

## **JUVENILE OFFICER MISSION AND RESPONSIBILITIES**

The mission of the Office of the Juvenile Officer is simple. We are charged with responsibilities under Missouri law to intervene in the lives of families and children when necessary to help our community protect children and promote community safety and well-being. Our office serves in a quasi-prosecutorial role in child dependency and delinquency matters which are filed by the Juvenile Officer pursuant to the Juvenile Code. We handle the front end intervention of the juvenile justice system within Jackson County which includes the decisions to divert cases from formal prosecution, filing cases which require formal prosecution, litigating cases, and making recommendations to the Court for temporary detention or custody and dispositional hearings.

The Juvenile Officer's Legal Department consists of attorneys and paralegals who provide legal representation to the office in Chapter 211 juvenile cases. The Legal Department represents the office in a professional and ethical manner furthering the Juvenile Officer's mission, including protecting children and promoting community safety and well-being, within the boundaries of legal requirements. The Legal Department represents Deputy Juvenile Officers in our Case Assessment Unit and helps present their recommendations to the Court.

Our Case Assessment Unit conducts risk assessments of delinquent and status youth and provides recommendations to the Court for detention hearings and dispositional hearings in different types of cases. Our unit also prepares investigations for termination of parental rights cases which are filed by the Missouri Children's Division. Our Deputy Juvenile Offices generally do not handle cases involving child abuse/neglect but may handle initial cases involving children who are alleged to be beyond parental control.

In addition to providing risk assessments and dispositional recommendations, the Case Assessment Unit provides pre-adjudicatory supervision for youth charged with delinquent offenses who are under court supervision while awaiting trial. Deputy Juvenile Officers serve as the case management officers for juveniles who are detained in the secure detention or in non-secure detention facilities.

Our Support Unit provides secretarial and administrative support to the Legal Department and the Case Assessment Unit. Our unit includes secretaries, file and data entry clerks, transportation youth workers, and process servers. In addition, the coordinator of our Support Unit also helps develop operational rules and arranges for training of our paralegals in addition to maintaining a paralegal caseload.

### ***GENERAL PRINCIPLES OF OPERATION:***

The Juvenile Officer has adopted policies and guidelines for how cases are handled by the Office of the Juvenile Officer. At the core of these guidelines is the recognition that the prosecution of child dependency, status and delinquency cases is only a part of the overall child welfare and/or juvenile justice systems. Each agency, within statutorily defined areas, must operate independently yet cooperatively within those systems.

Some of the general principles of operation are:

- 1. We believe in a fair, impartial and just process for all participants in the child welfare and juvenile justice systems including youthful offenders, victims, and their families.**
- 2. Safety and well-being of children and of all family members is paramount to our office. Strengthening and preserving families is the best way to promote the healthy development of children including stopping violence in the family. If children are not safe within their home, then we should assure their safety in an environment that is the least restrictive for them which may include kinship care.**
- 3. The interests and protection of the community and its citizens, including its children, must be carefully balanced against any individual's interests. The focus of juvenile court is the rehabilitation or habilitation of children and families. We believe that family strengths should be identified, enhanced, respected, and mobilized to help families solve the problems which compromise their functioning and well-being.**
- 4. Investigations of delinquent offenses are solely the responsibility of the law enforcement agency that has jurisdiction over the offense. The Missouri Children's Division in conjunction with the appropriate law enforcement agency, if necessary, is the agency responsible for the investigation of child abuse/neglect matters.**
- 5. The basis for intervention in all matters begins with a legal analysis of whether sufficient, competent evidence exists to meet the necessary standard of proof required under the law. We understand and support concepts of fairness, opportunities to be heard, and due diligence in making filing decisions.**
- 6. The development of protocols with other agencies regarding the investigation and prosecution of offenses is key to constructive relationships that effectively serve the community's interest in addressing both child abuse/neglect and juvenile crime.**
- 7. Victims of offenses, whether they are adults or children, deserve to be treated with dignity and respect and to be kept informed of the Juvenile Officer's filing and prosecution decisions and the reason for those decisions.**

***SERVICES PROVIDED TO THE JUVENILE OFFICER:***

***DELINQUENCY CASES***

The majority of delinquent referrals to the Juvenile Officer by law enforcement will eventually be handled through diversion. As the impact of juvenile court referrals on offenders can be profound and, in some cases, life long, the office will not accept delinquent referrals from individuals or public agencies other than the law enforcement agencies. The Jackson County Juvenile Officer has jurisdiction over delinquent offenses which occur in Jackson County or

where the juvenile offender is a resident of the county even though the offense occurred in another county within Missouri. Underlying the prosecution of delinquency cases is the Juvenile Officer's recognition that community safety and offender accountability are keys to rehabilitation. Prosecution, which includes the use of appropriate diversion programs, can be used to both protect the community and to hold juveniles accountable for their actions. In both informal cases and formally filed cases, we see our role as helping the Court hold offenders accountable, provide community safety, and restore victims and the community at large where possible.

The review of delinquent offenses by the Juvenile Officer's attorneys is the same as that of prosecuting attorneys reviewing criminal charges for adult suspects. Law enforcement agencies submit cases for review to the Juvenile Officer's attorneys who then decide whether sufficient, competent evidence exists to prove beyond a reasonable doubt that the juvenile in question committed the offense.

Attorneys, assigned to the Warrant Desk, will review law enforcement's investigative reports and determine the appropriate charge under the facts presented in the police reports. Sometimes law enforcement officers apprehend juvenile suspects and bring them directly to the Office of the Juvenile Officer at the detention center. If the juveniles are brought into the detention center an attorney for the Juvenile Officer reviews the police reports to determine whether there is legal sufficiency to file charges and detain the juvenile. If such evidence exists, a risk analysis is completed by Deputy Juvenile Officers in the Screening Office, regarding whether the protection of the community requires secure detainment or restrictions while the juvenile remains at home pending trial.

If so, the attorney requests an ex parte order of detainment from a judge. If the judge orders secure detention or home detention, or some other condition that restricts the liberties of a youth, a detention hearing is held within 72 hours of the judge's order. The hearing is required so that the judge can hear from the juvenile, juvenile's parents, and the Office of the Juvenile Officer regarding the need for continued detainment.

### ***CASE ASSESSMENT FUNCTIONS***

Case Assessment Deputy Juvenile Officers (DJO) complete an assessment of every youth who is referred to the Family Court for a delinquent act. Assessments include compilation of social information; assessment of risk factors; substance abuse history; psychological and psychiatric history; assessment of risk to the community; and assessment of treatment needs of the offender. The assessment is completed during the investigation period.

DJOs prepare written recommendations for disposition for court hearings and provide testimony to the Court. Some offenses are staffed internally with members of Family Court Services' Field and Residential services and mental health and children's services providers in order to assure that a range of treatment options have been explored. As part of the assessment process, Deputy Juvenile Officers use certain screening tools to determine whether a juvenile has mental health or

substance abuse issues which may impact her ability to participate in rehabilitative services. In addition, the Office is exploring the use of trauma focused screening tools.

Our philosophy is to intervene at the level that will make an impact on the delinquent behavior and provide the greatest probability of preventing recidivism while protecting the community. A standardized risk assessment scale is used for assessing risk for reoffending. The risk assessment scale is used throughout Missouri and has been validated for predictability several times. Juveniles who are screened for diversion services will be assessed for future risk using this tool as are juveniles for whom formal prosecution has been sought.

Emergency intake for juveniles taken into custody and delivered to the detention facility is available 24 hours a day, 7 days a week. Screening Officers within the Case Assessment Unit are responsible for conducting risk assessments for juveniles who are presented to detention using objective admission criteria and instruments. Our office has adopted core strategies of the Anne E. Casey Foundation's Juvenile Detention Alternative Initiative which has helped to reduce unnecessary confinement for juveniles awaiting trial, minimize re-arrest and failure-to-appear rates pending adjudication; and reduced racial and ethnic disparities for youth who come in contact with the juvenile justice system in Jackson County.

### ***CERTIFICATION OR TRANSFER CASES***

Some charges require, by state law, a hearing to determine whether the juvenile should be tried as an adult rather than a juvenile. Juveniles who are alleged to have committed first and second degree murder, first degree robbery, forcible rape, forcible sodomy, first degree assault, distribution of drugs, or any juvenile offender who has been adjudicated of two or more unrelated felony offenses, must have a hearing to determine whether they should face charges as an adult. The Juvenile Officer also has the discretion to pursue certification for any felony offense committed by a juvenile age 12 years or older if the Juvenile Officer believes the juvenile offender is beyond the rehabilitation of the juvenile court and community safety requires transfer.

One Deputy Juvenile Officer is assigned to complete Certification Investigations. These reports are completed to determine whether a juvenile's treatment needs can be met in the Family Court System or if the juvenile should be transferred to the Court of General Jurisdiction. The Juvenile Officer realizes that the decision to recommend transfer to the criminal justice system carries profound consequences for youthful offenders, victims, and the community at large. Therefore, the sole responsibility for such decisions rests upon the Juvenile Officer. Violent offenses committed by youth in Jackson County are rare, comprising less than 10% of all delinquent referrals. Less than 25% of youth eligible for transfer as a result of mandatory hearings are ultimately transferred to the criminal justice system to stand trial as adults.

## ***CHILD ABUSE/NEGLECT INTAKE***

An attorney assigned to act as the Warrant Officer for the child abuse/neglect matters reviews all requests from The Missouri Children's Division and/or law enforcement agencies for court intervention of children alleged to have been abused and/or neglected by their parents or other caretakers. In most cases, requests for emergency removal of children come from The Missouri Children's Division or law enforcement agency. Our office does accept direct referrals from court appointed guardians ad litem, physicians and hospital staff, and caretakers. In most cases, the office will open a preliminary inquiry to determine whether there is sufficient evidence to open a formal case. Presently, the office does not provide diversion services to families in child abuse/neglect cases.

If the Warrant Officer believes there is sufficient, competent evidence of abuse or neglect and the Missouri Children's Division or a law enforcement agency requests temporary protective custody over the child, then the Juvenile Officer can authorize temporary protective custody over the child for up to 24 hours. The Juvenile Officer's attorney will then file a case and seek an ex parte order of protective custody from a judge. See the Case Management Child Abuse/Neglect for more information regarding time frames for hearings and events.

## ***TRIAL TEAMS***

The attorneys in Legal Services practice horizontal prosecution under the general supervision of trial team leaders. After the intake attorneys file the petitions, the cases are assigned to attorneys who actually litigate the cases. The litigation attorneys represent the office through any appeals to the Court of Appeals or the Missouri Supreme Court. The litigation attorneys have the authority and discretion to litigate cases as they determine under general policies issued by the Office. Paralegals are assigned to assist the litigation attorneys in obtaining evidence needed to prosecute cases such as medical records, law enforcement records, and court records. In addition, paralegals help prepare standard motions under the supervision of the attorneys and obtain subpoenas for witnesses.

In all matters filed by the Juvenile Officer, the attorneys serve as the prosecuting attorneys to the Juvenile Officer's deputies and staff regarding specific legal issues that may arise in the prosecution of individual cases.

## ***OTHER RESPONSIBILITIES***

The Office of the Juvenile Officer serves in a number of community collaboratives intended to enhance the prosecution of delinquency and child abuse/neglect matters. Among them are the Jackson County Child Protection Center Agency Partners Group, the Jackson County Child Fatality Review Panel, the Safe Family Coalition, and a number of ad hoc committees dedicated to improving the process of investigating and prosecuting both child abuse/neglect matters and delinquency offenses. While the attorneys in Legal Services do not provide legal services to the

Missouri Children's Division, law enforcement agencies or the general public, the attorneys serve as a general resource for public agencies in juvenile law.

### ***TRAINING***

As part of the department's commitment to public service, attorneys and Deputy Juvenile Officers are available to conduct training for law enforcement agencies, social welfare agencies, public and private schools, neighborhood and community associations, religious organizations and institutions, media, and any interested community groups or organizations, in the areas of juvenile delinquency and child welfare practice and procedure.

There are no fees for the professionals which conduct training. Agencies and organizations will be asked to cover all ancillary costs related to providing a training location or refreshments if the agency elects to provide such.

Please contact Lori L Stipp at [lori.stipp@courts.mo.gov](mailto:lori.stipp@courts.mo.gov) or (816) 435- 4886 to arrange for any training.

### ***OPERATIONAL HOURS AND CONTACT INFORMATION***

Normal operational hours are Monday through Friday; 8:00 a.m. to 5:00 p.m. Emergency and on-call procedures are enacted during official court holidays, evenings, nights and weekends.

The Screening Office is located within the secure doors at the entrance of the detention facility within the Family Justice Center, 625 E. 26th Street, Kansas City, Missouri 64108. The Screening Office number is (816) 435-4801. Emergency calls during off-hours can also be placed to the Detention Facility at (816) 435-4700.

**Management, trial team leader attorneys and staff attorneys can be reached at (816) 435-4725. Counsel practicing in the Family Court Division – Juvenile can access practice “tips” prepared by the Juvenile Officer’s attorneys for interacting with the attorneys at [www.16thcircuit.org/attorneys](http://www.16thcircuit.org/attorneys)**

### **ADMINISTRATIVE AND MANAGEMENT STAFF:**

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