency Court. Probation does not prepare a Court Report or complete a Work Request, and only submits a CS180 to the social worker. The form should be reviewed by the Supervising Probation Officer and needs to be Court ready as CPS will copy and paste the information into their report.

- The minor could be a Ward of the Court and pending Dependency Court due to family circumstances. The assessment could weigh in favor of Dependency status and the Dependency Court could request the Juvenile Justice Court terminate Delinquency and Dependency Court can declare the minor a Dependent.
- The minor could be pending Dependency Court to finalize a 300 Petition and pending Juvenile Justice Court at the same time.
- Reverse 241.1's are not ordered very often and many times the social worker will not request a JAM.

CROSSOVER YOUTH: PEOPLE INVOLVED

A youth that is dually involved is placed in a unique position; they are to receive services from both the dependency system and juvenile justice system. The following chart includes a list of people that are a part of the juvenile court process.

DEPENDENCY	
Social Worker (SW)	Monitors the young person’s dependency case, supports implementation, and follows up of the case plan.
Dependency Attorney	Represents the young person in Dependency Court but is often involved as a support or advocate while a young person goes through the juvenile justice system. The dependency attorney may sometimes work collaboratively with the defense attorney.
JUVENILE JUSTICE	
Public Defender (PD)	Represents the young person in Juvenile Justice Court. When defending the youth, they consider loss of liberty, lifelong criminal records, immigration applications, etc.
District Attorney (DA)	Represents the public and decides whether to bring charges and prosecute. District Attorneys recommend consequences to the Juvenile Justice Court.
Deputy Probation Officer (DPO)	<p>Responsible for the “care, custody, and control” of a youth, makes recommendations, and refers a youth to services.</p> <p>Supervises youth’s compliance with probation conditions.</p> <p>Submits reports to the judge to update them on the status of the youth’s wellbeing and how they are doing in terms of their probation plan.</p>
Judge	<p>Responsible for making decisions in the best interest of the youth.</p> <p>Their Juvenile Justice Court orders facilitate rehabilitation of the youth while considering the needs and safety of the public.</p>

Please refer to [Specialized Juvenile Justice Courts](#), found in the Appendix on page 49.

CROSSOVER YOUTH: COMPLETING PROBATION

DUAL STATUS YOUTH CHARGED WITH A NEW PETITION/TRIPLE 7

- If there is a new charge or violation, a new (or supplemental) Meet and Confer must be completed. The MDT conducts a reassessment meeting.
- New probation conditions may be added.
- The youth may be sent to a more restrictive placement or to juvenile hall.

COMPLETING PROBATION

Probation decides whether they will recommend termination and the judge decides if the youth completed probation successfully based on the case plan requirements and whether they were met. When probation notes that a young person has completed the terms of their probation and has maintained positive behaviors for a period of time, they will likely move forward with recommending to the judge that their case be closed successfully.

When a youth's probation case closes, their dependency case can still remain open. The dependency case will remain open as long as conditions exist that prevent the young person from returning to their caregiver safely.

COMPLETING PROBATION: ATTORNEY'S PERSPECTIVE

The goal of the attorney for youth in the juvenile justice system is to have the case dismissed and potentially sealed. This is accomplished with "substantial compliance" with the case plan. The case plan is typically referred to as the "terms and conditions" of probation. In Sacramento County, these terms typically include some sort of therapy/counseling (this depends on the type of offense), a drug and alcohol assessment (if it is found to be an issue, a class is then ordered), community service hours, and attend school. If the youth has been compliant and completed the terms, the attorney will then ask that their case be dismissed under WIC 782. This means that the case is closed and the youth is no longer on probation. If the case originated in Sacramento County, the attorney can also ask that the case be sealed under WIC 786. This means that the case is no longer visible to any agency or department, with a few limitations. The bigger deal here is that if the youth applies for a job or housing and the application asks if they have ever been convicted of a criminal offense, the youth legally can state "no". If the case originated outside of Sacramento County, the youth will need to contact the jurisdiction (county) in which the offense originated and seek to have the record sealed in that jurisdiction.

TURNING 18 WHILE ON PROBATION

A youth turning 18 while under dual supervision can still be on probation under the juvenile justice system, depending on their progress with probation conditions. When youth that are dually involved turn 18, they are still eligible to become a non-minor dependent through DCFAS.

Youth involved with probation are also eligible for Transition Jurisdiction (WIC 450). Transition jurisdiction is available to a youth 18-21, who have a concurrent foster placement order or out of home placement order at the time of their 18th birthday (or between 17.5- 18 years of age). Youth receiving transition jurisdiction services are eligible for housing assistance and financial support.

**If a dual status youth turns 18 while they are in Juvenile Hall, they are at risk for denial of AB12 services. The law is unclear regarding AB12 eligibility under these circumstances. If a CASA is aware that your youth is approaching the age of 18 while detained at Juvenile Hall, please reach out to the attorney immediately. A termination of jurisdiction or a Home of Parent order right before the youth turns 18 can affect also AB12 eligibility.*

CASA ROLE: FOR STARTERS!

IDENTIFYING YOURSELF AS A CASA

As best practice, a CASA should always carry their CASA badge and their Court Order. This documentation is necessary to gain access to information and have the ability to visit a youth when they are in a placement or detained.

WARNING SIGNS – ARE THE RIGHT SERVICES IN PLACE?

When gathering information, it is important to make note of what services have been used, what services have yet to be used, and what services have been delayed and for what reasons. This information is critical for supporting youth, ensuring their care does not become under prioritized, and reducing the likelihood for duplication of services.

DIRECT ADVOCACY

- Collaborate with the defense attorney
 - Respect their boundaries with regards to disclosures of information
 - Discuss youth's needs and what information can be shared with DCFAS and probation
- Communicate the youth's needs with probation after discussing them with their defense attorney (Be mindful of Sharing Information protocol, page 30)
- Advocate for prosocial activities, mentoring programs, or anything youth states would prove beneficial to their well-being
- If placed in out of home care, advocate for family visits if appropriate
- Advocate for the least restrictive setting and outcome
- Advocate during the 241.1 MDT Process
- Identify barriers to completing the terms of probation
 - Some common barriers include but are not limited to: Coordinating transportation to services or community service
 - Placement is not meeting the needs
 - Duplication of services
 - Conflicting appointments or an overbooked schedule
 - Mental health needs require attention
 - Therapy or psychotropic medication needs
- Check in with youth to learn how they are feeling
- Visit them in Juvenile Hall

CONFIDENTIALITY

When a CASA is sworn in, they take an oath of confidentiality to protect the youth's *case-related information*. This means that the CASA must protect the information that has been entrusted upon them and not disclose any details to people not involved in the case.

However, sharing information with others involved in the case is acceptable and sometimes necessary. To learn more about disclosures, please refer to the **Sharing Information** section found in this guide on page 30. CASAs are strongly encouraged to talk to their Case Supervisor about disclosures of information and what is appropriate, especially around sensitive information such as: sexual/reproductive health, mental health diagnoses, substance use, etc.

Specifically, when advocating for youth that are dually-involved, CASAs may not discuss the details of the youth's charges with anyone involved in the case, with the exception of their Case Supervisor and the youth's dependency attorney and defense attorney. If information about the youth is being reported inaccurately, the CASA must first consult with their Case Supervisor and defense attorney, and allow the defense attorney to make any corrections.

The CASA and Case Supervisor will decide what information is disclosed to the Juvenile Justice Court via the CASA Court Report. *Review and familiarize yourself with the Program Manual Handbook so you are updated on CASA's confidentiality practices.*

SHARING INFORMATION

In order to build rapport and strengthen the relationship with a young person, a CASA must always be mindful of the information that is shared, especially as it relates to their juvenile justice involvement. CASAs should also always consult with their Case Supervisor when they are unsure about how to proceed.

Information provided to any reporting parties can be documented in both Dependency and Juvenile Justice Court reports and have the potential to inadvertently criminalize a young person. Nonetheless, there is information that could prove to be largely beneficial if given to certain parties. The table below outlines additional considerations and pointers related to disclosure with youth involved in the Juvenile Justice system.

RECEIVING PARTY	INFORMATION THAT CAN BE SHARED
Case Supervisor/ CASA Staff	CASAs can share any and all case-related information with their Case Supervisors. This includes conversations had with the youth, parties involved, and any other case related details. Sharing all information with Case Supervisors is important and strengthens a CASA's ability to advocate appropriately for their youth.
Child/ Youth/ NMD	<p>You can discuss anything related to the youth's <i>dependency</i> case in an age and developmentally appropriate manner. Regarding juvenile justice matters, you can speak with the youth about requirements of their probation plan, potential barriers, connection to services, and potential placement options (speak to the PO about when it's appropriate to discuss placement options).</p> <p><i>*IMPORTANT: CASAs must avoid discussing any past or current charges/allegations with the youth.</i></p>
Defense Attorney/ Dependency Attorney	<p>Any and all case-related issues. It is encouraged to run any concerns/issues by the youth's attorneys prior to sharing information with other parties, with the exception of your Case Supervisor.</p> <p><i>*Reminder: A CASA is not entitled to information related to an ongoing criminal investigation. As such, a defense attorney may choose to not disclose information to the CASA Volunteer, and they are within their right to do so.</i></p>

<p>Deputy Probation Officer (DPO)</p>	<p>In general, be discerning about what information you share with the Juvenile Justice Court/PO. Consider how the information would be used and how it may impact the young person’s trajectory in the juvenile justice system.</p> <p>Always consult with your supervisor and the youth’s defense attorney before disclosing information to the DPO/Juvenile Justice Court.</p> <p><i>*This also applies to the Probation Officer involved in the 241.1 process - Investigative Probation Officer</i></p>
<p>District Attorney (DA)</p>	<p>As it is the district attorney’s position to prosecute the young person based on alleged charges, CASAs should not share information directly with the District Attorney or any of their staff.</p> <p><i>*If contacted by a district attorney for a statement, CASAs must not make any immediate disclosures and always first consult with their Case Supervisor and the child’s defense attorney before disclosing information that could be shared with the district attorney.</i></p>
<p>Social Worker (SW)</p>	<p>Discuss any dependency-related case matters. Refrain from discussing any information related to the charges, as it may end up in a report.</p>

MANDATED REPORTING

CASA volunteers are mandated reporters. This means CASAs are required to report, by law, any known or suspected child neglect or maltreatment, if the youth wants to harm themselves, or expresses intent to harm others. CASA advocates should always consult with their Case Supervisor prior to submitting a referral.

DISCLOSURES OF CRIMINAL ACTIVITY

As a rule of thumb, CASAs must not inquire or engage in conversations about a youth’s previous or current criminal activity. If a youth discloses any information related to criminal activity, CASAs must consult with their Case Supervisor about next steps, which may include encouraging the youth to notify their attorney or the CASA directly notifying the attorney. CASAs may also encourage the youth to share this information with their defense attorney and remind them of attorney-client privilege.

CASA COURT REPORTS

WHEN TO SUBMIT A COURT REPORT

A CASA will submit a court report only if the youth is a Ward of Juvenile Justice and does not have an open dependency report. Youth typically have juvenile justice hearings every 3-6 months. However, some youth may have hearings as often as every month. Based on the frequency of the youth's scheduled hearings, a CASA should submit a court report every 6 months, as new and important information arises, or at the request of the youth's team. CASAs will be informed by their Case Supervisor when they need to write a report for a hearing.

BENEFITS OF SUBMITTING A COURT REPORT

A CASA's court report can be largely beneficial in many ways. First and foremost, it allows a young person to feel supported. Secondly, a CASA's report may:

- Provide more up to date information to the defense attorney
- Allow the Juvenile Justice Courts to see the humanity and potential of youth who have a support system
- Provide an opportunity to give accurate information to the Juvenile Justice Court if any reporting party misstates the information or overstates the seriousness of the allegations
- Speak to the youth's character and growth
- Provide an opportunity to reframe the narrative about the youth

COURT REPORT TEMPLATE

CASA has a variety of court report templates, depending on the hearing type. Your Advocacy Supervisor will provide the template that should be used.

CONTENT OF CASA COURT REPORTS

As a basic rule, CASA court reports should document ways in which youth have been amenable to supportive services and focus on the youth's well-being. Additionally, the report should strive to be strengths-based, and give the Juvenile Justice Court a better picture of the youth's character, strengths, and resiliency.

Reports may include the following information:

- Youth's strengths and needs. Some examples include:
 - Youth's academic progress
 - Youth's involvement in extracurricular sports or activities
 - Youth's engagement in individual therapy, and any significant progress made in the past months
- If the youth could benefit from additional services, that may be noted and the following may be requested: Alta Regional Center assessment, assessment for an IEP, workers to assist with providing youth a stable placement
- Holistic information and context about the youth's behavior and circumstances in placement

WHAT'S NOT ALLOWED

CASA volunteers must be mindful that their written and spoken words can carry a lot of weight in the perception of the youth by the court and may end up in their juvenile case file, which is accessible by law enforcement, Probation, and the District Attorney. At times, CASAs may want to present information they believe to be helpful to their youth's case. However, this information could potentially incriminate the youth or cause harm. Therefore, CASA court reports should NOT include the following information:

- Discussion of the youth's pending petition or circumstances surrounding the charge
- Report of behaviors that may be construed as a probation violation (substance use, fights at school, multiple "AWOLs" or leaving placement without permission, etc.)

SUBMITTING COURT REPORTS

To allow enough time for edits, a CASA should submit their report 10 business days prior to the scheduled Juvenile Justice Court hearing.

- If the court report draft is submitted on time the Case Supervisor will send it back to the CASA for their approval, prior to routing it to the parties to the case.
- Parties include: Judge, Probation Officer, Court Officer, District Attorney, and Defense Attorney.
- If a hearing is scheduled with minimal notice to CASA, a written court report may not be possible. The Case Supervisor may instead advise the CASA to attend the hearing and consult with the defense attorney on how to advocate for the youth in Juvenile Justice Court.

GETTING STARTED WITH JJ ADVOCACY!

Once you have reviewed the documents your Case Supervisor has sent you, which may include Probation reports and minute orders, and met with your Case Supervisor for the matching meeting, you are ready to get going with advocacy work! Remember to reach out, be patient, and collaborate with your Case Supervisor when you feel stuck. Here's a list of first steps to take:

Block off upcoming court dates in your calendar

- You will receive this information from your Case Supervisor and the next hearing date can also be found in your CasaConnect portal or documents you received during the matching process

Keep your endorsed court Appointment Order in a safe and accessible place

Reach out to the probation officer and defense attorney

- Let them know you are the Court Appointed Special Advocate and are wanting to set up a time to talk about the youth and their current needs
- You do not have to have met with the social worker, probation officer, defense attorney, or dependency attorney before meeting your CASA youth. However, it is preferred that you let them know you are planning a visit with the youth and introduce yourself.
- Ask if your youth has any of the following, as they will be important people to contact
 - Wraparound Team - Teams specializing in holistic support for youth
 - Individual Therapist
 - Alta Regional Center Case Worker- For youth with developmental delays
 - Special Education/IEP/504 Plan or Educational Attorney- For youth that require specific accommodations at school
 - Mentor(s)- Adult supports through programs, family friends, etc.
- Ask about any upcoming Child and Family Team (CFT) meetings or Individualized Education Program (IEP) meetings. Record the dates and make an effort to attend in person or by phone. Your Case Supervisor can go in your place

Ask the probation officer or attorney who the educational rights holder + developmental decision maker is

- This will help identify who you will be collaborating with or if the youth needs someone appointed. Contact the youth's placement and set up a meeting with the caregiver and the youth.
 - Make note of any visiting rules if the youth is in a group home or Juvenile Hall.
 - It is important to visit your youth without any preconceived notions. Often times, youth are portrayed very negatively in their reports but are genuinely kind and excited to meet someone new.
 - If your youth seems to not be excited or indifferent about meeting you, it is okay! It is your first meeting. Remember: you are doing this for them, not you!
 - Ask the youth about their strengths and needs.
 - Have fun and get to know the youth!

- When meeting with case parties, take plenty of notes and make note of acronyms you do not understand
 - Try not to take notes while meeting with your youth. Focus on relationship- building!
- Contact your Case Supervisor with any questions or concerns.

PREPARING FOR A MEETING

YOUTH NAME	DOB	CURRENT PLACEMENT	PROBATION OFFICER
SUPPORT SYSTEM Family members, non-related extended family members, coaches, mentors, teachers, neighbors			
STRENGTHS Personality, academic, mental health, resilience, personal growth, maturity, interpersonal relationships.			
CURRENT NEEDS/PENDING EFFORTS Anything that may improve the youth's overall well-being or has yet to be explored, e.g., academic needs, mental health needs, extracurricular/hobby, permanency needs.			
CURRENT SUPPORTS IN PLACE Indicate what services the youth is currently receiving. Include contact information if available. E.g., Wraparound, TBS,, Tutoring, Individualized Education Program, Regional Center Services.			
PAST EFFORTS What has previously been tried; barriers to services (e.g., youth not connected to provider, transportation, placement changes)			
UPCOMING APPOINTMENTS Child and Family Team Meetings, IEP meetings, Wraparound meetings, etc.			
UPCOMING COURT HEARINGS State the date, courthouse location, and court room number			
TRANSPORTATION TO HEARINGS Support the team in coordinating who will be responsible for taking the youth to their upcoming hearings.			

ATTENDING JUVENILE JUSTICE COURT

Although each juvenile justice (JJ) court will be different, some general information is outlined below to inform CASAs on attending JJ court.

PREPARE BY

- Gathering JJ court information (e.g. courthouse name, address, time, courtroom number, zoom link).
 - The probation officer, defense attorney, or your Case Supervisor may be able to assist with gathering this information.
- Identifying the defense attorney appointed to your youth by asking the dependency attorney, social worker, or calling the Public Defender main line: (916) 875-5077
- Reviewing the finalized copy of your Court Report – especially the recommendations section
- Informing the youth, family, and/or defense attorney that you plan on attending.
- If the CASA youth is not detained, try confirming that they have transportation to Court by connecting with their current caregiver or placement staff.

MAKE SURE TO BRING – In Person

- Professional attire
- CASA badge
- A copy of your court report
- Something to read, you may be waiting awhile. Note: if you youth is not detained you will be able to use this time to chat with them while waiting for court to start.

CHECK-IN AT JJ COURT – In person

- CASAs should wait outside the JJ courtroom for the bailiff or Court Officer (CO) to conduct check-ins.
 - When the bailiff or CO conducts their check in, CASAs should inform them of their role as a CASA and provide them with the CASA youth's name.
 - At this time, CASAs may also mention that they would like to speak with the attorney. The bailiff may be able to refer CASAs to the defense attorney.
- JJ Court attendees typically wait outside the courtroom until their case is called.

CHECK IN WITH THE DEFENSE ATTORNEY

- CASAs should ask if there were any questions about their report and update them if there were new developments since the report was finalized.
- CASAs should express concerns and needs to the defense attorney.
- If the CASA wishes to address the JJ Court about something specific, the CASA may inform the defense attorney.
 - It is best practice for the CASA to inform the attorney of what they would like to state to ensure that the CASA's statements do not harm the defense attorney's defense strategy.

DURING THE HEARING

- The court officer will call the case when it is ready to be heard
- When entering the courtroom, CASAs may ask the court officer or attorney for guidance where to sit, usually near to youth or in the gallery.
 - The CASA Supervisor or other CASA staff will attend the first hearing with the CASA.
- CASAs may address the JJ Court when:
 - They are asked by the Judge.
 - The defense attorney informs the CASA it is okay to address the JJ Court.
 - The CASA raises their hand and requests permission from the judge.
 - CASAs should stand when addressing the Court
- If the youth is detained, it may be beneficial for the CASA to visit or have phone call to check in with the youth to provide support after the hearing.

ZOOM HEARINGS GUIDELINE

- Please add your full name and (CASA) to your Zoom name so the Judge can easily identify you. Example: Jessica Smith (CASA)
- This is an official, confidential court hearing just like a hearing attended in person. The Judge will be at the courthouse, but all other parties may be participating by video or by phone.
- Please dress in court appropriate attire and adhere to all the same court attendance guidelines.
- Please make sure you can participate from a quiet, confidential location in your home.
- Please place yourself on mute until it is time to discuss your case.
- Please remember that even if you can't see yourself on the screen, the Judge and others can see you at all times unless you turn off your video.
- Don't be afraid to speak up! If you have something to add in regards to what they are discussing that they may have missed, professional interject and state you have something to add. If for some reason the Judge hasn't acknowledged you during your youth's hearing, announce that you are there and that you have an update, when appropriate.

PLACEMENT OPTIONS THROUGH PROBATION

CASAs must advocate for the safest and least restrictive setting. It is important to collaborate with your Case Supervisor and the youth’s defense and dependency attorneys before making recommendations to the court.

Home Supervision	<p>Home supervision, allows the youth to return home/to their placement while promising to complete their probation conditions.</p> <p>Electronic Monitoring (also known as ankle monitor) is available for youth that are home on probation, after the detention hearing when their case is still pending.</p>
Suitable Placement	<p>Short term residential treatment programs (STRTP; formerly known as Level 12 and 14 group homes), not locked.</p> <p>Locked STRTPs – Locked facilities that require a Caregiver’s Authorization Affidavit or Conservatorship.</p> <p>Foster Care Placements – foster homes or homes with a NREFM caregiver. If you see this language in a report, this does not necessarily mean they are a dependent in foster care.</p>
Juvenile Hall – Youth Detention Facility	<p>Juvenile Hall – locked facility. Youth are detained in Juvenile Hall while they await their hearings or for a suitable placement to be found. Youth have only a certain number of days they can be detained, based on disposition orders.</p>

VISITING YOUTH DETENTION FACILITY

WHO CAN VISIT

- CASAs are able to visit youth who are placed in the Youth Detention Facility (YDF).
- Approved visits are limited to parents, legal guardians, and grandparents. Other relatives and supportive adults may be added to a youth's visitor list by the probation officer, their supervisor, and the Youth Detention Facility Duty Supervisor.
- No more than three visitors are allowed to visit a resident at a given time; groups of visitors in excess of three will be rotated into the Visitor Center throughout the scheduled visiting period and shall be considered a single visit.
- All visitors must be 18 years of age.

WHEN TO VISIT

- CASAs have been allowed to visit their youth during and outside of family visiting hours. CASAs must consult with facility staff to gain special permission and be diligent about respecting any rules that come with this permission.
- CASA visits are considered professional courtesy visits, so CASAs can visit their youth in the Youth Detention Facility anytime, except during shift changes, without having to make an appointment. However, you are encouraged to call ahead (916) 875-6996 in all circumstance to confirm your youth's availability.
- Professional courtesy visitation hours are Monday-Friday from 8am-4pm. Discuss with your youth's probation officer or defense attorney to figure out the best time to visit based on their schedule.
- Any other times such as weekday evenings 4pm-8pm and weekends 8am-8pm are reserved for family; if you can only visit after 4pm or on weekends, call in advance (916) 875-6996 to see if there is availability, but there is no guarantee .
- While CASAs may visit during these hours, CASAs must be mindful that these hours are specifically set aside for family. If the CASA is only allowed to visit during this time, the CASA should coordinate visitation with the family and always prioritize the family's availability to visit over their own.

WHAT TO BRING/NOT TO BRING

- A valid form of ID
- Appointment Order
- CASA Badge

APPROVED ITEMS AT VISITS

- One white handkerchief
- Tissue pack (unopened)
- Two keys on a ring – no attachments
- Five approved pictures
- Approved magazines
- Paperback books
- Unsealed greeting cards; all other written mail/correspondence must be mailed

PROHIBITED ITEMS AT YDF

- Drugs, alcohol, or intoxicants of any type
- Weapons, firearms, tear gas, pepper spray, explosives or ammunition
- Tobacco, tobacco products or lighters of any type
- Chewing gum
- Purses, backpacks or packages of any type
- Hair products of any kind
- Non-prescription medication (medication must be handled by the medical clinic. The Youth Detention Facility Visitor Center staff may not accept resident's medication from a visitor)
- Sexually explicit or gang related material
- Pagers or cellular phones
- Cameras, radios and electronic or recording devices
- Writing materials or hard back books
- Outside food and beverages

VISITATION RULES

- Conduct themselves in a reasonably courteous and appropriate manner and shall not infringe upon the rights of others. Should a visitor appear unfit for a visit, the visit may be denied or terminated
- Pass a criminal records check; clearance is required before visitors are admitted
- Pass a metal detector search
- Refrain from smoking in or around the facility at any time
- Refrain from grooming resident's hair during visit
- Obtain permission from staff before giving or accepting anything from a resident

DRESS CODE

- CASAs and all other visitors must be appropriately dressed. Dress conservatively and in good taste. Inappropriate attire may be cause for denial of visitation.
- Prohibited attire includes: gloves, hats and non-religious head coverings (e.g. scarves, bandanas), bathing suits, bare midriff and/or bare feet, sheer, see-through or excessively tight clothing, clothing appearing to be gang related, clothing glorifying drugs, alcohol, violence, racism, etc.

TALKING TO YOUTH

- CASAs are encouraged to continue strengthening their relationship to their CASA youth by asking how they are feeling, helping them identify their needs, and encouraging them to advocate for themselves as needed.
- CASAs may not ask the youth about the charges. If the youth starts to discuss the charges, CASAs must direct the youth to the defense attorney.
- CASAs may not offer the youth legal advice.

CONSIDERATIONS

- While CASAs can certainly visit youth during normal visiting hours, CASAs should do their due diligence in ensuring that their visits do not unintentionally create a scheduling conflict with visits between the youth and their family.
- If CASAs are allowed to visit outside of visiting hours, CASAs should ensure their visits are scheduled ahead of time and do not interfere with regularly scheduled activities that are beneficial to the youth's well-being or development (e.g., school, therapy, group activities).
- Due to limits on what can be taken into the Youth Detention Facility, CASAs are encouraged to practice their best judgment and hide personal belongings in their vehicle while visiting their youth.
- Visiting a young person while they are detained can be emotionally challenging. CASAs are welcome to reach out to their Case Supervisors following visits, if needed.

Probation Department Visitor Center

4136 Branch Center Road

Sacramento, CA 95827

Phone: (916) 875-6996

Fax: (916) 876-8857

FOR YOUTH: QUESTIONS TO ASK YOUR ATTORNEY

(Borrowed and Adapted from UCLA Youth and Justice Clinic)

You and your defense attorney have attorney-client privilege. This means everything you tell your attorney will remain confidential. Try to trust your attorney and provide them with any information they need, especially as it relates to your case. This will help them fight your case. This is some information you might want to give your attorney:

- Educational history (IEP, 504 Plan, non-public school enrollment)
- Family life
- Any challenges you've experienced recently or throughout your life
- Therapy or psychiatric attention you've received
- Anywhere you receive services from (e.g., regional center)
- Any extracurricular activities you are involved in
- Your hobbies, interests, and goals
- All the great qualities that make you who you are
- Anything else you think is important or might help your case

Do not give anybody else information about your charges, not even your CASA. You can also ask to speak only when your attorney is present.

AT ARREST

- What is Juvenile Justice Court?
 - *If you have a case with HHSA:* How is Juvenile Justice Court different from Dependency Court?)
- Why was I arrested?
 - What are my charges?
- What are the consequences of an arrest?
- Will an arrest show up on my record? What about as an adult?
- What can be done in Juvenile Justice Court if one of my rights in arrest are violated?
- Can I call someone I trust? Like a caregiver or a CASA?
- What am I allowed to talk about with others?
 - Can I choose to not talk to people?

PRE-DISPOSITION

- Can I go home or back to my group home today? Can you argue for my release today?
 - Can I go home on Home Supervision?
 - If I can't go home today, can you explain why?
- What are the possible conditions for being released?
- What are the requirements of my release home while the case is pending?
- What happens if I violate the condition of release?

PLEAS

- What is a plea?
- Will you explain what diversion (654) means and if I am eligible for it? What are the requirements that must be completed under a diversion program?
- What are the advantages and disadvantages of my options?
- Will this count as a strike? Please explain what a strike is to me.

SEALING

- Can an arrest be sealed on my record?
- Can a juvenile conviction (via plea or adjudication) be sealed on my record?
- Is there a difference on my record if I choose to do juvenile court-based diversion?
- What is the process of sealing my record?
 - Who can my sealed record be accessed by?
- Is it possible to have the records completely destroyed? When does that happen?
 - Can my arrest or juvenile convictions be used against me as an adult if my record is ordered destroyed?
- What's a juvenile strike?

GRIEVANCES

- If you have a grievance about an issue within the facility, tell your attorney and ask about how best to deal with the issue before reporting it to a PO
- What possible retaliation might I face?
- If you would like help with a health, education, mental health, or other issue, tell your attorney and ask what to do to make sure your needs are met.
- What can be done in Juvenile Justice Court if one of my rights in custody are violated?

GENERAL

- How long should I expect this process to take?
- What information or records do you need to build my case?
- When can we find time for me to discuss with you any traumas or difficulties I have faced in life?
- How do I get in contact with my family or guardians?

Juvenile Field Services

(Borrowed from the Sacramento Juvenile Probation Website)

Juvenile Field Services is responsible for the supervision of youth under the Juvenile Court's jurisdiction. The youth are given a risk and needs assessment to determine the risk of reoffending as well as to identify strengths and service needs. Individualized case plans are jointly created with the youth and family. Youth are then referred to an array of targeted community based interventions and resources which may include: individual, group and family counseling (cognitive in nature and trauma focused); life skills; 24/7 crisis response; family and youth advocacy; transportation; education and vocational opportunities; and specialty services for Transition Age Youth (TAY). Probation Officers provide supportive case management in the community, teaming with local service providers with the goal of keeping youth and families together and maintaining safer communities.

Home Supervision and Electronic Monitoring

The Home Supervision/Electronic Monitoring unit provides alternatives to detention and is utilized by the Court and the Probation Department.

Roadmap for Success-Candidacy Assessment, Programming, and Reentry Team

The first step in the Juvenile Field supervision assignment process is [screening and assessment](#) through a structured interview to engage and motivate the youth and family. Officers meet with youth subject to a WIC §602 petition to determine reasonable candidacy (imminent risk of removal into foster care as defined by CaDSS Title IV-E guidelines) and update their risk-and-needs assessment, in collaboration with the youth's family/legal guardian, to determine their risk to recidivate and to identify strengths and areas of need. The assessment results drive the dynamic and individualized case planning process with an emphasis on criminogenic risk and protective factors. Through this guided process, evidence-based programs within the community are discussed and explored with the youth and family. Referrals to community-based providers are made on-site and connection to service is timely. Supervision and support are provided by case managing officers who further collaborate with service providers, youth, families, and natural supports.

Reentry Development for Youth

The target population for Reentry Development for Youth (R.E.D.Y-GO!) is comprised of youth returning to our community as a result of an episode in detention or placement. Best practices recognize that reentry planning and services begin at the time of admission to detention and continue beyond the youth's release and reintegration into the community. This reentry continuum consists of three overlapping phases: 1) in the facility, 2) the transition out of the facility and into the community, and 3) in the community. Sacramento County's reentry process utilizes collaborative teaming to assess strengths and needs, develop transition and case plans, and make connections to services, education, housing and employment prior to release from custody.

The R.E.D.Y-GO! program provides intentional coordination for community transition and stabilization prior to release through a comprehensive assessment based on strength and need, the development of an individualized case plan, referrals to community-based services and family engagement. Through a collaborative teaming process with representatives from Probation, BHS,

Primary Health, SCOE, service providers and most importantly, the youth and family, a transition plan is developed. Prior to community reentry, connections to services related to treatment, education, housing, employment/vocational opportunities and positive youth development are made. The collaborative process and plan implementation continue as case managing officers provide supervision and support within the community.

Community-Based Supervision

The Community-Based Supervision Unit (CBSU) case assignment is based on the school districts where youth on probation attend school. The CBSU is designed to give officers increased access to youth during the school day which provides a better opportunity to supervise and support them in the community.

Juvenile Field officers supervise both community and "office" cases, which allows youth to be moved between the two caseload types based upon their assessed needs. This approach increases supervision efficiency, education and advocacy, and promotes healthy relationships between youth and officers. Through a fluid case planning process that often includes Child and Family Team (CFT) meetings, officers work with youth, families and community-based providers to ensure service needs are met.

Impact Services Unit

Probation officers in the Impact Services Unit provide enhanced case management services to youth on probation who are experiencing mental health disorders and sexual exploitation. Through collaborative partnerships across systems, higher risk youth and families are supported through a teaming process, Multidisciplinary Team (MDT) and/or CFT meetings, which may occur in a mental health full service partnership program or through Commercially Sexually Exploited Children (CSEC) specific programming as described in detail below. Youth and families are referred to community-based programs to support their varying needs which may include family based services, psychiatric services, cognitive based individual or group therapy, trauma related curriculums, youth advocates, life skills and/or educational/vocational training opportunities. Officers in this unit receive specific training in order to support the complex needs of the youth and their families.

Commercially Sexually Exploited Children

Since 2014, the California Legislature has invested in the child welfare system's capacity to identify and serve CSEC, while simultaneously shifting away from criminalization. Sacramento County has utilized a multi-layered set of strategies to strengthen the ability of front line staff and employees to engage serve and support CSEC and their families. Sacramento County's CSEC Steering Committee, led by the Department of Child, Family and Adult Services (DCFAS), includes representatives from probation, Juvenile Court, education, law enforcement, the Public Defender, the District Attorney, Public Health, BHS and community-based organizations that serve CSEC. The Juvenile Court dedicated a docket to CSEC youth that includes support from two Juvenile Field officers and one Juvenile Court presenter.

The West Coast Screening Assessment Tool is conducted on every youth booked into the YDF in order to identify youth believed to be CSEC. If necessary, the CSEC Field Unit conducts the assessment for youth in the community. CSSEC youth are placed on the caseloads of specially trained probation officers which includes human trafficking, victimization and pimping,

intervention strategies, harm reduction, trauma informed care, and services specific to CSEC. The officers meet with CSEC youth to discuss their current situation and make recommendations to the Court. Additionally, probation officers participate in Child and Family Teaming meetings (CFT) and Multi-Disciplinary Teaming meetings (MDT) with attorneys, DCFAS, UC Davis counselors, youth advocates and other providers connected to these cases.

Juvenile Justice Diversion and Treatment Program

The Juvenile Justice Diversion and Treatment Program (JJDTTP) is a Full Service Partnership (FSP) of the Mental Health Services Act. The program is contracted FSP between BHS, Probation and River Oak Center for Children and was established to deliver integrated services to a population of youth involved with juvenile justice that have multiple complex needs cutting across service areas. To be eligible, youth must meet serious emotional disturbance criteria and be between the ages of 13-19 at the time of enrollment. Through the JJDTTP, eligible youth and their families are provided with mental health screenings, assessments, intensive mental health services and FSP supports. Family and youth advocates complement clinical services. Eligible youth referred to the program are provided the opportunity to voluntarily receive intensive, evidence-based services delivered in coordination with a specialized probation officer. Youth referred to the program can voluntarily participate as long as clinically necessary or up to their 26th birthday. Program outcomes for youth include reduced psychiatric hospitalization, increased engagement in educational programs as well as reduced arrests and incarcerations.

JJDTTP seeks to achieve the following five goals:

1. Stabilize housing placements and reduce homelessness;
2. Increase school attendance and achievement;
3. Increase vocational training and employment;
4. Reduce psychiatric hospitalizations; and
5. Reduce juvenile detention and/or young adult incarceration.

Age of Majority Unit

Age of Majority Unit (AOM) is a specialized field unit providing case management services and support to youth people ages 18-21 under the jurisdiction of the Juvenile Court. The target population includes youth adults who are not currently enrolled in High School or have already obtained their diploma. These young adults receive a Level of Service/Case Management Inventory (LS/CMI) assessment and case planning that includes referrals to services to meet identified needs. Referrals are focused on specialized treatment, education, vocational training, and other supports as needed, such as food and emergency housing. The goal of the AOM is to provide clients with assessment, treatment, supervision, and support necessary to promote rehabilitation and to prevent re-offending, resulting in a safer community.

Juveniles Who Sexually Offend (JSO) and Arson Unit

Youth adjudicated for a violation of Penal Code §288, arson, or a reasonably related offense are placed on a specialized caseload. This caseload is managed by the JSO and Arson Unit in collaboration with treatment providers (when applicable) and the parent/legal guardian(s).

Sexually abusive justice-involved youth participate in outpatient treatment designed to reduce the likelihood of re-offense and promote prosocial development. These youth are provided multiple

assessments to inform individualized treatment plans, treatment progress and timing of termination services. The treatment plans generally combine individual and group treatment sessions, relapse prevention strategies and family counseling to support successful program completion. Consistent with best practices, probation officers work in collaboration with treatment providers and families and maintain weekly contact to monitor each juvenile's progress, ensure their needs are being met and ensure they are in compliance with the terms and conditions of their probation.

Valley Oak Youth Academy - V.O.Y.A. (Formerly Division of Juvenile Justice DJJ) Reentry and Supervision Program

V.O.Y.A Reentry and Supervision Program is a specialized unit for youth returning to the community from V.O.Y.A. At point of commitment, the probation officers and a V.O.Y.A Liaison begin an orientation phase wherein the youth are educated about what to expect at V.O.Y.A, how their program will progress, and the opportunities that lie therein. Three months prior to community re-entry, the assigned officer convenes a re-entry team to begin transition and case planning. The officer meets with the youth at V.O.Y.A and coordinates efforts with the Reentry team to include family if applicable. Upon reentry, the officer provides supervision, services and support to the youth in the areas of treatment, housing and education/vocation opportunities. Youth also meet with an eligibility specialist through partnership with the Probation's Adult Day Reporting Centers.

Black Child Legacy Campaign (BCLC) - Joint County/Community Collaboration

In the spring of 2011, the Sacramento County Board of Supervisors received a 20-year report on Sacramento deaths for the period 1990-2009. The report included a consistent finding that African-American children in Sacramento County died at disproportionately higher rates when compared to children of other races. In the fall of 2015, a strategic plan to reduce preventable African-American child deaths related to prenatal conditions, sudden infant death, abuse and neglect and third party homicide was presented by the Black Child Legacy Campaign (BCLC) Steering Committee and approved by the Board of Supervisors. The BCLC Steering Committee's subsequent implementation plan identified six core objectives, based on the principles outlined in the strategic plan. Probation Officers are embedded in the CIL-MDT community sites and collaborate with each incubator site to provide support, supervision and resources to youth participating in BCLC's prevention and intervention efforts.

SPECIALIZED JUVENILE JUSTICE COURTS

CSEC (COMMERCIAL SEXUALLY EXPLOITED CHILDREN) COURT

This collaborative court began as a result of concerns shared by the District Attorney's Office and the Public Defender's Office that children who were being sexually exploited had specific needs that were not being addressed.

This grass roots effort was completely embraced by the Juvenile Court and as a result expanded to include the Probation Department, the UC Davis Children's Hospital CAARE Center and the non-profit behavioral health treatment center Another Choice Another Chance. The CSEC Court is designed to have a positive impact on personal and public safety, accountability, mental health stability and enrollment in school or gainful employment opportunities for these youth. Every child in the program is provided with trauma based cognitive therapy.

Several new programs have emerged as a result of this partnership, including a parent support group, the Adult Deferred Entry of Judgment program, and the Human Trafficking Task Force. Effort is focused on connecting community-based organizations with victims and creating trust within our agencies to continue to fight the battle against human trafficking.

- **Multidisciplinary Team (MDT):**

The law requires that a county opting into the CSEC Program form an MDT to "coordinate case management, case planning, and services for [CSEC]." Based on promising practices, the Model Framework suggests that counties form an individualized MDT for each identified CSEC that is strengths-based and prioritizes the youth's voice in the decision-making process. The Model Framework also suggests that youth have the option of participating in each MDT. In addition to public agency partners required to participate in the MDT, the counties should also include other additional parties trained in CSEC such as dependency attorneys, providers, and survivors. The members of the MDTs will work together to complete the following activities including, but not limited to:

1. Convening emergency/immediate meetings upon identifying a commercially sexually exploited child,
2. Addressing the child's basic needs,
3. Making a recommendation about where to place the child
4. Developing a safety plan for the child, and
5. Reconvening should a triggering event (e.g. running away, another arrest, etc.) occur.

JTRC– Juvenile Trauma Response Court

The JTRC Youth and Family Program (Juvenile Trauma Response Court) is designed to help youth regain control of their lives, reach personal goals, achieve academic success and develop positive social outlets. The program operates with a Trauma-Informed care model, where staff receive extensive training on how trauma impacts the lives of young people. Staff are also trained on how to help mitigate the negative impacts of trauma and serve as supportive adults in the lives of these youth. The JTRC Youth and Family Program assists with youth involved within the Juvenile Justice system.

NMD - Nonminor Dependent Court

NMD Court is a courtroom that serves youth 18-20 who are eligible for the extended foster care (EFC) program. Probation youth are eligible to participate in NMD Court as long as they successfully complete the conditions of probation and are not placed in home care on their 18th birthday. Probation youth have a 450 hearing to transition into the courtroom.

**For more information on specialized Juvenile Justice Courts, contact your Case Supervisor.*

JUVENILE JUSTICE LOCATIONS

SACRAMENTO COUNTY YOUTH DETENTION FACILITY

Probation Department Visitor Center

4136 Branch Center Road

Sacramento, CA 95827

Phone: (916) 875-6996

Fax: (916) 876-8857

SACRAMENTO COUNTY JUVENILE JUSTICE COURTHOUSE

B. T. Collins Juvenile Justice Center

9605 Kiefer Boulevard

Sacramento, Ca 95827

916-876-7753