

WILLIAMS COUNTY COMMON PLEAS COURT, JUVENILE DIVISION

DIVERSION PROGRAM

WHAT IS DIVERSION:

Diversion is a non-judicial method of dealing with youth either before charges are filed, or as an alternative disposition during formal proceedings in the juvenile delinquency system.

THE GOALS OF DIVERSION:

1. To allow the juvenile to acknowledge responsibilities for his or her actions with appropriate consequences;
2. To provide the juvenile and family with needed resources;
3. To prevent further involvement with the juvenile justice system.

WHO IS ELIGIBLE FOR DIVERSION:

Only those juveniles who have no prior official or unofficial record (first time offenders) who are alleged to have committed status offenses (unruly, truancy or curfew violations) or misdemeanor level offenses.

COURT DIVERSION PROGRAMS:

The Court has the following Diversion programs: PATHE Diversion, Informal Diversion, and Pre-Adjudication Diversion, which includes SBIRT. A quick review of each program is attached.

REFERRALS:

Referrals to the Diversion program can be made prior to a charge being filed and also pre-adjudication if a charge has been filed. The Prosecutor or the Judge is the primary source of referral to the Pre-Adjudication Diversion program. The facts leading to the referral will determine if SBIRT will be part of the Pre-Adjudication Diversion program.

Referrals to PATHE Diversion and Informal Diversion can be from school personnel, job and family service caseworkers, law enforcement, the county prosecutor, probation officers or parent/guardian.

WHAT TO EXPECT IF YOU PARTICIPATE IN PRE-ADJUDICATION/SBIRT DIVERSION:

THE JUVENILE AND HIS/HER PARENTS OR GUARDIAN ARE REQUIRED TO ATTEND A DIVERSION INTERVIEW. THIS INTERVIEW WILL CONSIST OF Five PARTS:

1. Introduction – the diversion officer will introduce himself/herself and get acquainted with the youth and parents. The parents/guardian will be asked to provide information concerning the juvenile, the family and the alleged offense.
2. Review of offense – the diversion officer reviews the complaint with the family. The juvenile can admit to or deny the offense. The juvenile is encouraged to tell his/her side of the story, if the juvenile admits to the offense, the diversion interview will continue. If the youth denies the offense, the diversion interview will end and the report will be referred to the prosecutor for the juvenile to respond to the charge in Court.

3. Assessment of Juvenile and family concerns - If the juvenile admits to the offense the diversion interview will continue and the diversion officer will assess the juvenile and family for concerns. Some areas that are reviewed are success at school, peer relations, counseling, and drug/alcohol involvement. This is done in an effort to link the youth and his or her family to appropriate community resources.
4. Contract – the final part of the interview involves contracting with the juvenile to accept responsibility for the offense by complying with certain conditions and consequences. The contract is signed by the youth and the parent and the diversion officer.
5. Cost of the diversion program – There is a cost to this Diversion program as the successful completion of the program does not have fines or court costs assessed. The cost of entry into this Diversion program is \$150.00, payable within ten (10) days of signing the Diversion contract.

WHAT TO EXPECT IF YOU PARTICIPATE IN INFORMAL DIVERSION:

The juvenile and his/her family will attend a diversion interview, very similar to the interview stated in the Pre-Adjudication Division. Based upon the interview the juvenile will complete screenings that will allow the Diversion officer to make referrals for the family. The juvenile and family will enter into a contract of conduct during the time that the juvenile is in informal Diversion.

WHAT ARE THE TERMS OF THE CONTRACT FOR PRE-ADJUDICATION/SBIRT AND INFORMAL DIVERSION?

The terms will be dependent on the offense, the juvenile and the family's needs. Examples of contract terms are community service, counseling, mediation, essays drug/alcohol treatment, random drug testing, and apology letters. The diversion officer will determine the contract terms based upon the circumstances of the offense.

WHAT IS PATHE (PROVIDING ACCOUNTABILITY THROUGH HONOR AND EDUCATION) DIVERSION?

In coordination with schools, parents, guardians, the department of Job and Family services, law enforcement, the prosecutor or the Court's probation department, the Diversion officer will meet with the juvenile and his/her family to educate on the Court system and possible consequences related to the juvenile's behavior. The Diversion officer will discuss integrity and honor in conduct. This diversion program is to educate and redirect behavior prior to any formal Court involvement.

HOW LONG IS THE JUVENILE IN DIVERSION?

The average length of the diversion program is 90 days. The length of participation is dependent upon the Juvenile and the parents/guardian. The sooner the contract terms are completed, without further violation, the sooner the juvenile successfully completes diversion.

WHAT IF I DO NOT WANT TO PARTICIPATE IN DIVERSION?

It is important to know that not all courts have a Diversion program. Participation in the Williams County Juvenile Court Diversion program is a PRIVILEGE. If the Juvenile chooses not to participate in diversion and or denies committing the offense, the complaint or report is forwarded to the prosecutor's office for review. The juvenile may be assigned a probation officer and may be summoned

to appear in Court. If the juvenile is found to be delinquent the juvenile may face consequences including probation, detention, house arrest, and/or electronic monitoring.

WHAT IS THE DIFFERENCE BETWEEN DIVERSION AND PROBATION?

These two terms are commonly confused with each other. However the difference between the two is important.

DIVERSION:

Unofficially involved with the court
No official record
Approximately 90 days
Remains in the home
One time Diversion fee
(Pre-Adjudication/SBIRT Only)

PROBATION:

Officially involved with the Court,
required to appear in front of the judge
Official Juvenile record
Up to the age of 21
At risk for placement in detention,
including in an institution
Court Costs, fines, and supervision fees