

Juvenile Justice System Reform Act of 2017 Implementation Guide



**A Publication by the Division of Child and Family Services to assist
Juvenile Justice professionals in the implementation of the new
requirements approved in the Juvenile Justice System Reform Act of
2017 (Assembly Bill 472 of the 2017 Legislative Session)**

Juvenile Justice System Reform Act of 2017 Implementation Guide

The State of Nevada applied for and received technical assistance through the Justice Center of the Council of State Governments. Receipt of the award triggered a year long process analyzing Nevada's Juvenile System and developing recommendations for change. That process included convening a team of Nevadans from all branches of government and all corners of the state together with national experts. The final recommendations were then included in one of Governor Sandoval's signature bills for the 2017 Legislative Session, Assembly Bill 472.



This legislation represents a united effort by all three branches of government to better protect public safety and improve outcomes for youth in our juvenile justice system by making the system more cost-efficient and effective.

- Governor Brian Sandoval

Nevada is taking an important step toward juvenile justice system reform. We applaud the strong support of uniform performance measures and standard procedures for developing performance measures

- National Center for Juvenile Justice

This piece of legislation represents the very best of collaboration and passionate efforts to reform the system of juvenile justice in the State of Nevada

- Former Nevada Supreme Court Justice Nancy Saitta

The bill passed both the Nevada Assembly and the Nevada Senate unanimously and was signed into law by Governor Sandoval on June 16, 2017. The bill has several components but most importantly:

- Creates a Juvenile Justice Oversight Commission to develop standardized performance measures and data analysis points including but not limited to youth recidivism;
- Requires statewide implementation of statewide uniform risk assessments that will help guide the judiciary and juvenile justice agencies in serving youth throughout the life of their case;
- Modifies required judicial findings to ensure youth being removed from the community truly pose a risk to public safety and that availability community resources have been explored; and
- Requires a number of juvenile justice agency practice changes including but not limited to family engagement strategies, comprehensive youth case planning, objective length of stay and facility release decisions, and standardized responses to youth parole violations.
- Requires that over time state funds for juvenile justice agencies by expended on evidence based programs.

The following implementation guide is meant to assist juvenile justice agencies and practitioners to understand the law's changes and to ensure quality implementation of its aims.*

***This guide is not meant to be nor should it be interpreted as legal advice. Questions about your agency's legal requirements under this legislation should be directed to your legal counsel.**

Juvenile Justice System Reform Act of 2017 Implementation Guide

County probation departments are required under the new law to use additional tools to enhance their ability to address youth's needs as well as to help inform the judiciary regarding the treatment of youth. In addition, there is a gradual phase in requiring counties use of state funding they receive on evidence based programs in addition to bearing the cost of the statewide risk and needs tools.



Adoption of Risk and Needs Assessment Tools—Sec 8

The Division of Child and Family Services and each county probation department is required to implement a statewide risk assessment tool and mental health screening tool. The law creates the Juvenile Justice Oversight Commission which will be selecting the tools for use statewide. Any costs associated with use of the tool are shifted over time from the State to the counties



Use of the Risk and Needs Assessment Tools – Sec. 17

Following selection of the tool by the Oversight Commission and determination of a date for implementation county probation departments will be required to administer the statewide tools before the disposition of youth who are adjudicated delinquent. The county must then prepare a report for the court and other parties to the case that includes

- 1) Identification of the youth's risk to reoffend; and
- 2) A recommendation for the type of supervision and services that the youth needs.

State Funding—Sec 9

State funding to county probation departments, including the Community Corrections Block Grant will gradually be required to be used for evidence based programs only. The Division's Programs Office will monitor spending based on the statutory phase in requirements. If funding is not used appropriately, the Division is authorized to withhold funds.



Juvenile Justice System Reform Act of 2017 Implementation Guide

Case Plan & Reentry Plan Requirements—Sec 16



CASE PLAN: AB472 requires that “each child placed under the supervision of the juvenile court” receive a case plan developed by the county probation department. There are a number of items the county departments are required to use in the development of the plan and a number of key elements of the case plan that must be met.

Factors to Take into Consideration

- Results of statewide risk and needs assessments
- Trauma experienced by the youth
- Educational level of the youth
- Seriousness of the offense committed
- Any additional relevant information provided by the family of the youth

Required Elements

- Address the risks and needs identified in the assessments
- Specify the supervision level and services that the youth needs
- Referrals to treatment providers that address the youth’s risks and needs
- Be developed in consultation with the youth’s family or guardian as appropriate
- Specify responsibilities of each person or agency involved
- Plan for full reentry of the child into the community
- Be reviewed at least once every 6 months

REENTRY PLAN: The law also requires a reentry plan for any youth in a regional facility for the treatment and rehabilitation of children (Spring Mountain Youth Camp or China Spring/Aurora Pines) There are 4 required elements of the reentry plan:

- 1) A detailed description of the education, counseling, and treatment provided to the youth;
- 2) A proposed plan for the continued education, counseling, and treatment of the youth upon release;
- 3) A proposed plan for the provision of any supervision or services necessary for the transition of the youth; and
- 4) A proposed plan for any engagement of the youth’s family or guardian.

Juvenile Justice System Reform Act of 2017 Implementation Guide

Data & Performance Measures



In addition to selecting statewide risk and needs tools, the Oversight Commission will be establishing uniform data definitions, data collection requirements, and performance measures to track. The Division of Child and Family Services will be required to adopt regulations taking into consideration the Oversight Commission's recommendations.

Once the revised data collection and performance measurement regulations are adopted, county probation departments will be required to properly submit the required information to the Division's Programs Office and the Oversight Commission along with any other statutorily required data (room confinement, disproportionate minority contact, etc.)

An annual report will be submitted by the Division's Programs Office to the Governor, the Oversight Commission, and the Legislative Counsel Bureau.

Beginning on July 1, 2018, county probation departments will no longer be required to do their own analysis but will instead submit raw data or reports to the Division's Programs Office for the Program's Office to analyze. This does not prohibit county probation departments from doing their own data analysis.

Family Engagement



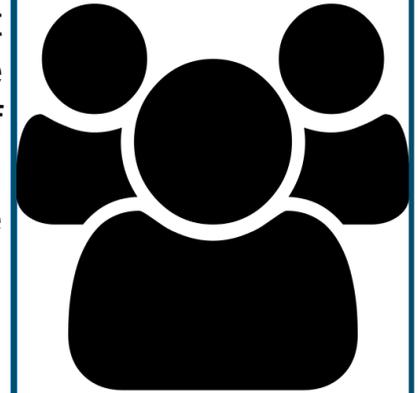
Section 12 of the bill requires that each county probation department to develop and implement a family engagement plan for youth committed to its custody. The plan must include strategies for the following:

- 1) Increasing the family's contact with the youth;
- 2) Engaging family members in the case planning for the youth and in the planning meeting for the release of the youth from a facility and from court jurisdiction;
- 3) Involving family members in the youth's treatment; and
- 4) Soliciting family member feedback related to improvements in services rendered to youth.

The Division should develop a statewide family engagement policy, local standard operating procedures, and a template for use in individual cases to meet this statutory requirement.

Juvenile Justice System Reform Act of 2017 Implementation Guide

The law establishes the Juvenile Justice Oversight Commission and the Advisory Committee to the Commission. Together in partnership with the Division of Child and Family Services and the county probation departments, the Oversight Commission helps oversee and execute the reforms included in the legislation.



Membership—Sec 4 and 4.5

The membership of the Oversight Commission is established by law to be 25 members appointed by the Governor. In addition there is a 6 members Advisory Committee made up of members of the legislative and judicial branches to assist in advising the Oversight Commission in its duties.

Strategic Plan—Sec 6

The Commission is required to develop a 5-year strategic plan to include but not limited to, uniform standards for evidence based programs, increasing the availability of evidence based programs in the community, data and programming requirements, and protocols for helping to implement the legislation.

Performance Measure Standards—Sec 5

The Commission is required to establish uniform procedures for Juvenile Justice agencies to report performance measures. This includes uniform definitions and reporting mechanism to track rates of recidivism. The Oversight Commission is required to do this before July 1, 2018.

Selection of Validated Tools – Sec 5

The Oversight Commission is tasked with selecting a number of statewide uniform assessment tools including a validated risk assessment tool; and a validated mental health screening tool. The tools must be selected by January 1, 2018 and will be used by juvenile justice agencies and the courts to make case planning, court disposition, residential placement, and other critical decisions for juvenile justice involved youth.

Quality Assurance Reviews—Sec

The Oversight Commission is required to conduct annual quality assurance reviews for each state juvenile justice facility and each regional facility for the treatment and rehabilitation of youth. The commission members conducting the review will be trained on and are required to use a validated service assessment tool. Each facility will work with the commission to develop a facility improvement plan.

State Advisory Group Duties

The Oversight Commission and the Advisory Committee will act as Nevada's State Advisory Group for purposes of the Juvenile Delinquency Prevention Act and will execute the responsibilities of that group as required by federal law.

Juvenile Justice System Reform Act of 2017 Implementation Guide

Use of the validated tools throughout the system



County Probation Departments

- Pre-disposition comprehensive report
- Case planning & county camp reentry planning



Judiciary

- Determine risk level for dispositional decision
- Determine risk level for parole revocation



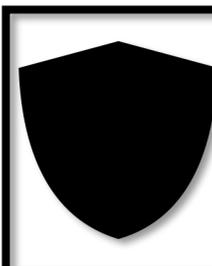
County Camps

- Case planning
- Reentry planning



State Operated Residential Facilities

- Facility placement determination
 - Case planning
- Reentry Plan in conjunction with Parole



Youth Parole Bureau

- Case planning and facility reentry planning
- Case planning & county camp re-entry planning
 - Parole violation response decision

