


COMMUNITY & FAMILY-BASED SUPPORTS

KEY GUIDEPOSTS FOR REFORM:

- ✦ This legal map focuses largely on the public agencies that are legally responsible for administering a community's health, mental health, educational, family support, and safety net programs. In addition to these government systems, every jurisdiction also has a rich and unique collective of private and nonprofit community-based organizations with specialized expertise in service delivery and community development. The legal duties described in this tool would be impossible for public agencies to execute without meaningful partnership with and financial investment in these community organizations.
- ✦ Law enforcement, Probation, and District Attorney offices have broad authority to divert young people and their families to community-based services in lieu of referring youth to Probation or filing a petition in juvenile court. Through their own authority, counties can implement procedures and establish programs for youth at risk of juvenile delinquency system involvement in ways that encourage non-delinquency, community-based alternatives to detention and probation.
- ✦ Family and community supports can and should be provided without delinquency system involvement whenever possible. The guideposts below detail the responsibility of delinquency system actors to secure community-based supports for youth and their families once a petition has been filed in juvenile court, but this focus is not intended to diminish the fact that these services can and should be provided entirely outside of the juvenile delinquency system. Counties have ample authority to ensure the availability of these services in the community.
- ✦ The juvenile court has broad responsibility and authority to secure community-based entitlements and supports for youth within its jurisdiction. The court may make certain orders as soon as a petition is filed in juvenile court and may make other orders after it adjudges a youth a ward of the court. Court orders may include orders for health and mental health assessment, joinder of agencies with legal obligations to assess or serve youth, appointment of a court-appointed special advocate, and reviews of Probation's case plans and transition plans to ensure that youth can safely return home as quickly as possible.






✦ To ensure that youth and families receive appropriate and timely services in the community, law enforcement, Probation, courts, and counties can implement policies to:

- Develop screening tools to determine whether a youth is currently eligible for and connected to community-based services;
- Ensure timely development and implementation of case plans, reasonable efforts to prevent a youth's removal from their home, and thoughtful consultation with their Child and Family Team (CFT);
- Convene existing service providers in their region and develop referral protocols and communication channels to quickly divert youth toward community-based supports and away from juvenile court involvement, using the Integrated Core Practice Model as a guide to advocate for appropriate services in non-probation systems;
- Train probation officers to advocate for youth to access necessary services, including services through the local Regional Center, the school district, the child welfare system, and the county public health and mental health agencies, and to make legal referrals when youth are denied services; and
- Develop and implement case plans and transition plans that allow youth and families to continue services without Probation's facilitation.

✦ Family homelessness or family conflict should not, on their own, be the basis for Probation and juvenile court intervention. There are many services and resources outside of the juvenile court system for families in crisis.

- Families experiencing homelessness can access CalWORKs homeless assistance or emergency housing through their local Continuum of Care.
- Families experiencing interpersonal conflict can receive counseling services and other intensive home-based supports, such as Wraparound, through their county health care agency.
- Probation must utilize these resources when making the legally required case plans and "reasonable efforts" to prevent removal of a youth who is at risk of foster care placement or when providing reunification services for the family when the youth is in foster care placement.

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- ✦ Probation departments can draw upon public funds to provide or contract for mental health programming for youth and families who need it. Continuity of mental health services is critical, and mental health services should not be conditioned on continued juvenile court involvement. Instead, Probation should follow the Integrated Core Practice Model and coordinate with the county mental health agency to assess youth needs and develop comprehensive service plans through the Child and Family Team (CFT) that ensure services will extend beyond the time a youth is on probation, or that can be provided in lieu of probation supervision.
 - ✦ Because many youth who come into contact with law enforcement have also been victims of serious and violent crimes, Probation and the courts should be familiar with state and local victims services programs. In most jurisdictions, there are specialized protocols and resources for victims of the commercial sexual exploitation of children (CSEC), and Probation is required to provide input, track data, and participate in their county's CSEC programming, while complying with legal mandates to divert victims of exploitation from the juvenile delinquency system entirely.
 - ✦ Providing linkages to school-based resources may resolve the need for juvenile court involvement, especially for youth who are eligible for specialized entitlements and supports due to homelessness, disability, or prior child welfare or probation involvement.
 - Most youth who interact with the juvenile delinquency system—that is, youth who have been subject to a juvenile court petition—qualify as “foster youth” under California law and have protections related to school stability, enrollment, transfer of records and credits, and postsecondary attainment.
 - Probation and the juvenile court must evaluate the youth's educational stability and goals at each court hearing and utilize the resources of their school districts and county offices of education as needed.
 - Probation, District Attorney offices, and the juvenile court should consider the impact of detention on educational stability and continuity of resources, including resources related to financial aid and postsecondary study.

✦ A youth with a qualifying developmental disability may be eligible for Regional Center services.

- For youth who are already Regional Center consumers, the Regional Center is a mandatory member of their Child and Family Team.
- For youth who are not yet connected to the Regional Center but may have a developmental disability, Probation and the courts can advocate for the youth to be assessed and, if eligible, receive individualized services.

✦ Probation is required to ensure that Independent Living Program core services are available to every youth who has spent any time in foster care placement after age 16, regardless of where they reside or whether they have emancipated from foster care.

✦ Counties must work proactively at the agency level to establish coordination and move supportive youth services out of agency silos so that families can access them directly.

- By leveraging services and supports outside of the juvenile delinquency system, counties can redirect funding away from detention facilities and into its network of community-based organizations.
- Counties must develop a coordinated strategy to reinvest the cost savings from reducing youth detention into organizations that provide services outside of any law enforcement system.

For more information:
yjc.org/navigate-juvenile-justice-law

