



Office of Court Services

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Juvenile Probation Standards Workgroup

April 20, 2023

Meeting Minutes

The Juvenile Probation Standards workgroup met on April 20, 2023, from 1:00 pm to 1:30 p.m. at the Indiana Office of Court Services, Room 873.

Members present. The following members of the Committee were present in person:

- Nick Ackerman, Indiana Office of Court Services
 - Heather Malone, Huntington County Probation
- *Magistrate Foley was caught in traffic and met with those in person when she arrived

Members present. The following members of the Committee were present via Zoom:

- Jenny Bauer, Indiana Office of Court Services
- Vicki Becker, Elkhart County Prosecutor
- Greg Peters, Allen County Probation
- Jill Wesch, Fountain County Chief Deputy Prosecutor
- Joel Wieneke, Indiana Public Defender Council

Members absent. The following members of the workgroup did not attend the meeting:

- Shannon Chambers, Johnson County Probation
- Judge Mary DeBoer, Porter Circuit Court
- Magistrate Carolyn Foley, Allen Superior Court

Staff: Colleen Saylor

1. **Welcome.** Colleen welcomed attendees as Magistrate Foley was stuck in traffic
2. **Approve December Meeting Minutes:** Workgroup members were provided a copy of the Minutes prior to today's meeting. Nick made a motion to approve the minutes; Vicki seconded the motion, the minutes from the March 9, 2023, meeting were approved.
3. **Feedback from the YJOC meeting:** Colleen shared the feedback that had been provided at the YJOC meeting and members discussed those items.

One YJOC member had inquired as to whether language could be added to 4.1 to include providing a copy of the assessment to the parent as well.

4.1 Indiana Youth and Risk Assessment Systems -- Departments shall use the Indiana Youth Assessment System (IYAS) and the Indiana Risk Assessment System (IRAS) and corresponding INCite applications in accordance with all policies adopted by the Judicial Conference of Indiana. **These tools shall be made available to the court, prosecutor, and defense counsel prior to the initial hearing on the case**

Members of the Juvenile Probation Standards workgroup had discussion and Joel shared that this is currently addressed in the following statute:

IC 31-37-17-6

Disclosure

Sec. 6. (a) Predispositional reports shall be made available within a reasonable time before the dispositional hearing, unless the juvenile court determines on the record that the reports contain information that should not be released to the child or the child's parent, guardian, or custodian.

(b) The court shall provide a copy of the report to:

- (1) each attorney, guardian ad litem, or court appointed special advocate representing the child; and
- (2) each attorney representing the child's parent, guardian, or custodian.

(c) The court may provide a factual summary of the report to:

- (1) the child; or
- (2) the child's parent, guardian, or custodian.

[Pre-1997 Recodification Citation: 31-6-4-15(f) part.]

As added by P.L.1-1997, SEC.20. Amended by P.L.197-1997, SEC.28.

In addition, Jenny reached out to the staff attorney with expertise in this area and confirmed that current policy does provide that the parent can have a copy.

The second area which received feedback was 5.2 and a request to have some clarifying language added as they felt it was unclear that the recommendation was to consider limiting the timeframe to three months with the understanding that the statute prohibits being longer than six months.

5.2 Youth Informal Adjustment Supervision Conditions – Youth informal adjustment supervision conditions must:

- a. tailor to specific individual goals identified in collaboration with the youth and family
- b. use developmentally appropriate language with simple and clear instructions
- c. **limit the period of informal adjustment to three months; not to exceed six months**
- d. engage youth and their families only as needed to encourage successful completion of the informal adjustment agreement

Nick provided some potential corrections to this section:

- 1. Consider implementing shorter terms of informal adjustments, when possible, terms of informal adjustment must not exceed six months.
- 2. Terms of Informal Adjustment must/may not exceed six months; consider limiting the period of informal adjustment to three months, extending only when necessary.
- 3. Informal Adjustment terms should be kept as brief as possible to achieve identified goals, while ensuring that the duration does not exceed a maximum of six months.

JPSW members all supported amending the language to what is provided in 3 above.

- 4. **Update on presentation to Judicial Conference Board of Directors:** Jenny shared that she attended the presentation and felt that Magistrate Foley did a great job explaining the tasks, process and recommendations. There was no feedback at that time but Magistrate Foley did ask anyone with feedback to please submit it to her, Jenny or Colleen and made them aware of our deadlines.

5. Further Discussion: Members discussed the potential of cancelling the meeting scheduled for 5/11/23 if there are no issues to address. The next Probation Committee meeting is set for 5/5/23 and if the one change is approved the draft recommendations will be ready to ask the Judicial Conference Board of Directors for a vote to approve at their 6/18/23 meeting. Members are keeping the date on the calendar but are aware it may be vacated.

6. Timeline/Future Meetings:

- 5/5/23 Probation Committee
- 5/5/23 second draft of report due to YJOC
- 5/10/23 Youth Justice Oversight Committee meeting
- 5/11/23 May Juvenile Probation Standards Workgroup meeting
- 6/8/23 June Juvenile Probation Standards Workgroup meeting
- 6/14/23 Youth Justice Oversight Committee meeting
- 6/18/23 Judicial Conference Board of Directors for approval