



UTAH

PRACTICE ELEVATED

2012 Court Improvement Summit

Working With Dually Involved Youth

Prepared by:

The Division of Child and Family Services

Utah Administrative Office of the Courts

Salt Lake County Youth Services

Utah Office of Guardian ad Litem

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.



What is the 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.



Who Should Use the Toolkit?

The toolkit is designed to be used by:

- Probation officers
- DCFS case workers
- Community partners
- Guardian ad litem attorneys



Is the Toolkit Policy or Best Practice?



The toolkit is **based on best practices** and is **considered policy**. It has been approved by the Utah Board of Juvenile Court Judges, Trial Court Executives, Chief Probation Officers, the Department of Child and Family Services, and the Utah Office of Guardian ad Litem.

What Can the Toolkit Tell Me?

The toolkit has sections that discuss:

- My Responsibilities
- Not My Responsibilities
- Other's Responsibilities
- My Resources
- What I Need to Know About Partner Agencies
- What I Need to Know About Dually Involved Cases



How Was the Toolkit Created?



The toolkit was created through a **collaborative** effort between practitioners, line staff, managers, attorneys, and community partners. It was **reviewed by staff** from probation, DCFS, Youth Services, Juvenile Justice Services, and the Guardian ad Litem's office. Feedback from these groups was used to make the toolkit more user-friendly.

How Do I Use the Toolkit?

Overview of this Toolkit

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

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.

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.

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.



1

Who is a Dually Involved Youth?

Purpose of the Toolkit

How is Dually Involved Different than Dually Adjudicated?

Why It Matters

Overview of the Toolkit

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 Centers provide a safe environment for youth, and refer them to appropriate services.

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.

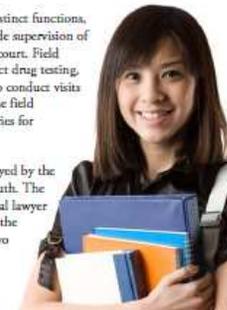
Dependency: The condition of a child who is without proper care through no fault of the child's parent, guardian, or custodian.

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.



13

Helpful Terms

15

How Do I Use the Toolkit?

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



For DCFS Caseworkers

5

What I Need to Know About Dually Involved Cases

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.

ed interchangeably to led by a probation officer and non-judicially, a youth by service hours. Dually version as any other youth. A combine the review hearing previously assigned to the incident closed non-judicially

acted by a probation officer (probation officer), to determine how the officer will determine how to offense, prior record, and of the DCFS caseworker at n to the probation officer as the youth. During the PI , the right not to disclose used as part of a

icer is responsible for going DCFS caseworker, which is ation officer should then e the youth is in compliance custody, the assigned DCFS parent with whom the youth they are aware of the ill consult with the DCFS he biological parents to the

mitted to the ongoing available, the DCFS ult the DCFS caseworker to cal parents to ongoing

on the current family , parents' compliance and recommendations to the

collaboratively to ensure the FS caseworker should ccess the court work crew d the work crew orientation the youth.

caseworker may ask the judge e. Either agency can ask for function is complete. The ction be terminated after

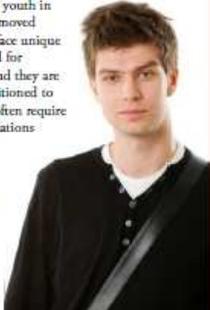
For DCFS Caseworkers

6

For DCFS Caseworkers

7

How Do I Use the Toolkit?

<p>Who is a Dually Involved Youth?</p> <p>Purpose of the Toolkit</p> <p>How is Dually Involved Different than Dually Adjudicated?</p> <p>Why It Matters</p>	<p>Overview of this Toolkit</p> <p>A dually involved youth is a child involved with the juvenile court for a delinquency offense while in DCFS custody.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> 	<p>Dually Involved Cases</p> <p>Attorney to determine before the court for a</p> <p>g the juvenile justice</p> <p>preliminary inquiry, and so, work with the DCFS biological parents.</p> <p>igations, when DCFS</p> <p>l report at the time of the</p> <p>competency evaluation, at to the DCFS caseworker</p> <p>a attorney general to the</p> <p>notify the DCFS's case.</p> <p>to participate in the Child able to attend, the DCFS outcome.</p> <p>r monthly to provide and resolve any differences in</p> <p>er with a copy of their court reason for DCFS y, the current family related to meeting each</p> 	<p>Dually Involved Cases</p> <p>AL) to participate in the</p> <p>y are unable to attend the outcome.</p> <p>receive updates, to discuss a direction in the case</p> <p>report or discuss the DCFS</p> <p>lian, if a youth in DCFS</p> <p>the child welfare system,</p> <p>ated to unsupported cases of confidential information about</p> <p>to notify the DCFS's case.</p> <p>caseworker to determine before the court for a</p> <p>DCFS caseworker in navigating</p> <p>in understanding the ed agencies related to the</p> <p>r of the preliminary inquiry. on any outstanding court</p> <p>the DCFS caseworker may numbers:</p> <p>3434</p> <p>0</p> 	<p>Dually Involved Cases</p> <p>n every case it is to represent the erned about every aspect of involved in the child welfare matter, the level of involvement a will vary depending on the s a serious offense the GAL's defender is appointed for the ses. On the other hand, for a ll extent that a defense</p> <p>ould include such things as: uth to be given the same s, monitoring all proceedings from juvenile probation, and court orders, and terms of</p> <p>welfare related juvenile court</p> <p>case, complete a search in the client and then go to the case it is not possible to determine L can call the DCFS Intake is assigned to the case.</p> <p>case, go to the caseload page in the client. The probation officer nents section. If the GAL is contact the local probation</p> <p>delinquency-related placement, k on the case number of the ents the GAL's contact</p> 	<p>Dually Involved Youth</p> <p>removed from the custody of sons of abuse, neglect, or te of Utah Division of or the child's wellbeing y be placed in the home n the individual child's</p> <p>w committed by a youth. ile court: felonies, actions. Felony level es are defined as those d by an adult.</p> <p>ere offenses that would be mitted by an adult. Status that would not be a ons, such as disorderly punishable by</p> <p>le court for delinquency</p> <p>same time. The ent of the other agency. use, dependency, and n is to address issues ed abuse, neglect, or r need the services of both ther and a probation he child welfare issues h to address delinquency</p> <p>ues</p> <p>nt</p> 	<p>Dually Involved Youth</p> <p>juvenile has been found dicate that allegations of risdiction over the</p> <p>d parents understand sion or denial of guilt</p> <p>information system court are recorded.</p> <p>n officer will complete a ctors that are bringing</p> <p>cy charge, but instead son the child is</p> <p>of the child's parent,</p> <p>a detention hearing, d a delinquent act can s or are ordered into ed for youth who</p> <p>outh already found to</p> 	<p>Helpful Terms</p>
	1	2	5	8	10	13	

What Should I Do if the Toolkit Doesn't Answer My Question?

- Discuss with supervisor or manager
- Not intended to replace professional expertise
- Complicated cases that require individualized approaches
- Addresses general policy questions
- Updatable document intended as a resource



Who is a Dually Involved Youth?

Paper copies of the toolkit are available through your organizations administration or directly from Katie Gregory.

Electronic copies of the toolkit are available at:
www.utcourts.gov/courts/juv/toolkit/

