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JUVENILE DELINQUENCY COURT PERFORMANCE MEASUREMENT AS AN EVIDENCE-BASED PRACTICE



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INTRODUCTION

Judicial officers in juvenile delinquency court and juvenile justice professionals all benefit from an integrated system of data collection and performance measurement. Collecting and sharing information on outcomes through well-defined measures is essential to a system where probation, service providers, and the courts work together to achieve common goals. This policy brief describes how delinquency court performance measures play a critical role in system evaluation including assessing the impact of evidence-based practices and facilitating a collaborative approach to probation and court services. The document is one in a series of AOC publications on the topic of evidence-based practices in the juvenile justice system.¹

HOW COURT PERFORMANCE MEASURES CAN BE USED AS A SYSTEM OF EVIDENCE BASED PRACTICE

The goals of the juvenile delinquency court are multi-dimensional and include community protection, offender accountability, victim restitution, and offender rehabilitation. A recommended framework for an evidence based assessment of the delinquency system includes quantitative measures of each of these dimensions.

There is a difference between an evidence-based assessment of a program or practice, and of a delinquency system as a whole. Many services have been evaluated and can be assessed to determine whether they are improving outcomes for those youth receiving the services.² Court performance measures provide the judge and stakeholders with an objective look at the impact of a service or practice on their caseload as a whole. Documenting improvements in rates of reoffending or probation violations, reductions in case delays or improvements in youth and parental participation in hearings are all measures the judge and a multi-disciplinary team can use to assess whether new services or practices are improving overall outcomes for the court.

DELINQUENCY COURT PERFORMANCE MEASURES

Systems of juvenile delinquency data integration and performance measures are being developed at both the state and federal levels. Recommendations for delinquency performance measures have been developed by numerous groups, including the National Center for Juvenile Justice³ and the Office of Juvenile Justice and Delinquency Programs.⁴ The National Center for State Courts has developed a framework for court performance measures that is widely used, and which aligns with the measures in this briefing.⁵ Work is also being done on the technical requirements for integrating case management systems to produce performance measures by the federal Department of Health and Human Services,⁶ and the National Information Exchange Model.⁷

The measures described in this brief were developed in California by a group of judges, probation officers, attorneys, and national experts on the topic.⁸ They are based on the national efforts to design quantitative measures for juvenile courts, but tailored to the specific needs of the California courts and other juvenile justice stakeholders. They are designed to be collected either through case management systems, or on forms over the life of the case. Since they are designed as a tool for collaborative system assessments and reviews involving the courts, probation, district attorneys, the defense bar, and community service providers, they are restricted to cases where a petition has been filed and do not include informal probation or voluntary services.

Courts, probation, and service providers all collect and report information on juvenile delinquency cases. Delinquency court performance measures are designed to integrate this data and provide stakeholders with summarized information which can be used to evaluate the entire juvenile justice system. Measures encompass a range of outcomes from all stakeholders:

- Traditional juvenile justice outcomes including filings, dispositions, completion of probation, and reoffending rates;
- Service outcomes including assignment to and completion of probation services, including evidence-based practices; and
- Court-related outcomes traditionally related to the judge's role in ensuring a fair and timely court process for the youth.

Chart: Delinquency court performance measures

Topic	Description	Measures included
Community Safety	<i>Increase safety in communities by supporting and implementing both effective delinquency prevention strategies as well as a continuum of effective and least intrusive responses to reduce recidivism</i>	Reoffending, probation violations, new offenses during or after probation
Offender Accountability	<i>Hold juvenile offenders accountable to their victims and community by enforcing completion of restitution and community service requirements</i>	Restitution, community service, victim awareness, and victim services ordered and completed; court reviews conducted
Competency Development	<i>Develop competent and productive citizens by advancing the responsible living skills of youth within the jurisdiction of the juvenile delinquency court</i>	Educational outcomes, vocational education outcomes; substance abuse and mental health services assessed for, ordered and completed; court reviews conducted
Access	<i>Courts should monitor and minimize operational and procedural barriers to serving court users and the public</i>	Youth, parents, victims receive adequate notice for and participate in hearings; youth and parents receive copies of reports and court orders
Fairness	<i>Juvenile courts should provide due process and equal protection of the law to all who have business before them. . . . The decisions and actions of a trial court should adhere to the duties and obligations imposed on the court by relevant law as well as administrative rules, policies, and ethical and professional standards</i>	Youth represented; continuity of judicial officer, prosecutor, and defense attorney; petitions to seal records
Timeliness	<i>Juvenile court should meet its responsibilities to everyone affected by its actions and activities in a timely and expeditious manner</i>	Statutory timeframes met for initial, detention, jurisdiction, and review hearings; continuance rates; length of cases

BENEFITS OF USING COURT PERFORMANCE MEASURES TO EVALUATE OTHER EVIDENCE-BASED PRACTICES

Allows the court leadership to assess the court's role and need for resources

When the court's role is to order and monitor the service, measuring orders for a service and completion rates can tell the court and partners at what frequency the service is being ordered and whether it is being ordered consistently by geographic area or by population. New services can create hidden resource demands on the court which can be measured through additional hearings, additional hearing delays, failure to meet statutory timeliness requirements for hearings, or an increased need for review hearings. This information allows court leadership to make informed decisions about resources.

The court, attorneys, and probation department work from the same baseline

Assessing whether a service has a positive impact on key outcomes is a difficult task. It becomes almost impossible to reach agreement if stakeholders do not agree on basics such as case counts and definitions of case events. Adopting a common set of performance measures, through a memorandum of understanding or more informal means, is a key step to collaboration and improving outcomes.

Identifies court processes that can improve the success of EBP

Court processes that might improve the success of participants in a service include timely appointment of attorneys, timely hearings, engaging youth and parents in the court process, holding review hearings, and involving the youth in court-operated services such as collaborative justice courts. A measure that looks very court specific, such as hearing delays, can lead to delays in ordering youth to a program or to interruptions in schooling, delays which in turn can reduce the success of a program.

Measuring services within the context of all cases

No matter how successful the evaluation results are for a service, it is not likely to move from a pilot to an integral part of probation services unless it is supported by stakeholders. Comparing the proportion of youth being ordered a service to the proportion of all similar cases gives policymakers a measure of how attorneys and judges are accepting the use of the service. Developing the practice of stakeholders reviewing performance measures for all cases is also a way to ensure that the practices developed and resources used are targeting the real needs of a county or community.

Next steps for a county or community

The delinquency performance measures described in this brief are available at (www.courts.ca.gov). These measures and other models described above can be implemented in a variety of ways, and do not necessarily require revision of electronic case management systems. Most of the measures can be obtained by adopting a case closing form and simple data entry system. Ultimately a court and county will want to explore creating a data warehouse or other means of integrating data systems. Resources for data integration are available through the Administration for Children and Families Interoperability Project.⁹

As important as creating performance measures is agreeing on how they will be used. The National Council of Crime and Delinquency has assisted a number of jurisdictions in developing a dashboard of key performance measures, and building a review and discussion of the information into regular systems meetings of judges, chief juvenile probation officers, attorneys, and other stakeholders.¹⁰

CONCLUSION

It is vital that courts and stakeholders are aware of the evaluation results that led to the adoption of an evidence based practice, and of the outcomes data of the youth receiving the service. But how these outcomes might impact or be impacted by court operations or how they affect the overall success of the delinquency system can only be determined when they are reviewed in a broader context of all cases and services in the system.

NOTES

¹ AOC briefings on evidence based practices can be found at:
<http://www.courts.ca.gov/cfcc-delinquency.htm>

² Administrative Office of the Courts. 2012. How Practices and Programs become Evidence Based: a Review of Juvenile Justice Research. <http://www.courts.ca.gov/cfcc-delinquency.htm>

³ Harp, C., Bell, D., Bazemore, G., & Thomas, D. (2006). *Guide to Developing and Implementing Performance Measures for the Juvenile Justice System: A National Demonstration Project*. Alexandria, VA: American Prosecutors Research Institute. http://www.ndaa.org/pdf/performance_measures_jj_system_06.pdf.

⁴ Justice Research and Statistics Association, Office of Juvenile Justice and Delinquency Prevention. 2004. Approaches to Assessing Juvenile Justice Program Performance. Washington, DC: Author. http://www.jrsa.org/njjec/publications/approaches_assessing.pdf.

⁵ National Center for State Courts. (2005). *CourTools: Trial Court Performance Measures*

⁶ U.S. Department of Health and Human Services, Administration of Children and Families. ACF Interoperability Initiative: <http://www.acf.hhs.gov/initiatives-priorities/interoperability>

⁷ National Juvenile Justice Information Sharing Initiative. <http://www.juvenileis.org/index.html>

⁸ Administrative Office of the Courts and National Council of Juvenile and Family Court Judges. 2011. *Guide for Juvenile Delinquency Court Performance Measures Project* (forthcoming).

⁹ Note 6.

¹⁰ Thomas, D. 2008. *Drilling Down: Exploring Performance Measures to Improve Juvenile Justice*. National Center for Juvenile Justice. www.ncjj.org/PDF/taspecialbulletinperformancemeasures_doug_2008.pdf



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