

Ten Key Questions Judges Can Ask to Improve Outcomes for Youth in the Juvenile Justice System

JUVENILE JUSTICE LEADERS IN NEARLY EVERY STATE have undertaken efforts that have reduced juvenile incarceration rates nationwide by almost 50 percent since 1997, and arrest rates have dropped to their lowest level in more than 30 years. While such changes have produced substantial savings at no cost to public safety, investments in community-based services for many states and counties have not resulted in reduced rates of recidivism and improvement in other youth outcomes, such as education and behavioral health. Recent research has identified “what works” to reduce recidivism and improve other youth outcomes, and judges and court personnel have a leadership role to play in ensuring that court decisions and policies are informed by this research.

Ten key questions that judges and court personnel should ask to determine whether court policies and practices will increase public safety and improve outcomes for youth are:¹

- 1. Do all youth receive a risk assessment prior to disposition** to identify their risk of reoffending and key service needs, and are the results shared with the court to inform disposition and service decisions?
- 2. Are youth who are assessed as being at a low risk of reoffending diverted from court involvement and formal system supervision**, and does the court reserve the use of incarceration for only those youth assessed as being at a high risk of reoffending and/or who have committed violent offenses?
- 3. Do all youth receive a validated screening for mental health and substance use disorders** and, if warranted, a full assessment prior to disposition, and does the court ensure that youth with treatment needs receive services from the juvenile justice and/or behavioral health systems?
- 4. Are lengths of stay for incarcerated youth** based on youth’s assessed risk of reoffending, the seriousness of the offense, and treatment needs, with the objective of minimizing lengths of stay to 6–12 months?
- 5. Are programming and services targeted to address the key needs associated with youth’s delinquent behavior**, and does the court help facilitate youth and family participation in these services?
- 6. Are youth referred to programs and services shown to reduce recidivism** and are participation and outcomes reported to the court?
- 7. Does the court play a leadership role in helping to coordinate case planning and services** across the juvenile justice, education, child welfare, and behavioral health systems by convening system leaders to establish protocols for working together and sharing information to address youth’s needs?
- 8. Are youth and families involved in court processes** and is their input used to guide court decisions?
- 9. Does the court limit the number of conditions a youth must comply with while on supervision** to those related to their delinquent behavior, and does it use a graduated response system for technical violations of supervision and minimize the use of detention and incarceration as punishment for noncompliance with conditions of supervision?
- 10. Are key performance indicators for youth in the juvenile justice system** identified and are performance results reported to the court annually?

1. For more information on these key steps, please see [Core Principles for Reducing Recidivism and Improving Outcomes for Youth in the Juvenile Justice System](#).