Digest of the
Timeliness of the Juvenile Justice System
(Report #99-03)

Local law enforcement agencies and the juvenile courts need to continue their efforts to reduce the time required to process juvenile delinquency cases. The speedy resolution of juvenile delinquency cases is important because juveniles have a more difficult time associating their delinquent behavior with the consequences if punishment is delayed. In addition, delays in prosecuting juvenile offenders also allows juveniles to commit new crimes. We found that 16% of all juveniles referred to the juvenile court committed additional crimes before their prior offense had been adjudicated. When we compared the time it takes to process each juvenile offender to the time requirements in the **Utah Code** and to the standards recommended by several professional associations, we found that a substantial number of cases in each court district are not processed in a timely manner. We have presented our findings to officials within the juvenile court and law enforcement communities and they have agreed to address this problem. In fact, many efforts are already underway which should help reduce the time it takes to process juvenile delinquency cases.

Some Delays Found in the Police Referral Process. When we compared the time to process each case resolved during 1998 to the time standards recommended by the **Utah Code**, the American Bar Association, and other federal agencies and professional organizations, we found that a significant portion of cases took too long to adjudicate. The **Utah Code** requires that law enforcement agencies send a referral to the juvenile court within 10 days of an arrest. However, we found that many police referrals are taking much longer than 10 days to reach the juvenile court.

Some Cases Take Too Much Time in the Court Intake Process. Once a referral reaches the juvenile court, the **Utah Code** requires that the court intake officers decide within 60 days whether to file the case in court or resolve the cases through a non-judicial agreement with the juvenile and his or her parents. We found that 15 percent of the cases are in violation of this standard. However, we believe that 60 days is too long for a case to spend in the intake process and that a more appropriate time standard would be the 35 days recommended by the National Advisory Committee for Juvenile Justice and Delinquency Prevention. We found that 29 percent of the cases exceeded this 35-day standard.

A More Timely Court Hearing Process is Needed. Both the American Bar Association and the National Advisory Committee for Juvenile Justice and Delinquency Prevention recommend that the court hearing process take no more than 45 days. We found that after the case is filed in court, it takes an average of 58 days for a case to finally be resolved in a court hearing. We found that 40 percent of the cases filed with the juvenile court are not disposed within 45 days of the filing date.

Delinquency Cases Are Not Processed in a Timely Manner for Many Reasons. This report lists some of the most common reasons for delay in the processing of juvenile delinquency cases. For example, some law enforcement agencies allow referrals to sit in an "out-basket" for several days or even a week before someone takes them down to the juvenile court. One of the reasons the intake process can be delayed is that some juvenile court districts have had difficulty scheduling the preliminary hearing with the young offender and his or her parents. The courts need to find ways to make sure that this interview occurs as soon as possible after the referral has been submitted to the court. Finally, some judges might be able to reduce the time that cases spend waiting for disposition hearing by managing their court calendars more effectively and by discouraging the overuse of continuances.

Courts and Local Police Chiefs' Association Have Agreed to Address the Timeliness Issue. We have presented our findings to the Court Administrator and his staff and with representatives of the Utah Chiefs of Police Association and Utah Sheriffs Association. Each organization has agreed to work towards reducing the time required to resolve juvenile delinquency cases. In fact, the Court Administrator began to take action on this issue before this audit was even completed.