

## **TECHNICAL ASSISTANCE PROFILE**

Examining the Referral Stage for Mentoring High-Risk Youth  
In Six Different Juvenile Justice Settings

Dependency Court, Delinquency Court, Juvenile Detention, Juvenile Corrections,  
Juvenile Probation and Teen Court/Youth Court Diversion Programs

# Teen/Youth Court Programs and Mentoring

## THE REFERRAL STAGE



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# Teen/Youth Court Programs and Mentoring

Teen/Youth Court Programs are Juvenile Justice diversion programs in which juveniles are sentenced by their peers for minor crimes, offenses and/or violations. These juvenile diversion programs are administered on a local level by law enforcement agencies, probation departments, delinquency courts, schools and local nonprofit organizations. They offer communities an opportunity to provide immediate consequences for primarily first-time-offending juveniles, and they also offer important civic, service and volunteer opportunities for volunteer youth who serve as judges, defenders, prosecutors, clerks and jurors.

## **Mentoring Program Description**

Mentoring involves a non-parental adult who plays an important role in promoting healthy development for youth. There are many mentoring models and even more programmatic differences within the different mentoring models. The goal of mentoring programs is to provide youth with positive adult contact and, thereby, reduce risk factors (e.g., early antisocial behavior, alienation, lack of commitment to school) by enhancing protective factors (e.g., healthy beliefs, opportunities for involvement and social and material reinforcement for appropriate behavior). Mentors provide youth with personal connectedness, supervision and guidance, skills training, career or cultural enrichment opportunities, a knowledge of spirituality and values and, perhaps most importantly, goals and hope for the future.

## **Geographic and Demographic Characteristics**

Referrals of Teen Court/Youth Court Diversion Program involved youth for the delivery of local mentoring services are primarily made and/or approved by community-based organizations, schools and/or governmental agencies to include Police Departments, Probation Departments and Delinquency Courts. Therefore, it is important for mentoring and Teen Court/Youth Court Diversion Program staff to discuss geographic barriers when making and accepting referrals of Dependency Court involved youth.

## Possible Challenges of Youth Involved with Teen Court/ Youth Court Diversion Programs (Ages 6-18)

### Individual

- Primarily first time offenders
- Antisocial/delinquent beliefs
- General delinquency involvement
- Low to moderate alcohol/drug use
- Lack of guilt and empathy
- Physical violence/aggression
- Low-level crimes, violations and offenses

### Family

- Delinquent/gang-involved siblings
- Lack of orderly and structured activities within the family
- Parental use of physical punishment/harsh and/or erratic discipline practices
- Poor parental supervision (control, monitoring and child management)
- Poor parent-child relations or communication

### School

- Moderate truancy/absences/suspensions
- Low academic aspirations
- Low school attachment/bonding/motivation/commitment to school
- Poor school attitude/performance; academic failure
- Poor student-teacher relations
- Poorly defined rules and expectations for appropriate conduct
- Poorly organized and functioning schools/inadequate school climate/negative labeling by teachers

### Peer

- Association with antisocial/aggressive/delinquent peers
- Peer rejection
- Lack of involvement with peers in group settings

# FREQUENTLY ASKED QUESTIONS

## Referring Teen Court/Youth Court to Mentoring Programs

### **Dependency Court, Delinquency Court and a Teen Court/Youth Court program?**

The Delinquency Court is most commonly associated with the Juvenile Justice System and juveniles who have committed a crime, offense and/or violation. The Dependency Court is most commonly associated with foster care, abuse, and neglect issues involving youth younger than 18 years of age. Teen Court/Youth Court diversion programs are juvenile justice diversion programs and are administered on a local level by law enforcement agencies, probation departments, delinquency courts, schools and nonprofit organizations.

### **Who refers youth in Teen Court/Youth Court to mentoring?**

Teen Court/Youth Court diversion programs are operated by a wide range of agencies and organizations to include public and private entities. More often than not, a Teen Court/Youth Court diversion program is a collaborative approach among two (2) or more agencies and organizations. Therefore, multiple sources can and do make referrals for the delivery of mentoring services for high-risk youth and youth volunteers involved with local Teen Court/Youth Court diversion programs.

Youthful offenders and youth volunteers involved with a local Teen Court/Youth Court diversion program are referred to mentoring programs by agencies and organizations to include:

- (1) Delinquency Courts;
- (2) Juvenile and Adult Probation Departments;
- (3) Police Departments;
- (4) Sheriff and State Police Departments;
- (5) Community-Based and NonProfit Organizations;
- (6) Youth Bureaus;

- (7) Administrative Office of the Courts;
- (8) Elementary, Junior-High and High Schools; and
- (9) Traffic and Adult Court.

Individuals from these referral sources making voluntary referrals for mentoring services included:

- (1) Teen Court/Youth Court adult coordinators and directors;
- (2) Delinquency Court judges and magistrates;
- (3) Probation Officers;
- (4) Police Officers;
- (5) Youth Services Specialists;
- (6) Social Workers and Case Managers;
- (7) School Officials and Administrators;
- (8) Court Clerks;
- (9) Public Defenders; and
- (10) Volunteer Youth Juries in local Teen Court/Youth Court diversion programs under the guidance of authorized adults.

### **What is an embedded program and how is it important to a successful mentoring program in a Teen Court/Youth Court program setting?**

An embedded mentoring program within a Teen Court/Youth Court diversion program is most often one which is directly operated by the Teen Court/Youth Court diversion program. Teen Court/Youth Court embedded mentoring programs operate on a local municipal level, not a state level.

## FREQUENTLY ASKED QUESTIONS

continued

Embedded mentoring programs in a Teen Court/ Youth Court diversion programs may be operated by the municipality in a Youth Bureau, Youth Services and/or other related public agency. The majority of embedded mentoring programs take place when a local nonprofit community-based organization operates both a mentoring program and Teen Court/ Youth Court diversion program in addition to other programs and services.

### **How are strong mentoring relationships formed between mentoring Programs and Teen Court/Youth Court Diversion Programs?**

Memorandums of Understanding and a Referral Flowchart delineating administrative and operational referral policies and practices foster a favorable and long term working relationship between Teen Court/ Youth Court diversion programs and mentoring programs. A well written Memorandum of Understanding (MOU) can foster effective communication between/among partners, increase access to a wide range of resources, strengthen existing and new partnerships and provide a framework for addressing issues of mutual concern.

The MOU provides structure for the working relationship and clarifies what each of the partners will do to further the collaboration. The MOU identifies the specific resources that will support the partnership and defines how each will be used. In addition, language clarifying the type of staff, scope of work, job descriptions, types of referrals and provided services help to formalize the partnership. Most importantly, the MOU defines the specific commitments between partners to meet mutually agreed upon goals.

### **Are non-embedded mentoring programs successful in working with Teen Court/ Youth Court youth?**

Yes, a formal intake process takes place with the youthful offender, parent(s) or guardian(s) and the adult program director in most Teen Court/Youth Court diversion programs. When youth are referred to one of these diversion programs, the youthful offender and their parent(s) or guardian(s) have usually been processed initially by a juvenile intake officer. During these intake and processing meetings with Police Departments and a Teen Court/Youth Court diversion program, the youthful offender is offered a referral for mentoring services in a non-embedded mentoring program.

If the Teen Court/Youth Court diversion program is Probation-Based or Delinquency Court-Based, similar intake meetings take place and referrals are made to a non-embedded mentoring program. Referrals to non-embedded mentoring programs for these high-risk youth are viewed as a wrap-around service. Non-embedded mentoring programs are also well served to notify all referral sources about any waiting lists. Referral sources will often stop making referrals if a waiting list is more than three (3) months.

### **Were youth in Teen Court/Youth Court programs willing to participate in mentoring programs?**

Teen Court/Youth Court diversion program high-risk youth are willing to voluntarily participate in mentoring programs. Teen Court/Youth Court diversion programs, like the Delinquency Court, have no legal authority for mandating high-risk youth be matched with an adult mentor. This is different from the Dependency Court, as it often acts as the legal custodian of high-risk youth, and therefore can act in the best interest of the youth,

to include the delivery of mentoring services. Mentoring services are primarily viewed as a wrap-around service and embraced by the Juvenile Justice System in that context.

### **What are the primary considerations for mentoring programs when Teen Court/ Youth Court diversion program high-risk youth are referred for mentoring services?**

Youthful offenders are offered the opportunity to voluntarily proceed in a local Teen Court/Youth Court diversion program if they are a first time juvenile offender, they admit guilt and they agree to proceed for purposes of addressing their anti-social, delinquent and/or criminal behavior. Referrals are primarily first time juvenile offenders who have committed a crime, offense and/or violation.

Match support was identified as a primary programmatic element which can be enhanced to address some of the more challenging youth — especially “high-risk” youth involved with the Juvenile Justice System and Teen Court/Youth Court diversion programs. Some mentoring programs have elected to not accept referrals of youthful offenders who are dangerous to themselves and/or the adult mentors and staff. High-risk youth with documented, serious mental health issues were identified as a type of referral for mentoring services that do not usually work out well. Voluntary willingness of the parent(s) and guardian(s) to allow their child to engage in a “mentoring match” is required for accepting a referral for mentoring services and making a mentoring match.

### **Are there Teen Court/Youth Court Diversion Program statutory requirements related to mentoring?**

Teen Court/Youth Court diversion programs primarily adjudicate low-level youthful offenders who would otherwise proceed in the formal Juvenile Justice System. Statutory requirements are only relevant for formally arrested juveniles and non-formal (or pending) arrests which become formal arrests if

the juvenile offender does not complete their peer imposed sanction in a local Teen Court/Youth Court diversion program.

Therefore, staff in local Teen Court/Youth Court diversion programs and mentoring programs seeking to refer high-risk youth for mentoring services are often under a time frame of between 90 and 120 days to make referrals for mentoring services. State statutes vary with regard to the mandatory time frame for adjudication of juveniles. This time frame can and does vary based on judicial discretion and other factors, such as dual adjudicatory issues where abuse and neglect are paramount. Formal actions can be put into place to extend this time frame, but that often only takes place with a subsequent offense and/or unsuccessful compliance with the approved imposed sentence.

Mentoring programs seeking to identify high-risk Delinquency Court involved youth should consider their state’s statutory time frame for juveniles to be adjudicated and identify point(s) of contact within the Juvenile Justice System and Teen Court/Youth Court diversion programs. A website listing State-by-State Juvenile Justice Legislation is included at the bottom of this Technical Assistance Bulletin under website links.

## WHAT'S WORKING: Examples of Effective Strategies

The point of “referral” for high-risk youth in Teen Court/Youth Court diversion programs for mentoring services is most often an early step in a system of graduated sanctions in the Juvenile Justice System and usually occurs no later than thirty (30) days after the arrest (formal and informal). The “point of referral” can be at any point during the Teen Court/Youth Court diversion process, from the intake meeting to the completion of the peer imposed sanction, and most often not longer than 120 days after the point of arrest (formal and informal).

Referrals of high-risk youth involved with local Teen Court/Youth Court diversion programs are voluntary. Referrals for mentoring services from the youth peer juries

are recommendations and often encouraged by the adult coordinator of a Teen Court/Youth Court diversion program. Mentoring should not be utilized as a mandatory sanction imposed by the Teen Court/Youth Court diversion programs. The willingness of parent(s), guardian(s) and youthful offender(s) to engage in a “mentoring match” is required for accepting and making a mentoring match.

A Memorandum of Understanding and a Case Referral Flowchart delineating important programmatic steps fosters a more favorable working relationship between the Teen Court/Youth Court diversion programs and the mentoring programs.

## CHALLENGES AND ACTION STEPS

**Challenge #1:** Mentoring programs have challenges identifying the appropriate organizations and agencies authorized to make referral of high-risk youth involved with local Teen Court diversion programs, also referred to as Youth Court, Peer Court, Student Court and Youth Peer Jury. A wide range of public and private agencies and organizations in a local community are involved with the operation of one of these diversion programs, and it can be confusing to find out who is administratively in charge.

**Action Step** – *Identify all of the individuals and entities that will be involved in the targeting high-risk youth in local Teen Court/Youth Court diversion programs. Hold a meeting to identify the shared functions, services and/or resources that will support the collaboration. Discuss a plan as to how the parties/entities can and may operate together to deliver mentoring services.*

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**Challenge #2:** High-risk youth referred from the Delinquency Court are re-arrested and/or incarcerated for a subsequent juvenile crime, offense and/or violation after the mentoring match has been finalized and the mentoring relationship has begun.

**Action Step** – *Mentoring programs should establish operational and administrative procedures for handling matched high-risk youth from the Dependency Court who are re-arrested and/or incarcerated. This is especially critical when a high-risk youth is arrested in another jurisdiction*

*and there is a second, different Dependency Court. The subsequent arrest could be of a very serious nature which may require match termination. This second arrest may also result in the high-risk youth being placed in a Juvenile Detention or Juvenile Correctional Facility, making it difficult or not possible to continue with the match. In some cases, mentoring programs will be able to continue with the mentoring match, and they will just need to communicate with additional contacts as they relate to any subsequent offense.*

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**Challenge #3:** Youth with dual adjudicatory issues include those who are involved with both the Dependency Court and Delinquency Court. This presents a unique and not uncommon set of obstacles. Dual adjudicatory status can exist at the point of referral for mentoring services and/or after a formal match has been made.

**Action Step** – *Mentoring programs and Dependency Courts can reduce match disruption and/or termination by not referring or accepting Dependency Court involved youth who have dual adjudicatory status. Dependency Court issues tend to take precedence over Delinquency Court issues, and it is usually not more than a four (4) month period where dual adjudicatory status exists. Some referrals are made and accepted if the mentoring program has a long waiting list, as this has shown to be a proactive approach to expedite mentoring matches.*

## TERMS AND DEFINITIONS IN TEEN/YOUTH COURT

**Adjudication Hearing** — the hearing at which the Juvenile Delinquency Court judge/judicial officer determines that a juvenile is responsible for the offense that has been filed.

**At-Risk and High-Risk Youth** — The Office of Juvenile Justice and Delinquency Prevention (OJJDP) defines “at-risk” youth as those with high levels of risk in their family, home, communities and social environments to such a degree that it could lead to educational failure, dropping out of school or involvement in juvenile delinquency and gang-related offenses. OJJDP defines “high-risk” youth as those with present or past juvenile justice involvement.

**Caretaker or Physical Custodian** — a person who has physical custody but not legal custody of a youth, such as a foster parent, placement facility or relative without legal custody.

**Delinquent Youth** — a minor who has committed an act, which under the laws of the jurisdiction would be a crime if committed by an adult.

**Disposition Hearing** — the hearing at which the Delinquency Court makes orders regarding the consequences an adjudicated youth receives as a result of the law violation.

**Diversions (Juvenile)** — In less serious offenses, and if agreed to by the youth and parent/guardian, the case is handled through non-judicial alternative services.

**Graduated Sanctions/Responses** — an accountability-based, graduated series of sanctions and incentives, combined with treatment and services, applicable to youth within the Juvenile Justice System.

**Juvenile** — a youth under the age of majority. The recommended age is usually eighteen (18) and younger.

**Legal Guardian** — an adult who is not the biological parent, or a state or licensed children and youth agency, who has been given legal authority by a court to provide care and custody of a child/youth.

**Needs Assessment** — one tool in the Structured Decision-Making process. It identifies the offender’s specific needs and provides part of the foundation for the case plan.

**Petition** — the document that specifies the violation of law and state statute number described in the affidavit that the youth is alleged to have committed. A probable cause statement or affidavit, usually filed by the police, accompanies the petition.

**Post-Disposition Review** — hearings held after the Juvenile Delinquency Court has ordered probation, treatment services, support services, or placement to ensure that the youth, parents, probation, treatment and service providers are following through with the court ordered and/or court supported plan.

**Recidivism Rates** — There are three (3) common rates of recidivism used frequently in the Juvenile Justice and Criminal Justice Systems. They include: 1) re-arrest; 2) conviction and 3) incarceration. The National Institute of Justice (NIJ) considers recidivism rates to be empirically logical using a scientific and random assignment approach which is three (3) years post adjudication.

**Status Offender** — a juvenile who has committed an offense that would not be considered an offense if committed by an adult (i.e truancy, runaway, etc.).

**Summons** — the document provided to an alleged delinquent youth and parents/legal guardians that orders them to appear before the Delinquency Court at a specific date and time to respond to a specific alleged violation of the law.

**Waiver (or Waive Jurisdiction)** — refers to the transfer of a youth from Juvenile Delinquency Court to Criminal Court. Also referred to as “certification,” “transfer” and “relinquishment.”

**Warrant** — an order for the arrest of a youth on an alleged law violation or failure to appear at court. Also referred to as “writ,” “capias” or “take into custody.”

**Wrap-Around Services** — a method of service delivery highlighted by commitment to create services on a “one youth at a time” basis to support normalized and inclusive options for the youth with

complex needs. Wrap-around interventions create a youth and family team composed of the people who know the youth best to design an individualized plan.

**Written Findings and Orders** — the document that records the decisions made by the court at the delinquency hearing, which is distributed to legal parties and key participants at the end of the each Juvenile Delinquency Court hearing.

**Youth Justice** — These rapidly expanding juvenile justice diversion programs are often referred to as Youth Court, Teen Court, Peer Court, Student Court and Youth Peer Panel.

## TRAINING AND TECHNICAL ASSISTANCE RESOURCES

*OJJDP Research Report on Referring High Risk Youth for Mentoring Services – Full Report*

*OJJDP Research Report on Referring High Risk Youth for Mentoring Services – Executive Summary*

*Juvenile Justice Journal on Referring High Risk Youth for Mentoring Services – Special Edition*

Memorandums of Understanding  
Six Resource Guides for Developing MOUs for Juvenile Justice and Mentoring Services

PowerPoint Presentations for  
Six Juvenile Justice Settings and Mentoring

Six Technical Assistance Profiles:  
*Examining the Referral Stage for Mentoring High-Risk Youth*

MENTOR's *Elements of Effective Practice For Mentoring™, Third Edition*

MENTOR's *Elements of Effective Practice For Mentoring™* Toolkit — Juvenile Justice Section

MENTOR's *Elements of Effective Practice For Mentoring™, Third Edition, Checklist for Mentoring Programs*

**For free, downloadable versions of these resources, visit:**

MENTOR at [http://www.mentoring.org/program\\_resources/Researching\\_the\\_Referral\\_Stage/](http://www.mentoring.org/program_resources/Researching_the_Referral_Stage/);

Global Youth Justice at <http://www.globalyouthjustice.org/Mentoring.html>; and

National Partnership for Juvenile Services at <http://www.npjs.org/highriskyouth.php>

## WEBSITES OF INTEREST

SMILES Mentoring Program

New Bedford, MA, USA

<http://paaca.org/>

New Bedford Youth Court

Massachusetts, USA

<http://paaca.org/>

Choctaw Tribal Teen Court and  
Mentoring Program

Mississippi Band of Choctaw Indians

Durant, OK, USA

[http://www.choctaw.org/government/court/  
teen.html](http://www.choctaw.org/government/court/teen.html)

Colonie Youth Court

Town of Colonie, NY, USA

<http://www.colonie.org/police/youthcourt/>

Big Brothers Big Sisters of the Capital Region

Albany, NY, USA

[http://www.bbbs.org/site/c.pwL6KhNWLvH/  
b.3510415/k.7D2D/Big\\_Brothers\\_Big\\_Sisters\\_  
of\\_the\\_Capital\\_Region.htm](http://www.bbbs.org/site/c.pwL6KhNWLvH/b.3510415/k.7D2D/Big_Brothers_Big_Sisters_of_the_Capital_Region.htm)

Global Youth Justice Website –

Mentoring High Risk Youth Resources

<http://www.globalyouthjustice.org/Mentoring.html>

National Partnership for Juvenile Services –

Mentoring High Risk Youth Resources

<http://www.npjs.org/>

MENTOR: The National Mentoring Partnership

<http://www.mentoring.org/>

Office of Juvenile Justice and Delinquency

Prevention – Mentoring Resources

<http://www.ojjdp.gov/programs/mentoring.html>

State-by-State Listing of Legislation and Statutes

Regarding Juveniles

[http://www.ncjj.org/Research\\_Resources/State\\_  
Profiles.aspx](http://www.ncjj.org/Research_Resources/State_Profiles.aspx)

## NOTES

## NOTES



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