

**From: *Developmental Reform in Juvenile Justice: Translating the Science of Adolescent Development to Sustainable Best Practice (see attached)***

***Fairness and Equitable Treatment (page 4)***

The third aim requires that youth are treated fairly through the assurance that due process laws and procedures are protected for every youth and family involved in the juvenile court process.

Fundamentally, this includes equal certainty that all youth have access to and are represented by properly trained defense counsel and that all youth have an opportunity to participate in the juvenile justice system proceedings. The fairness standard also applies to the practice of swift justice. An adherence to standards and timelines for case processing is critical in that the juvenile justice process is designed to teach offenders that illegal behavior has consequences and that anyone who violates the law will be held accountable. Youth who must wait a significant period of time between offense and consequence, often for the convenience of the system process and actors, may not be able to sufficiently connect the two events so as to serve as an effective deterrent. Practically speaking, if the juvenile justice process is not timely, many youth will experience prolonged uncertainty which can negatively impact trust and a sense of fairness. If a youth does not perceive the juvenile justice system to be predictable and fair, then the system's goal of changing behavior is less likely to be achieved.<sup>1</sup> Ensuring that youth perceive they have been treated fairly and with dignity contributes to several important features of prosocial development, including moral development, belief in the legitimacy of the law, and the legal socialization process generally.

***Case Processing Timeline Standards (page 9)***

In a brief entitled *Delays in Youth Justice*, the Office of Juvenile Justice and Delinquency Prevention stated, "Delays in the processing of youth through the justice system can have negative results not only for the youth themselves but also for their families and communities. Improving the timeliness of the justice process is far more than a technical matter for managers and judges; it is a critical part of policy and practice in ensuring the juvenile justice system fulfills its basic mission."<sup>2</sup>

Recently in Idaho, leadership recognized the importance of effective and efficient case processing. As a result, all of the state's judicial districts came together to develop revised standards and practices for timeliness of their juvenile court processes and procedures. The qualitative research findings on successful adoption of adherence to these improved practices highlighted two common themes:

- **Success in addressing court delay requires leadership in the form of a court culture that is committed to case management, and**
- **Routine and shared communication is vital for any successful case management system, no matter how automated that system may be.**

These revised practices require collaboration from the key system actors and include judges, prosecutors, defense counsel, court administrators, and court/probation department staff at a minimum.

---

<sup>1</sup> National Center for State Courts. (2011). Model Time Standards for State Trial Courts. <http://ncsc.contentdm.oclc.org/cdm/ref/collection/ctadmin/id/1836>

<sup>2</sup> National Institute of Justice & Office of Juvenile Justice and Delinquency Prevention. (2014) Delays in Youth Justice. Justice Research. <https://www.ncjrs.gov/pdffiles1/nij/237149.pdf>