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SIG Meeting Info

May 24-25
 Chicago, IL
[Hotel Palomar](#)

877-731-0505

Rate code: NJD
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 information email
[Rey Cheatham Banks](#)

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Training Opportunities and Events



Massachusetts

March 3

JIDAN JOURNAL

March, 2010

Welcome to the March edition of the JIDAN Journal. Since our last edition, the JIDAN teams have been busy implementing SIG projects and sharing strategies and practices.

The Florida team is awaiting final approval of the Florida Guidelines of Practice for Attorneys who Represent Children in Delinquency Proceedings.

Pennsylvania held its 2nd juvenile justice stakeholders meeting where the team worked on caseload and compensation standards that will be ready for dissemination soon.

On February 18-19, the Department of Justice hosted *Looking Back, Looking Forward, 2000-2010*, a national symposium on indigent defense. Read a summary below.

We are pleased to have retained the services of Professor Kristin Henning of Georgetown University Law Center and Lisa Thureau of Youth Strategies to help us in creating our national standards and juvenile immersion training protocols. They will be joining us at the SIG meeting in Chicago.

Any JIDAN teams interested in working together on ending shackling in juvenile court proceedings, on both a local and statewide level, please contact [George Yeannakis](#).

Thank you for your continued energy, ideas and commitment to this initiative.

ModelsforChange
 Systems Reform in Juvenile Justice

From the Foundation

Stay up-to-date on news from the Foundation. Read the current *Models for Change* [newsletter](#).

Sign up at <http://www.modelsforchange.net/createaccount.aspx> to receive future newsletters.

DOJ Indigent Defense Symposium

The symposium's ambitious agenda included over 145 speakers, many with roots deep in the juvenile defense community. Representatives from the indigent defense community in each of the

School Search and Seizure
Middlesex County

March 11

What Happens When Your Client is Committed to DYS
Hampden County

March 29

Collateral Consequences of Juvenile Adjudications
Middlesex County

March 31

Challenging Juvenile Confessions
Barnstable County

April 1

What Happens When Your Client is Committed to DYS
Essex County

June 10

Hot Topics in Juvenile Law
Middlesex County

September 16

The Youthful Offender
Essex County

State-Wide Trainings

April 30

Suffolk University Juvenile Conference

May 5

MCLE Delinquency and Child Welfare Conference

May 20

CPCS Annual Conference

For additional information contact [Wendy Wolf](#).

Florida

June 18

50 states, the District of Columbia, American Samoa, Guam, Micronesia, the Northern Mariana and Virgin Islands attended.

At this historic event, the Attorney General publically recognized the importance of juvenile defense. Attorney General Holder told the audience of indigent defenders, judges, and policy makers that the Department of Justice recognizes the special nature of juvenile defense. He noted that in the nearly half century since the Supreme Court's decision in *Gideon v. Wainwright* and other decisions recognizing the right to counsel in juvenile cases, "....these cases have yet to be fully translated into reality."

(Read the Attorney General's full remarks [here](#).)

In addition to informing indigent defense leaders and key policymakers on the special challenges of juvenile indigent defense, the symposium reaffirmed Attorney General Holder's recognition of the importance of developing juvenile specific approaches to indigent defense. An entire plenary panel was devoted to juvenile justice issues and juvenile defenders participated in a number of other panel discussions and workshops.

Through the concerted efforts of the National Juvenile Defender Center (NJDC), the juvenile indigent defense community played a prominent role shaping the symposium's agenda and identifying faculty and other key participants. Positioning Models for Change and JIDAN members on a number of panels significantly highlighted the strategic reform work and juvenile defense innovations of the initiative.

At the urging of juvenile stakeholders, NJDC also disseminated three talking points to infuse into conversations, ensuring the cohesive voice of juvenile defenders throughout the event. Those messages included:

- 1) The federal government must provide resources to support effective juvenile defense. Currently, the government provides no such resources.
- 2) The federal government should recognize juvenile defense as a specialized area of law through practice and policy enhancements.
- 3) Innovations in juvenile defense delivery systems are necessary for improving practice and policy.

This was the first DOJ symposium to place juvenile defense issues front and center. The juvenile sessions provided cutting-edge information, allowing participants to highlight unique collaborations that have led to thoughtful strategies to strengthen and enhance juvenile defense systems nationwide. The work of the JIDAN teams was represented in both plenary and breakout sessions.

For many years, the juvenile indigence defense community has sought a seat at the adult indigent defense table. The attention placed on juvenile representation at the symposium and the Attorney General's opening remarks demonstrated his commitment to providing the infrastructure and resources needed to elevate juvenile defense as a specialized area of law through practice and policy enhancements. The partners in Models for Change and the Juvenile Indigent Defense Action Network will play a key role in these

Holistic Representation
Barry University
St. Petersburg

For additional
information on training
and Barry's Lunch and
Learn program, contact
[Carrie Lee](#).

emerging efforts.

NJDC Deputy Director Testifies Before Pennsylvania's Interbranch Commission

On February 1, NJDC Deputy Director, Mary Ann Scali, testified before the Pennsylvania Interbranch Commission on Juvenile Justice. The Commission was formed in the wake of the Luzerne County scandal which resulted in two juvenile court judges being charged with fraud for accepting up to \$2.6 million in kickbacks for detaining thousands of children at private facilities.

In addition to Scali, PA JIDAN team member Barbara Krier of JDAP and Cait Clark of Equal Justice Works also testified before the Commission in Harrisburg.

Scali's testimony focused on bringing about a cultural change in public defender offices, recognizing the importance of a state-by-state evaluation process, and incorporating the [10 Core Principles](#).

In citing an example of pay parity issues, Scali noted that in some counties juvenile public defenders cannot move up in pay scale without leaving the juvenile department.

Scali also said there must be a much greater effort to explain to children what is going on in court. "We speak in a foreign tongue when talking to juveniles about the rights they have and terms they are agreeing too," she said. "Model colloquies, or explanations by judges, could be helpful, particularly if tailored for age and crime. But the bulk of the responsibility falls on the defense attorney."

When asked about schools using the juvenile justice system to handle problem children, Scali cited a Georgia judge who curbed high numbers of students in his court by getting schools to agree, in writing, to try all other avenues, including social service agencies, before sending students to the justice system.

Krier suggested attorney caseloads be generally limited to 200-250 juveniles. When JIDAN team leader and Commission member Robert Listenbee said data shows Luzerne County has 800 to 1,000 cases handled by one attorney in a year, Krier replied "that is outrageous."

Krier testified more training would help eliminate the notion that juvenile courts are "kiddie courts" that many attorneys don't take seriously and few consider as a career.

This testimony provided the opportunity to highlight the Pennsylvania team's development of practice standards for all attorneys handling juvenile delinquency cases, a model juvenile unit in Luzerne County and four other counties, a statewide resource center, and clinical programs at law schools for training the next generation of attorneys who will represent children in delinquency matters.

Post-dispositional Update

By Ali Flaum

The Illinois JIDAN team, as part of its SIG regarding post-dispositional advocacy, has appeared numerous times before the

From Illinois.....

["Inside and Out"](#)

How Chicago Public
Radio fought to gain
access to Illinois'
youth detention
facilities.

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Illinois Prisoner Review Board in recent months representing clients at both parole grant hearings, where we are advocating for early release, and parole revocation hearings and fighting to help clients return to the community in the wake of an alleged parole violation.

Our mere presence at these hearings has been met with great opposition; the post-dispositional landscape in Illinois has been a lawyer-free zone for many years. But it is precisely the absence of any other organization or mechanism for representation of these youth that has inspired our JIDAN team to commit itself to developing ways to fill the gap and to insist, via individual and institutional advocacy, on parole procedures and practices that will improve the lot of all the children who are churned through the parole revocation process each year.

Thus far, we have been fortunate - our advocacy has resulted in favorable results for all of our clients. We are mindful, though, that these successes, especially when compared to the bleak parole numbers reported statewide, attest to the great and as yet unfilled need for a comprehensive post-dispositional representation system in Illinois.

[Ali Flaum](#) is a visiting Assistant Clinical Professor at the Northwestern Law School Bluhm Legal Clinic, where she is currently working on a project regarding juvenile life without parole.

More Updates

California An editorial in the January 14, 2010 issue of the Daily Journal highlighted the need for increased training of juvenile defenders. Read [The Case for Speciality Training](#) and [Juvenile Defense Attorneys Speak Out](#) by Sue Burrell. Visit the [PJDC Resource Bank](#) to read a response by Superior Court Judge Eugene Hyman.

Florida

The team's "meaningful opportunity to confer" pilot is underway in Pinellas County, where all youth have an opportunity to meet with an attorney before waiver.

"No shackling" has been fully implemented in every Florida circuit.

Illinois

As of January 1, Senate Bill 2275, which guarantees that 17-year-olds charged with misdemeanor offenses will no longer be tried in adult court but instead in juvenile court with access to rehabilitative services, is in effect.

"This change in law, Illinois recognizes the importance of treating low-level juvenile offenders in juvenile court instead of condemning them to the adult system," stated Diane Geraghty, Director of the Loyola Civitas ChildLaw Center and lead entity for the MacArthur Foundation's *Models for Change* initiative in Illinois. She continued, "This incremental approach makes sense and will improve public safety, save money, and save kids."

Read coverage of the new law in the [Chicago Tribune](#).

Massachusetts

Massachusetts is creating an infrastructure to provide leadership training to bar advocates and staff attorneys. The team held a three-day workshop on leadership which included topics on thinking about what it means to be leaders, and skills to implement that philosophy around designing and implementing group-decision making processes. Check out other MA [training opportunities](#).

New Jersey

The post-disposition project in New Jersey is up and running. The team met with public defenders in Camden and Essex to create referral systems and have received several referrals from each office. This project ensures post-dipso representation throughout the length of placement, up through direct appeal.

Pennsylvania

Training for 65 juvenile defenders was held in Luzerne and surrounding counties. A second training is scheduled for this month.

Washington

Washington's project on initial appearance is underway. The team is contracting with the Department of Assigned Counsel to provide representation at all initial appearance hearings and all attorneys involved in that project will undergo training.

A project evaluation tool in the form of an on-line survey will be used to collect data on the impact of having an initial appearance attorney.

Team leader George Yeannakis is speaking to the public defense services board in Oregon about the waiver of counsel rule. Anyone with state legislation or court rules on WOC hearings, please contact [George](#).

[New on the Web](#)

Check out the resource bank on the new [PJDC](#) website!

Documents or links can now be uploaded and should include a succinct summary of the link or publication. PJDC is looking for motions and trial practice materials to add to the resource bank.

Be sure to redact any identifying information of minors and certify that you are the author or have permission from the author.

Stay tuned for the "Expert Corner List."

Great job by website developers Sue Burell, Corene Kendrick and Jonathan Laba.

Louisiana Public Defender Board Receives Calogero Justice Award

The Louisiana Public Defender Board received the Louisiana Bar Foundation's 2009 Calogero Justice Award. The Calogero Justice Award is named in honor of Chief Justice Pascal F. Calogero, Jr., who was elected to the Louisiana Supreme Court in 1972 and served for 36 years.

The Calogero Award honors an individual or organization for making a significant contribution to the Louisiana justice system. This year's award will be presented at the April 9 annual bar gala in New Orleans.

Congratulations to the Louisiana team for all of their great work!

NJDC News

The JIDAN Interim reporting period ends March 31. Interim reports are due April 30th. A report template is forthcoming.

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The JIDAN Journal reports on efforts by the Juvenile Indigent Defense Action Network (JIDAN) to improve juvenile indigent defense practice. JIDAN is a project of the John D. and Catherine T. MacArthur Foundation's Models for Change. The National Juvenile Defender Center manages the JIDAN and publishes this newsletter. Please contact us at rbanks@njdc.info or 202-452-0010, ext. 107.

The submission deadline for the June edition of the JIDAN JOURNAL is May 24, 2010.

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