

# Working With Dually Involved Youth

How to Assist Youth Involved with the Juvenile Court for Delinquency Offenses  
while in DCFS Custody

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# Overview of this Toolkit

## Who is a Dually Involved Youth?

A dually involved youth is a child involved with the juvenile court for a delinquency offense while in DCFS custody.

## Purpose of the Toolkit

The purpose of this toolkit is to assist individuals who work with dually involved youth in navigating both the child welfare and delinquency sides of the juvenile court system, and to explain the roles of each agency or organization in the process. This toolkit is designed to be a quick reference guide, and it contains standalone sections for each audience.

This toolkit is divided into six sections. The first section provides a general overview of dually involved youth. The next four sections provide specific information on the roles, responsibilities, and resources for juvenile probation officers, DCFS caseworkers, Guardian ad Litem attorneys, and community partners. The final section provides a glossary of useful terms when working with dually involved youth.

## How is Dually Involved Different than Dually Adjudicated?

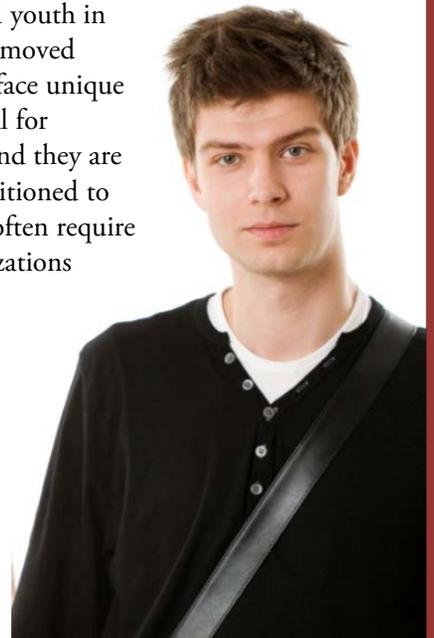
In Utah, dually adjudicated youth are youth who have an adjudication from the juvenile court on both a child welfare matter and a delinquency matter at any time in their court history. These adjudications could have occurred at any time before the age of 18 and may not have occurred simultaneously.

In contrast, dually involved youth are youth currently involved with the juvenile court for delinquency offenses while in the custody of the Division of Child and Family Services (DCFS). The original reason for the placement in DCFS custody may vary based on the specific circumstances of the child and family.

## Why It Matters

In recent years, a number of juvenile court judges in Utah became concerned about the prevalence of youth appearing in their courtrooms as victims of abuse and neglect who later returned for delinquency offenses. Research shows that the majority of the dually adjudicated youth in Utah started out in the child welfare system and moved into the delinquency system. These youth often face unique challenges. They tend to receive their first referral for delinquency at a younger age than other youth and they are more likely to be held in detention and to be petitioned to court on their delinquency charges. These cases often require the involvement of multiple agencies and organizations collaborating together in innovative ways.

Cases where the youth is in the custody of the Division of Child and Family Services (DCFS) at the time of the delinquency allegation can be especially complicated. The purpose of this toolkit is to assist individuals as they work across systems to best serve dually involved youth and their families.



# What I Need to Know About My Role in Dually Involved Cases

## My Responsibilities

- ✓ Collaborate with the assigned DCFS caseworker and GAL attorney to determine appropriate recommendations for the youth presenting before the court for a delinquency offense.
- ✓ Provide assistance to the DCFS caseworker in navigating the juvenile justice system.
- ✓ Notify the DCFS caseworker and the foster parents of a preliminary inquiry, and the Guardian ad Litem if one is assigned to the youth. Also, work with the DCFS caseworker to determine if it is appropriate to involve the biological parents.
- ✓ Follow-up with the youth on any outstanding court obligations, when DCFS involvement ends.
- ✓ Provide the DCFS caseworker with the pre-dispositional report at the time of the hearing, but not prior to the hearing.

## Not My Responsibilities

- ✓ Probation officers should not provide a juvenile court competency evaluation, psychological evaluation, or sexual behavior risk assessment to the DCFS caseworker without a specific court order.
- ✓ Probation officers are not required to invite the assistant attorney general to the preliminary inquiry.

## Other's Roles

- ✓ The juvenile court clerical department is responsible to notify the DCFS caseworker of any change in hearings involving the youth's case.
- ✓ The DCFS caseworker will invite the probation officer to participate in the Child and Family Team Meeting. If the probation officer is unable to attend, the DCFS caseworker will seek their input and notify them of the outcome.
- ✓ The DCFS caseworker will contact the probation officer monthly to provide and receive updates, to discuss court recommendations, and to resolve any differences in direction in the case planning process.
- ✓ The DCFS caseworker may provide the probation officer with a copy of their court report which includes client specific information on the reason for DCFS involvement, the permanency goal for the child and family, the current family situation, the needs identified in the case and the progress related to meeting each need, and the DCFS recommendations to the judge.

## My Resources

To determine the DCFS caseworker assigned to the case, go to the youth's case in the CARE database and click on the SAFE applet. If the youth's case does not immediately come up, the PO may complete a search in SAFE by name and DOB. If still unable to determine the assigned caseworker, the probation officer may call the DCFS Intake Hotline at 1-855-323-DCFS (3237) to determine who is assigned to the case.



# What I Need to Know About Dually Involved Cases

## The Role of a DCFS Caseworker

The DCFS caseworker provides case management for children and families in abuse, neglect, or dependency cases. The caseworker works with the family and the team to increase child safety, enhance caregiver protective capacities, and eliminate threats of harm. The caseworker will assess the family situation, coordinate services for the child and family, and monitor the progress of the case. The caseworker will make monthly contact with the child and family as well as with collateral contacts and other professionals working with the family. These visits will be focused on addressing the abuse, neglect, or dependency issues related to the family. DCFS visits do not replace the regular probation contacts.

## Child and Family Team Meeting

The probation officer will be invited to the Child and Family Team Meeting by the DCFS caseworker. A team meeting allows for the family, people working with the family, community partners, and formal and informal supports to gather to discuss the goals and progress of the case. A team meeting may happen at various intervals in a case. The probation officer's role at the Child and Family Team Meeting is to share information related to progress in probation requirements, support team members to help the child in fulfilling the goals of probation, and to offer input as the team sets goals and objectives. If the probation officer is unable to attend the meeting, they should provide input for the DCFS caseworker to share on their behalf.

## DCFS Risk & Safety Assessment

DCFS risk or safety assessments are used to determine the child's risk for abuse, neglect, or dependency. In contrast, probation risk assessments are used to measure the youth's risk to re-offend. Because these assessments measure different types of risk, a youth who is high risk on one assessment may be low risk on the other assessment. If DCFS has completed a DCFS risk assessment, it does not negate the need for a Pre-Screen Risk Assessment (PSRA) or Protective & Risk Assessment (PRA) by probation.

## Release of Information

Probation officers do not need a release of information to communicate with DCFS regarding cases in which there is a specific need to communicate. However, probation officers should not release psychological, psychiatric, or other evaluations unless there is a written court order. All information that would be shared with a youth's defense attorney or DCFS caseworker, should also be shared with the youth's Guardian ad Litem. Any documents DCFS shares with a probation officer cannot be re-disclosed except in compliance with the statutory provisions originally governing the documents.

## Out of District Placement

If a DCFS custody youth is placed on formal probation by the court and the youth is in a placement outside of the judicial district, the probation officer should request courtesy supervision in the judicial district where the youth is residing. If the youth is not placed on formal probation then this would not be a requirement.

## Services for Dually Involved Youth

In many locations, Youth Services and/or Receiving Centers can be used for the temporary placement of a dually involved youth. If a youth is arrested for a minor delinquency offense and is in DCFS custody, he or she can be brought to a juvenile Receiving Center and not placed into detention. If a dually involved youth becomes ungovernable, out of control, or runs away he or she can also be brought to a juvenile Receiving Center or Youth Services location where crisis counseling, substance abuse treatment, mental health counseling, and other resources may be available. For Youth Services locations and services, visit [www.jjs.utah.gov/youth-services.htm](http://www.jjs.utah.gov/youth-services.htm). For Receiving Center locations and services, visit [www.jjs.utah.gov/rec-centers.htm](http://www.jjs.utah.gov/rec-centers.htm).

# What I Need to Know About Dually Involved Cases

## Diversion or Non-Judicial Closures

When determining if a delinquency incident should be diverted or closed non-judicially for a youth in DCFS custody, the same rules and policies should apply as those that apply in any other delinquency case. A delinquency incident should not be petitioned solely to combine the review hearing and the delinquency hearing or because a judge has been previously assigned to the youth. The judge can be made aware of a delinquency incident closed non-judicially through the DCFS court report.

## Preliminary Inquiry

The probation officer should invite the foster parents and DCFS caseworker to the preliminary inquiry, and the Guardian ad Litem attorney when applicable. The probation officer should work with the DCFS caseworker to determine if it is appropriate to invite the biological parents to the preliminary inquiry. The role of the DCFS caseworker at the preliminary inquiry is to provide updated information to the probation officer as to the status of the youth and act as the legal guardian of the youth. The role of the GAL is to represent the youth's best interest.

## Probation Order

When a youth is on probation, the assigned probation officer is responsible for going through the probation order with the youth, foster parents, and the DCFS caseworker. The probation officer should consult with the DCFS caseworker to determine if it would be appropriate to involve the biological parents. The probation officer should then work collaboratively with the DCFS caseworker to ensure the youth is in compliance with the orders of the court.

## Signing of the Probation Order

When a youth is in DCFS custody, the assigned DCFS caseworker should sign the probation order. The foster parent with whom the youth is residing should also sign the probation order to ensure they are aware of the youth's conditions of probation. The probation officer should also consult the DCFS caseworker to determine if the involvement of the biological parents would be appropriate.

## PO Appointments

After the preliminary inquiry or probation orientation, the foster parents should be invited to the ongoing probation appointments or when the foster parents are unavailable, the DCFS caseworker should be invited. The probation officer should also consult with the DCFS caseworker to determine if it is appropriate to invite the biological parents to ongoing probation appointments. It is not necessary to invite the GAL to ongoing probation appointments.

## Court Reports

Probation officers are responsible for reporting on delinquency issues that are pending before the court. DCFS caseworkers are responsible for providing updates on the current family situation, which may include placement issues, parent and child's compliance with the Child and Family Plan, and recommendations to the court regarding these needs.

## Court Appearances

Probation officers are required to attend all scheduled hearings related to delinquency proceedings for the youth. Any child welfare matters before the court may also be relevant and important to attend. It is very likely that the judge will expect the participation of both the probation officer and DCFS caseworker in some delinquency and child welfare matters.

## Terminating Jurisdiction

When all delinquency matters have been resolved, probation may ask the judge to terminate probation's involvement with the case. Either agency can ask for termination of their own agency's jurisdiction when their function is complete. The remaining agency should request that overall court jurisdiction be terminated after their involvement is complete, if appropriate.

# What I Need to Know About My Role in Dually Involved Cases

## My Responsibilities

- ✓ Invite the probation officer and Guardian ad Litem (GAL) to participate in the Child and Family Team Meeting.
- ✓ Seek the input of the probation officer and GAL if they are unable to attend the Child and Family Team Meeting and notify them of the outcome.
- ✓ Contact the probation officer monthly to provide and receive updates, to discuss court recommendations, and to resolve any differences in direction in the case planning process.
- ✓ Provide the probation officer with a copy of the court report or discuss the DCFS recommendations with the probation officer.
- ✓ Attend the detention hearing, in the role of legal guardian, if a youth in DCFS custody is placed in detention on delinquency charges.
- ✓ Provide assistance to probation officers in navigating the child welfare system, when needed.

## Not My Responsibilities

- ✓ DCFS caseworkers should not provide information related to unsupported cases of abuse, neglect, or dependency to probation officers or confidential information about the parents of the child without a specific court order.

## Other's Roles

- ✓ The juvenile court clerical department is responsible to notify the DCFS caseworker of any change to hearings involving the youth's case.
- ✓ The probation officer will collaborate with the DCFS caseworker to determine appropriate recommendations for the youth presenting before the court for a delinquency charge.
- ✓ The probation officer will provide assistance to the DCFS caseworker in navigating the juvenile justice system.
- ✓ The probation officer will assist the DCFS caseworker in understanding the services provided through the juvenile court or other allied agencies related to the delinquency charge.
- ✓ The probation officer will notify the DCFS caseworker of the preliminary inquiry.
- ✓ The probation officer will follow-up with the juvenile on any outstanding court obligations after DCFS jurisdiction is terminated.

## My Resources

To determine the probation officer assigned to the case, the DCFS caseworker may contact the local probation department at the following numbers:

- Box Elder County: 435-750-1275
- Cache & Rich Counties: 435-750-1275
- Carbon, Emery, Grand & San Juan Counties: 435-636-3434
- Davis County: 801-451-4900
- Duchesne, Uintah & Daggett Counties: 435-781-9335
- Iron & Beaver Counties: 435-865-5393
- Salt Lake, Summit & Tooele Counties: 801-238-7700
- Sanpete, Sevier & Piute Counties: 435-896-2700
- Utah, Wasatch, Millard & Juab Counties: 801-354-7200
- Washington County: 435-865-5394
- Wayne, Garfield & Kane Counties: 435-896-2700
- Weber & Morgan Counties: 801-626-3800



# What I Need to Know About Dually Involved Cases

## The Role of a Probation Officer

The probation department has two main functions, intake probation and field probation. Intake probation officers work with youth who have entered into a non-judicial agreement or who have not been placed on formal probation. Intake probation officers conduct preliminary inquiries, provide case management for many youth, complete court reports, and appear in court. Unlike field probation officers, intake probation officers do not make visits within the community. Field probation officers supervise youth placed on formal probation by completing risk assessments and case plans, attending court hearings, and conducting visits in the community. In some locations, a probation officer will be solely assigned to intake cases or solely assigned to field supervision cases. In other locations, probation officers will have a mixed caseload of intake cases and field supervision cases.

## Navigating the Delinquency System

A youth may be referred to the juvenile court by a variety of sources including law enforcement, schools, parents, or other concerned parties. A youth may be held in detention prior to their first contact with the court or remain in the community. If a youth is held in detention, they have a hearing before a judge within two business days of intake and they are not usually eligible for diversion. Diversion means that a case is handled by probation without the involvement of a judge.

If a youth is not in detention, they will meet with a probation officer for a preliminary inquiry. At this meeting, the probation officer will determine whether the severity of the offense, prior criminal history, and other factors make the case appropriate to be handled by a judge or diverted and handled by a probation officer. If the youth denies the allegations, the case will always be handled by a judge. If the youth is diverted, he or she receives sanctions through an agreement with probation.

If the youth goes to court, they appear before a judge. A youth may admit to the allegations, or if they deny the allegations, they have the right to a trial. If the youth admits to the offense or is found to have committed the offense, he or she will receive sanctions from the court.

## Probation Risk Assessments

Probation risk assessments are used to measure a youth's risk to re-offend. In contrast, DCFS risk assessments are used to determine the child's risk for future abuse, neglect, or dependency. Because these assessments measure different types of risk, a youth may be high risk on one assessment and low risk on the other. If probation completes a probation risk assessment, it does not replace the need for DCFS risk assessments.

## Release of Information

DCFS may release some information to a probation officer regarding a youth, if the information is necessary to a proceeding or investigation. Information that may be shared includes, but is not limited to, goals, progress, behavior, compliance, placement, health, mental health, and long term view. However, some information cannot be shared without a court order including BCI information, CPS records that are unsupported, unsubstantiated or without merit, confidential information about the parent, and kinship home studies. Any documents DCFS shares with a probation officer cannot be re-disclosed except in compliance with the statutory provisions originally governing the documents.

## Child & Family Team Meetings

The DCFS caseworker is responsible to invite the youth's assigned probation officer, the Guardian ad Litem (GAL), and any other formal or informal family supports to the Child and Family Team Meeting. The role of the GAL is to act in the best interest of the child. The role of the probation officer is to share information related to progress on probation requirements and offer input as the team sets goals and objectives. While the probation officer's attendance is optional, they should always be invited to the meeting. If the probation officer is unable to attend the meeting, they should provide input for the DCFS caseworker to share on their behalf, and the DCFS caseworker should notify the probation officer of the outcome.

# What I Need to Know About Dually Involved Cases

## Diversion or Non-Judicial Closure

The terms non-judicial closure and diversion are often used interchangeably to describe the process when a delinquency incident is handled by a probation officer instead of a judge. When a delinquency incident is closed non-judicially, a youth receives sanctions such as a fine, restitution, or community service hours. Dually involved youth should have the same opportunity for diversion as any other youth. A delinquency incident should not be petitioned solely to combine the review hearing and the delinquency hearing or because a judge has been previously assigned to the youth. The judge can be made aware of a delinquency incident closed non-judicially through the DCFS court report.

## Preliminary Inquiry

A preliminary inquiry (PI) is a voluntary interview conducted by a probation officer with a youth and his or her legal guardian (the DCFS caseworker), to determine how to proceed with a delinquency referral. The probation officer will determine how to handle the offense based upon the severity and type of offense, prior record, and other information gathered during this process. The role of the DCFS caseworker at the preliminary inquiry is to provide updated information to the probation officer as to the status of the youth and act as the legal guardian of the youth. During the PI the youth has the right to be represented by legal counsel, the right not to disclose any information, and any information disclosed may be used as part of a dispositional recommendation to the court.

## Probation Orientation

When a youth is on probation, the assigned probation officer is responsible for going through the probation order with the youth and the DCFS caseworker, which is sometimes referred to as probation orientation. The probation officer should then work collaboratively with the DCFS caseworker to ensure the youth is in compliance with the orders of the court. When a youth is in DCFS custody, the assigned DCFS caseworker should sign the probation order. The foster parent with whom the youth is residing should also sign the probation order to ensure they are aware of the youth's conditions of probation. The probation officer will consult with the DCFS caseworker to determine when it is appropriate to invite the biological parents to the probation orientation and signing of probation order.

## PO Appointments

After the preliminary inquiry, the foster parents will be invited to the ongoing probation appointments. When the foster parents are unavailable, the DCFS caseworker should attend. The probation officer will consult the DCFS caseworker to determine if it would be appropriate to invite the biological parents to ongoing probation appointments.

## Court Reports

DCFS caseworkers are responsible for providing updates on the current family situation to the court. This may include placement issues, parents' compliance and youth's compliance with the Child and Family Plan, and recommendations to the court regarding these needs.

## Fulfilling Probation Obligations

Probation officers and DCFS caseworkers should work collaboratively to ensure the youth is able to complete probation obligations. The DCFS caseworker should consult with the probation officer to determine how to access the court work crew and when applicable should make arrangements to attend the work crew orientation with the youth and/or have the foster parent attend with the youth.

## Terminating Jurisdiction

When all DCFS matters have been resolved, the DCFS caseworker may ask the judge to terminate their child welfare involvement with the case. Either agency can ask for termination of their own agency's jurisdiction when their function is complete. The remaining agency should request that overall court jurisdiction be terminated after their involvement is complete, if appropriate.

# What I Need to Know About My Role in Dually Involved Cases

## My Role

The responsibility of the Guardian ad Litem (GAL) in every case is to represent the best interests of the child. Accordingly, GALs are concerned about every aspect of their clients' lives. While the GAL will always be fully involved in the child welfare portion of a dually involved youth's juvenile court matter, the level of involvement that a GAL will have in any given delinquency portion will vary depending on the circumstances. For example, if a youth is charged with a serious offense the GAL's involvement may be limited to ensuring that a public defender is appointed for the youth, and thereafter monitoring the case as it progresses. On the other hand, for a very minor offense the GAL may be involved to the full extent that a defense attorney would.

In general, GAL involvement in delinquency cases would include such things as: conferring with defense counsel, advocating for the youth to be given the same treatment as youth not involved in a child welfare case, monitoring all proceedings and providing input as appropriate, reviewing reports from juvenile probation, and working with the client to ensure compliance with all court orders, and terms of probation.

## My Responsibilities

✓ Represent the best interest of the child in all child welfare related juvenile court proceedings.

## My Resources

✓ To determine the DCFS caseworker assigned to the case, complete a search in SAFE by name and DOB. Click on the name of the client and then go to the case history tab to view the assigned DCFS caseworker. If it is not possible to determine the assigned caseworker through this method, the GAL can call the DCFS Intake Hotline at 1-855-323-DCFS (3237) to find out who is assigned to the case.

✓ To determine the probation officer assigned to the case, go to the caseload page in the Voice database, and click on the case number of the client. The probation officer assigned to the case will appear under the staff assignments section. If the GAL is having difficulty locating this information, they can contact the local probation department.

✓ To determine if a client is in detention or another delinquency-related placement, go to the caseload page in the Voice database, and click on the case number of the client. Detention or other delinquency-related placements will appear under the assignments services section. If the GAL is having difficulty locating this information, they can contact the local probation department.

✓ To contact the local probation department, call:

First District 435-750-1275  
Second District Ogden 801-626-3800  
Second District Farmington 801-451-4900  
Third District 801-238-7700  
Fourth District 801-354-7200  
Fifth District St. George 435-986-5742  
Fifth District Cedar City 435-865-5394  
Sixth District 435-896-2700  
Seventh District 435-636-3434  
Eighth District 435-781-9335



# What I Need to Know About Juvenile Probation

## The Role of a Probation Officer

The probation department has two main functions, intake probation and field probation. Intake probation officers work with youth who have entered into a non-judicial agreement or who have not been placed on formal probation. Intake probation officers conduct preliminary inquiries, provide case management for many youth, complete court reports, and appear in court. Unlike field probation officers, intake probation officers do not make visits within the community. Field probation officers supervise youth placed on formal probation by completing risk assessments and case plans, attending court hearings, and conducting visits in the community.

## Navigating the Delinquency System

A youth may be referred to the juvenile court by a variety of sources including law enforcement, schools, parents, or other concerned parties. A youth may be held in detention prior to their first contact with the court or remain in the community. If a youth is held in detention, they have a hearing before a judge within two business days of intake and they are not usually eligible for diversion. Diversion means that a case is handled by probation without the involvement of a judge.

If a youth is not in detention, they will meet with a probation officer for a preliminary inquiry. At this meeting, the probation officer will determine whether the severity of the offense, prior criminal history, and other factors make the case appropriate to be handled by a judge or diverted and handled by a probation officer. If a youth does not attend the preliminary inquiry, the case is usually petitioned to court. Also, if the youth denies the allegations, the case will always be handled by a judge. If the youth is diverted, he or she receives sanctions through an agreement with probation. If the youth goes to court, and admits to the offense or is found to have committed the offense, he or she will receive sanctions from the court.

## Probation Risk Assessments

Probation risk assessments are used to measure a youth's risk to re-offend. In contrast, DCFS risk assessments are used to determine the child's risk for future abuse, neglect, or dependency. Because these assessments measure different types of risk, a youth may be high risk on one assessment and low risk on the other.

## Diversion or Non-Judicial Closure

The terms non-judicial closure and diversion are often used interchangeably to describe the process when a delinquency incident is handled by a probation officer instead of a judge. When a delinquency incident is closed non-judicially, a youth receives sanctions such as a fine, restitution, or community service hours. Dually involved youth should have the same opportunity for diversion as any other youth. A delinquency incident should not be petitioned solely to combine the review hearing and the delinquency hearing or because a judge has been previously assigned to the youth. The judge can be made aware of a delinquency incident closed non-judicially through the DCFS court report.

## Preliminary Inquiry

A preliminary inquiry (PI) is a voluntary interview conducted by a probation officer with a youth and his or her legal guardian (the DCFS caseworker), to determine how to proceed with a delinquency referral. The probation officer will determine how to handle the offense based upon the severity and type of offense, prior record, and other information gathered during this process. The role of the DCFS caseworker at the preliminary inquiry is to provide updated information to the probation officer as to the status of the youth and act as the legal guardian of the youth. During the PI the youth has the right to be represented by legal counsel, the right not to disclose any information, and any information disclosed may be used as part of a dispositional recommendation to the court. The probation officer or the DCFS caseworker may invite the GAL to the preliminary inquiry. The role of the GAL would be to represent the youth's best interest.

# What I Need to Know About Dually Involved Youth

## What is DCFS Custody?

DCFS custody means that a child has been temporarily removed from the custody of his or her parent, guardian, or other caretaker often for reasons of abuse, neglect, or dependency. The temporary custody is placed with the State of Utah Division of Child and Family Services (DCFS). DCFS is responsible for the child's wellbeing while in State custody. While in DCFS custody, a child may be placed in the home of a relative, a foster home, or residential care depending on the individual child's level of need.

## What is Delinquency?

Delinquency is a term used to describe a violation of the law committed by a youth. There are five major types of offenses handled by the juvenile court: felonies, misdemeanors, contempt of court, status offenses, and infractions. Felony level offenses, such as robbery, are the most severe. These offenses are defined as those punishable with more than one year in prison, if committed by an adult. Misdemeanor level offenses, such as shoplifting, are less severe offenses that would be punishable with up to one year in jail and/or a fine, if committed by an adult. Status offenses, such as truancy or curfew violations, are offenses that would not be a violation of the law but for the age of the offender. Infractions, such as disorderly conduct or criminal trespass, are lesser offenses that are not punishable by imprisonment.

## What Does Dually Involved Mean?

A dually involved youth is a child involved with the juvenile court for delinquency offenses while in DCFS custody.

## Services for Dually Involved Youth

A youth may be involved with DCFS and probation at the same time. The involvement of one agency does not prohibit the involvement of the other agency. The main purpose of DCFS is to address issues related to abuse, dependency, and neglect. In contrast, the main purpose of juvenile probation is to address issues related to juvenile delinquency. A youth who has experienced abuse, neglect, or dependency, who has also committed a delinquent act may need the services of both agencies. Consequently, a youth may have a DCFS caseworker and a probation officer at the same time. DCFS will continue to monitor the child welfare issues related to the case while probation will work with the youth to address delinquency issues.

DCFS involvement can be ended once the child welfare issues have been resolved and prior to completion of delinquency sanctions. The probation officer will follow through with compliance on delinquency matters once DCFS involvement has ended.

The delinquency portion of the case can also be concluded once all delinquency sanctions have been completed and prior to resolution of child welfare issues. In this instance, the DCFS caseworker will continue to monitor compliance with court orders and the Child and Family Plan once the delinquency case has been closed. Juvenile court jurisdiction is only terminated when all delinquency and child welfare matters are concluded.



# What I Need to Know About Juvenile Probation

## The Role of a Probation Officer

The role of an intake probation officer is to screen cases upon referral to the court, administer diversion programs, submit recommendations, appear in court hearings, and help facilitate the completion of court ordered obligations. If a youth has been placed on formal probation, a field probation officer is responsible to supervise the youth within the community. Field probation officers supervise youth placed on formal probation by completing risk assessments and case plans, attending court hearings, and conducting visits in the community.

## Navigating the Delinquency System

A youth may be referred to the juvenile court by a variety of sources including law enforcement, schools, parents, or other concerned parties. A youth may be held in detention prior to their first contact with the court or remain in the community. If a youth is held in detention, they have a hearing before a judge within two business days of intake and they are not usually eligible for diversion. Diversion means that a case is handled by probation without the involvement of a judge.

If a youth is not in detention, they will meet with a probation officer for a preliminary inquiry. At this meeting, the probation officer will determine whether the severity of the offense, prior criminal history, and other factors make the case appropriate to be handled by a judge or diverted and handled by a probation officer. If a youth does not attend the preliminary inquiry, the case is usually petitioned to court. Also, if the youth denies the allegations, the case will always be handled by a judge. If the youth is diverted, he or she receives sanctions through an agreement with probation.

If the youth goes to court, they appear before a judge. A youth may admit to the allegations, or if they deny the allegations, they have a right to a trial. If the youth admits to the offense or is found to have committed the offense, he or she will receive sanctions from the court.

## Preliminary Inquiry

Foster parents attend the preliminary inquiry (PI) meeting and other probation meetings, which provides them with information on the youth's court orders and obligations. In addition this is an opportunity for the foster parents to provide information to the probation officer regarding how the youth is doing at home, school, etc. The probation officer, DCFS caseworker, and foster parents work together to ensure the youth's court obligations are completed. Foster parents can contact the assigned probation officer to determine any resources that may be available to them within their area.

## Fulfilling Court Obligations

A youth may be eligible to complete community service hours through the court's work crew program. Work crew provides a youth with the opportunity to complete court-ordered community service hours and restitution (money owed to victims due to injury or loss). The youth does not receive money, but is given credit for hours worked. DCFS caseworkers and foster parents should inquire with the probation officer about the youth's eligibility and the requirements for the program.

## Access to My Case

A juvenile can access information about his or her case, such as court orders, fines, fees, hours and restitution obligations, and upcoming court hearings online through the My Case application. Online payments can also be made using a credit card. To access the My Case application, visit [www.utcourts.gov/epayments](http://www.utcourts.gov/epayments) and follow the instructions on the website.

# What I Need to Know About DCFS

## The Role of a DCFS Caseworker

The DCFS caseworker provides case management for children and families in abuse, neglect, or dependency cases. The caseworker works with the family and the team to increase child safety, enhance caregiver protective capacities and eliminate threats of harm. The caseworker will assess the situation, coordinate services for the child and family, and monitor the progress of the case. The caseworker will make monthly contact with the child and family as well as with collateral contacts and other professionals working with the family to help determine success and barriers to success. These visits will be focused on addressing the abuse, neglect, or dependency issues related to the family.

## Child and Family Team Meeting

A team meeting allows for the family, people working with the family, community partners, and formal and informal supports to gather to discuss the goals and progress of the case. A team meeting may happen at various intervals in a case. Examples include, but are not limited to transitions, crises, progress, and changes in goals. The probation officer's role at a Child and Family Team Meeting is to share information related to progress in probationary requirements, support team members to help the youth in fulfilling the goals of probation, and to offer input as the team sets goals and objectives. The role of the Guardian ad Litem at a Child and Family Team Meeting is to act in the best interest of the child.

## DCFS Risk & Safety Assessment

DCFS risk or safety assessments are used to determine the child's risk for abuse, neglect, or dependency. In contrast, probation risk assessments are used by juvenile probation to measure the youth's risk to re-offend. Because these assessments measure different types of risk, a youth who is high risk for dependency, abuse, or neglect on a DCFS risk assessment may be low risk to commit future crime on a probation risk assessment. Often, with dually involved youth, both assessments are needed.

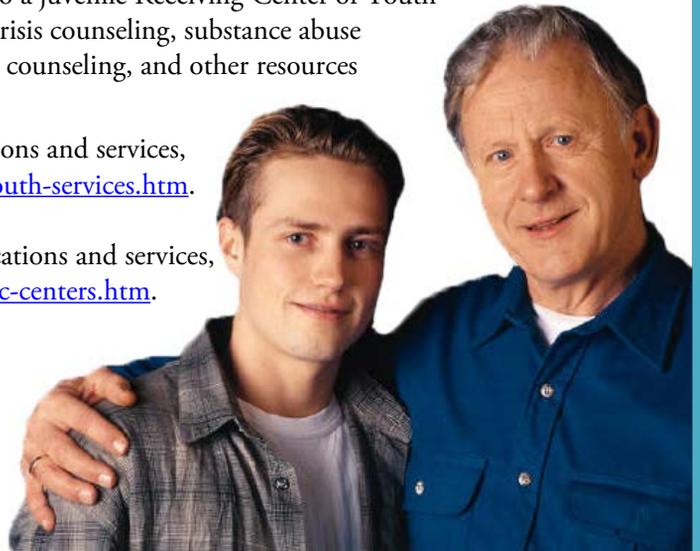
## Resources for Dually Involved Youth

In many locations, Youth Services and/or Receiving Centers can be accessed for the temporary placement of a dually involved youth. If a youth is arrested for a minor delinquency offense and is in DCFS custody, he or she can be brought to a juvenile Receiving Center and not placed into detention.

If a dually involved youth becomes ungovernable, out of control, or runs away he or she can also be brought to a juvenile Receiving Center or Youth Services location where crisis counseling, substance abuse treatment, mental health counseling, and other resources may be available.

For Youth Services locations and services, visit [www.jjs.utah.gov/youth-services.htm](http://www.jjs.utah.gov/youth-services.htm).

For Receiving Center locations and services, visit [www.jjs.utah.gov/rec-centers.htm](http://www.jjs.utah.gov/rec-centers.htm).



# Helpful Terms When Working With Dually Involved Youth

**Adjudication:** The term used in juvenile court delinquency cases to indicate that a juvenile has been found to have committed a delinquent act. The term is also used in child welfare cases to indicate that allegations of abuse, neglect, or dependency have been found to be true, and the court has taken jurisdiction over the parties.

**Arraignment:** The initial hearing at which time the court ensures that the youth and parents understand the youth's rights, the charge and possible consequences. The youth will enter an admission or denial of guilt at this hearing.

**CARE (Court & Agencies Record Exchange):** The juvenile court's computer information system where court records regarding both delinquency and child welfare matters before the court are recorded.

**Case Plan:** When a youth is placed on formal probation, the assigned field probation officer will complete a case plan with the youth and parent or guardian. The case plan will address the risk factors that are bringing the youth to court and measurable steps to prevent further delinquent behavior.

**Child Welfare Case:** Cases in the juvenile court that are not related to a delinquency charge, but instead relate to allegations of abuse, neglect, abandonment, or cases where for some other reason the child is dependent on the State for care and support.

**Dependency:** The condition of a child who is without proper care through no fault of the child's parent, guardian, or custodian.

**Detention:** A facility providing short-term, locked confinement for youth awaiting a detention hearing, adjudication, placement, or ordered as a disposition. Youth who may have committed a delinquent act can only be held in detention if they meet the Statewide Detention Admission Guidelines or are ordered into detention by a juvenile court judge. Receiving Centers and Youth Services are provided for youth who commit offenses that do not qualify for placement in locked detention.

**Disposition:** The order of a juvenile court to determine what is to be done with a youth already found to be within the juvenile court's jurisdiction.

**Field Probation Officer:** The probation department has two distinct functions, intake probation and field probation. Field probation duties include supervision of youth placed on formal probation and/or state supervision by the court. Field probation officers complete risk assessments and case plans, conduct drug testing, and monitor youth in the community. Field probation officers also conduct visits in the community to the youth's school, home, etc. In addition, the field probation officer appears in court and conducts preliminary inquiries for youth on their assigned caseload.

**Guardian ad Litem (GAL):** A specially trained attorney employed by the Office of Guardian ad Litem to represent the best interests of a youth. The role of a GAL attorney differs significantly from that of a traditional lawyer in that the GAL represents the child's best interest, not necessarily the child's wishes. For this reason a dually involved youth may have two lawyers: defense counsel to provide primary representation in the delinquency case; and a GAL to provide primary representation in the child welfare case.



# Helpful Terms When Working With Dually Involved Youth

**Intake Probation Officer:** The probation department has two distinct functions, intake probation and field probation. Intake probation officers work with youth who are not placed on formal probation by the court. Intake probation officers provide case management for numerous youth, conduct preliminary inquiries, complete court reports, and appear in court. Unlike field probation officers, intake probation officers do not make visits within the community.

**Juvenile Sexual Offense Recidivism Risk Assessment Tool-II (JSORRAT-II):** The JSORRAT-II is an actuarial risk assessment tool for male juveniles 12 to 17 years of age who have been adjudicated delinquent for a sexual offense incident. The purpose of the tool is to determine if further assessment related to the sexual offense is necessary.

**Non-Judicial:** A diversion process where the delinquency incident is handled by a probation officer instead of a judge. When a delinquency incident is closed non-judicially, a youth receives sanctions such as a fine, restitution, or community service hours. This diversion process is most often used for minor offenses with youth who have a less severe criminal history.

**Petition:** In delinquency cases, a petition is the legal document that describes the alleged offense committed by the youth. In child welfare cases, a petition is the document filed with the court which commences proceedings alleging that a child is abused, neglected, or dependent.

**Preliminary Inquiry (PI):** A voluntary interview conducted by a probation officer with a youth and his or her parent or legal guardian to determine how to proceed with a delinquency referral. During the preliminary inquiry the youth has the right to be represented by counsel, the right not to disclose any information, and any information disclosed may be used as part of a dispositional recommendation to the court.

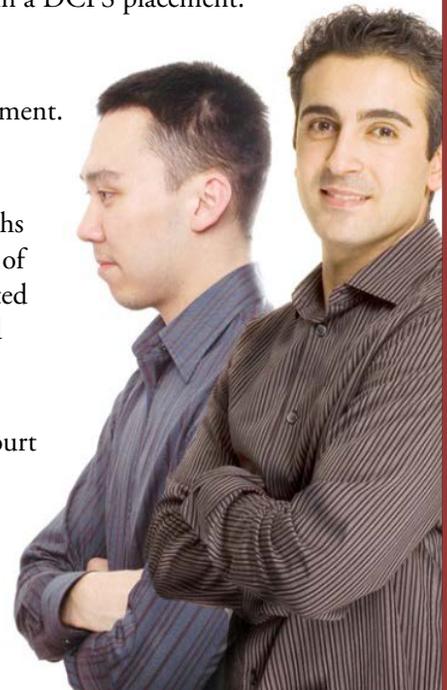
**Pre-Screen Risk Assessment (PSRA):** The Pre-Screen Risk Assessment (PSRA) is an assessment used by probation to identify a youth's risk factors and protective factors related to re-offending.

**Probation:** A juvenile court sanction which places a youth under the supervision of a probation officer while the youth is residing with his or her parents, guardians, or in a DCFS placement.

**Protective Family Preservation:** Intensive in-home services that are provided to children who are at immediate risk of an out-of-home placement.

**Protective Risk Assessment (PRA):** A risk assessment used by probation that is designed to collect information about a youth's strengths and challenges in ten different life areas called domains. The assessment of each domain is based on identification of protective factors that are related to the reduced likelihood of re-offending and risk factors that are related to the increased likelihood of reoffending.

**Protective Service Supervision (PSS):** A legal status created by a court order after an adjudication on the grounds of abuse, neglect, or dependency in which the child is permitted to remain in the home or is placed in a relative's home, and supervision and assistance to correct the abuse, neglect, or dependency is provided by an agency designated by the court.



# Helpful Terms When Working With Dually Involved Youth

**Receiving Centers:** Receiving Centers provide a location for local law enforcement to take youth after arrest for status offenses or delinquent acts that do not meet the Detention Admission Guidelines. Receiving Center staff work to find parents or guardians, evaluate the youth's immediate needs for care, and refer them for services.

**Referral:** In delinquency cases, a written report submitted by a law enforcement officer or other person who has reason to believe a youth has committed a crime that would place the youth under the jurisdiction of the juvenile court. In child welfare cases, a report made to DCFS by any person who has reason to believe that a child has been subjected to abuse or neglect, or who observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

**Runaway:** A youth under 18 years of age who leaves home or a state custody placement without parental or guardian consent with the intention of running away.

**SAFE:** SAFE is the name of the computer case management database used by the Division of Child and Family Services in Utah.

**Sentencing Guidelines:** A tool used to determine a dispositional recommendation when a youth commits a delinquent act. The guidelines take into consideration the youth's current offense and prior adjudicated delinquent history. Recommendations fall into one of the following categories: other sanctions, probation, state supervision, community placement, or secure confinement. Secure confinement is considered the most restrictive recommendation and other sanctions is considered the least restrictive recommendation. A list of aggravating and mitigating factors can also be considered to enhance or reduce the recommended sentencing guideline.

**Shelter Hearing:** A court hearing that is held 72 hours from the time of the child's removal from the home, excluding weekends and holidays in abuse, dependency, or neglect cases.

**State Supervision:** State supervision is an intensive form of probation. When a youth is placed on state supervision probation by the court, they are supervised by a probation officer in the community and reside with their parents or legal guardians. They typically are involved in additional programming, such as intensive in-home services, offender programs, or other counseling services to address their delinquent behavior.

**Status Offense:** Misbehavior which would not be criminal if committed by an adult such as truancy or curfew violations.

**Ungovernable:** A youth under 18 years of age who continually fails to comply with the reasonable and lawful requests of a parent or guardian, custodian, or school authority to the point that they are beyond their control.

**Voice:** Voice is the computer case management system used by the Office of Guardian ad Litem in Utah.

**Youth Services:** An agency that provides support services and resources to families. Youth Services is designed to divert youth from the juvenile justice system. Youth Services provides immediate intervention by engaging and motivating youth and families to access resources and resolve conflict.



For more information or for the most current version of this toolkit, please visit [www.utcourts.gov/courts/juv/toolkit/](http://www.utcourts.gov/courts/juv/toolkit/)

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