



Indiana Public Defender Council Juvenile Defense Project

Improving Juvenile Defense Services in Indiana

LAST WEEK IN REVIEW: JUVENILE DELINQUENCY NEWS AND UPDATES

January 29, 2018



Kosciusko County Bar Association hosts regional JTIP training

Last Friday, the JTIP “Role of Juvenile Counsel” training was presented at the Kosciusko Justice Building in Warsaw, Indiana. 16 attorneys participated in a lively and informative discussion led by juvenile defense attorneys Jill Johnson and Rachel Roman-Lagunas.

Special thanks to the Kosciusko County Bar Association for sponsoring and providing lunch!

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January State of the Judiciary Address

2018: "A Hope-Filled Future"

On January 10, 2018, Chief Justice Loretta Rush gave the annual State of the Judiciary address, titled "2018: A Hope-Filled Future." One of the primary focuses this year is the drug crisis and how the judiciary is responding. Of course, the same concerns and responses to criminal and CHINS cases must apply to juvenile delinquency cases. Justice Rush stressed "well-reasoned, evidence-based judicial interventions can get people to treatment, give consequences, cut the supply, support families, and save lives," and noted the judiciary is responding by:

- Convening teams from each county this July to participate in extensive training on treatment for substance use disorder that works;
- Developing with partners a judicial toolbox for effective and evidence-based court-ordered drug treatment;
- Extending the reach of our problem-solving courts; we expect to have over 100 such courts by the end of this year;
- Advancing drug courts in child welfare cases that involve the entire family in the parents' treatment;
- Expanding our corps of CASA volunteers to support the children of parents swept up in the horrors of addiction;
- Supporting community corrections, pretrial, and jail-based programs so treatment begins as early as possible;
- Leveraging court technology to slow the supply of drugs from hitting Indiana streets; and Supporting your efforts to expand treatment and prevention programs in our communities.

Substance Use Treatment Resources

DMHA

The Indiana FSSA's Division of Mental Health and Addiction certifies all addiction treatment providers in the state of Indiana. Find addiction treatment in Indiana at:

<http://www.in.gov/fssa/addiction/>

DCS

Find service providers with DCS contracts in your area through the DCS service provider guide at:

<https://magik.dcs.in.gov/financials/Public/Provider/ServiceGuideInquiry.aspx>

The DCS manual for referring services and residential treatment in delinquency cases can be found at:

<https://www.in.gov/dcs/3731.htm>

Access the map and contact information for DCS regional service coordinators at:

https://www.in.gov/dcs/files/Child%20Welfare%20Services%20Coord%20Map_Mar2017.pdf

IARCA

The Indiana Association of Resources and Child Advocacy (IARCA) promotes cooperation, communication, development and mutual support among organizations and systems providing services to children and their families, and to advocates for services to children and families. Find resources by region at:

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

Indiana Public Defender Council (IPDC) Free Regional Juvenile Trainings

2018 Training Schedule

The 2018 IPDC JTIP regional training schedule and registration links can be found on IPDC's website at www.in.gov/ipdc/. Registration will open approximately 6 weeks prior to each training. All IPDC JTIP trainings are free to public defenders handling delinquency cases.



Registration now open for March Regional JTIP training:

Litigating Juvenile Drug Cases

This interactive 3 hour CLE will focus on equipping juvenile public defenders with the means to effectively and creatively challenge a variety of alleged drug offenses. The training will incorporate relevant Rules and US Supreme Court and Indiana caselaw, and will cover investigation; discovery – what you need and how to get it; theory of the case – what it is and why you need it; and litigating drug cases at a suppression or fact-finding hearing.

Presenters: Rachel Roman-Lagunas and Jill Johnson

Free to public defenders handling juvenile delinquency cases

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| March 2 | Litigating Juvenile Drug Cases JTIP | Danville, IN |
| Register at: http://www.cvent.com/d/Otqvhr | | |
| March 9 | Litigating Juvenile Drug Cases JTIP | South Bend, IN |
| Register at: http://www.cvent.com/d/ztqvn4 | | |
| March 23 | Litigating Juvenile Drug Cases JTIP | Richmond, IN |
| Register at: http://www.cvent.com/d/htqv7b | | |

JUVENILE CASE REVIEW

2 memorandum decisions*

D.G. v. State of Indiana (mem. decision) 49A05-1708-JV-1797 (1-23-18)

Adjudication affirmed. D.G. appealed her adjudication for dealing a look-alike substance to LSD. Court of Appeals held incredible dubiousity rule did not apply where State's only witness contradicted himself, but his testimony was not conflicted as to the actual crime at issue.

Dissent by Judge Pyle who would have found the evidence insufficient because the State failed to prove beyond a reasonable doubt that the item was not, in fact, a controlled substance

<http://www.in.gov/judiciary/opinions/pdf/01231805jsk.pdf>

L.D.W. v. State of Indiana (mem. decision), 02A04-1707-JV-1645 (1-23-18)

Trial court disposition affirmed. L.D.W. argued the trial court abused its discretion in committing him to DOC when a detention at the local detention facility would fulfill the needs identified by the court. He also argues that his grades improved while he was detained at the ACJC and that his juvenile history is not filled with serious or dangerous criminal behavior.

<http://www.in.gov/judiciary/opinions/pdf/01231801eb.pdf>

* Ind. App. R. 65(D) Unless later designated for publication in the official reporter, a memorandum decision shall not be regarded as precedent and shall not be cited to any court except by the parties to the case to establish res judicata, collateral estoppel, or law of the case.

