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**SANTA CLARA COUNTY**  
**JUVENILE JUSTICE COMMISSION**  
**COURT USER PROJECT**  
**FINAL REPORT**  
**July 2016**

**Introduction**

At the request of the Presiding Judge of the Juvenile Court, the Santa Clara County Juvenile Justice Commission (JJC) conducted a research study on the effectiveness of and satisfaction with the juvenile justice court process. With input and assistance from juvenile justice partners, the JJC Court User Project (Project) has spent two years working on this undertaking. The Project focused on five groups or cohorts:

1. Youth In Custody
2. Community Based Organizations (CBOs)
3. Youth Out of Custody
4. Parents of In Custody and Out of Custody Youth
5. Victims

Because of the extensive scope and duration of the Project, two reports have been published. The first (interim) report, issued in July 2015, covered the Youth In Custody and CBO groups. The remaining three groups, Youth Out of Custody, Parents of In Custody and Out of Custody Youth, and Victims, have been included in this final report along with a summary and recommendations. The final report, which incorporates the interim report, is dated July 2016 and can be found at [www.sccsuperiorcourt.org/Juvenile/Juvenile Justice Commission](http://www.sccsuperiorcourt.org/Juvenile/Juvenile%20Justice%20Commission).

The task presented to the JJC by the Presiding Judge of the Juvenile Court was to identify issues that youth, their parents, the victims of juvenile crime, and service providers confront in the court process, and to offer recommendations for improvement in hearing management, judicial oversight, court facilities, and other aspects of the juvenile court process. The ultimate goal of the Project was to improve the administration of juvenile justice and the lives of youth, parents, and victims in the juvenile justice system, and to enhance the effectiveness of CBOs.

This Project arose from the Santa Clara County Juvenile Justice Court's participation in the National Council of Juvenile and Family Court Judges (NCJFCJ) Model Courts Program. The Juvenile Justice Court has been a participant in the Model

Courts Program for over five years. The Model Courts program provides opportunities for local courts throughout the nation to share successful programs from their jurisdictions and also offers technical assistance to help individual courts improve the administration of justice. The research study began as an idea presented by the NCJFCJ staff at a technical assistance meeting with the Juvenile Justice Court in Santa Clara County.

The Project also recognizes the unique nature of the Juvenile Court as defined by the California Welfare and Institution Code section 202(b):

*Minors under the jurisdiction of the juvenile court as a consequence of delinquent conduct shall, in conformity with the interests of public safety and protection, receive care, treatment and guidance that is consistent with their behavior, and that is appropriate for the circumstances. This guidance shall include punishment that is consistent with the rehabilitative objectives of this chapter....When the minor is no longer a ward of the juvenile court, the guidance he or she received should enable him or her to be a law-abiding and productive member of his or her family and the community.*

## **Fundamental Principals**

The working group on the interim and final reports operated on certain core principals. These principals served as primary considerations for an effective court experience while meeting the requirements of the juvenile justice court:

- Judicial officers, attorneys, probation officers, court staff and other professionals who can meet the needs of court users must adequately staff the juvenile justice system.
- The juvenile justice system must recognize and respect the rights and roles of victims.
- The juvenile justice system must improve its effectiveness and accountability by adopting a practice of continual improvement that relies on goals, outcomes measures, and reporting.
- The understanding by youth, family, victims, and CBOs of the court processes is vital to any successful program.

## **Project Methodology**

The methodology used for both the interim and final reports was the same and was consistent across the various groups or cohorts examined. As preparation for the Project, the team reviewed the Juvenile Delinquency Court Assessment Report of 2008, and members attended scheduled court hearings. Informal conversations with system users and court and CBO partners also informed the team's approach.

The team developed a survey questionnaire of approximately 25 questions addressing the entire continuum of the court user experience. The questionnaire then was tailored as appropriate to target the experience of each of the five cohort groups.

The questionnaires were translated into Spanish as needed and distributed in various ways in an effort to maximize participation of each of the groups. Responses were tabulated, based on numerical rankings reflecting agreement (ranging from *strongly agree* to *strongly disagree*), *yes/no* responses, and written comments. The questionnaires also asked respondents to volunteer to participate in focus groups.

Following review and discussion of the returned questionnaires and the response tabulations, the team developed focus group questions. The focus group questions were specific to each cohort and reflected areas of emphasis or concern that emerged from the questionnaire phase.

All focus groups began with an explanation of the Project, stressing the opportunity for court users to influence and improve the experience for those who would follow. The participants were assured of anonymity. The focus group leaders presented summary results of the survey and then encouraged discussion, structured around but not confined to the focus group questions.

When sufficient focus groups could not be formed, the team conducted individual interviews with the volunteers.

## **GROUP 1: YOUTH IN CUSTODY**

### **I. Methodology**

The Project team tailored the questionnaire to capture the court user experience of Youth In Custody. Questionnaires (see attached *Court User Survey Youth In Custody*) were distributed and collected by the team.

Based on the results of the questionnaire, Project team members developed focus group questions and conducted a series of nine focus groups – three with probation youth located at the Juvenile Hall, and six with youth located at the James Ranch. Participation in each focus group was voluntary. The majority of the participants were youth of color, primarily Latino. All participants spoke English.

The focus groups at Juvenile Hall involved 40 youth in two male groups and one female group. At the James Ranch, 24 male youth participated in five groups, and one female was interviewed individually. In total, 65 youth participated in the nine focus groups at Juvenile Hall and the Ranch.

Focus group questions were the same for all nine groups. The topics of discussion included participation in court, perceptions of the juvenile justice system, perceptions of court professionals, treatment of family members, and the youth's ability to understand the entire court experience.

## **II. Perspectives**

The goal of the focus groups was to gain the perspectives of youth at different points of involvement in the juvenile court process. The findings were generally consistent across all nine focus groups, with many identical themes and issues raised.

## **III. Findings**

### **1. Understanding What Happens in Court**

Each of the focus group discussions began with an attempt to draw out how well each youth understood what happened in court. In eight of the nine focus groups, many youth stated that they had little understanding of what happened in the courtroom. The detention hearing process clearly was not understood by the youth. Certain youth did not understand why the judge imposed the Ranch, or why their probation officer recommended a Ranch commitment. These responses were surprising because, when queried in the questionnaire, the majority of the youth indicated that they understood what happened in court.

When asked about why the questionnaire response was so different from the focus question response, they explained that the questionnaire didn't allow them to state how they truly felt about the subject. Frequent comments from the youth who had trouble understanding the process were: "lots of information too much to process," "judge used big words that were hard to understand," "felt lack of attorney's time before or after to explain things to me," "probation officer didn't interact or explain things to me," and "attorney didn't always discuss my case after court."

### **2. Court Wait Time**

Overwhelmingly, the youth felt the waiting time before entering the court hearing was too long. The youth believed or were told that delays for their cases to be heard were caused by lack of files, missing paperwork from the victim, over-scheduled courtrooms, unavailability of an interpreter or attorney, or a change in court appointed attorney. According to many of the youth, these problems occurred multiple times over the course of their cases. Because the youth were in custody, the long wait times were an annoyance, but not particularly disruptive to them, other than being an intrusion into their school time.

Although their hearings were set in the morning, the youth reported that frequently their proceedings would be continued to the afternoon. In addition, they said the wait time imposed hardship on their parents. Most parents took time from work to

come to court, and the wait time resulted in lost wages, concern about losing their jobs and child care issues for young siblings. At times, parents did not come to court because of the anticipated wait time.

### **3. Multiple Court-Appointed Attorneys**

Many youth in the focus groups told the team that they had more than one attorney for their case. A few youth reported having as many as four attorneys during the pendency of their case. Particularly troubling is that two youth reported they had five court-appointed attorneys with their case. This lack of continuity was of concern to the youths for two reasons: first, a belief that their new attorneys were not adequately familiar with their case, and second that the change in attorneys contributed to extending the length of their court case.

### **4. Continuances**

There was general agreement in all the focus groups that individual cases were continued multiple times. Often the reasons for the continuances were the same as those listed above for the long wait times in court. They believed another reason for continuances was that probation reports or recommendations were not yet available. The youth reported sometimes no reason was given for the continuance. Again, the attendant delays and continuances caused parents' employment problems, with two youth stating that their parents lost their jobs due to multiple delays and continuances.

### **5. Family in the Court**

Another overwhelming response from all of the youth in the focus groups was that it was very important to have their family with them in the court. For some high security youth, it provided the only opportunity to see or briefly visit with their family. However, according to the youth, the number of continuances negatively affected the parents. Issues ranging from parking difficulties and expense, continual meter "feeding," parking tickets, care of siblings, lack of handicap parking, and time off from work contributed to a general frustration with the court process.

## **IV. Summary of Findings**

1. The general perception of all in-custody youth was that they did not completely understand what happened in the courtroom, whether it was information from the judge, their attorneys, or probation officers.
2. There was an overwhelming response that the wait times to get into court were excessive and caused numerous side effects including hardship imposed on the parents of the youth.

3. There was consensus that attorney substitution was disruptive to the continuity and timely progress of their cases.
4. There was agreement in all the focus groups that individual cases were continued multiple times that caused hardship on the families and representatives of the service providers.
5. There was overwhelming response to the importance of families being with the youth in the court. This positive effect was offset by the number of continuances that negatively affected parents' participation, ranging from parking difficulties to care of siblings to time off from work. All of these led to general frustration with the court process.

## **GROUP 2: COMMUNITY BASED ORGANIZATIONS (CBOs)**

### **I. Methodology**

For the CBO portion of this report, the Project modified the questionnaire to address issues that were unique to the community based service providers, while still covering many of the issues that had been identified in the Youth In Custody portion of this report (see attached *Court User Survey - Community Partners*). The CBO questionnaire was sent to three community based service provider organizations selected by the team after reviewing their organizations' involvement with youth in the court process. The questionnaires were mailed to the CBOs and subsequently 50 were returned, with a response rate of over 90%. From the compiled CBO questionnaire responses, a set of focus group questions was created that covered the major issues identified in the CBO questionnaire.

In April 2015, the Project team members conducted focus groups at three service providers' offices. The focus groups provided better insight into the challenges the service providers faced in conjunction with the court experience. They offered perspectives on what the youth and families encounter during and after court.

Fifty CBO staff members participated in the three focus groups. The topics of discussion included their participation in court, perceptions of the juvenile justice system, perceptions of court professionals, treatment of family members, and the youths' ability to understand the entire court experience.

### **II. Perspectives**

The focus groups for the CBO cohort were exceptional in their enthusiastic participation and expansive responses. The ensuing conversations extended to additional areas not specifically identified through the questionnaire responses. Findings were generally consistent across all three CBO focus groups, with many common themes and issues raised. Most of the CBOs in this review provided Wraparound Services,

individual counseling, and general support for youth in the juvenile justice system. Consequently, they were involved also in post-adjudication review hearings.

### **III. Findings**

The Project team found that, overall, the CBOs identified the same issues the youth identified.

#### **1. Understanding of What Happens in the Courtroom**

The service providers reported that many parents would say, “I understand,” but often needed an explanation of what happened in the courtroom after the court proceeding was over. Feedback from the parents to the CBOs suggested the parents felt intimidated by the court experience. The service providers acknowledged during the focus groups that they also felt intimidated by the court process.

#### **2. Court Wait Time**

There was general agreement that court wait times were too long. One focus group reported that at least half of the youth must wait four-six hours beyond their scheduled court time. Other participants stated that there was no advanced notification for court delays to the afternoon. These long wait times give rise to several negative perceptions about the court process. Service providers felt that the court does not value their time or respect their role.

The CBOs reported that youth anxiety increases in proportion to the length of their wait time. Service providers also reported that parents had to ask for a full day off from work because they could not be sure they would be done in the half day scheduled for court. After a few such delays, some parents would “turn the kid over” to the CBO for the court appearance. One provider said, “the kids hate the long waits” and get frustrated. Some youth would leave and have to be talked back into the waiting room. The team was told the parents sometimes would not ask for an interpreter in an effort to reduce the wait time or would ask the CBO to sit in for the parent because of the wait time uncertainty.

#### **3. Court Access for CBOs**

Many CBOs reported that they were not allowed to accompany the youth into the inner waiting room and the courtroom. They stated that there did not seem to be a consistent reason for this to occur. Many of the focus group respondents stated the court access seems to be arbitrary and up to the attorney. Several speculated that they were unsure if the attorneys even knew they were in the outer waiting room which resulted in their presence not consistently noted or communicated at reception. The resulting lack of access to the inner waiting area and the courtroom for the CBOs has added to the overall frustration of waiting. Some said they bluffed their way into the inner waiting room,

while others gained access because the parents and youth insisted that the service provider come with them.

Also the service providers were concerned about not being invited to participate in the discussions involving the attorney, parent, youth, and probation officer. Some providers felt that they were not treated as an integral part of the services to the youth. Since they provide court-ordered services to the youth, the CBOs argued that they are in a unique position to offer an informed perspective of the youth's needs and progress in the program that may not be reflected in the review report. Other participants stated that some attorneys as well as the public need to be better informed about the role of CBOs.

Adding to their frustration is the difficulty in maintaining HIPAA-required confidentiality or private conversations in either of the court outer or inner waiting rooms. Opportunities afforded by waiting times for meaningful conversations between the youth and their CBO provider are minimized by the lack of privacy.

#### **4. Continuances**

The CBOs reported that over 75% of their youth have encountered continuances. They stated the main reason for the delay was the attorney not being prepared or not knowing their cases. Service providers reported that sometimes the youth is okay with a continuance, but the parents are unhappy. It takes time away from school and more productive activities. CBOs also expressed frustration that they could be doing meaningful work with other clients, although the time with the youth can allow for trust building and limited therapy. Other causes for continuances mentioned by the CBOs ranged from late probation report, late or unavailable psych report or for some "unknown" reason (which was the second most identified factor). Many felt there was too much "last-minute" preparation between the attorney and probation officer. Five CBO focus group participants reported they had multiple attorneys for a single case. The reasons offered were replacements (temporary or permanent) and no shows.

#### **5. Families in Court**

As noted in the youth focus groups, the CBOs also identified the importance of the parents' involvement in the court process. Unfortunately, impediments to their involvement as stated by the CBOs are: parents who cannot take time off from work, parents who do not have dependable transportation, parents who are not involved with the youth (e.g., foster youth), or the parent was "worn out" because of so many court appearances. One CBO reported that half the time they were the only ones who went to court with the youth.

#### **6. CBO Requests**

During the course of the focus group meetings, the team asked participants what changes they would like to see in the current court user process. Responses were:



- The ability to accompany youth to court at all times.  
Access to the court report to determine the youth's progress prior to going into court.
- Access to discussions in private areas with youth, family, and attorneys.
- Open communication between the court-appointed attorney and the service provider.
- Training/tours so that they can better understand the juvenile justice system.
- Being asked to provide input in the courtroom.
- Parking passes for parents.
- Judges should ask the youth what they heard, rather than just if they understood what they heard.
- The probation officer and the attorney contact the service provider about the youth's progress one or two days before the hearing rather than on the hearing date or not at all.

#### **IV. Summary of Findings**

1. Feedback from the service providers about the parents of youth in custody suggested that in addition to not understanding completely what was happening in the courtroom, the parents also felt intimidated. The service providers reported they also felt intimidated by the court experience.
2. As reported in the Youth In Custody section, there was general agreement that court wait times were too long. As an example, a focus group reported that 50% of the youth have to wait four to six hours beyond their scheduled court time which gave rise to negative perceptions about the court process.
3. Many of the service providers reported that they were not allowed to accompany the youth into the courtroom; there seemed to be no consistent reason for this occurrence. Service providers were concerned by not being able to participate in the discussions involving the attorney, parent, youth, and probation officer. A high level of frustration was expressed in maintaining HIPAA-required confidentiality in the outer or inner waiting rooms.
4. Service providers reported that over 75% of their youth have encountered continuances because of the lack of preparation or the lack of familiarity with the case on the part of the youths' attorneys, late probation reports, late or unavailable psychiatric evaluation report, or another "unknown" reason. Participants in all three CBO focus groups reported they had multiple attorneys for a single case.
5. As previously noted, the importance of parental involvement in the court process cannot be over-emphasized. However, as has been discussed, there are substantial impediments to parental participation as evidenced by the presence of only the service provider with the youth.

## **GROUP 3: PARENTS OF IN CUSTODY AND OUT OF CUSTODY YOUTH**

### **I. Methodology**

As it was for the other cohorts, the basic questionnaire was tailored for the Parents of In Custody and Out of Custody Youth portion of this report and covered the entire court-user experience (see attached *Court User Survey - Parents*). Focus group questions subsequently were developed based on the survey results.

The Project determined that CBOs that work directly with parents afforded the Project the best opportunity to reach parent groups for their input. Four CBO organizations assisted. Of the distributed questionnaires, 24 were returned complete, and 12 partial responses were received, for a total of 36 responses.

Obtaining focus group participation from parents was a challenge. In the fall of 2015, the team conducted one parent focus group, consisting of two parents. Further interviews were conducted as individual interviews, with one parent per session, because of the difficulty of obtaining group participation. In the spring of 2016, four more parent interviews were conducted. Interviews provided an understanding of issues identified in the questionnaire, directly from parents who experienced difficulties. Interview questions were the same for all interview sessions. Topics of discussion included participation in court, perceptions of the juvenile justice system, perceptions of court professionals, treatment of family members, and ability to understand the entire court experience.

In all, five parents were interviewed, either in a single focus group or in individual interviews. The interviewed parents were all Spanish speaking. Translators were provided by the CBOs.

### **II. Perspectives**

The goal of the interviews was to gain the perspectives of parents of youth both in and out of custody at different points of involvement in the juvenile court process. The results of the questionnaires, the focus group, and the individual interviews all were consistent.

### **III. Findings**

#### **1. Understanding What Happens in Court**

Each of the discussions began with an attempt to draw out how well the parent understood what happened in court. In all of the interviews, the parents indicated that their experience in the court process was overall positive and that the judge had treated them with respect and explained what was happening at the hearing. Concerns were raised regarding the availability of interpreters for parents who were not comfortable with the English language. One parent stated an interpreter was unavailable in two court

sessions. Until she got home and a relative read the court papers, she did not understand what had happened in court. She felt “offended and not valued.”

## **2. Court Wait Time**

The majority of parents who completed the court survey questionnaire stated that the court wait times were too long, for reasons ranging from other cases being called, interpreter not available, or attorney not available. One parent with a child reported waiting between two to three hours during each of two court sessions.

## **3. Multiple Court Appointed Attorneys**

This was not identified as an issue.

## **4. Continuances**

Many parents felt they had to go to court too many times, but they did not identify this as a major issue.

## **5. Family in the Court**

All the parents indicated that they were happy to be with their children for the court appearances, whether it was before the court appearance or after the court session, and that it was important to be able to show support for their children.

## **IV. Summary of Findings**

1. The major issue for the parents that emerged was the lack of court interpreters. Since some of the interviews required a Spanish interpreter, it was easy to appreciate why the parents often felt frustrated by the inability to understand what was occurring in court and, most importantly, to their child. Due to this sense of language isolation, they often remained silent rather than expressing their concerns.
2. The parents stated that the delay time was too long but that the delay afforded them an opportunity to be with their youth.
3. The general perception of the court experience by parents was positive. They responded that they were treated well by the judge, and the processes were explained to them.

## **GROUP 4: YOUTH OUT OF CUSTODY**

### **I. Methodology**

For the Youth Out of Custody portion of the report, the Project used similar methodology and the same survey instrument as for the Youth In Custody portion of the report. Forty questionnaires were completed by Youth Out of Custody.

Out of custody youth were interviewed at a Victim Awareness Class held at Juvenile Hall. The youth began by completing the questionnaire, and their responses were discussed to gain better insight into issues and impressions before, during, and after the court experience.

The Project team, with the assistance of the County Office of Education (COE), conducted five focus group sessions at the local COE Alternative Education schools in Santa Clara County, including those administered by the Probation Department (PEAK and EDGE). The focus groups ranged from two to seven students and were conducted at the schools. The established format was followed, which included questionnaire completion and focus group questions. The questionnaires were available in both English and Spanish. The majority of the youth in the focus groups were of color, primarily Latino.

Focus group questions were the same for all groups. The topics of discussion included participation in court, perceptions of the juvenile justice system, perceptions of the court professionals, treatment of their family members, and each youth's ability to understand the entire court experience.

### **II. Perspectives**

The goal of these focus groups and the Victim Awareness class session was to gain additional perspectives of youth at different points of involvement in the juvenile court process. Additionally, the team sought to determine whether the Youth Out of Custody experience differed from the Youth In Custody experience.

### **III. Findings**

#### **1. Understanding What Happens in a Court**

Each of the focus groups began with the goal of determining the extent to which court proceedings were understood by the youth. In two of the five focus groups, a substantial number of the youth stated that they did not understand some of the words and that "it was like another language." Only some of the attorneys explained what was happening in court, either before or after the session. One youth reported, with agreement from the other focus group members, that when he had an opportunity to talk,

everyone else in the court room talked over him, including the judge, who was viewed as disrespectful. “[The Judge] looked at me like I was nothing,” stated the youth.

## **2. Court Wait Time**

The majority of the respondents in the focus groups stated that they did not feel they had excessive wait times. Most of the focus group participants said they experienced delays of up to 90 minutes. One minor related that he had to wait over an hour because the judge was late.

## **3. Multiple Court Appointed Attorneys**

As reported regarding in-custody youth, many youth had multiple attorneys. Most of the Youth Out of Custody had one or two attorneys and had a positive relationship with the attorneys. Most youth felt that their attorneys provided adequate information and were able to explain court issues to them in understandable terms.

## **4. Continuances**

Focus group participants reported up to three continuances during the course of their cases. The youth believed that investigation was a substantial cause of continuances. Notification regarding continuances was reported to be sporadic. One youth reported his father had not been told of the continuance and came to court.

## **5. Family in the Court**

As noted previously, the youth felt it was important to have their families in court. Many, but not all, focus group youth stated that their parents had no difficulty in taking time off from work to attend the court hearings. The biggest complaint was finding parking and having to “feed the meter” while attending court. One youth noted his parents’ parking problem resulted from a lack of parking for disabled people.

## **IV. Summary of Findings**

1. As stated in the Youth In Custody section, a general perception of the youth in the focus groups was that they did not completely understand what happened in the courtroom. A few of the attorneys explained what was happening in the courtroom either before or after the court session, but a substantial number of youth did not understand some of the words being used and felt like “it was another language.”
2. When given the opportunity to talk, many agreed with the youth who stated that everyone else in the courtroom talked over him.

3. Many of the youth had multiple attorneys but reported positive relationships with them.
4. As reported in the Youth In Custody section, the overwhelming response from all of the youth was the importance of having family in court with them.
5. The parking issue identified in the interim report was the most consistent complaint.

## **GROUP 5: VICTIMS**

### **I. Methodology**

The basic questionnaire was modified slightly for the portion of the Project directed to Victims and Witnesses who were called to appear, or chose to attend, hearings at the Santa Clara County Juvenile Justice Court. Questionnaires, in both English and Spanish, were provided for distribution by Victim Advocates, Juvenile District Attorneys, and Court Unit Probation Officers. They also were available on line and were left in the Victim/Witness waiting room. Judicial Officers were asked to suggest that victims and witnesses who appeared in court fill out the questionnaires. Eighteen questionnaires were returned.

The team was not successful in recruiting a focus group. However, four of those who returned questionnaires agreed to individual interviews. They included two victims, one parent of a victim, and one person who was both a victim and the parent of an offender in the same case.

### **II. Perspectives**

Most of the interviewees were eager to share their experiences in the court process. Each described the case that brought them into the court process, responded to specific questions, and then described their impressions, motivation, and suggestions for improvement.

Each interviewee had participated in numerous court hearings, from the Detention Hearing through Disposition (sentencing). Following their cases, two Victims participated as leaders in Juvenile Hall Victim Awareness classes, educating youth about the effect of their criminal activities on others. Most of those who volunteered to be interviewed shared a determination to achieve some positive result from an otherwise negative and painful experience.

### **III. Findings**

#### **1. Understanding What Happens in Court**

Responses varied. The victim/parent who was non-English speaking and understood the least in the court process reported receiving no services as a victim. She reported that she went to two hearings without an interpreter. An English speaking relative explained what had happened at court; no explanation was provided by anyone within the court system. All the interviewees expressed frustration relative to understanding the court process. Even those without language difficulties and those who were briefed by court officers/staff noted that it was difficult to retain the information under stressful circumstances. They expressed a desire for better materials, a graphic, and/or a flow chart on the waiting room wall.

One victim was confused and uncertain as to her options for responding (or not responding) to repeated inquiries from the offender's attorney.

#### **2. Court Wait Time**

Questionnaire respondents and interviewees expressed concerns relating to court wait time. This included the length of time waiting for each hearing and the reasons for delays in resolution of the case.

Victims reported feeling vulnerable and insecure when waiting to be escorted into the secure Victim/Witness waiting room. Before being escorted, victims and witnesses were left in the outer waiting area, where the offender(s) in their case and their families sometimes were also waiting.

More than one interviewee observed that waiting time could be productive if used by the victim escort as an opportunity to explain or review the court process and answer questions. They felt that the escort was not sufficiently trained and knowledgeable.

Additional input related to time in the courtroom, and, specifically, the order of entrance and exit was a significant issue. When victims entered the courtroom first (or left last), offenders, and their families sometimes passed uncomfortably close to the victim, causing anxiety and insecurity.

#### **3. Multiple Attorneys**

One interviewee happily reported that the same DA was assigned through the lengthy pendency of the case. Others reported changes in assigned attorneys as either a positive or a negative, depending on the individual, but always a setback in terms of the attorney's understanding of the facts and issues of the case.

#### **4. Continuances**

Two interviewees reported that the resolution of the case required twenty to twenty-four months of court proceedings, entailing multiple continuances. One reported delayed court dates granted for what the interviewee described as frivolous reasons relating to the offending youth's family vacation, without regard to the needs and sensibilities of the victim.

The victim interviewees generally understood delays to be inevitable though burdensome. They noted that communication regarding delays was poor. Notice might come from Court Probation Officers, District Attorneys or Victim/Witness advocates. Sometimes it did not come at all.

#### **5. Family in the Court**

Many victims in Juvenile Justice Court are juveniles themselves. At least one of the interviewees was the parent of a 14 year old. When the victim is also a minor, it is especially important to have family and a victim advocate with the youth in court. One interviewee, while stressing the importance of the victim's attendance at every court proceeding (which occurred over a two year period), stated that this attendance imposed significant personal and professional burdens.

#### **6. Terminology**

Several of those interviewed objected to the terminology used in juvenile court cases as offensive. Specifically, they did not wish to consider themselves or be considered by others as "Victims." They noted a power imbalance in referring to offenders as "minor" or "youth," or by name, while they were exclusively referred to as "the victim." This seemed particularly destructive in the case of a minor victim. It contributed to a sense that the court process was insensitive and skewed in favor of minor offenders.

### **IV. Summary of Findings**

Most striking to the project team was the extent to which each of the interviewees was determined to surmount the role of "victim." This may reflect some selection bias, in that the interviewees volunteered to participate in the Project.

1. The opportunity to make a victim's statement in Court was cited as significant and validating. One interviewee reported being unintentionally "further victimized by the Court," but feeling somewhat restored by the judge's attention to the victim statement.



2. Commingling in the outer waiting area was cited as a significant issue, as was the order of entry and exit from the courtroom.
3. The group all credited the DA's Victim Services unit and other court officers and staff for attempting to assist them. In general, however, they saw room for significant improvement in communication. For example, one interviewee was promised notice when the offender was to be released but did not receive it. All expressed a desire for improved education regarding the court process and for current information regarding delays, continuances, and scheduling.
4. The desire for greater overall sensitivity to victims was a theme.

## **PROJECT SUMMARY**

A team of six members of the Santa Clara County Juvenile Justice Commission conducted the Court User Project over a 24 month period. Established at the request of the Presiding Judge of the Juvenile Court, the Project's purpose was to review the effectiveness of and satisfaction with the juvenile court process in the context of the Model Courts Project goals. The process was examined from the perspective of five user cohorts: Youth In Custody, CBOs, Youth Out of Custody, Parents, and Victims. Juvenile justice system partners were helpful in articulating the challenges that a juvenile justice system presents and in providing information. The project methodology consisted of surveys tailored to each of the five cohort groups, followed by focus groups and/or interviews. Enlisting participants was difficult at times, but those who participated were forthcoming with the team and provided good insights into the court process. Conducting interviews/focus groups was one of the more challenging and rewarding aspects of the Project. A Court User Implementation Team made up of all the major juvenile justice partners in the process was established as a result of Interim Report recommendations. Changes implemented since the publishing of the Interim Report have been impressive and encouraging. The willingness of all the court partners to change current processes in order to improve the court experience has been striking.

## **RECOMMENDATIONS AND THEIR STATUS: INTERIM REPORT**

The following recommendations addressed the issues identified in the Interim Report. Since the issuance of the Interim Report, the juvenile justice partners endorsed these recommendations and have worked diligently on tackling them. The status of initiatives has been added to each of the recommendations.

1. Create a team of juvenile justice partners identified in this report under the direction of the Presiding Judge of the Juvenile Court to address these recommendations and report on their status to all juvenile justice partners.

*Status: Complete* – This team was formed in the fall of 2015 and continues to meet monthly.

2. Change the court scheduling processes to reduce pre-court wait time.

*Status: Partially Complete* – Juvenile Probation has created and adopted a new check-in form for the outer reception staff, to improve communication and flow. The team of juvenile justice partners continues to seek efficiencies to reduce wait times.

3. Create mechanisms that assure the continuity of attorney representation.

*Status: No Action* – Although the Office of the Public Defender is aware of the issue and has pledged to improve the continuity of attorney representation, the Project team is unaware of any actions taken.

4. Decrease continuances.

*Status: Partially Complete* – Each of the agencies and the Court are in the process of continuous review.

- Probation reports now are released 24 hours before the hearing.
- The Court has implemented an automated phone call reminder to the parents and the youth of upcoming hearings.
- The lack of interpreters available to meet with non-English speaking parents and witnesses prior to court and then interpret in court continues to be difficult to resolve. The Court is exploring options, including the use of non-certified interpreters and interns to translate reports prior to court, to free certified interpreters for court appearances.

5. Create a parking policy that assists the parents.

*Status: Complete* – The County has authorized a pilot project to provide parking validations for the county parking structure. Once the volume has been determined, the County intends to include funding in the county budget.

6. Create areas in the waiting rooms that provide privacy and comply with HIPPA confidentiality requirements.

*Status: No Action* – Space limitation restricts the reconfiguration of the inner waiting room.

7. Develop processes that enhance the parents' understanding of and engagement in the court process.

*Status: No Action* – Juvenile Probation intends to create a video and brochure for parents. No progress has been reported.

8. Create a process that improves CBO understanding and involvement with the court.

*Status: Complete* – A subcommittee was formed to develop CBO training, the first of which was held on February 24, 2016. The training was well received and another one has been scheduled for October 26, 2016. All of the juvenile justice partners participated as part of the training panel. The new check-in form used at reception now notes CBO presence.

9. Expand the youth orientation process at Juvenile Hall to educate youth regarding the detention hearing process.

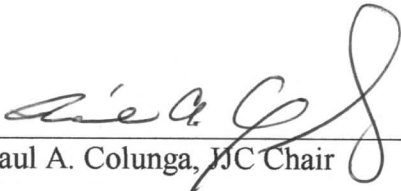
*Status: No Action* – Juvenile Probation intends to enhance the Juvenile Hall youth orientation process to include more detail about the detention hearing process. No progress has been reported.


#### **ADDITIONAL RECOMMENDATIONS: FINAL REPORT**

10. Provide interpreters, preferably certified, for all non-English speaking parents/guardians and victims.
11. Adopt measures that ease the court experience of victims and demonstrate respect, with special sensitivity to minor victims, including:
  - Ensure victims and witnesses receive access to all services to which they are entitled.
  - Post a flow chart of the possible patterns of the court process on the Victim/Witness Room wall.
  - Train and equip the victim escort to provide useful information and support.
  - Notify the victim of the impending release of the offender.
  - Eliminate commingling of victims and offenders, and their families, in waiting areas.
  - Create a protocol for courtroom entry and exit, to protect victims from further trauma.


12. Continue the Court User Implementation Committee under the direction of the Presiding Judge of the Juvenile Court, including development of a Continuous Improvement Plan with specific actions, goals, and measures. Publish annual updates.
13. Conduct a follow up survey within two years to evaluate progress on Project recommendations and efficacy of implemented changes, at the direction of the Presiding Judge of the Juvenile Court.

Approved by the Santa Clara County Juvenile Justice Commission:

  
\_\_\_\_\_  
Raul A. Colunga, JJC Chair

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Ray Blockie, Court User Project Chair

  
\_\_\_\_\_  
Date

## APPENDIX

### 1. Survey Instruments

- Youth Questionnaire – English
- Youth Questionnaire – Spanish
- Community Partners Questionnaire
- Parents Questionnaire – English
- Parents Questionnaire – Spanish
- Victims Questionnaire – English
- Victims Questionnaire – Spanish

### 2. Survey Results

- Youth In Custody
  - Juvenile Hall
  - James Ranch
- Community Partners (CBOs)
  - CBO #1
  - CBO #2
  - CBO #3
- Parents of In Custody and Out of Custody Youth
- Youth Out of Custody
- Victims

## JUVENILE JUSTICE COMMISSION: COURT USER SURVEY - YOUTH

How was your overall experience going through Court?

	Strongly Agree	Agree	Disagree	Strongly Disagree	Does Not Apply
Before my first Court date, I received detailed directions about what to do once I got to Court.					
It was hard finding a place to park.					
Parking was difficult (cost and time limits)					
The people at the metal detector have always been polite and respectful when I have gone through the Metal Detector.					
The people at the front desk (glass booth) where I checked-in have always been polite and respectful.					
I was comfortable in the <b>outer</b> waiting room.					
I was comfortable in the <b>inner</b> waiting room.					
All of the waiting rooms were clean.					
The bathrooms were clean.					
I have had privacy in the bathroom to give a drug test sample (urine sample).					
I had enough privacy in the waiting room to talk with my attorney, my probation officer and everyone who came with me.					
I have had to wait a long time before I went into court.  If you agree, what do you think was the cause of the long wait? - Other cases called before my turn? _____ - Interpreter was not available? _____ - My attorney was busy? _____ - Don't know? _____					
My attorney treated me with respect.					

Questionnaire – Youth (English)

My attorney told me what was going to happen in Court so that I could understand.					
My attorney listened to me and presented to the judge what I wanted the judge to know.					
My attorney told me the reason for the advice he/she gave me about my case.					
The judge treated me with respect.					
The judge explained to me what was happening in Court in words that I understood.					
The judge gave me the chance to say what I wanted to say.					
After we left the courtroom, my attorney told me what happened in court.					
After the hearing where the judge told me what my probation orders were, a probation officer					
- Went over the probation orders with me					
- Had me sign the probation orders					
- Gave me a copy					
I was happy to have any or all of the following people with me in Court.					
- My parent(s)					
- My mentor/case worker/support person					
- My education representative					
I think I had to go to court too many times					
The probation officer assigned to me went over my probation orders the first time I saw him/her.					

Please continue to the next page.

## Questionnaire – Youth (English)

### More about you.

- This is the first time I have gone through a court.
- This is not the first time I have been through court.

What is your age? \_\_\_\_\_

I am a:

- Male  Female

I am right now:

- In custody  On probation

What is your ethnicity? (Check all that apply)

- American Indian or Alaskan Native  Hispanic/  
 Asian  Pacific Islander  
 Black/African American  White/Caucasian

Thank you for answering these questions!



## COMISIÓN DE JUSTICIA JUVENIL: ENCUESTA PARA LOS USUARIOS DE LA CORTE - jóvenes

¿Cómo fue tu experiencia en general pasando por la Corte?

	Muy de acuerdo	De Acuerdo	No estar de acuerdo	Fuertemente no de acuerdo	No Aplica
Antes de mi primera cita en la corte, recibí instrucciones detalladas acerca de qué hacer una vez que llegara a la Corte.					
Fue difícil encontrar un lugar para estacionar.					
El estacionamiento era difícil (límites de costo y tiempo)					
La gente en el detector de metales han sido siempre cortés y respetuosos cuando he pasado por el detector de metales.					
La gente de la recepción (cabina de vidrio) donde registramos han sido siempre cortés y respetuosos.					
Me sentí cómodo en la sala de espera de afuera.					
Me sentí cómodo en la sala de espera interior.					
Todas las salas de espera estaban limpias.					
Los baños estaban limpios.					
He tenido la privacidad en el baño para dar una muestra de prueba de drogas (muestra de orina).					
Tuve suficiente privacidad en la sala de espera para hablar con mi abogado, mi oficial de libertad condicional y todos los que vinieron conmigo.					

Questionnaire – Youth (Spanish)

- Me sentía feliz de tener una o todas de las siguientes personas conmigo en la Corte. - Mis padres					
- Mi mentor/ trabajador de mi caso / persona de apoyo					
- Mi representante de educación					
Creo que tuve que ir a la corte demasiadas veces					
El oficial de libertad condicional que me asignaron fue sobre mis órdenes de libertad condicional la primera vez que lo/la vi a él / ella.					

Por favor, continúe en la página siguiente.

**Más sobre de ti.**

Esta es la primera vez que he pasado por una corte..

Esta no es la primera vez que he pasado por una corte.

Cuál es tu edad? \_\_\_\_\_

Soy:

Hombre

Mujer

Estoy ahora:

En la custodia

En libertad condicional juvenil

¿Cuál es tu origen étnico? (Marque todo lo que corresponda)

Indio Americano o Nativo de Alaska

Hispano / Latino

Asiático

De las Islas del Pacífico

Negro / Afroamericano

Blanco/Europeo

Gracias por contestar estas preguntas!

## JUVENILE JUSTICE COMMISSION: COURT USER SURVEY Community Partners Survey

The Juvenile Justice Commission has been asked to provide the Juvenile Justice Court with information on how well the public is served when in the courts. To this end we ask you to take a few minutes to thoughtfully complete this survey, and then to participate in a focus group. All responses are anonymous.

**In what capacity did you attend Santa Clara County Juvenile Justice Court?** \_\_\_\_\_

How was your overall experience going through Court?

	Strongly Agree	Agree	Disagree	Strongly Disagree	Does Not Apply
I went to court with an out of custody youth. _____	_____	_____	_____	_____	_____
I went to court with an in custody youth.					
It was hard finding a place to park.					
Parking was difficult (cost and time limits)					
When I have gone through the Metal Detector, the people there have always been polite and respectful.					
The people at the front desk (glass booth where I check in) have always been polite and respectful.					
I was comfortable in the <b>outer</b> waiting room.					
I was comfortable in the <b>inner</b> waiting room.					
All of the waiting rooms were clean.					
The bathrooms were clean.					
We had enough privacy in the waiting room to talk with the attorney, the probation officer, and everyone else who came with us					

Questionnaire – Community Partners / CBOs

<p>I have had to wait a long time before going into the courtroom.</p> <p>If you agree, what do you think was the cause of the long wait?</p> <p>- Other cases called before my turn? _____</p> <p>- Interpreter was not available? _____</p> <p>- Our attorney was busy? _____</p> <p>- Don't know? _____</p>					
<p>The juvenile for whom I came to court's attorney treated me with respect.</p>					
<p>The juvenile for whom I came to court's attorney told me what was going to happen in Court.</p>					
<p>The for whom I came to court's attorney informed me of what the probation officer's said and listened to what I had to say.</p>					
<p>I went with the juvenile into court.</p>					
<p>The judge treated me with respect.</p>					
<p>The judge explained to those at the hearing what was happening</p>					
<p>The judge gave me a chance to say what I wanted to say.</p>					
<p>After we left the courtroom, my juvenile's attorney answered any questions I had about what happened in court</p>					
<p>I think we had to wait too long for the case to be called into court.</p>					
<p>The reason I was given for the delays was:</p> <p>Then youth's attorney was busy with other cases.</p>					
<p>Other cases were called before ours.</p> <p>The interpreter was not available.</p> <p>I was never given a reason.</p>					

Questionnaire – Community Partners / CBOs

I think we had to go to court too many times					
The reason I was given for the continuances made sense to me					

**More about you.**

I am the juvenile's \_\_\_\_\_

Right now, my juvenile is:

In custody

On probation

Any other information you feel might be helpful to improve the court experience: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Anything else that you might tell us about you, or your relationship to the youth: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you for answering these questions!



## JUVENILE JUSTICE COMMISSION: COURT USER SURVEY

### Parent / Guardian / Responsible Adult

How was your overall experience going through Court?

	Strongly Agree	Agree	Disagree	Strongly Disagree	Does Not Apply
Before our first Court date, we received detailed directions about what to do once we got to Court.					
It was hard finding a place to park.					
Parking was difficult (cost and time limits)					
When I have gone through the Metal Detector, the people there have always been polite and respectful.					
The people at the front desk (glass booth where I check in) have always been polite and respectful.					
I was comfortable in the <b>outer</b> waiting room.					
I was comfortable in the <b>inner</b> waiting room.					
All of the waiting rooms were clean.					
The bathrooms were clean.					
We had enough privacy in the waiting room to talk with the attorney, the probation officer, and everyone who came with us.					
I have had to wait a long time before going into the courtroom.  If you agree, what do you think was the cause of the long wait? - Other cases called before my turn? _____ - Interpreter was not available? _____ - Our attorney was busy? _____ - Don't know? _____					
My juvenile's attorney treated me with respect.					
My juvenile's attorney told me what was going to happen in Court so that I could understand.					
My juvenile's attorney had me read the probation officer's report and listened to what I had to say.					
My juvenile's attorney told me the reason for the advice he/she gave my juvenile about the case.					
The judge treated me with respect.					
I was told I had a right to an attorney other than my child's attorney to represent me on my juvenile's case.					

## Questionnaire – Adult (English)

I hired an attorney other than my juveniles' attorney to represent me.					
The judge explained to me what was happening in Court in words that I understood.					
The judge gave me the chance to say what I wanted to say.					
After we left the courtroom, my juvenile's attorney reviewed with us what happened in court.					
After the hearing, where the judge told us what the probation orders were, a probation officer: - Went over the probation orders with us.					
- Had my son/daughter sign the probation orders.					
- Gave us a copy.					
I was happy to have these people in Court: - My juvenile's mentor/case worker/support person.					
I think we had to go to court too many times.					
The probation officer assigned to us went over the probation orders the first time I saw him/her.					

### More about you.

I am a:

Male

Female

I am the juvenile's (check one):

Father

Guardian

Mother

Responsible Adult

Right now, my juvenile is:

In custody

On probation

My ethnicity is (check all that apply):

American Indian or Alaskan Native

Hispanic/Latino

Asian

Pacific Islander

Black/African American

White/Caucasian

Thank you for answering these questions!

Questionnaire – Adult (Spanish)

**COMISIÓN DE JUSTICIA JUVENIL: ENCUESTA PARA LOS USUARIOS DE LA CORTE Padre / Tutor / Adulto Responsable**

How was your overall experience going through Court?

	Muy de acuerdo	De acuerdo	No estar de acuerdo	Fuertemente no de acuerdo	No Aplica
Antes de nuestra primera cita en la corte, recibimos instrucciones detalladas acerca de qué hacer una vez que llegamos a la Corte.					
Fue difícil encontrar un lugar para estacionar.					
El estacionamiento era difícil (límites de costo y tiempo)					
Cuando he pasado por el detector de metales, la gente de allí han sido siempre educados y respetuosos.					
La gente de la recepción (cabina de cristal donde me registro) han sido siempre educados y respetuosos.					
Me sentí cómodo en la sala de espera externa.					
Me sentí cómodo en la sala de espera interior.					
Todas las salas de espera estaban limpias.					
Los baños estaban limpios.					
Teníamos suficiente privacidad en la sala de espera para hablar con el abogado, el oficial de libertad condicional, y todos los que vinieron con nosotros					
He tenido que esperar mucho tiempo antes de entrar en la sala de la corte.  Si está de acuerdo, ¿qué te parece que fue la causa de la larga espera? - Otros casos fueron llamados antes de mi turno? _____ - Intérprete no estaba disponible? _____ - Nuestro abogado estaba ocupado? _____ - No lo sé? _____					
El abogado de mi juvenil me trató con respeto.					
El abogado de mi juvenil me dijo lo que iba a suceder en la Corte para que yo pudiera entender.					
El abogado de mi juvenil me había leído el informe del oficial de libertad condicional y escuchó lo que yo tenía que decir.					
El abogado de mi juvenil explico la razón por los consejos que él / ella le dio a mi juvenil sobre el caso.					
El juez me trató con respeto.					
Me dijeron que tenía derecho a un abogado que no sea el abogado de mi hijo para que me represente en el caso de mi juvenil.					



## Questionnaire – Adult (Spanish)

Contraté a un abogado que no era el abogado de mi juvenil para que me representara					
El juez me explicó lo que estaba sucediendo en la Corte en palabras que yo entendí.					
El juez me dio la oportunidad de decir lo que quería decir.					
Después de salir de la sala del tribunal, el abogado de mi juvenil revisó conmigo lo que pasó en la Corte.					
Después de la audiencia, donde el juez nos dijo cuáles eran las órdenes de libertad condicional, un oficial de libertad condicional:					
- Fue a través de los órdenes de libertad condicional con nosotros					
- Le dijo a mi hijo / hija que tenía que firmar las órdenes de libertad condicional					
- Nos dio una copia					
Yo estaba feliz de tener a estas personas en la Corte:					
- Mentor de mi juvenil/ trabajador de caso/ persona de apoyo					
Creo que teníamos que ir a la corte demasiadas veces					
El oficial de libertad condicional asignado a nosotros fue sobre las órdenes de libertad condicional la primera vez que lo/a vi a él / ella.					

**Por favor, continúe en la página siguiente.**

### Mas sobre usted

Soy un/a:

Hombre

Mujer

Yo soy el/la \_\_\_\_\_ del juvenil (marque uno):

Padre

Tutor

Madre

Otro Adulto Responsable

En este momento, mi juvenil esta:

En la custodia

período de prueba

Mi raza es (marque lo que corresponda):

Indio Americano o Nativo de Alaska

De las Islas del Pacífico

Asiático

Blanco / caucásico

Negro / afroamericano

Prefiero no contestar

Hispano / Latino

Gracias por contestar estas preguntas!

Questionnaire – Adult (Victims)



**JUVENILE JUSTICE COMMISSION: COURT USER SURVEY  
Victim**

If you prefer to complete this online, please go to: <http://goo.gl/forms/CSZzjcFXUP> or email [sccjic@gmail.com](mailto:sccjic@gmail.com) for a Victim link.

How was YOUR experience in the Court process? Please take this opportunity to be heard; the Judges are listening. You can help make the experience better for Witnesses who come after you.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Does Not Apply
1. Before my first Court date, I received detailed instructions about what to do once I got to Court.					
2. When I have gone through the Metal Detector, the people there have always been polite and respectful.					
3. The people at the front desk (glass booth where I check in) have always been polite and respectful.					
4. I was comfortable in the victim/ witness room.					
5. The waiting room was clean.					
6. The bathrooms were clean.					
7. I had enough privacy in the victim/ witness room to talk with the attorney, the probation officer, and everyone who came to talk with me.					
8. I had to wait a long time before going into the courtroom.  If you think the wait was long, what do you think was the cause of the long wait? <ul style="list-style-type: none"> <li>• Other cases called before mine? _____</li> <li>• Interpreter was not available? _____</li> <li>• The District Attorney was busy? _____</li> <li>• Don't know? _____</li> </ul>					
9. The District Attorney treated me with respect.					
10. The defense attorney treated me with respect.					
11. The District Attorney told me what was going to happen in Court in a way that I could understand.					
12. The judge treated me with respect.					

Questionnaire – Adult (Victims)

13. I was told I had a right to hire an attorney to represent me and my interest in the case. • Did you hire an attorney? _____					
14. The judge explained to me what was happening in Court in words that I understood.					
15. The judge gave me a chance to say what I wanted to say.					
16. After I left the courtroom, the District Attorney, the probation officer or the victim advocate reviewed with me what happened in court.					
17. Someone explained the reasons behind the approach and results in Juvenile Court.					
18. I was happy to have the victim advocate with me in Court.					
19. The number of times I had to go to Court was reasonable.					
20. I felt secure and safe from my arrival at the courthouse to leaving the courthouse.					

I went to Court for the trial:

- Yes  No

I went to the restitution hearing:

- Yes  No

I went to the detention hearing:

- Yes  No

I went to every hearing:

- Yes  No

**Are you willing to participate in a focus group to help improve the Court experience for victims in the court process?**

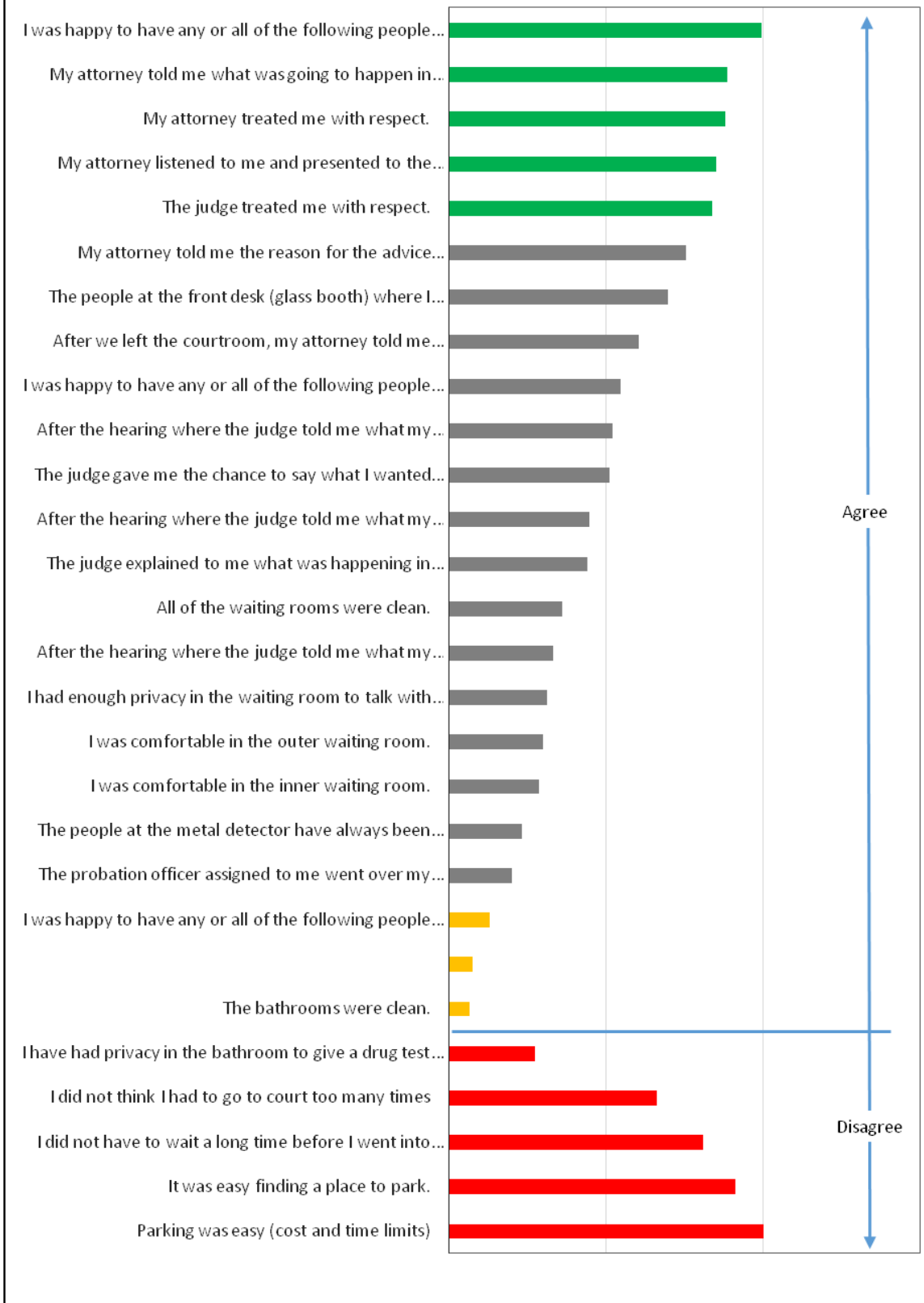
If so please provide us with your contact information.

Name (optional) \_\_\_\_\_ Zip Code \_\_\_\_\_

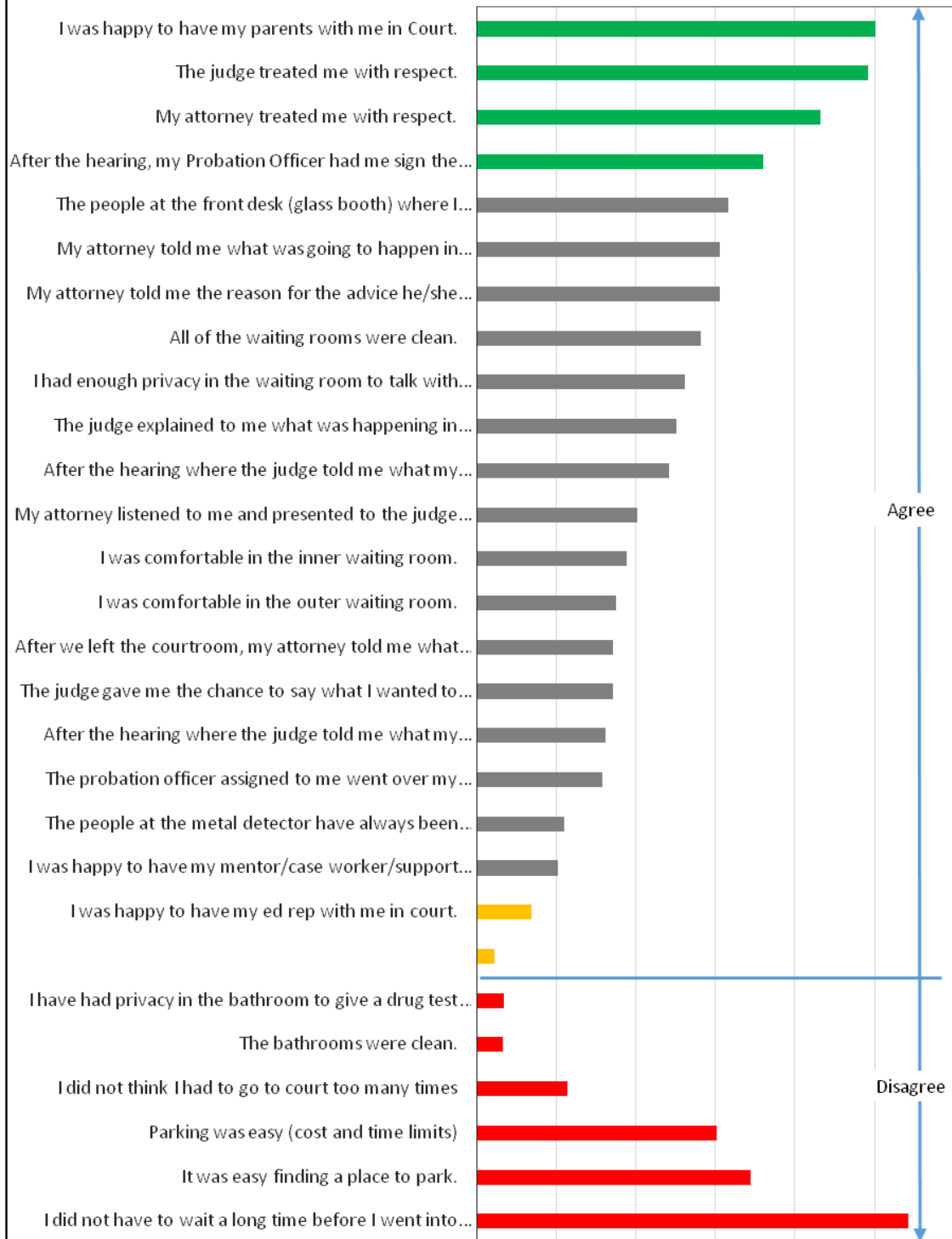
Phone \_\_\_\_\_ Email \_\_\_\_\_

**Thank you for answering these questions!**

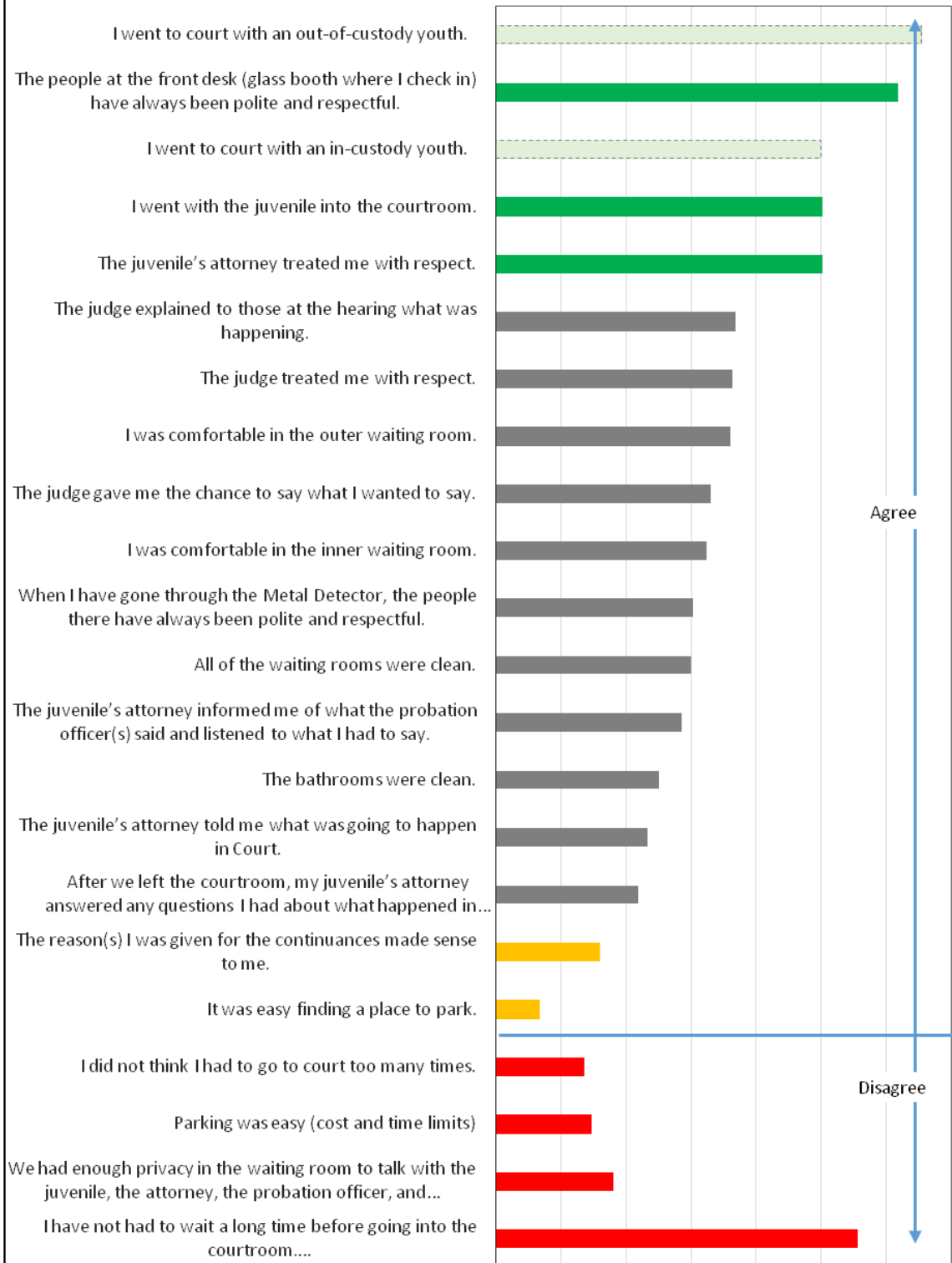
# Juvenile Hall Youth Survey Result



## Youth Survey Result - James Ranch



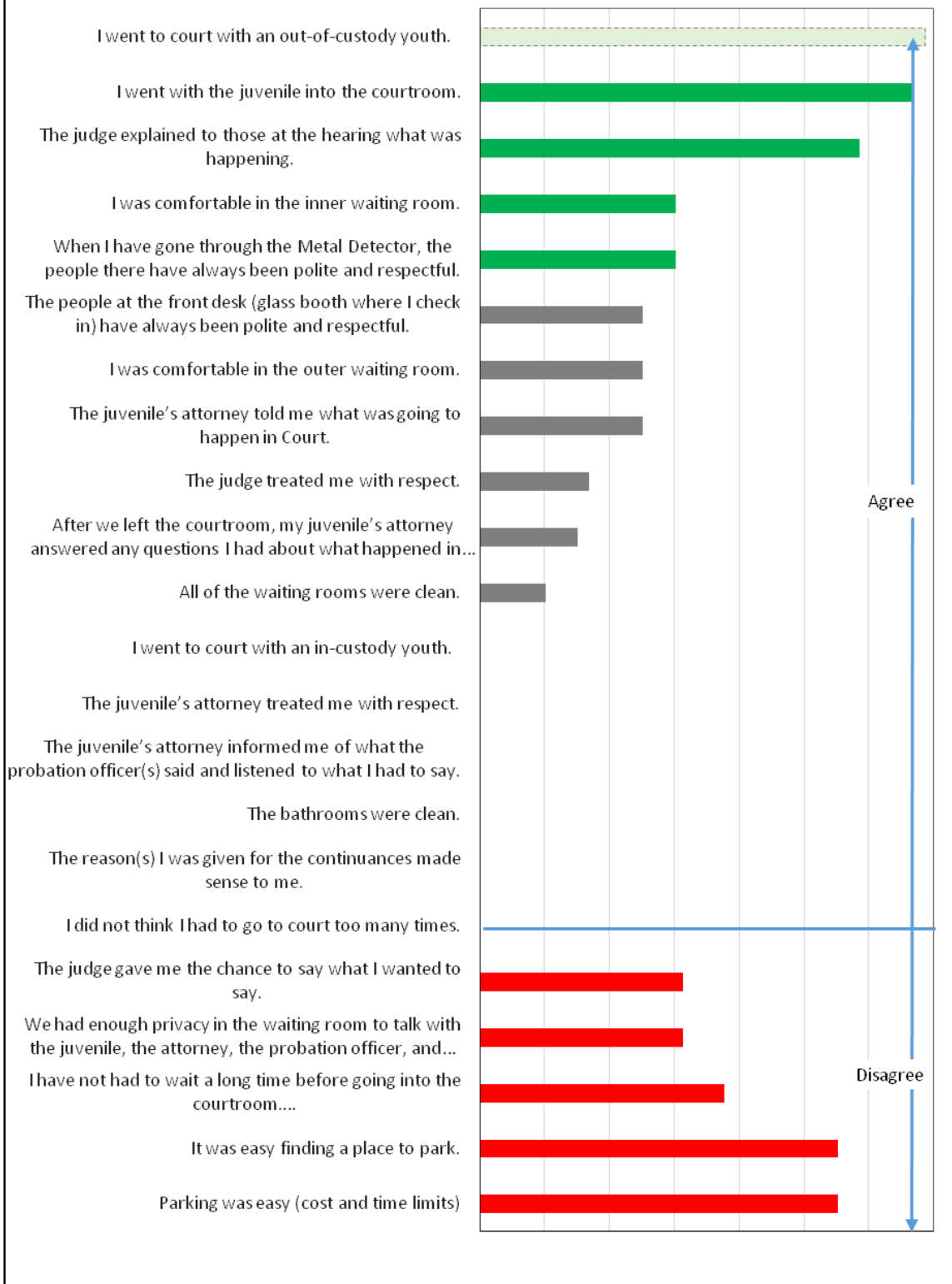
## CBO Survey Result: CBO #1



## CBO Survey Result: CBO #2



## CBO Survey Result: CBO #3





## Parents Survey Result



# Out of Custody Youth Survey Result



### Victims Survey Result

