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Courting Judicial Excellence in Juvenile Justice: A 50-State Study



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Background

Juvenile court judges are the most important public figures in the juvenile justice system—their decisions impact whether hundreds of thousands of youth each year become court involved and for how long, whether they are involuntarily removed from their homes and communities, and the services they receive. In many states, juvenile courts also directly oversee local probation officers, shaping the culture, policies, and practices determining how most of the juvenile justice system operates.

Despite the importance of these judges, however, their role has remained largely unchanged over the last decade even as jurisdictions and the field have engaged in substantial juvenile justice reforms. Indeed, states and locales have generally not assessed whether and how the structure, roles, and operations of their juvenile court support or hinder public safety and positive youth outcomes. At the national level, there is a limited set of juvenile court resolutions and best practice and resource guides for states to consider¹ with little direction on fundamental issues like court structure or rotations. Further, the juvenile court standards that do exist, such as those from the American Bar Association, are over 25 years old.²

A critical examination of the juvenile court is potentially more important now than at any time since the mid-1990s. Juvenile arrests and court referrals continue their more than 25-year decline, and the overwhelming majority of youth who are arrested have committed nonviolent offenses.³ Yet many communities across the country are experiencing increasing concern and divisiveness on responses to juvenile crime and related juvenile justice reforms. As a result, juvenile court judges are on the front lines of determining how best to balance community safety, public sentiment, media scrutiny, and political pressure with a commitment to research-based approaches and data-driven decision-making. In addition, even before the COVID-19 pandemic, judges reported to us that they encounter youth and families with an increasingly complex array of needs and are challenged to find viable service solutions that go beyond the purview of traditional court proceedings or judicial expertise. Too often, judges are left to fend for themselves in making these difficult decisions, with limited administrative, best practice, or emotional supports commensurate with their outsized authority and responsibilities.⁴

Study Purpose and Methodology

With support from the State Justice Institute, staff from The Council of State Governments (CSG) Justice Center and National Council of Juvenile and Family Court Judges (NCJFCJ) conducted an analysis in 2021 of how courts that handle juvenile delinquency cases (“juvenile courts”) are structured and operate in all 50 states.

The purpose of this study was not to catalogue how day-to-day decisions are made, detail case processing, or to evaluate specific state practices. Instead, our goals were as follows:

- Uplift the critical role that juvenile court judges play in determining youth, system, and community outcomes and the need to treat the juvenile court as a specialty of practice.
- Establish an unprecedented understanding of whether and how all 50 states are positioning and supporting juvenile court judges to make decisions and assess whether those decisions improve public safety and youth outcomes.
- Motivate and inform state and national efforts to strengthen the juvenile court by identifying common gaps and challenges, highlighting promising state practices and innovations, and advancing a set of policy and practice recommendations for court improvement.

To conduct the study, we engaged in the following activities:

- Reviewed the literature on juvenile court standards, best practices, and judicial effectiveness
- Conducted a 50-state analysis of juvenile courts, including a review of how courts are structured; how judges are selected, rotated, trained, and supported; what information judges receive to guide their decisions; and how data are collected and used to inform and evaluate judicial decisions. To obtain this information, we interviewed state court administrative staff and/or judges in every state and reviewed statutory or court rules as needed.
- Administered a national survey of juvenile court judges with over 450 respondents
- Conducted focus groups with juvenile court judges and national expert organizations to inform our recommendations

This report is structured around five key recommendations that stem from our study findings. For each recommendation, we provide the rationale, identify concrete policies and practices for states to adopt, uplift related state best practices, and propose our own innovations for jurisdictions to consider. Our hope is that state supreme courts, court administrators, policymakers, and other juvenile justice system leaders and advocates will use these recommendations to launch and guide comprehensive, statewide initiatives dedicated to strengthening the juvenile court, a foundational prerequisite for ensuring that youth justice systems are efficient, effective, and equitable statewide.

Findings and Recommendations

Recommendation 1: Establish specialized, dedicated juvenile and family court judges responsible for hearing delinquency cases.

Rationale: Study Findings

Our study found that most states have not established the foundational court infrastructure necessary to position judges statewide to make decisions most likely to improve public safety and outcomes for youth in the juvenile justice system. Key dimensions of this challenge include the following:

A. Lack of Specialization

Fewer than one-third of states have mostly dedicated family court judges, and few states have judges exclusively dedicated to delinquency cases outside of large urban areas. Yet **over 90 percent of survey respondents expressed that it was somewhat or very important for judges to specialize in juvenile and family court cases** given the unique nature of juvenile justice and the developmental distinctions between youth and adults. Interview and focus group participants largely affirmed that it was unrealistic, if not impossible, to ask judges to consistently make decisions in the best interests of public safety and youth outcomes without specialized juvenile justice expertise, experience, training, and support.

B. No Experience Requirements

In about half of states, judges who handle delinquency cases are elected, and the remainder of states appoint judges or have a mix of selection methods. Regardless of whether judges are elected or appointed, **less than 5 percent of states have established specific background and experience requirements for juvenile court judges** in statute, court rules, or even general public qualification guidelines or priorities. Perhaps as a result, **two-thirds of survey respondents felt that few or only some judges in their state have the necessary qualifications and experience to be effective** juvenile court judges.

C. Reduced Stature

Despite the complex, problem-solving nature of juvenile cases, or perhaps because of it, juvenile and family court judges often don't have the same structural authority, perceived stature, and sometimes even salaries as judges who handle criminal and civil cases. Indeed, **about half of survey respondents felt that juvenile court judges had less prestige than other judges in their state; only 1 out of 450 respondents felt they had more**. This failure to uplift the importance of the juvenile court as a valued specialty of practice can limit the applicant pool of judges (and the pool of prosecutors and public defenders) interested in serving on the juvenile court as well as their willingness to commit to the field long term. At the same time, judges who have mixed caseloads might feel less committed to give equal time and attention to juvenile cases.

D. Discretionary Case Assignments and Rotations

Not only do most states lack specialized juvenile or family court judges, but we found **that case assignments and rotation lengths are frequently determined solely at the discretion of local presiding or senior judges** rather than based on statewide, standardized criteria or processes. As a result, judges can have widely divergent levels of expertise, experience, and relationships with local stakeholders from one jurisdiction to the next, potentially giving rise to “justice by geography.” For example, in one locale, a judge interested in juvenile cases may be allowed to commit long term to the juvenile court. In another locale, that same judge would be forced to rotate to a new assignment after only one or two years, with the most junior judges always assigned to juvenile cases. Most interview and focus group participants expressed that such short rotations are insufficient to allow judges to develop the expertise they need to make effective decisions. Further, frequent judicial turnover can destabilize the rest of the juvenile justice system and make it challenging to sustain research-based reforms.

E. Use of Judicial Officers

Over half of states reported that magistrates or referees⁵ play an important role in juvenile court cases. Some states reported that the use of these judicial officers helps ensure that juvenile cases get dedicated time and attention. Other states expressed concern that these officers were used more commonly for juvenile or family cases than other cases, reinforcing the view that juvenile cases are less important than other case types. In almost all states, **few state rules or guidelines exist on how judicial officers who work on juvenile cases are selected, required qualifications, the training and support they receive (including whether they are required to obtain training at all), and how they function more broadly** other than the types of cases or hearings they are allowed to oversee.

Key Policy and Practice Improvements

Reconfiguring the structure of state court systems may seem daunting but is the most important step states can take to improve juvenile court outcomes. Priority policy and practice changes include the following:

A. Specialized Juvenile Court Judges

Establish specialized, dedicated juvenile and family court judges statewide who have the same level of authority and stature as judges who handle civil and criminal cases. Just as we expect doctors and teachers who work with children and adolescents to be specialized, judges whose decisions can have a permanent impact on the course of young people’s lives—at arguably the most fragile stage of their personal development—should have the specialized expertise and experience needed to make these critical decisions effectively. Beyond just more training, this fundamentally requires court leaders to commit to ensuring that judges assigned to these cases statewide are passionate about juvenile cases, understand adolescent development, and orient away from authoritarian approaches that adolescents generally rebel against. Judges must also be committed long term to working in and outside of the courtroom with system stakeholders, service providers, and youth and families to achieve improved youth and community outcomes. In a joint resolution, the National Council of Juvenile and Family Court Judges (NCJFCJ), National Juvenile Defender Center, and Fair and Just Prosecution have already called on states to enact this culture and practice shift for judges and attorneys.⁶

Perhaps the most common challenge raised in our interviews and focus groups to having specialized juvenile and family court judges statewide is insufficient caseloads in more rural areas and a related lack of resources. Yet many focus group participants argued that a youth's place of residence shouldn't determine their access to a fair and effective justice system. Indeed, a number of states that have specialized judges are largely rural, such as Mississippi, South Carolina, and Tennessee. Creative strategies used by these states and/or that study participants proposed for addressing rural challenges include the following:

- Combining county courts into broader judicial districts and assigning specialized judges to handle all cases within a district
- Using technology to overcome geographic, transportation, and resource barriers to judicial specialization. Virtual court hearings, for example, have been widely employed by necessity during the COVID-19 pandemic, with largely positive results⁷
- Establishing a cohort of “floating” magistrates, referees, or even judges in specific regions or statewide with specialized juvenile expertise who can handle the small number of cases that may arise in a rural community within general court dockets

B. Qualified Candidates

Establish background and experience requirements for juvenile and family court judges and recruit qualified candidates for elections and appointments. Most people would prefer not to send their child to a doctor or teacher who had no prior experience working with children, and the same should hold true for judges. States should require juvenile court judges to have more robust qualifications for their unique role beyond having passed the bar exam. If juvenile court judges are appointed, statute or court rules should detail the minimum years and type of work experience with youth and families required for the appointment and align their application review and appointment process accordingly. If juvenile court judges are elected, state court administrative offices can still establish recommended qualifications and share this information with the public so elections focus as much as possible on the substance of candidates' expertise and experience.

C. Minimum State-wide Rotation Standards

If states are unable to have specialized juvenile court judges, they should at least **enact statewide standards on juvenile court rotation through statute or court rules.** While there is likely no “right” length of rotations, judges assigned to juvenile court should remain in place for at least three years. This will allow them time to become familiar with juvenile justice case law, adolescent development, and research-based practices, enabling them to make informed case decisions and help shape local system policies and practices accordingly. Additionally, to the extent practically feasible, if judges become interested in committing long term to the juvenile court, states should establish a formal mechanism for enabling judges to do so rather than forcing them to rotate.

D. Judicial Officer Standards and Supports

Extend state requirements and supports for juvenile court judges to judicial officers. Given the critical role that judicial officers play in many states on juvenile cases, any state qualification requirements, selection criteria, initial and ongoing training expectations, and tools and supports that apply and are provided to juvenile court judges should also be formally extended, through statute or court rules, to magistrates, referees, and other types of hearing officers.

State Best Practices and Innovations

Massachusetts



In the late 1980s, Massachusetts statutorily established a statewide specialized juvenile court structure. As a result, every judicial district has a dedicated juvenile court judge selected and appointed through a rigorous process that includes vetting from the community, key legal stakeholders, the governor, and legislature. This selection process focuses on individuals' experience and expertise with youth and families, passion for the work of the juvenile court, and ability and willingness to tackle the complexities associated with juvenile cases. Massachusetts appoints a chief judge who presides directly over the juvenile court, working directly with the chief judge for all courts in the state. The presiding judge ensures that policy and court rules are aligned with research and best practices and that juvenile court judges statewide receive sufficient training and resources for their distinct needs.

Utah



Despite having a mix of urban and extremely rural areas, Utah has established at least one designated juvenile court judge in each of its eight court districts who is responsible for hearing all delinquency and child welfare cases as well as overseeing juvenile probation. Potential judges apply specifically for appointment to these juvenile court positions. As established by court rules, a board of seven designated juvenile court judges develop policies for the juvenile court statewide to ensure that consistent best practices are used across the state and tailored as required to meet the unique needs of judges, youth, and families across diverse locales.

California



State law requires every county trial court to establish a juvenile court and assign judges to it. In counties where more than one judge is designated as a juvenile court judge, the presiding judge of the trial court must also designate a presiding juvenile court judge. State court rules provide for further specialization by recommending the designation of a lead juvenile child welfare and lead juvenile delinquency judge for every county regardless of population size. In practice, many counties further specialize by having the presiding judge designate a lead juvenile justice judge in the juvenile court. Additionally, state court rules recommend that primary assignments to these positions are for a minimum of three years and that judges who have expressed interest in a juvenile court assignment are given priority.

Juvenile Court Certification



States could consider creating a juvenile and family court certification that judges can seek to obtain. As with other kinds of professional certifications, judges could be required to obtain a certain number of hours of preservice and annual training; serve a minimum number of hours on the juvenile court; be mentored by a senior juvenile court judge and eventually become a mentor themselves; and serve on a statewide committee devoted to improving juvenile justice policy and practice. In exchange for obtaining this certification, judges could earn the right to serve on the juvenile court and/or be assigned the majority of these cases as part of their caseloads; receive lower caseloads commensurate with the complexity of juvenile cases; have access to enhanced administrative and other kinds of supports; and receive a pay differential or other types of compensation or incentives. In this way, states could simultaneously uplift the stature of the juvenile court, professionalize its practice, and recruit and retain a committed cadre of judges who handle delinquency cases and facilitate systemwide improvements statewide.

Recommendation 2: Ensure that judges statewide have the information, tools, and data needed to make decisions based on research to improve public safety and youth outcomes.

Rationale: Study Findings

Judges who handle delinquency cases, regardless of whether they are specialized, need case- and system-specific information, tools, and data to ensure their decisions are in the best interests of public safety and individual youth outcomes. Yet most states have not established the juvenile justice state laws, court rules, and support infrastructure needed to position judges to make informed decisions. Key challenges include the following:

A. Uneven Use of Risk and Needs Assessments

Almost 95 percent of surveyed judges said risk and needs assessments and pre-dispositional reports were somewhat or very helpful in guiding their decisions. Overall, the use of risk and needs assessments was cited as the most important tool for making effective juvenile court decisions. Yet while many states report that it is routine practice for judges to receive assessment results, **predispositional risk and needs assessments are only required by state or court rules in approximately half of states.** State court leaders affirm that there is high variability in the use of predispositional risk assessments across and even within counties, and that judges who are not specialized (and therefore arguably can most benefit from such tools) are often the least likely to use them. Even when required, most states are not investing in ensuring that risk and needs assessments are conducted with fidelity, the results are interpreted appropriately, and the findings are used to guide dispositional decisions. **Less than 20 percent of states report requiring judges to receive assessment training.** Likewise, less than a handful of states routinely collect, analyze, and report data on the extent to which dispositional decisions align with assessment results and probation dispositional recommendations.

B. Limited Juvenile Justice Support Tools

Most states have developed practice or bench books that detail juvenile justice case law and procedures. Yet **less than half of states report establishing any type of tools, guides, or bench cards for judges on juvenile justice best practices to support judges to make research-informed decisions** on these cases. Even fewer states have developed more robust judicial structured decision-making tools at the state level, or supported statewide efforts to develop these tools at the local level, such as dispositional matrices, service matrices, service registries, and incentive and graduated response matrices.⁸

C. Insufficient Youth and Family Engagement

Survey respondents called out “requiring and supporting greater youth/family engagement in court proceedings” as the single most important statewide policy or practice for positioning judges for success on juvenile cases. Yet **less than a third of states have state laws or court rules that require courts to engage youth and families in court proceedings beyond the right to counsel and right to appear.** Even fewer states provide judges with annual training on engagement techniques, such as motivational interviewing or trauma-informed court practices. Perhaps as a result, **almost 70 percent of surveyed judges believe no or only some judges regularly engage youth and families in the dispositional process.**

D. Lack of Data-Driven Decision-Making

Less than 20 percent of state court administrative offices report routinely providing judges statewide with data on delinquency cases to inform their decisions, and less than a third of survey respondents regularly receive data on case or service outcomes such as recidivism. Judges can't be expected to make decisions in the best interest of community safety, or make improved decisions over time, if they never receive data on the results of their decisions and their only feedback loop is anecdotal, largely from unsuccessful cases that come back to court. Likewise, judges who lack information on the effectiveness of specific supervision and service interventions are fundamentally hindered in their ability to ensure that individual youth with specific risks, needs, demographics, or from specific communities are matched with appropriate interventions. They are also prevented from providing knowledgeable guidance to and oversight of juvenile probation staff, as well as playing a leadership role in facilitating broader system improvements.

Even more basic, judges need to know what service and program options are available to them to guide their case decisions. In addition to family engagement, survey participants **cited a lack of services as their most notable challenge.** As a result, youth are often placed on probation, detained, or incarcerated not because they are a public safety risk but due to a perceived lack of viable alternatives. Yet few states reported establishing any kind of formal, statewide system to ensure that judges know about available services. Real service gaps exist, particularly in behavioral health services and in rural communities; yet, in our experience, programs and funding, whether in the juvenile justice or related service systems, often go underutilized, and youth are pushed deeper into the juvenile justice system as a consequence.

Key Policy and Practice Improvements

Policymakers, court leaders, and administrators may not always control who sits on the bench, for how long, and what cases are assigned. They can, however, establish a set of laws, court rules, and tools to ensure that judges statewide have the information needed to inform their decisions based on what research shows works to improve community safety and youth outcomes, including the following:

A. Required Risk and Needs Assessments

Statutorily require a predispositional risk assessment, as well as a mental health/trauma screening, and require assessment results to be shared with judges and all legal parties. Further, state courts should commit to providing judges who handle delinquency cases with an annual training on these tools, including the science behind them and best practices for their use. Likewise, even in decentralized court systems, state court administrative offices can play a key role in coordinating statewide training, quality assurance, and data collection to ensure assessments are conducted with fidelity, especially for youth of color, and used accordingly.

B. Decision-Support Tools

Establish statewide best practice guides and decision-making tools to inform judicial decisions. Second only to predispositional assessment reports, surveyed judges cited best practice guides and related bench cards and online training as the most helpful tools for supporting juvenile court judges to make effective decisions. State court administrators should ensure that a minimum set of these tools—specifically on key juvenile justice topics such as risk and needs assessments, evidence-based practices, and trauma-responsive care—are available to judges statewide. Ideally, all new judges should receive an introduction to these tools as part of their orientation; annual state conferences should include a training on their use; and state court staff should provide one-on-one education or mentoring sessions for individual judges as requested.

States should also consider developing more formal structured decision-making tools for judges, even though these would necessitate more robust research capacity and staffing. For example, a dispositional matrix—validated through an analysis of juvenile justice cases within a given state—can provide judges with an aggregate, data-driven view of what level and type of supervision is most likely to reduce recidivism rates for youth of different risk levels. Such tools are meant to inform, not replace, judicial discretion and can help states establish an objective, equitable foundation for how court decisions can best protect community safety across a diversity of locales.

C. Formal Youth and Family Engagement Mechanisms

Establish court rules and related supports to make youth and family engagement central to the culture, policy, and practice of juvenile courts. Survey participants cited youth and family engagement as the most important practice for positioning judges for success but also the largest challenge. Based on our experience with systems nationwide and what families themselves report,⁹ this is often because courts (and other system actors) seek to engage families on their terms, rather than through the lens of what youth and families want and need. Then, courts fault youth and families when they unsurprisingly fail to engage in court processes or comply with court mandates.

Rather than a piecemeal approach, state court leaders should launch a formal, big-picture assessment—including youth and family input—of how juvenile courts and cases operate. Court leaders should then determine how best to reorient court rules and associated judicial supports to make meaningful partnerships with youth and families foundational. Key questions for examination include the following:

- What hours should courts operate to maximize youth and family participation?
- How can families be fully educated about court processes so they understand what is happening, understand their rights and obligations, and can be effective advocates for their child?
- Who is best positioned to help families achieve this understanding (e.g., family navigators with lived experience in the juvenile justice system)?
- How should court environments, including courtroom seating arrangements, be modified to reduce trauma and make youth and families feel more comfortable and engaged?
- What formal opportunities are provided for youth and families to share their views and needs and help inform dispositional and ongoing supervision and service decisions?

- How can courts ensure that youth and families view these opportunities as authentic ways to promote procedural justice, which research shows is critical to youth and family buy-in?¹⁰
- How can court processes avoid contributing to perceptions that youth in the juvenile justice system are “bad” kids, including in ways that negatively shape youth self-image and how they are viewed and treated by their families, communities, and the public?¹¹
- What kind of training do judges require, such as in motivational interviewing and trauma-responsive care, to implement these policies and practices effectively?

Resolving these questions and shifting court culture and practices accordingly is a long-term process and also requires dedicated staff and resources. Yet research shows that state court systems that can make this shift are likely to reap gains not just in terms of improved partnerships with youth and families but also improved community safety and youth outcomes.¹²

D. Data-Driven Decision-Making

Provide judges with the aggregate data and information they need to make informed decisions on individual delinquency cases. Juvenile justice data collection is a thorny challenge in many states, particularly those with decentralized court systems. However, policymakers and court administrative offices should invest the resources needed to collect, analyze, and provide judges statewide with at least a basic set of juvenile justice outcome data on an annual basis. Ideally, this data should include recidivism rates, broken down by youth’s risk level, for diverted vs. court-involved youth; detained vs. not detained youth; youth supervised in the community; youth placed in secure and non-secure residential facilities; and youth who participate in major service programs or initiatives, including specialty courts. If possible, this outcome data should include analysis by geographic region and youth demographics. As part of annual training requirements or conferences, states should formally present this data to judges and work with them to identify implications for court practices as well as for systemwide improvements.

In addition to prioritizing data-driven decision-making, state courts should play an active role in creating electronic systems—or leveraging and enhancing existing systems such as through service networks like 211¹³—to ensure that judges know about available services and programs and can make decisions accordingly. Given the localized, grassroots nature of some community services and supports, states should also consider, as detailed below, requiring the formation of local, cross-system collaboratives that can help judges and other system stakeholders identify and fully leverage available programs and funding and work together to address service gaps.

State Best Practices and Innovations

North Dakota



Recognizing that the majority of their judges are not juvenile court specialists, the state has developed an array of resources to support all judges in understanding and effectively handling juvenile cases. These resources include bench cards on a variety of juvenile topics, which serve as quick reference guides for critical information on statute, available resources, research, and best practices that judges can reference when presiding over delinquency cases. For example, the state has produced bench cards to support judges working on cases with dual-status (child welfare and juvenile justice involved) youth, which detail applicable case law and family engagement and support processes.

Florida



To support informed dispositional decisions, Florida has developed a dispositional matrix that identifies the level of supervision most likely to promote improved outcomes for youth based on their risk of reoffending and offense severity. The matrix has been validated through research to ensure its predictive accuracy. Probation officers provide predispositional recommendations to the court based on this matrix, and judges who handle delinquency cases receive ongoing training on the matrix and research supporting it. The state tracks data related to adherence to the matrix and shares the data with the court and public, including analysis by judicial district.

Nevada



In 2017, Nevada adopted a comprehensive set of juvenile justice reforms through the enactment of Assembly Bill 472. As part of bill implementation, the state established a dedicated Juvenile Justice Oversight Committee as well as the Nevada Center for Juvenile Justice Innovation (Center). The Center was developed to be a sustainable resource to guide and support judges who handle delinquency cases, as well as other system stakeholders, to implement the bill provisions with fidelity. The Center provides a range of resources including information on evidence-based programs and practices, bench cards, best practice guidelines, and an online juvenile justice training series.

Team Meeting Dispositions



Rather than placing all the expertise and engagement burden on judges, jurisdictions could consider changing dispositional processes to resemble case conferences or team meetings. Judges and court support staff (potentially including a trained mediator or facilitator) could convene the youth, family, attorneys, intake officer, representatives from other service systems and local service providers as warranted, and the victim if amenable and appropriate, to discuss the youth's supervision, service plan, restorative justice activities, and incentives and graduated responses. These meetings could center on the youth's risk and needs assessment to guide the discussion while ensuring input is provided from stakeholders who are most critical to buying into the dispositional plan and implementing it effectively, with judges retaining their discretion and decision-making authority. While this kind of approach is obviously time and resource intensive, the potential benefits, including improved procedural justice and reduced recidivism and related court appearances, could end up easily outweighing the costs.

Family Navigators and Youth/Family Ombudsman



States can commit to meaningfully engaging and supporting youth and families through the court process by creating formal structures at both the local and state levels for doing so. At the local level, jurisdictions can employ family navigators, ideally with lived experience in the juvenile justice system, who can guide families through what is often a confusing and overwhelming process and who can advocate on their behalf. At the district or state level, jurisdictions should consider creating a kind of youth and family ombudsman responsible for assessing whether youth and families are engaged in court processes and helping to oversee policy and practice improvements. Among other duties, the ombudsman could do the following:

- Conduct quick “as you leave the courtroom” surveys to assess youth and family engagement, satisfaction, and procedural fairness.
- Conduct more formal annual surveys of youth and families to evaluate their experiences with juvenile court, obtaining aggregate and district- or judge-specific results.
- Observe court hearings and provide feedback to judges.
- Conduct “exit interviews” with youth and families about their overall system experience and share the results through an annual report.
- Handle and address family complaints.
- Develop best practice guides and resources for families and judges.
- Provide training.

Establish and facilitate a youth and family advisory board, including family navigators.

State court leaders willing to devote this kind of staff time and resources, as well as support and hold judges accountable through direct feedback from youth and families, are more likely to foster the cultural shift needed for youth and families to actively engage and buy in to juvenile court processes.

Recommendation 3: Require all judges who hear delinquency cases to receive training on adolescent development and juvenile justice research prior to taking the bench and annually thereafter.

Rationale: Study Findings

Judges are more likely to buy into using research and data to guide their decisions, and will be positioned to do so more effectively, if they have robust familiarity with this research, adolescent development, and juvenile justice best practices. Yet, in the majority of states, judges who handle delinquency cases are not required by law or court rules to ever receive any training on these topics. Key gaps include the following:

A. Limited Preservice Training

Most states lack orientation and training requirements specific to juvenile justice case law, research, or best practices for new judges before or shortly after they take the bench, beyond an hour or two devoted to the topic. Even in states with specialized juvenile courts, judicial orientation programs are often general in nature and inadequate compared to child welfare training. In many states, new judges can start on the bench and oversee juvenile cases as part of a mixed docket for months or even years without ever receiving an orientation to juvenile case law or research-based practices.

B. No Annual Training Requirements

Fewer than a third of states require judges who handle delinquency cases to obtain a minimum number of hours of juvenile justice training annually. Almost all states have general annual training requirements for judges, but most states leave it up to individual judges' discretion to meet these requirements as they see fit. As a result, judges who handle delinquency cases may never obtain any training on fundamental juvenile justice topics, such as evidence-based practices, risk and needs assessments, adolescent development, or implicit bias. And the judges who need such training the most are potentially the least likely to pursue it in absence of state requirements. Even in states with specialized juvenile courts, judges can frequently choose their own training topics—with in-person and online offerings, including at state conferences—which are often heavily skewed toward issues related to child welfare. **Only a third of survey respondents felt that most judges who handle delinquency cases were informed about adolescent development, and only half said most judges receive the necessary training.**

Key Policy and Practice Improvements

In statute or court rules, states should require all judges who handle delinquency cases to obtain the minimal necessary training on juvenile case law, research, and adolescent development to make informed decisions on these cases. State standards and supports should include the following:

A. Judicial Orientation

Require all judges who handle delinquency cases to receive an orientation to juvenile justice case law, research, and best practices before or within months of starting on the bench. For judges with mixed caseloads, this orientation should include the minimum number of training hours needed to ensure they are grounded in at least the basic principles of juvenile justice research and adolescent development. For specialized juvenile court judges, preservice training should incorporate a robust, multi-day focus on evidence-based programs and practices, reducing racial and ethnic disparities, youth and family engagement, and trauma-responsive approaches. If training resources are limited and/or judges start their term off cycle well before a scheduled statewide orientation, state court administrative offices can at least make a set of electronic training materials available and require judges to attest to reviewing them within a few months of starting on the bench.

B. Annual Juvenile Justice Training

Require all judges who handle delinquency cases to obtain at least some level of training on juvenile justice annually. Almost all interviewed state and focus group participants said that judges need ongoing, specialized training to make effective decisions on juvenile justice cases no matter what proportion of their dockets these cases entail. Priority topics cited by study participants include risk and needs assessments; working with youth with behavioral health needs; appropriate use of detention and incarceration and effective community alternatives; evidence-based programming; trauma responsive care; and promoting system equity. It's important to give judges discretion regarding their own professional development, and some states view topic-specific training mandates as a slippery slope. However, states should prioritize complementing this discretion and professional development on judicial skills more generally¹⁴ by establishing minimum standards of knowledge development for all judges in practice areas that have a clearly distinct set of case laws and research base, such as family court and juvenile justice.

C. Peer-to-Peer Support

Establish a formal system of preservice and ongoing judicial shadowing and/or mentoring. A number of states employ mentoring systems to help orient new judges to juvenile cases. Whether in lieu of robust, ongoing training when resources are limited, or as a key complement, state courts can develop a statewide judicial mentoring system as a cost-effective way to help new judges learn the nuances of juvenile and family court cases, regardless of what proportion of their dockets these cases will comprise. Additionally, specialized juvenile court judges could gain invaluable knowledge and insights from ongoing mentoring relationships with senior juvenile judges. Likewise, general court judges who handle some delinquency cases would benefit greatly from shadowing specialized juvenile and family court judges within the same state for even just a few days every year.

State Best Practices and Innovations

Maryland



All new judges in Maryland are required to attend an intensive week-long orientation, which includes the handling of juvenile cases and related research and best practices. Judges and magistrates assigned to the juvenile court must also complete a multiday juvenile justice training within 90 days of the start of their assignment as well as a juvenile justice refresher training at least once every three years. This initial training ensures that all new judges have a foundational understanding of the unique laws, principles, and best practices related to the juvenile court while also receiving ongoing training that helps them stay up to date on case law and what research shows works to improve youth outcomes.

Oklahoma



State statute requires all judges who handle a juvenile docket to receive 12 hours of annual training specifically on juvenile court policies, research, and best practices. The state administrative office of the courts tracks judicial attendance and compliance with the requirement while facilitating the training program through its state court improvement program. The state organizes a summer judicial conference and schedules juvenile court training on the first day of the conference to highlight it as a priority and promote attendance of judges statewide.

New Jersey



To support new judges, New Jersey developed the Centralized Judicial Orientation Program (CJOP). Through the CJOP, all new judges are assigned a mentor judge who is experienced in the family and juvenile court, and are required to shadow them before hearing any cases. Juvenile and family court judges are further supported with specialized ongoing training that occurs throughout the year, including a new requirement that all judges must complete two hours (in each two-year reporting cycle) of coursework in diversity, inclusion, and elimination of bias. The state court launched a year-long series of free virtual courses on the elimination of bias to support this requirement.

Whole Court Training Approach



Surveyed and interviewed judges expressed concern not only about the lack of specialization and training among the judiciary but also among attorneys who represent juveniles in these cases. In fact, survey participants cited the establishment of specialized, trained prosecutors and public defenders as one of the top three court reforms needed to position juvenile court judges for success statewide. To this end, state court leaders could seek to partner with state public defender offices, prosecutor offices, and/or associations to develop, resource, and staff a shared annual training curricula. States would reap many benefits from establishing a coordinated training regimen and bringing all court parties together on a regular basis for this training, including developing resource efficiencies; fostering a shared vision and knowledge base that would improve case processing and collaborative decision-making; and establishing a culture and commitment to research-based practices that is sustained regardless of rotations or staff turnover.

Recommendation 4: Establish dedicated forums, initiatives, and supports specifically for strengthening the juvenile court, including a new federal Court Improvement Project targeting juvenile justice court improvements.

Rationale: Study Findings

Beyond statewide juvenile justice education and training, most states have not established a support system commensurate with either the challenges that judges who handle delinquency cases face in overseeing these cases or the importance of their role in advancing public safety and youth outcomes. Key gaps in this statewide infrastructure include the following:

A. Lack of Administrative Support

States report substantial variability in how juvenile court judges are administratively supported. While some states have established specialized administrative capacity, **most states lack family court, let alone juvenile justice-specific, administrative supports at both the state and local levels.** This dearth of dedicated administrative staff exacerbates the challenges faced by juvenile court judges. These judges arguably have an outsized administrative burden compared to other judges given the often complex, cross-systems nature of their cases as well as their duties overseeing juvenile probation staff and system coordination and improvement more generally. At the same time, in states without specialized juvenile judges, a lack of administrative staff with experience and expertise specific to juvenile justice can further hinder judges with mixed dockets from making effective decisions on delinquency cases.

B. Secondary Trauma

Given the unique nature of the juvenile court, judges require not just administrative supports, but mental health and wellness support as well. **Surveyed judges cited the emotional nature of juvenile cases and burn-out rate as the number one barrier preventing judges from committing to specializing in juvenile court practice.** Yet few states have established a formal system of training, mental health resources and services, or peer mentoring dedicated to helping judges identify and deal with the secondary trauma that can result from juvenile court practice.

C. Limited Forums for Collaboration

Standing supreme court or other kinds of juvenile justice judicial committees can serve an important leadership and peer sharing and support function for juvenile court judges and for statewide system improvement. Yet **many states don't have such dedicated structures or have broader family court leadership committees that tend to focus primarily on child welfare as compared to juvenile justice.**

Similarly, **most states lack formal, ongoing forums at the local level dedicated to juvenile court and system improvements.** These kinds of cross-system stakeholder collaboratives can serve a critical role in helping specialized judges and those handling a mixed docket better leverage and coordinate existing services, address service and system gaps, and work together toward implementing a set of research-based programs, practices, and grassroots supports across the juvenile justice continuum.

D. Lack of Dedicated Funding

Most state courts engage in limited juvenile justice–specific, statewide court improvement projects, particularly compared to child welfare. As a result, judges are often able to draw on far greater resources, tools, and supports when seeking to make effective child welfare case decisions compared to juvenile justice. **States overwhelmingly cited the dedicated resources available through the federal Court Improvement Project¹⁵ as the impetus behind statewide child welfare court improvements. They noted that the lack of such resources is why juvenile justice often gets short shrift.**

Key Policy and Practice Improvements

Delinquency cases are often complex, intensive, and emotionally challenging. States must equip the judges who handle these cases, especially those who dedicate their lives to this area of practice, with the practical and emotional supports needed to do their jobs effectively, healthily, and sustainably.

A. Administrative and Mental Health Supports

Establish a statewide system of dedicated administrative and emotional supports for family and juvenile court judges. This support system should include specialized family and juvenile court staff at the local, or at least regional, level to alleviate the administrative burden that judges face on delinquency cases. These specialized staff could provide guidance on juvenile justice cases and best practices for judges who have mixed dockets. Resources permitting, states could bolster this infrastructure by also establishing a juvenile justice and family court office at the state level within their Administrative Office of the Courts. Such departments could play an invaluable role in providing statewide leadership and coordination on specialized administrative issues; facilitating training, mentoring, and connections to tools and resources; promoting cross-branch and cross-system collaboration; and providing support for specialized administrative staff at the local level.

States should complement these administrative resources with mental health supports including training on secondary trauma and trauma-responsive practices, wellness programs, and easy access to professional counseling and peer support. To evaluate the effectiveness of these resources, state courts can conduct regular workload studies, survey judges to assess their wellness, examine judicial and staff retention rates, and disaggregate and analyze these data by docket type and other demographic factors.

B. Ongoing Forums for Court and System Improvement

Create formal, ongoing collaboratives dedicated to improving the juvenile court and juvenile justice system. A key first step is for states to establish a statewide judicial committee dedicated to juvenile justice case law, judicial training, tool and resource development, and peer mentoring and support. Instituting such a committee would have multiple benefits including uplifting the importance of juvenile justice, distinguishing juvenile justice court improvement efforts from child welfare and other areas of court practice, providing leadership opportunities for judges, and serving as a mechanism for statewide coordination and best practice development and dissemination. Some states have even established statewide juvenile and family court membership organizations, which have proven to be invaluable structures for aligning judicial practices with research-based best practices statewide and for elevating and advocating for the needs, interests, and stature of specialized judges.

States should also consider statutorily requiring the formation of local, cross-system collaboratives—with judges as required members—responsible for juvenile justice and related system improvements. In a number of states, these local collaboratives play a critical role in helping judges, and communities more generally, better coordinate and build the capacity of local service and funding systems so the juvenile justice system doesn't become a default service provider for low-risk youth and can provide required services to higher-risk youth with complex needs. Local collaboratives can also become important forums for cross-system training; policy and tool development; and building the knowledge and capacity of judges, attorneys, and other system stakeholders to institute research-based programs and practices with fidelity.

**C. Juvenile Justice
Federal Court
Improvement
Project**

Establish a federal Court Improvement Project dedicated to juvenile justice or adjust the guidelines of the existing project to include a focus on juvenile justice.

Ultimately, state supreme courts and administrative offices are limited in their ability to concentrate on statewide juvenile justice system improvements without dedicated resources or staff. Congress could measurably advance public safety and outcomes for youth and families nationwide by appropriating resources for a new Court Improvement Project dedicated to juvenile justice for potential administration under the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Despite the central role of judges in the juvenile justice system, little if any federal resources currently allocated to OJJDP are explicitly designated for juvenile court improvements.

State Best Practices and Innovations

Ohio



The state has established a department within the office of the state court administrator—the Children and Families Section (Section)—to provide specialized administrative assistance, training, and guidance to juvenile court judges statewide. The Section is staffed with a full-time manager, policy counsel, the court improvement program specialist, and a children and families program assistant. These positions provide dedicated staff time to support statewide training and policy development needs, facilitate juvenile justice reform initiatives, and partner with a range of stakeholders, including the Ohio Association of Juvenile Court Judges. Much of this work stems from the Supreme Court’s Advisory Committee on Children and Families and the Subcommittee on Juvenile Justice and Subcommittee on Responding to Child, Abuse, Neglect and Dependency.

Mississippi



By statute, all judges designated as specializing in juvenile cases (called Youth Courts) are automatically members of the Mississippi Council of Youth Court Judges (Council). The Council meets regularly to facilitate judicial networking, identify and address statewide needs such as judicial training and data collection, and make recommendations for improving delinquency and dependency court practices. This structure is further supported by a Jurist in Residence program for Youth Courts, which provides guidance to judges statewide on available tools and resources, connects new judges with experienced ones, and helps provide training to judges through regional forums.

Pennsylvania



The Juvenile Court Judges Commission (JCJC) in Pennsylvania was established by the legislature in 1959 and has served as a forum for judges throughout the state dedicated to juvenile court and system improvement. Members of the commission are nominated by the chief justice of the Pennsylvania Supreme Court and appointed by the governor for three-year terms. The JCJC plays a critical role in establishing and promulgating research-based policy, practices, administrative standards, guidance, and tools for judges statewide and administering a grant program to improve county juvenile probation. In conjunction, The Center for Juvenile Justice Training and Research provides training to more than 3,000 probation officers, judges, and other stakeholders throughout the state and oversees a statewide juvenile justice court management system and annual data reporting, including dispositional and recidivism data.

Floating Judicial Support Team



States often cite limited resources and the diversity of caseloads or docket types across geographic regions as the primary constraints to establishing dedicated juvenile justice court supports statewide. To address this challenge, state administrative offices should consider instituting a more flexible support system, which could include a floating set of judges, extra judicial offices, and/or administrative staff who can provide remote support to judges who handle delinquency cases across the state. State courts could better use technology to connect a team of juvenile justice court experts to judges across the state who can assist with case law and best practices, judicial orientation and mentoring, training, peer sharing and learning, service identification, and cross-system coordination and could even carry part-time caseloads on an emergency basis. Beyond resource efficiencies, the advantage of this floating support team is that it can tailor its assistance to courts, depending on case volume, when particularly complex or serious cases arise, when there is judicial turnover or vacancies, and on demand based on judicial requests and needs.

Recommendation 5: Identify statewide performance measures for juvenile court judges and collect and use data to strengthen decision-making transparency, research alignment, and accountability.

Rationale: Study Findings

Juvenile court judges need data to make more informed decisions, and states need broader performance data to assess the functioning of their juvenile courts statewide and whether those decisions are, in aggregate, advancing public safety and youth outcomes. Yet few states have established the infrastructure required to evaluate whether court decisions are aligned with research and best practice, use data to guide ongoing court improvements, and hold judges accountable for improved outcomes. Key challenges include the following:

A. Lack of Statewide Performance Measures, Data Analysis, and Reporting

Most states report that they have not established performance criteria and/or metrics for their juvenile courts other than case processing time or caseloads. Indeed, compared to the scrutiny given to juvenile correctional agencies, public defense systems, and increasingly, probation agencies, **the question of what it means to be an effective juvenile court judge and how this effectiveness is measured has largely gone unasked and unanswered by most states.**

Many states are hampered in their ability to evaluate their juvenile courts by a lack of centralized data collection systems, particularly in states with decentralized courts, which leads to inconsistent data collection practices and varying data definitions and quality across locales. Likewise, few states have invested in the information technology and research staff needed to aggregate this disparate data and analyze them in useful ways. Additionally, less than a handful of states report sharing courtwide or judge-specific data on key court decisions—such as detention use, dispositions, lengths of stay or probation terms, technical violations, and system equity—with judges, other system stakeholders and branches of government, or the public, which limits transparency and opportunities for individual and collective system improvement. **In contrast, more than 90 percent of surveyed respondents expressed that this data should be collected, and more than half think the data should be reported to the court, stakeholders, and the public.**

B. Insufficient Accountability

Despite the central role courts play in shaping statewide juvenile justice policy and practices, most states lack a meaningful system of checks and balances to assess and hold juvenile court judges accountable for their performance. Beyond data, many states have minimal, if any, juvenile court performance assessment criteria or review processes. In those that do, existing performance criteria is not tailored in any way to the roles or functions of juvenile court judges let alone designed to assess judicial adherence to research and best practice specific to juvenile justice. In addition, performance feedback is typically provided only by a select group of attorneys through the bar association and does not incorporate feedback from other critical system partners including probation staff, youth, families, or victims. As such, juvenile court judges are often reelected or retained through a public vote of confidence without any transparency or accountability on whether they are carrying out their duties in a manner consistent with community safety or youth outcomes.

Key Policy and Practice Improvements

States must institute a performance assessment system as a necessary complement to any meaningful effort to uplift and strengthen the role of the juvenile court. While complicated and resource intensive, such systems can help court administrators and policymakers determine whether juvenile court improvement efforts are making an impact as well as guide, support, and hold judges accountable more generally for improved community and youth outcomes.

A. Statewide Juvenile Court Performance Measures

Identify performance measures and criteria for juvenile court judges. As a key first step, states must define what juvenile court effectiveness looks like in their state. This performance criteria should ideally include both qualitative and quantitative measures in at least three key areas:

- The extent to which court decisions align with research and best practice (e.g., are low-risk youth diverted, is out-of-home placement reserved for high-risk youth, are youth of different races and ethnicities disposed in a similar manner based on their risk level, etc.?)
- How and to what extent youth, families, victims, and other key stakeholders are meaningfully engaged in court processes and decisions
- The efforts judges make in and outside of the courtroom—particularly if they oversee juvenile probation staff—to advance system collaboration and best practice improvement

B. Performance Assessment and Accountability

Establish a transparent and collaborative juvenile court performance measurement system. States should commit to investing the time and resources needed to collect and analyze data and stakeholder feedback to assess individual judges and county or district courts on the identified performance measures. In terms of data, this might require a long-term process to develop a statewide court data collection system and/or a shorter-term process to develop data standards, quality controls, and standardized reporting processes across local courts. For qualitative feedback, state court administrative offices should establish regular, anonymous feedback loops that include not only the attorneys and probation staff who work with juvenile court judges every day but the youth, families, victims, and community members whose lives are most impacted by their decisions.

States should seek to aggregate and share the findings from this analysis with judges, system stakeholders, and the public at minimum as part of judicial reelection or reappointment processes. More ideally, states could institute annual performance assessment and review processes. In this way, practicing judges, judicial leadership, and local and state administrators can identify areas of strength and improvement needs on an ongoing basis and hold themselves and each other accountable for making policy and practice improvements.

State Best Practices and Innovations

Virginia



Virginia has established a robust performance review process that supports maintaining a well-trained and accountable judiciary. The performance review process includes collecting feedback on juvenile court judges from the bar association, court reporters, and court staff. Judges receive a private interim report that synthesizes this feedback after their third year on the bench to identify and support shifts in practice and training. A formal report is later provided to the general assembly to guide re-appointment decisions and is made available to the public.

Arizona



The state has committed to collecting and sharing data to support juvenile court judges to make more informed decisions and to understand the outcomes of their cases. Judges receive a report of monthly court statistics such as caseloads and processing times. Additionally, each county receives a juvenile justice report card that examines a range of process and outcome measures, including racial equity in court and system decisions. In addition to providing guidance to individual counties, state court staff use these data to identify trends and opportunities for county-specific and statewide improvement.

Washington



The state has committed to ensuring that local courts use data and research to guide court decisions and local court practice and resource allocation more broadly. Key components of this strategy include a research unit that regularly looks at statewide court data and provides regular reports on system performance; identification of evidence-based programs through evaluations conducted by the Washington State Institute for Public Policy; a block grant funding structure for local courts that incentivizes use of these programs; and separate Funding and Evidence-Based Program advisory committees that include local court representatives to promote statewide coordination and fidelity.

Judicial Performance Dashboards



Just as juvenile probation and correctional agencies increasingly use dashboards to track progress on key performance indicators, states could establish a dashboard system as a way of helping individual judges and county or district courts measure their own performance as well as make comparisons with their peers. Judges are understandably more often influenced by fellow judges than other constituencies or outside experts. As a result, a multilevel dashboard system that helps judges and courts compare, for example, their use of detention for youth of different races and ethnicities or the risk level of a youth disposed to probation with the state average and/or with communities in a state like their own could serve as an effective tool for shaping judicial decisions and motivating practice changes. Further, if judges can see how their performance data feeds into accomplishing larger statewide improvement goals, it could help reduce feelings of isolation, magnify the importance of delinquency cases to judges who carry mixed dockets, and unite juvenile court judges across the state in a shared vision and objectives for statewide system improvement.

How to Get Started: Advancing Statewide Juvenile Justice Court Improvements

Juvenile court judges are the most important figures in shaping local and state juvenile justice systems. Their daily decisions have a major impact on the lives of thousands of youths and families across the country every year and on the safety and well-being of the communities in which they practice. But our study highlights that most states don't dedicate the time, attention, and support to the judges who handle these cases in ways that are commensurate with the difficult or important nature of this work.

Taken together, the recommendations outlined in this report call on states to transform their approach to the juvenile court statewide. States certainly can and should implement any one of the recommendations or more discrete policy and practice improvements outlined here that resonate based on current court challenges and needs. However, while it may seem daunting, we also encourage states to strive for a broader, longer-term effort to transform the juvenile court. Key steps could include the following:

- Establish a statewide committee dedicated to juvenile court improvement and allocate substantial staff time and resources to support the committee's work. Such a committee could be largely composed of judges but also encompass other critical stakeholders, including youth and families, who have important perspectives on court challenges and improvement needs.
- Leverage this report as a guide to assess current juvenile court structure, policies, and practices, ideally incorporating feedback from a broad array of system stakeholders and performance data where available.
- Create an action plan for statewide court improvement, including restructuring as needed, designed to uplift the role of juvenile court judges; promote judicial specialization; equip judges who handle delinquency cases with the information and tools they need to be successful; and create a system of performance assessment, accountability, and improvement. The action plan should include clear deliverables, a careful consideration of the most effective mechanisms of change (statute, court rules, funding, etc.), realistic timelines, resource requirements, and responsible parties.
- Strategically draw upon judicial leaders within the state, peer learning exchanges with other states including those featured here, as well as technical assistance from national experts like NCJFCJ and the National Center for State Courts. Activating this kind of internal and external leadership and support could provide both the needed guidance and external push required to fully implement and sustain necessary changes.
- Position the committee to serve not just as a one-time body to develop the action plan but as an ongoing statewide oversight group to steward the plan's implementation, evaluate its impact, and guide ongoing juvenile justice court and system improvement efforts.

States that commit to taking these steps can potentially achieve concrete improvements in the effectiveness and efficiency of their juvenile courts. Perhaps even more importantly, establishing an active, informed, valued cadre of juvenile justice judicial leaders is likely to have a long-term impact on every aspect of state and local juvenile justice systems resulting in safer communities, stronger families, and brighter futures for the youth they serve.

Endnotes

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11. For more information on working with youth and families in a manner that does not label or stereotype them, see "Enhanced Juvenile Justice Guidelines: Improving Court Practices in Juvenile Cases," National Council of Juvenile and Family Court Judges (2019).
12. Elizabeth Seigle, Nastassia Walsh, and Josh Weber, *Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System* (New York: The Council of State Governments Justice Center, 2014).
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14. *Elements of Judicial Excellence: A Framework to Support the Professional Development of State Trial Court Judges* (Williamsburg, VA: National Center for State Courts, 2017), https://www.ncsc.org/_data/assets/pdf_file/0023/18761/elements-of-judicial-excellence-final-report-publicv15dec2017.pdf.
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