



Judicial Council of California

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M E M O R A N D U M

Date

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Action Requested

Please review and approve

To

Members of the Judicial Branch Statistical Information System (JBSIS) Subcommittee

Deadline

N/A

From

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Subject

JBSIS 4.0 Juvenile Justice

In preparation for JBSIS 4.0, staff are reviewing the JBSIS Manual for relevant updates and revisions. One potential revision is to replace the term “Juvenile Delinquency” with “Juvenile Justice,” in alignment with other Judicial Council of California (JCC) and Superior Court resources. The Subcommittee is asked to review and approve proposed language updates in the JBSIS 4.0 manual regarding “Juvenile Justice”.

Juvenile Delinquency/Justice

Delinquency court handles cases in which a minor is accused of breaking the law, which is filed under a 602 petition.¹ If the judge decides the petition is true, the child becomes a ward of the court as a “delinquent,” thus the name of the court. However, delinquency court also handles

¹ Welf. & Inst. Code, § 602,

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=602.&lawCode=WIC

601 petitions,² in which a minor is habitually disobedient or truant and is called a “status offender” rather than “delinquent.”

Due to the potential negative connotation associated with the label “delinquent” and the handling of status offenses that cover subject matter other than delinquency, many Superior Courts have changed “delinquency court” to “juvenile justice court” or other resources referencing “juvenile delinquency” to “juvenile justice.” In fact, 25 of the 58 Superior Courts have made changes on their websites to use the term “juvenile justice.”

Furthermore, within the Judicial Council, the self-help guide websites now uses “juvenile justice court” instead of “delinquency court” on their self-help guide websites.³ According to an attorney at the Center for Families, Children & the Courts (CFCC) within the JCC, CFCC is in the process of updating their resources to use the term “juvenile justice” where appropriate.

Juvenile Delinquency in JBSIS

In the JBSIS 3.0 Manual, Report 08a is titled “Juvenile Delinquency” and captures trial court workload generated by status offenses, non-minor dependent cases, miscellaneous juvenile petitions, and delinquency cases in juvenile courts. The term “Juvenile Delinquency” is used in three ways in Report 08a:

1. Overarching term used as the report title.
2. General term with “court,” “filing,” or “case.”
3. Specific statute references (Welf. & Inst. Code, § 602).

Additionally, in report 04a Appellate Court Appeals, “Juvenile Delinquency” is case type 50, in which it is referring to cases that fall under Report 08a.

Recommendation

The JBSIS Subcommittee should approve language changes in Report 08a to change the report title and general references from “juvenile delinquency” to “juvenile justice” unless there is a specific reference to Welf. & Inst. Code, § 602.

These changes would take effect for JBSIS 4.0. The proposed changes are:

² Welf. & Inst. Code, § 601,

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=601.&lawCode=WIC

³ <https://selfhelp.courts.ca.gov/juvenile-justice/court-process>

1. Change the title of Report 08a to “Juvenile Justice” in recognition that this report captures more than just juvenile delinquency cases, such as status offenses, non-minor dependents, and miscellaneous juvenile petitions.

2. Change general usage of “delinquency” to “juvenile justice” unless there is a specific reference to delinquency under Welf. & Inst. Code, § 602. For example, the following sentence would be changed from:

“A minor or nonminor dependent is the unit of count for a juvenile delinquency case, so each juvenile named in a petition is reported as a separate case.”

to:

“A minor or nonminor dependent is the unit of count for a juvenile **justice** case, so each juvenile named in a petition is reported as a separate case.”

Examples in where the term “delinquency” would be retained are in the names for case types 20 (Delinquency (Welf. & Inst. Code, § 602)—Original) and 40 (Delinquency (Welf. & Inst. Code, § 602)— Subsequent) since they are direct references to the delinquency codes.

3. Change case type 50 in 04a to “Juvenile Justice” to reflect the update report name of 08a.