

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

Dependency Court and Mentoring

THE REFERRAL STAGE

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Dependency Court and Mentoring

Dependency Courts involve a juvenile (child/youth), typically in cases of abuse, neglect and mistreatment. Dependency Court judges are charged with determining if allegations of abuse or neglect are sustained by the evidence and, if so, are legally sufficient to support state intervention on behalf of the child. Some youth who appear in the Delinquency Court also appear in the Dependency Court at the same time for dual adjudicatory issues. The Dependency Court is most commonly associated with foster care, abuse and neglect issues involving youth younger than eighteen (18) years of age.

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 Dependency Court involved youth for the delivery of local mentoring services are often made by and/or approved by governmental agencies representing county and state level jurisdictions, and, therefore, it is important for mentoring and Dependency Court staff to discuss geographic barriers when making and accepting referrals of Dependency Court involved youth.

Possible Challenges of Youth Involved with the Dependency Court (Ages 0-18)

Individual

- Conduct disorders (authority conflict/rebellious/stubborn/disruptive/antisocial)
- General delinquency involvement

Family

- Antisocial parents
- Child maltreatment (abuse or neglect)
- Family history of problem behavior/criminal involvement
- Family poverty/low family socioeconomic status
- Family violence (child maltreatment, partner violence, conflict)
- High parental stress/maternal depression
- Parental criminality
- 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

- Poor school performance; academic failure
- Low academic aspirations

FREQUENTLY ASKED QUESTIONS

Referring Dependency Court Youth to Mentoring Programs

What is the difference between a 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 Dependency Courts to mentoring programs?

Dependency Court involved youth are often referred to mentoring services by adult staff representing local and state Departments of Health and Human Services, Departments of Children and Family Services, Dependency and Family Courts, Judicial Districts, Court Appointed Special Advocates Associations and nonprofit organizations that are legally granted authority and designated to act in the best interests of youth in the Dependency Court. Most often these nonprofit organizations have a residential component for Dependency Court involved youth. Emergency Group Foster Care Facilities and Homeless Youth Shelters are two (2) examples of nonprofit organizations legally designated to care for the high-risk youth.

Specific adult staff making the referrals of Dependency Court involved youth are often employed as social workers, case managers, court appointed special advocates, judges (to include magistrates), legal guardians, temporary guardians, foster care parents, parent(s), guardian ad litem(s), child care workers and residence counselors.

The Juvenile Review Board process is an approximately one-hour group meeting to determine placements, referrals, service needs and/or mandated community services sanctions. Participants in the Juvenile Review Board include the youthful offender, parent(s), guardian(s), adult volunteers (typically between six and eight) and often staff from a local mentoring program. A similar approach called “Family Group Conferencing” is utilized in the Dependency Court and “Circle Sentencing” is often utilized in Native American and Alaskan Native Tribes. Referral for mentoring services is a recommendation and not mandatory, although referrals are strongly encouraged. Formal referrals from mentoring services are made by the adult coordinator in charge of the Juvenile Review Board.

What is an embedded program and how is it important to a successful mentoring program in a Dependency Court setting?

An embedded mentoring program within a Dependency Court is one which is directly operated by the Dependency Court and/or the Dependency Court contracts out for the delivery of mentoring services to a public or private entity, while maintaining administrative authority. Dependency Court embedded mentoring programs are operational on a local municipal level, not a state level.

A Dependency Court embedded mentoring program benefits from multiple points of referral for mentoring services within the largely uniform Dependency Court hearings to include:

- (1) Permanency Planning Hearings;
- (2) Preliminary Protective Hearings;
- (3) Termination of Parental Rights (TPR);
- (4) Adjudication Hearings;

FREQUENTLY ASKED QUESTIONS

continued

- (5) Disposition Hearings;
- (6) Review Hearings; and
- (7) Adoption Hearings.

The Dependency Court is able to control internal referrals for mentoring services, which benefits the high-risk youth not being placed on a long waiting list for a mentor.

Family group conferencing is an increasingly common Dependency Court improvement practice and not a hearing. Family group conferencing involves a wide range of adults in the lives of Dependency Court involved youth, in addition to Dependency Court staff. Family group conferencing lends itself very well to discussions regarding making a referral for mentoring services for high-risk youth, as well as the determination to make the delivery of mentoring services part of the permanency plan, to include when concurrent planning is taking place within the Dependency Court. Embedded mentoring programs benefit considerably from this approach, as mentoring staff are part of the family group conferencing discussions.

Embedded mentoring programs also only make referrals internally and, therefore, they can avoid long waiting lists and the negative connotations associated with that situation. This is especially important for older age youth, as it is essential to get them an adult mentor as soon as possible, so they can establish a strong relationship with their adult mentor before aging out of foster care. Embedded mentoring programs also benefit from the increased contact with the Dependency Court youth and the adult mentor involved in the mentoring relationship.

How are strong mentoring relationships formed between mentoring programs and the Dependency Court?

Dependency Courts and mentoring programs benefit from having an agreed upon, formal written referral

policy which takes in to consideration a wide range of factors to be discussed and agreed upon to include:

- (1) Only parent(s) and legal guardians can make referrals;
- (2) Referrals of Dependency Court involved youth need to be in a relatively stable home or other placement setting to help avoid the negative impact of early match termination;
- (3) Realistic time frames from the time of referral to the time a “mentoring match” needs to be discussed;
- (4) Once a referral is made from the Dependency Court, it is important to have the primary contact person identified, to include notifications regarding changes in that primary contact person; and
- (5) Dependency Courts and mentoring programs each need to come up with their own policies regarding making and accepting referrals of higher-risk Dependency Court youth who are more likely to be a danger to themselves and/or someone else.

A Memorandum of Understanding and a Case Referral Flow-Chart delineate important roles and steps which foster a more favorable working relationship between the Delinquency Court and the mentoring program(s).

Are nonembedded mentoring programs successful in working with Dependency Court youth?

More often than not, private organizations are the entity operating and providing mentoring services to the Dependency Court, rather than the Dependency Court operating an embedded mentoring program. These private organizations can be successful on a number of fronts with regard to delivering mentoring services to high-risk youth in the Dependency Court. There are a wide range of administrative and

operational factors to consider which will result in successful or unsuccessful working relationships.

Flow-Charts and/or Memorandums of Understanding (MOUs) around making and accepting referrals support stronger and longer lasting working relationships between Dependency Courts and mentoring programs. Mentoring programs with a specific or sole focus on serving Dependency Court involved youth are purposely better equipped to handle a wide range of issues associated with the Child Welfare System. Positive working relationships among the professionals working for the Dependency Court and the mentoring programs are essential for effective mentoring services to be delivered to these high-risk youth.

Were youth in Dependency Courts willing to participate in mentoring programs?

Dependency Court involved youth can range in age from birth to age eighteen (18). The majority of these youth reside with one (1) or more parent(s)/guardian(s) or these youth have been removed from the care of their parent(s)/guardian(s) and are placed in immediate, short-term and/or long-term care placements under the care of the state. Dependency Court involved youth in the care of the state are overseen by a judge in collaboration with a Child and Family Services Department. If the judge directs the social worker to secure mentoring services for a nine (9) year old youth in the custody of the state, the judge is acting in a parental capacity, and the referral is NOT voluntary.

More often than not, the referral for mentoring services is voluntary, and especially with youth who are fifteen (15) and older. However, it is important to recognize that mentoring can be mandatory in the Dependency Court if the judge has determined a mentoring relationship with a responsible adult is in the best interest of the Dependency Court involved youth. Mentoring programs make their own determination if they will accept mandatory referrals of these high-risk youth for mentoring services, even if the youth does not want such a referral. More often than not, adult professionals in mentoring programs

will support the decision of the judge, who is acting in the best interest of the youth.

What are the primary considerations for mentoring programs when Dependency Court youth are referred for mentoring services?

The Dependency Court handles cases involving children who subjected to abuse and neglect; children with custodial issues; termination of parental rights; and children in foster care to include those with entrustment agreements.

Referrals of high-risk youth for mentoring services from the Delinquency Court and/or another entity legally operating on behalf of the Delinquency Court are voluntary referrals. The Delinquency Court has 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.

Referrals need to be assessed for dual adjudicatory issues when looking at referrals from the Dependency Court, as additional information is often necessary before approving a referral for the delivery of mentoring services. Often, the same judge for Dependency Court issues is the same judge for Delinquency Court issues and, therefore, accessing dual adjudicatory issues is not as difficult as it may appear.

Specialized recruitment, training, screening and matching of adults to serve as mentors for a high-risk youth from the Delinquency Court benefit both the adult mentor and the youth mentee. Recruitment can be targeted to adults interested in working with high-risk youth for a wide variety of reasons. High-risk youth from the Delinquency Court often present a unique set of challenges which require specialized training for adults volunteering to serve as a mentor. While background checks should always be mandatory, additional screening to include interviews and other tactics can be deployed to reduce match termination rates.

FREQUENTLY ASKED QUESTIONS

continued

Are there any Dependency Court statutory requirements related to mentoring?

Yes. United States Public Law 105-89 passed November 19, 1997, requires a permanency plan be put in place no later than 12 months after a youth enters the Dependency Court for purposes of promoting the adoption and improved delivery of services and care for foster care youth. This public law helps promote stability for foster care youth. The Dependency Court hearings and

related treatment and permanency hearings lend themselves to the inclusion of an adult mentor in the life of a foster care youth. The “referral stage” for the delivery of mentoring services for foster care youth is well informed at these required permanency hearings and becomes part of the permanency plan for youth involved with the Dependency Court. Public Law 105-89 requires judicial approval of the permanency plan.

WHAT'S WORKING: Examples of Effective Strategies

Providing adult mentors with additional and ongoing training to improve their ability to be a more effective mentor for a high-risk youth from the Dependency Court has resulted in longer and stronger relationships. Adult staff from the Dependency Court and mentoring program also have a greater confidence with regard to these adult mentors having a higher level of preparedness in their role as a mentor.

Mentoring programs with a specific and/or sole purpose of serving youth from the

Dependency Court have an advantageous level of knowledge, skill and ability in providing effective mentoring services for a wide range of high-risk youth involved with the Dependency Court. This specialized focus often includes mentoring programs hiring child welfare social workers and case managers who are able to navigate the requirements and systematic limitations of working with the Dependency Court, which often leads to stronger relationships between mentoring programs and the Dependency Court.

CHALLENGES AND ACTION STEPS

Challenge #1: Dependency Court involved youth tend to be a more transient population by choice and not by choice. This often serves as a barrier for long-term effective mentoring relationships which can yield favorable results in the life of a youth in the Dependency Court.

Action Step – *Dependency Court and mentoring program staff deal with this by largely only referring and accepting Dependency Court involved youth who are in longer-term placements – to the extent that this can be determined given the fluid nature of youth in the Dependency Court.*

Challenge #2: Dependency Court youth age out of the Foster Care System at age eighteen (18) and often self-terminate the mentoring match upon turning eighteen (18).

Action Step – *Mentoring programs and the Dependency Court often do not make or accept referrals of high-risk youth for mentoring services above age sixteen (16) or seventeen (17). Often, referrals of Dependency Court involved youth ages sixteen (16) and older are referred for career-type models of mentoring services.*

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.*

Challenge #4: Dependency Court involved youth referred to mentoring programs often have communication problems which interfere with the referral and match process. Dependency Court involved youth rarely have access to a computer or cell phone, and even when they do, it is often only for a short period of time. Communication is essential for the mentoring program and an adult mentor to contact the Dependency Court involved youth.

Action Step #4 – *Some mentoring programs have secured funding and donations to provide Dependency Court involved youth with prepaid cell phones that are limited to making and receiving phone calls only. Mentoring programs provide the adult mentors of these Dependency Court involved youth with additional prepaid phone cards to give their mentors during their match time together. This also allows these high-risk youth to call their adult mentor should they need to communicate with them and/or for other purposes.*

TERMS AND DEFINITIONS IN THE DEPENDENCY COURT

Adoption and Safe Families Act (PL 105-89) — federal legislation passed in 1997 that focused on safety issues as related to reunification, required safety issues as related to unification, required permanency time frames, and speeding the process of planning and finding permanent homes within 12 months. This legislation strives to improve conditions and more future outcomes for youth lingering in the Foster Care System and aging out of the Foster Care System.

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.

Dependent Youth — the term used by some jurisdictions to describe a young person subject to the jurisdictions of the court because of child abuse, neglect or lack of proper care.

Dual Adjudicatory — a Delinquency Court designation for an abused, neglected or dependent youth who is also a delinquent youth and vice versa.

Family Group Conferencing — a process involving the engagement of immediate and extended family members and close friends to meet with a trained a facilitator and design solutions for a youth, which they agree to implement to resolve a problem. Although this method is more common in the Dependency Court, it is also used in the Delinquency Court.

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.

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.

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/;

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

Team Up Mentoring Program
Norfolk, VA, USA

http://theupcenter.org/For_Adults/mentoring.htm

Spectrum Mentoring Program
Burlington, VT, USA

<http://www.spectrumvt.org/mentoring-program/>

San Diego Youth Services Mentoring Program
San Diego, CA, USA

[http://www.sdyouthservices.org/site/
PageServer?pagename=foster](http://www.sdyouthservices.org/site/PageServer?pagename=foster)

Saratoga Mentoring Program
Catholic Charities of Saratoga
Saratoga, NY, USA

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

Ponca Tribe of Oklahoma
Mentoring Program and Youth Services
Ponca City, OK, USA

<http://www.ponca.com/118837.html>

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>

Office of Juvenile Justice and Delinquency
Prevention – Model Program Guide/Mentoring
<http://www.ojjdp.gov/mpg/progTypesMentoring.aspx>

Administration for Children, Youth and Families,
U.S. Dept. of Health and Human Services
<http://www.acf.hhs.gov/programs/acyf/>

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)

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