



# Juvenile & Youth Services

## JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Court Advocacy

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ITEM: 407.4

DATE: 12/6/2024

### POLICY

It is the policy of Wayne County Juvenile and Youth Services (WC-JYS) and House Arrest Services, Inc. (HAS) to establish clear guidelines for HAS in providing Court Advocacy support to Case Management Organizations (CMOs) for WC-JYS youth within Wayne County. House Arrest staff will attend all court hearings for pre-adjudicated youth and attend key hearings for post-adjudicated youth, including Pre-trials, Trials, Dispositional Hearings, and Probation-related Hearings, as needed. The focus is on supporting the court process and educating service providers and stakeholders.

House Arrest Services supports the rehabilitation of WC-JYS youth by ensuring compliance with court-ordered Electronic Monitoring (EM)/Tether, working collaboratively with CMOs and the Court. These policies apply to HAS court advocacy employees involved in monitoring and outline procedures for education, advocacy, and coordination with all stakeholders in the adjudication process.

### PROCEDURES

#### 1) Tether Violations

- a. HAS will filter and identify all violations.
- b. Once violations are identified, a summary report will be shared with the CMO for review and further follow up according to Policy 407.2.
- c. HAS will generate Daily Violation Reports and share with CMOs.
- d. HAS will generate and send monthly violation reports to CMOs and WC-JYS Admin.
- e. HAS will document all identified violations in JAIS.

- f. HAS will continue to monitor, report, and provide testimony until tether termination.

## **2) Preliminary Hearings**

- a. The JAC will send the Preliminary Hearing Report to the designated distribution list and include HAS.
  - i. **Weekday Schedule:** The report will be sent to HAS by 4:00 PM, Monday through Friday, but no later than 5:00 PM. If there are any delays, the JAC will notify HAS directly.
  - ii. **Saturday & Holiday Schedule:** The report will be sent by 12:00 PM, no later than 1:00 PM. Any delays will also be communicated directly to HAS.
- b. The JAC will collect and provide contact information for the youth's parent or legal guardian for all pre-adjudicated youth.
- c. Upon receiving a court order for placement on tether from the JAC, HAS will start the enrollment process.
  - i. If immediate apprehension is mandated, the AFS will notify HAS.
  - ii. HAS will notify the CMO upon post adjudication case transfer.
- d. HAS will continue to monitor, report, and provide testimony, as requested until termination of tether services.
- e. If additional or alternative contact information is needed for the parent/legal guardian, HAS shall contact WC-JYS admin for assistance.

## **3) Pre-Trial/Trial Hearings**

- a. HAS will attend all Pre-trial/trial hearings upon request from the CMO.
- b. Upon request from the CMO, HAS will prepare and submit violation reports to the CMO at least **five (5) business days** before the scheduled court hearing.
- c. The CMO will share these reports with the Judge/Jurist, Prosecutor, and Defense Attorney in preparation for the hearing.
- d. HAS will provide expert testimony in court, upon request of the CMO for all post-adjudicated youth, to explain the function, reliability, and interpretation of the data from the monitoring systems, as needed.
  - i. CMO requests for House Arrest's presence and testimony in court hearings shall be made **48 hours** in advance of the hearing date.
  - ii. Requests for House Arrest's presence and testimony shall be made during regular business hours, 8:00am to 6:00pm.
- e. If the youth is adjudicated at this hearing, HAS will provide the assigned CMO with pre-adjudication violation reports and the tether enrollment packet for record keeping.
- a. HAS will continue to monitor, report, and provide testimony, as requested until termination of tether services.

#### **4) Dispositional Hearings**

- a. HAS will attend all Dispositional Hearings upon request from the CMO.
- b. Upon request from the CMO, HAS will prepare and submit violation reports to the CMO at least **five (5) business days** before the scheduled court hearing.
- c. The CMO will share these reports with the Judge/Jurist, Prosecutor, and Defense Attorney in preparation for the hearing.
- d. HAS will provide expert testimony in court, upon request of the CMO for all post-adjudicated youth, to explain the function, reliability, and interpretation of the data from the monitoring systems, as needed.
  - i. CMO requests for House Arrest's presence and testimony in court hearings shall be made **48 hours** in advance of the hearing date.
  - ii. Requests for House Arrest's presence and testimony shall be made during regular business hours, 8:00am to 6:00pm.
- e. Upon adjudication, HAS will provide the assigned CMO with pre-adjudication violation reports and the tether enrollment packet for record keeping.
- a. HAS will continue to monitor, report, and provide testimony, as requested until termination of tether services.

#### **5) Probation Review Hearings**

- a. HAS will attend all Probation Review Hearings upon request from the CMO.
- b. Upon request from the CMO, HAS will prepare and submit violation reports to the CMO at least **five (5) business days** before the scheduled court hearing.
- c. The CMO will share these reports with the Judge/Jurist, Prosecutor, and Defense Attorney in preparation for the hearing.
- d. HAS will provide expert testimony in court, upon request of the CMO for all post-adjudicated youth, to explain the function, reliability, and interpretation of the data from the monitoring systems, as needed.
  - i. CMO requests for House Arrest's presence and testimony in court hearings shall be made **48 hours** in advance of the hearing date.
  - ii. Requests for House Arrest's presence and testimony shall be made during regular business hours, 8:00am to 6:00pm.
- a. HAS will continue to monitor, report, and provide testimony, as requested until termination of tether services.

#### **6) Violation of Probation Hearings**

- a. HAS will attend all Violation of Probation Hearings upon request from the CMO.

- b. Upon request from the CMO, HAS will prepare and submit violation reports to the CMO at least **five (5) business days** before the scheduled court hearing.
- c. The CMO will share these reports with the Judge/Jurist, Prosecutor, and Defense Attorney in preparation for the hearing.
- d. HAS will provide expert testimony in court, upon request of the CMO for all post-adjudicated youth, to explain the function, reliability, and interpretation of the data from the monitoring systems, as needed.
  - i. CMO requests for House Arrest's presence and testimony in court hearings shall be made **48 hours** in advance of the hearing date.
  - ii. Requests for House Arrest's presence and testimony shall be made during regular business hours, 8:00am to 6:00pm.
- e. HAS will continue to monitor, report, and provide testimony, as requested until termination of tether services.

*If requests are not submitted within the specified time frames, adjustments may not accurately reflect the appropriate lockdown schedule for the youth, potentially impacting program operations.*

## COURT LAISON RESPONSIBILITIES

The Court Liaison for the House Arrest program will carry out the following tasks:

1. **Preparation and Submission of Violation Reports:**
  - The Court Liaison will prepare detailed violation reports based on monitoring data. These reports will be sent to Case Management Officers (CMOs) for review and further action.
2. **Expert Testimony on Monitoring Devices:**
  - As Subject Matter Experts on the operation and technical aspects of electronic monitoring devices, the Court Liaison will provide testimony in court, as necessary, to explain the function, reliability, and interpretation of data from monitoring systems.
3. **Correspondence with Prosecutors and Defense Attorneys:**
  - The Court Liaison will maintain communication with prosecutors, addressing any requests from the prosecution regarding House Arrest violations, device performance, or other relevant concerns.
4. **Collaboration with Prosecutors and Defense Attorneys for Hearings:**
  - The Court Liaison will work in collaboration with prosecutors in preparation for court hearings. This includes coordinating on violation reports, answering questions, and ensuring that all necessary documentation is available for prosecutorial review prior to hearings.

## DEFINITIONS

**Case Management Organizations (CMOs):** Five (5) lead agencies responsible for managing adjudicated youth cases within specific clusters of zip codes. These agencies are tasked with providing comprehensive services for each youth assigned to their caseload. This includes case management, service planning, court-related services, home-based interventions, placement, and coordinating a network of subcontracted treatment providers.

**Electronic Monitoring (EM)/Tether:** A monitoring technology that allows for the tracking of youth s via a Global Positioning System (GPS) device while they reside in a community-based living arrangement. The system involves a bracelet-like device, typically a SecureCuff or strap, fastened to the youth's ankle. The device is monitored through an Internet-based platform (IntelliTrack), providing real-time location data to ensure compliance with court-ordered restrictions.

**Provider:** An entity, authorized via contract or Memorandum of Understanding (MOU) by the Court, to deliver Electronic Monitoring Services to youth with active petitions or cases in the Third Judicial Circuit Court of Michigan – Family Division. This includes Case Management Organizations (CMOs) and their designated subcontractors, the Wayne County Juvenile Detention Facility, the Intensive Probation Unit (IPU), and the Supervised Treatment for Alcohol and Narcotics Dependency (STAND) program.

**Preliminary Hearing:** Formal court proceeding in which a judge or referee decides whether a petition should be handled formally or informally. The petition may be dismissed or authorized, with or without a plea. The purpose of the hearing is to inform the youth of the charges against them, assess probable cause, and determine whether the youth should be released (with or without conditions) or detained. In cases where the youth is in custody due to an apprehension for Electronic Monitoring (EM) violations, a preliminary hearing must be held within 24 hours. During the hearing, the court evaluates if sufficient evidence exists to support the charge and whether to continue detention or allow release.

**Pre-trial:** Court proceeding where evidence may or may not be presented to substantiate the charges. The purpose of the pre-trial hearing is to clarify the charges, address procedural issues, and, in some cases, resolve the case without proceeding to a full trial. This hearing ensures that the youth understand the legal process, the charges against them, and any potential plea options available.

**Dispositional Hearing:** Sentencing phase that occurs if a petition is authorized. During this hearing, the court determines the appropriate level of probation for the youth. The probation levels may include Level 1, Level 1.5, or Level 2, based on the circumstances of the case and the youth's needs.

**Probation Review Hearings:** Court sessions held to assess a youth's compliance with the terms and conditions of their probation. These hearings evaluate the progress of the youth and determine if any adjustments to the probation terms are needed.

**Violation of Probation Hearings:** Hearings convened to address allegations that a youth has violated the terms of their probation. The court reviews the evidence of the violation and decides on appropriate consequences or modifications to the probation terms.

**EXHIBITS:**

NA

**REFERENCE:**

NA