

Dangerous Liaisons

Helping Wraparound and the Juvenile Justice System Form a More Perfect Union

by John Franz

In Kenyon County an interagency group was working to develop a plan for serving families with children who had severe emotional disabilities. Schools, mental health and social service agencies were all active and enthusiastic participants. The goal was to reduce the use of residential treatment and get better outcomes through the use of integrated, community-based services. Although the juvenile court judge was invited to participate, she was rarely able to attend the meetings. In fact in private conversations Judge Schmidt noted that she wasn't sure why she was invited - she was running a court of law, not a social services agency.

None of the first three families served by the interagency group had children who had committed a serious law violation. Then a 14 year old boy from the fourth family referred to the program was charged with armed assault. He had pulled a knife on another student at school, and, in the presence of several teachers and dozens of kids, threatened his victim by stating that he would "cut him open like a pig and pull out his lungs." His record also included a number of prior charges such as possession of marijuana, fights, shoplifting, truancy and bicycle theft.

At the dispositional hearing, the team presented the judge with a community-based plan that included a high level of individualized supervision. After reading through the report, Judge Schmidt looked at the team and said, "So, what you are telling me is that in our community the reward for attempting to kill another human being is now going to be a companion who will play basketball with you any time you want a little exercise. I don't think so."

From that point on, she made a point of over-riding every dispositional plan that recommended diverting a delinquent youth to this new program - with the net effect of increasing the county's institutional placements.

Punishment or protection: the court's constant dilemma

A government report recently described our nation's children as the "young and the ruthless." When the baby boomers were young, their motto was not to trust anyone over 30. Now that the boomers have reading glasses and problems with their prostates, they seem deathly afraid of anyone under 20. Still, no matter what the reason, our juvenile courts are flooded with

youth charged with delinquent acts, and our detention centers, correctional facilities and child caring institutions are bursting at the seams.¹ The problem is that just locking kids up hasn't stopped the onslaught.

Many young people in the juvenile justice system aren't simply misguided or mean-tempered. They are victims of past abuse. They have severe learning disabilities. They suffer from major mental health disorders and are impaired by cognitive disabilities. They show the effects of perinatal substance abuse and themselves are addicted not only to tobacco, alcohol and cocaine, but also to substances that weren't invented when the boomers were experimenting. They suffer from diseases and disorders that are only supposed to happen in third world countries. There are estimates that as many as one in fifty would test positive for HIV. We lack even a rudimentary terminology to describe their tattered social and familial relationships.

So what is a judge supposed to do when one of these multi-need youth is brought before the court and charged with a serious offense? On the one hand, anything but the maximum penalty will bring down the wrath of the media and legislature. On the other, failure to address the full range of the youth's needs will virtually guarantee that sooner or later he or she will be back for another visit to the court.

Learning to wraparound

Many communities have begun developing integrated systems of care (ISOCs) to support families with children who have complex needs. In general these systems are cooperative arrangements in which a variety of human service organizations (schools, mental health providers, child welfare agencies, public health services, etc.) join together and establish a process which will enable any component of the system to respond with a wide range of flexible, highly individualized services. Often called wraparound, this process is strength-based, family-focused and needs-driven and has emerged as an effective alternative to the dismal prospect of forcing a family to trundle through each of the separate and often conflicting procedures that would be necessary to get categorical services from each of the cooperating agencies.

Forming an arrangement by which a community's juvenile justice system and its ISOC could work together would seem like a natural and effective strategy for helping delinquent kids with complex problems. Unfortunately, there are a few hitches. First off, the public, non-profit and private agencies in our communities who are attempting to establish wraparound systems are having to learn their craft on the run. Like a child on his or her first two-wheeler, there are

¹What the doomsday reports often forget to note is that not all youth are dangerous. In fact, it appears that if anything, a smaller percentage of youth are getting into trouble. It's just that those that are coming to our attention are causing bigger problems and doing it more frequently.

glorious moments of success but also some horrendous crashes. Developing collaborative agreements among the agencies, finding ways to share resources and power, providing effective training for line and supervisory staff and overcoming significant differences of opinion about appropriate avenues for treatment and intervention have kept many communities from expanding their ISOCs as fast as they would like to.

Second, whatever differences there are between the various human services agencies who are trying to coalesce into an ISOC, they pale in comparison to the differences between the underlying approach of the juvenile justice system (protecting the public and enforcing appropriate consequences for misconduct) and the overall methodology in human services (helping individuals in trouble achieve positive outcomes by identifying and meeting their needs).

So, while at first glance a marriage of wraparound and juvenile justice would seem like a match made in heaven, in practice, as in the scenario described above, consummating the relationship can be a risky business.

The best laid plans ...

But if done carefully, a union can be achieved which, if not always happy, can at least be productive. As with most relationships, it starts with both parties taking the time to learn about and value the culture, mandates and procedures under which their partners must operate.

The second and more formal step is to prepare a careful map of the structures and processes in the two systems. This way participants on both sides of the fence can see how things operate. The third step is to decide on the pathways for cross-over between the systems. Finally, and probably most importantly, traffic controls need to be in place to allow resolution of disputes and adjustments to the interconnections as needed.

The purpose of this article is to describe the basic structural elements found in most juvenile justice systems and to discuss possible points at which wraparound might be linked with the juvenile court process. But, since this is a hazardous courtship, potential pitfalls and options for avoiding them are also discussed.²

There are six basic stages in the progress of a juvenile court action: Apprehension, Detention, Intake, Adjudication, Disposition and Ongoing Case Review. Each stage can be described in terms of its key decision-maker, other participants, the primary task to be

²In most states, the juvenile court is at the center of both the juvenile justice and the child protection systems. This article only discusses linkages between wraparound and the juvenile justice system. A similar analysis could be used in expanding the relationship between an ISOC and a child protection system, but the stages in the court process would be different, as would the roles of the agencies involved, and there would be a number of differences in the specific connections which were possible.

accomplished, secondary tasks which may be included, and the criteria for moving to the next stage.

The details of each stage will vary considerably depending on the state and sometimes even the county in which the juvenile court and the integrated system of care are operating, but the following description should at least provide a starting point for the discussions necessary if communities hope to overcome the basic instincts of the participants and forge a workable alliance:

Apprehension

Technically, in most jurisdictions, youth are not arrested. Arrest is an aspect of the adult criminal system and has its own conglomeration of legal implications. Youth who are suspected of illegal activity may be questioned at the site of the incident or elsewhere, and, if the investigating officer decides additional control over them is needed, they are “taken into custody.” From the youth’s perspective this looks about like an arrest. However, soon after an officer has apprehended a youth, he or she must deliver the youth to a second party, often a detention or intake worker, who makes a decision about whether or not to keep the youth in custody. This first stage deals only with the interactions between the juvenile officer and the youth, and the decision about whether to hold the youth for possible detention.

Primary decision-maker: The juvenile officer.

Other’s involved: The victim, witnesses, the suspect youth and his or her family, schools and other service providers already connected with the youth.

Primary tasks: When responding to situations in which a possible violation of the law has occurred, a juvenile officer has dozens of duties, which include: ending or de-escalating any continuing threat to the public safety, seeing to the needs of any injured parties, preserving evidence and taking all necessary statements, determining whether a offense has occurred and if there is probable cause to charge any potential suspects, deciding whether the situation should be managed formally or informally, assessing whether the youth in question presents a continuing risk of harm or flight, taking youth into custody when necessary and preparing reports on the incident for later use through any subsequent court actions.

Secondary tasks: Juvenile officers provide an ongoing community presence, offer instructional and informal counseling services, operate as liaisons between their departments and community agencies, schools and organizations and often participate in a variety of voluntary activities to facilitate positive interactions with youth in the community.

Criteria for moving to the next stage: If the officer finds probable cause to charge and a need for formal process, the matter is referred to the district attorney or the juvenile court intake office to have a petition filed. If the officer finds probable cause to believe that the youth presents a significant risk of committing further harm or of fleeing, the youth is taken into custody and transported to a detention center for further processing.

Potential links with an integrated system of care: Possible links include:

- Giving juvenile officers the power to convene child and family teams on-site in order to divert appropriate cases at the earliest possible point;
- Linking juvenile officers with the crisis component of the integrated system so that the officers have more resources in emergency situations; and,
- Including juvenile officers on the planning and management committee of the ISOC so that their input can be used in selecting service priorities for the integrated system.

Potential conflicts: Juvenile officers operate on tight time-lines. If the integrated system can't respond when and where needed, it won't be of much use. Experienced juvenile officers have usually seen it all, and heard every excuse. They rely on pragmatic responses to immediate situations. If the representative of the ISOC who comes to assist the officer leans a little too heavily on theory and is light on practice - especially in the context of violent juvenile crime, the contact between the two systems is likely to suffer.

Detention

Detention does not necessarily follow every apprehension. Many youth are questioned and turned over to their families. For the purpose of this analysis, detention includes both secure and non-secure placements and the use of intensive community supervision techniques such as in-home detention and electronic monitoring.

Primary decision-makers: Varies by jurisdiction. Usually after a youth has been taken into custody by an officer, a screening is done by a second person. This person may be called an intake or detention worker and may be employed by the juvenile court, by the probation department or by the social services department. If the youth is not released after this screening, there is generally a detention hearing to consider continuing custody over the youth pending further legal proceedings. The juvenile court judge may preside over the hearing, or there may be a court commissioner or referee acting in the place of the judge.

Others involved: The youth and his or her family, the prosecuting attorney, the public defender, a probation officer if one has been assigned, the juvenile officer, staff of the detention center and collateral witnesses.

Primary tasks: To decide whether or not the youth should be held in custody, and, if so, where the youth should be detained and under what conditions.

Additional tasks: Depending on the jurisdiction, the detention center or home detention staff will provide some degree of short term services for the youth, and possibly his or her family.

Criteria for moving to next stage: In some ways, detention is a parallel stage. Its purpose is to hold the youth under some form of control while the juvenile court action is completed. Each state's statutes will have specific standards for who can and can't be held in detention. There are also some federal requirements in this area. The decision about whether the actual case against the youth will proceed is made in the intake and adjudication stages.

Potential links to the ISOC: Frequently detention center staff encounter youth who need more than close supervision or confinement. Youth may be suicidal, in the midst of a mental health crisis, suffering from an overdose or from withdrawal, be embroiled in a complex family conflict, or have serious medical problems. Some youth are simply transferred over into the medical, alcohol and drug treatment or mental health systems. But there are gray area youth who require both the supervision and control that detention provides and the support and treatment offered through the human services agencies. It would be beneficial to both the juvenile justice system and the ISOC if these youth could be dealt with cooperatively.

A key point where the detention center staff and wraparound teams can work together is crisis prevention and response. Each has something to bring to this effort in terms of skills, understanding and resources.

Potential conflicts: This is an environment where conflict is likely to be endemic. Youth in detention are often at the point of high crisis, staff in both the ISOC and the detention center will be at their wits' ends, and whatever is done with the youth will require lots of resources. If there is not a high level of trust, the tendency will be for the justice system staff to say that especially challenging youth are solely the responsibility of the ISOC and vice versa.

Intake

Intake is the gatekeeping stage for the juvenile justice system. Intake staff must decide whether to proceed formally and file a petition charging a youth with delinquency, or informally by offering services outside of the court process. If youth are being held in secure custody, the intake stage must be completed quickly, usually in about 10 days or less. When youth are in non-secure custody, or not being held at all, there may be up to a month or more to decide how to proceed.

Primary decision-makers: Again, this varies by jurisdiction, but generally there is a person who acts as intake worker. (This person often screens both detention requests and referrals for formal court action, but sometimes the detention and jurisdictional intake roles are divided.) This person may be court-attached, be part of a social services or probation department, or even work for the sheriff or district attorney's office. Usually this person does an initial review, with final decisions being made by the prosecuting attorney. If the decision is to proceed formally, the outcome of the intake process is a Petition or similarly labeled court document which states the charges against the youth and the basic allegations underlying those charges. This document is generally prepared by the prosecuting attorney.

Other's involved: The youth and his or her family will often participate in an intake interview and may even be questioned by the prosecuting attorney. The youth's defense counsel may be present at these discussions. If the youth is being held in secure or non-secure custody, the intake worker may seek information from staff at those programs. An increasing number of jurisdictions are also considering input from victims, if there are any.

Primary tasks: To decide if the case should be handled formally or informally, or if it was improperly initiated in the first place.

Secondary tasks: Intake workers sometimes find that the specific incidents in which a youth has been involved are really only collateral aspects of much bigger problems the child and his or her family are facing. The worker may make an effort to address these underlying issues either through counseling or referrals for other services.

Criteria for moving to the next stage: A determination of the prosecutorial merit of the matter must be made. While probable cause to charge may exist, evidentiary problems, the availability of witnesses and similar factors may prevent further action. This is usually assessed by the prosecuting attorney. Different jurisdictions and sometimes individual courts and judges also set varying standards for which cases should be brought to hearing and which should be dealt with informally. This decision is usually made by the intake worker.

Potential links with the ISOC: An integrated care system can be an ideal alternative to court action in situations in which the youth and his or her family are not contesting the allegations and are willing to participate in a service plan. If the needs of the youth and family are such that a traditional court diversion project would be unable to serve them, use of the ISOC with its broad flexibility and multi-disciplinary approach could be highly effective.

Potential conflicts:

1. Case loads and processing time. The ISOC has to be ready to deal with the large numbers of youth who are entering the juvenile justice system. ISOCs in the early stages of

formation who are working with only a few youth at a time would be hard pressed to keep up with the referrals from the intake office.

2. Level of need. Some ISOCs are designed to serve only deep end youth who have a principle focus of need in the mental health domain - their goal is to avoid hospitalization or placement in a child caring institution. While any youth and family being served through an ISOC should have multiple areas of need, the constellation of needs at the point of juvenile court intake will be broad and demand even more flexibility from the system of care.

3. Type of intervention. There is likely to be some disagreement between the two systems over who should be handled formally and who should be handled informally. Staff in the justice system and those in human services (and especially the mental health fields) often look at culpability and the need for a punitive response in different ways. The role and authority of participating agencies need to be clear at this point. ISOC staff can offer recommendations, but the intake worker and the prosecuting attorney have the ultimate responsibility for deciding who should and shouldn't be charged. Of course, if the intake worker and prosecuting attorney go against the ISOC staff recommendations too many times, the linkages between the two systems and the availability of that resource to the court might be jeopardized.

Adjudication

After youth have been charged formally, they have the opportunity to either agree with or to contest the matters alleged against them. If they contest, they have a right to a trial, similar to a criminal trial, at which the state must prove the charges. If a youth admits the allegations, or the facts in the petition are proved at trial, the judge makes a finding that the youth is delinquent and the matter is set on for a dispositional hearing to decide what the response of the court will be.

A special subset of the adjudication process is waiver to adult court. This happens in various ways in various states. Traditionally, the prosecuting attorney would file a second set of papers with the court requesting that the court waive its right to enter an adjudication and permit the prosecuting attorney to charge the youth as an adult. In some states, there are provisions for automatic waiver. If youth of over certain age are charged with specific crimes, they are immediately switched to the adult court. A few of the states with automatic waiver also have reverse waiver. If a youth who has been automatically charged in adult court appears to be inappropriate for the adult system, the judge or prosecuting attorney has the ability to request that the matter be moved back to the juvenile court for additional action.

Primary decision-makers: If there is a jury trial, the jury decides whether or not the facts alleged in the petition have been proven. Otherwise the judge hears the evidence and decides.

Once the allegations have been admitted or proven, the judge decides whether the facts and circumstances are sufficient and appropriate to form the basis for an adjudication of delinquency.

Others involved: The prosecuting attorney, defense counsel, investigating officers, witnesses and the youth charged with the offense.

Primary tasks: Determining whether the facts and the law support an adjudication or waiver.

Secondary tasks: The court process is an important symbolic event in the life of a community. Its deliberations and determinations are the means by which core community values are tested and affirmed.

Criteria for movement to the next stage: For matters in which a youth is charged with an act that would be a crime if committed by an adult, the allegations must be proved beyond a reasonable doubt. For issues of discretionary waiver, the standard is usually whether there are services available within the juvenile justice system which have a reasonable likelihood of meeting the youth's needs and responding appropriately to the youth's misconduct.

Potential link to the ISOC: There is probably no role for the ISOC during the formal process of adjudication. However, a major informal aspect of the adjudication phase is plea bargaining. Well over 90% of the delinquency petitions in most jurisdictions are resolved through a plea. It is possible that if the youth and his or her defense counsel, the family and the prosecuting attorney know that the use of the ISOC is an alternative, and feel comfortable and confident in the support that the ISOC can offer, a trial in the matter can be avoided and a settlement reached in which a plea by the youth is linked to an offer of services and an agreement by the youth and his or her family to participate.

A potential link that has not been explored in most communities is to use the expertise of the staff in the ISOC to help the court and court officers assess difficult issues of culpability, such as when a youth with severe behavior problems caused by or influence by a neurobiological disorder (for example, fetal alcohol syndrome or an attention deficit disorder) has been charged with a crime. There is a gray area between "not guilty by reason of mental disease or defect" and "fully responsible" that must be explored. Should the youth be charged at all? Should the matter be refiled as a dependency action? Are there grounds for a mental commitment? Would adjudication help the child learn through the natural consequences of his or her act, or, paradoxically, would charging reinforce the behavior and make it more likely to occur again? As our courts are seeing more and more children with more and more severe neurological damage, these questions are getting harder and harder to answer.

Another informal service the ISOC might offer is in the area of waivers. ISOC staff may be able to provide insights as the court struggles to decide whether the youth's needs can be effectively addressed within the juvenile justice system.

Potential conflicts: At its heart, delinquency adjudication is not a service-oriented response. It is the way in which the community deals with youth who have broken the law. Thus, during the adjudication phase (and the dispositional phase as well) the needs of the community for safety and for an appropriate response to misconduct must be respected and taken into account. ISOC staff who are trained to focus on the needs of the family and the individual may come into conflict on this point with the prosecuting attorney and others who see public protection as their primary responsibilities.

Disposition

Once a youth has been adjudicated, a designated agency (usually either a probation department or a social services department) is instructed to conduct an evaluation and prepare a report containing a recommended disposition in the matter. Traditionally, the range of options for disposition has run from community supervision, through placement in day treatment, foster care, a group home or a residential treatment center to placement in a secured correctional facility. Various special programs might be part of community supervision, such as restitution, alcohol or drug treatment and community service. Similarly, the court might select placement options that also have special treatment programs, such as a residential treatment center that has a unit for youth found to be sexual predators.

The report is submitted to the court, the prosecuting attorney and the youth and his or her counsel. If everyone agrees, the court enters a dispositional order which has two aspects: one directs the responsible agency to provide the named services or placement for the youth and the other tells the youth what he or she must do. If one or more of the parties disagrees with the recommendations in the report, most states allow for a hearing before the judge at which potential alternatives are debated.

Dispositional orders run for different lengths of time in different states and under different circumstances. In the past, courts and implementing agencies had broad discretion in these matters. However, in their effort to increase the punitive aspects of the juvenile justice system, state legislatures are creating requirements for determinate sentencing which take the power to select the nature and duration of the disposition out of the hands of the judge.

Primary decision makers: Except in the case of determinate sentences, the probation worker or the equivalent staff person makes an initial recommendation and the judge makes a final decision.

Others involved: The prosecuting and defending attorneys, the youth and his or her family (although the degree to which the family can participate varies from one jurisdiction to the next), specialists who have been asked to conduct evaluations to assist in the development of the dispositional plan, current providers, if the youth has been receiving services as part of a detention order, and collateral witnesses, such as the victim, if any, the youth's teachers and private treatment providers.

Primary task: To determine a response by the community to the youth's delinquent act which:

- Addresses special needs of the youth which may have contributed to the behavior;
- Provides appropriate consequences for the illegal act or acts;
- Protects the public from further harmful acts; and
- Offers service options which will encourage the youth to act in a more responsible manner, restore his or her bonds with the community and make restitution for the harm that was done.

Secondary tasks: By looking at the various needs being identified in dispositional reports as they come in over time, the court and the community can obtain an important barometer of the types and level of needs youth in the community are presenting.

Potential links to the ISOC: This is where the juvenile justice system and ISOCs often establish their first linkages. But without adequate preparation, these initial flings can leave both partners unsatisfied. If the court treats the ISOC like any other specialized treatment program and simply sentences a youth to wraparound, the ISOC may be forced to change back into a categorical provider.

For the connection to be successful, both systems have to be clear about what ISOCs are and what they can and cannot do. With that understanding, the ISOC can open the door to a wide range of new service options for the wards of the court. Highly individualized plans of care can be developed that can respond more quickly than traditional systems to the changing needs of children and families. Whole families can be served, rather than just the youth who has been adjudicated. Higher levels of supervision can be offered, and increased information about the progress of the youth and family can be provided to the court.

But the price to the court for these new options is a transfer of discretion from itself to the child and family team that has been convened to develop and implement the ISOC's plan of care. These teams can only function if they have a high level of autonomy. They will dissolve rapidly and lose their effectiveness if they are constantly being second-guessed.

On the other hand, the coercive power of the juvenile justice system is also important, especially when dealing with youth whose behaviors have been out of control for a long time. A good wraparound plan will include a wide range of consequences for misconduct. Most of these can be enforced from within the child and family team, but some require the cooperation of the justice system. For example, a key element in a balanced response may be the ability to use detention as a consequence if the conduct of the youth warrants it - but to use it as part of the overall plan of care.

Potential conflicts: The issue of who is in charge of designing and carrying out dispositional plans is often central to conflicts when ISOCs and juvenile justice systems attempt to cooperate. (There is also the question of who will show up on camera if the whole thing blows up.) Without trust and mutual support, it is probably better not to try to link these systems at all. The stakes are too high to have staff from each side attempting to undercut one another.

Even when folks have agreed to cooperate and are working hard at it, there will be some tough calls around the question of whether treatment or public protection and punishment should be emphasized in a dispositional plan. The final say lies with the judge, of course. But that can still get complicated. Judges may initially transfer responsibility for developing and implementing a dispositional plan to a ISOC, but then discover that the child and family team has gone off the deep end. If the judge pulls the matter back into court and attempts to tell the team what to do, it's not wraparound any more. If the judge does nothing, he or she may see themselves on the nightly news. Since judges can't be on the child and family team of every youth who goes through their court, each ISOC and juvenile justice system has to create a mechanism for resolving these differences short of open warfare.

One option might be for teams to submit their plans to the court for approval. If the judge likes the plan he or she can sign off after a paper review. If the judge has concerns, the team can meet with the judge and explain why they made the choices they did and describe how they would deal with the problems the judge sees in the plan.

Judges can also help this process by letting teams know their outside boundaries for what will and will not be allowed in dispositional plans, and what must be a part of all plans. ISOCs can help the judges by training the people who facilitate the child and family teams in the elements of the juvenile justice system, and by providing some standardization in the planning and reporting process so that the courts can review each new plan more easily.

Finally, there should be a forum for dispute resolution that exists outside of the hearings and meetings around specific children and families, so that the court and the ISOC can work to improve system linkages and manage conflicts proactively.

Ongoing Case Review

The final and usually the longest stage in the juvenile justice process is ongoing case review. A variety of actions and hearings are possible, including petitions for review of the order, change of placement or revocation, actions in the nature of contempt when youth fail to fulfill the requirements of a dispositional order and permanency plan reviews for youth in foster or group homes.

Primary decision-makers: Most youth who have been adjudicated delinquent are assigned a social worker or probation officer to supervise them while they are in a community placement. Youth sent to corrections may be transferred to the responsibility of a separate agency while they are in a juvenile facility. When youth return to the community from a correctional placement, they may be supervised by an aftercare worker from the corrections system, or be transferred to the purview of a local agency staff person. The person who is supervising the youth has the duty to monitor the youth's behavior and compliance with the dispositional order. For certain levels of misbehavior, probation officers often have the power to impose consequences unilaterally. Otherwise the person is authorized to seek further relief from the court as required, based on what the youth has done. If a formal hearing is initiated, either the judge or a court commissioner or referee will make decisions about changes in the order, or the enforcement of consequences for failure to follow the order.

Others involved: The youth and his or her family, occasionally the prosecuting attorney, if the additional misbehavior by the youth is sufficiently severe, the service providers who are implementing the dispositional order, other service providers, such as teachers or coaches, and collateral witnesses.

Primary tasks: Ongoing case review is just that. Someone should be making sure that what the court has ordered is actually being provided, and monitoring the youth's behavior to see how he or she is doing.

Secondary tasks: Probation officers, if they have time, given their immense case loads, can provide the system with a great deal of information about which services are working and which aren't and about areas in which new alternatives or resources are needed. They also serve as liaisons between the juvenile justice system and the community.

Criteria for movement to the next stage: If all goes well, the next stage after ongoing case review is dismissal of the matter at the completion of supervision. Criteria for this transition vary widely, but often are a combination of:

1. Meeting requirements in the dispositional order (such as paying restitution, attending school or completing a certain number of hours of community service;

2. Successful completion of treatment programs (either in the community or as part of a residential placement);
3. The passage of some unit of time, such a year; and,
4. No further law violations.

Potential links to the ISOC: If the court has transferred a case to the ISOC for development and implementation of a dispositional plan, case review should be built directly into the plan. The probation officer usually remains as the link back to the court, but the task of keeping an eye on the youth is now shared with the rest of the team. Similarly, consequences for misconduct and rewards for appropriate behavior are carried out by the team. Funding for services comes through the ISOC in most cases, but certain options, such as the use of detention, may still be born individually by the juvenile justice system. Where additional hearings are required, the probation officer petitions the court on behalf of the team, which then presents its report or recommendation.

Potential conflicts: As noted above, the dilemma of punishment versus treatment never goes away. Neither does the fact that beneath any cooperative arrangements, statutory responsibility for what is going on belongs to the court and the probation officer - even if they are not given the resources they need to do an adequate job.

One way to keep some of these conflicts in check is to remember the reason for the alliance between the ISOC and the juvenile justice system: there are certain children and families who have needs that neither system can address by itself, and which in some cases are so severe that - even when both systems are working together - the odds for success aren't all that great.

Conclusion

Cooperative arrangements between juvenile justice systems and ISOCs are definitely marriages of convenience. No one involved should underestimate the significant differences between the two. On the other hand, everyone involved is looking for better outcomes. And everyone is trying to deal with the onerous task of doing more with less. Trust may be difficult to achieve and even harder to maintain, but with time and patience what may have begun with an indecent proposal can blossom into an affair to remember.

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