



BOARD OF JUVENILE COURT JUDGES

Fairness and Accountability in Juvenile Courts

May 2021

Overview

- The Board of Juvenile Court Judges selected Fairness and Accountability in Utah's Juvenile Court as an area of focus in 2020/2021.
- Juvenile Court partnered with CCJJ for two phases of data analysis of Utah juvenile delinquency data.
- Juvenile Court joined DCFS and other child welfare partners in a Casey Family Programs initiative to eliminate racial inequity in the child welfare system.



PHASE I Delinquency Data Analysis

(Completed)



Phase I data and analysis were presented to the juvenile court judges in April 2021.



Phase I included a high level overview of disparities in the juvenile justice system at the point of referral to the court, petition, and disposition.

PHASE II Delinquency Data Analysis

(In progress – completion by August 2021)



Exploring deeper relationships between variables

Identifying disparate treatment at various points of court processes



Comparing severity of dispositions and outcomes for similarly situated youth

Controlling for factors such as severity of the offense, delinquency history, risk level, age, etc.

What can Judges do?



- The Code of Judicial Conduct prohibits judges from “[manifesting] bias or prejudice” and requires that they “take reasonable measures to require lawyers in proceedings to refrain from manifesting bias or prejudice.”

Judges should also avoid the “appearance of impropriety.”

What can Judges do?



- 1. Emphasize Law and Facts in Court When Possible.**

What can Judges do?



2. Utilize Risk Assessments and Evidence-Based Practices and Uniformly Issue Sanctions (And Clearly Explain Any Deviation)

What can Judges do?



3. Challenge Removals From Custody and Focus on “Least Restrictive.”

What can Judges do?



4. Ensure We Maintain the Appearance of Neutrality in the Courtroom.

What can Judges do?



5. Be Mindful of Parents' Constraints When Issuing Delinquency Orders

What can Judges do?



6. Allow People the Opportunity to Speak And Ask Questions

What can Judges do?



7. Be Patient With Interpreters and the Interpretation Process

What can Judges do?



8. Be Smart About Colloquialisms and Pronouns

What can Judges do?



9. Be Aware of Cultural Differences and When They Matter

What can Judges do?



10. Dress Code