



SEVENTEENTH JUDICIAL DISTRICT

ADAMS COUNTY AND THE CITY AND COUNTY OF BROOMFIELD

ADMINISTRATIVE ORDER OF THE CHIEF JUDGE

2016-01

SEVENTEENTH JUDICIAL DISTRICT PLAN FOR HANDLING TRUANCY CASES

The Seventeenth Judicial District Plan for Handling Truancy Cases was developed by the Seventeenth Judicial District Truancy Detention Reduction Policy Committee in response to Senate Bill 15-184, as enacted by the Colorado General Assembly and signed into law by Governor Hickenlooper in 2015, which seeks to reduce the use of detention as a sanction in truancy cases and recommends that truancy courts only use detention as a sanction of last resort, and to develop best practice guidelines for addressing youth and families involved in Truancy Court in Adams and Broomfield Counties. The Seventeenth Judicial District Truancy Detention Reduction Policy Committee is comprised of court professionals and diverse community stakeholders including the current presiding Magistrate in the truancy division and the Court Programs Coordinator, as well as representatives from: Adams County Human Services; Broomfield Health & Human Services; Guardians ad Litem; School Districts 12, 14, 27J, 28J, Boulder Valley & Mapleton; our local online schools; legal counsel for local school districts; Griffith Center for Children; Community Reach Center; Mental Health Partners; The Link; A Precious Child; and Truancy Contempt Counsel. These listed members, along with representatives from District 50 and Strasburg, COVA, GOAL Academy, The Academy Charter School, New America, Pinnacle Charter School and CASA of Adams & Broomfield Counties also make up the 17th Judicial District Truancy Program Committee that meets quarterly and will review and update this document no less than once every three years.

This plan is designed to guide best practice in terms of purpose, process, and benefit. The district plan relies upon the following:

- SENATE BILL 15-184;
- HOUSE BILL 13-1021;
- Colorado Statewide Truancy Best Practices Committee Recommendation Report, September 2015;
- 22-33-104, C.R.S.: Compulsory School Attendance;
- 22-33-107, C.R.S.: Enforcement of Compulsory School Attendance;
- 22-33-108, C.R.S.: Judicial Proceedings;
- National Center for School Engagement (NCSE): "Alternatives to Juvenile Detention: Effective Strategies for Working with Truant Youth", 2006;
- Requirements of Colorado Statutes and Case Law;
- C.R.C.P. 107 (Contempt);
- Experiences of other jurisdictions in handling Truancy cases.

The purpose of the District Plan for Handling Truancy Cases is to create a process to expeditiously and appropriately resolve the issues which bring youth and families before the court for truancy matters; to achieve educational success for children/youth who attend school in the 17th Judicial District; and to eliminate the use of detention for truant youth. It is the intent of this plan to provide all participants in the process with a clear set of guidelines upon which they can rely in assisting the court in meeting this objective. Early intervention by the professionals involved with the youth and families and case management structure is promoted by the plan.

PRACTICES AND PROCEDURES FOR THE HANDLING OF TRUANCY CASES

Truancy court actions are filed after school districts have exhausted all efforts, or as deemed necessary by the school district, to engage children/youth and families and connect them to school and community resources with the goal of improving school attendance.

22-33-108, C.R.S.: Judicial Proceedings

- Before initiating court proceedings, the school district shall give the child/youth and parent written notice that the school district will initiate court proceedings if the child/youth does not comply with attendance requirements.
- School districts must at a minimum submit to the court, at the initial pleading: 1) attendance record of student before and after the student was identified as habitually truant, 2) whether the student was identified as chronically absent (22-33-104, C.R.S.) and if so, the strategies that the school district used to improve the student's attendance, 3) the interventions and strategies used to improve the student's attendance before the school created the plan identified in 22-33-107(3), C.R.S., 4) the student's plan and efforts by the student, the student's parents and school or school district personnel to implement the plan.
- The court may issue an order against the child/youth, the child/youth's parents, or both compelling the parent(s) to take reasonable steps to assure the child/youth's attendance. The order must require the child/youth and parent(s) to cooperate with the school district in complying with the plan created for the child/youth.
- If the child/youth does not comply with the court order, the court may order an assessment to be conducted by DHS pursuant to 19-3-102(1), C.R.S.

Best Practices: The 17th Judicial District Truancy court strives to utilize proven best practices in all areas of the truancy program:

- Collaborative relationships with stakeholders and other jurisdictions' truancy programs
- Family Engagement
- Comprehensive Approach when working with youth and families
- Community Outreach
- Be apprised of local and national truancy-related research and programs
- Policies and procedures that are culturally sensitive
- Data collection and evaluation
- Proven best practices pilot programs will be implemented, as determined by the Truancy judicial officer and the Truancy Program team

Truancy Hearings

Once a truancy court case is filed and a hearing is scheduled at the court house, the Truancy judicial officer will utilize a strengths-based approach to truancy court proceedings.

- **"Positive Hearing" approach:** school districts will let the Magistrate know which youth have been doing well and complying with court orders. Court recognizes the youth for their good work in front of all and the child/youth receives a round of applause from those in courtroom.
- **Frequent Court reviews:** If a youth is not increasing their attendance at school, increasing academic achievement, or if safety concerns fail to improve, the court may require the youth and family to come back to court more often to more closely monitor the child/youth's progress; to have more frequent communication with parents; to establish trust and a relationship with the youth and family.

- **Benchmark Hearings:** designed for youth and/or family who have an open truancy case with the 17th Judicial District Court and who are in need of multi-disciplinary planning and intensive judicial support in order to assist with developing and/or achieving their goals. The focus of the benchmark hearings is to engage youth and/or family in a coordinated and supportive environment which empowers them to have a voice and take ownership in a plan for their future. Benchmark hearings are scheduled for 30 minutes.
 - Judicial Officer may schedule benchmark hearings, based on family situation
 - School district representatives may request benchmark hearings
- **Incentives:** In following the guidelines of evidence-based practices in Problem Solving Court programs, the 17th Judicial District Truancy courts utilizes incentives to recognize and reward youth who have made significant, positive changes in their attendance, behavior, grades and school engagement.
 - Praise from the judicial officer
 - Applause
 - Candy bar/snack
 - Certificates of accomplishment
 - Restoration of lost privileges
 - Case called first at next hearing
 - Lunch with judicial officer
 - Gift cards and other small gifts provided by local non-profit and civic organizations
 - Gift certificates in the community
 - Bus passes
 - Incentives as arranged between court, school districts and families
- **Restorative Practices:** The goal of restorative practices is to develop community and to manage conflict and tensions by repairing harm and building relationships.
 - Restorative letters or conversations with those impacted by the student’s choices
 - Development of restorative contracts between student, family, school and court
 - Service learning in school: strategy that combines classroom instruction with meaningful community service, emphasizing critical thinking and personal reflection while encouraging a heightened sense of community, civic engagement, and personal responsibility.
- **Sanctions:** In following the guidelines of evidence-based practices in Problem Solving Court programs, the 17th Judicial District Truancy courts also utilize sanctions for youth who are not complying with the orders of the court. The Magistrate works closely with the school districts to determine what the most effective sanction will be for non-compliance (continuing to not attend school or classes, or follow court orders).
 - Admonishment from the Court
 - Imposition of curfew with/without Electronic Home Monitoring (EHM)
 - Court-ordered substance abuse testing
 - There is a 17th Judicial District Community Service (Useful Public Service) Opportunities spreadsheet that is accessible on the 17th Judicial District website and all schools/service providers have access to the list as well.
 - Reports to the Court: “thought papers”; research paper
 - Limiting use of technology

- Parents attend school with youth
 - Imposing fines on parents
 - Parents ordered to attend a 6-week Parenting class at \$55/parent (if available)
- **Detention for a truant youth will never be ordered by the court.** Research reveals that locked confinement is not an evidence-based best practice for court-involved youth, especially status offenders (Deinstitutionalization of Status Offenders (DSO) Facts and Resources: Coalition for Juvenile Justice SOS Project, 2011).
- **Youth or Parent/Guardian displaying concerning mental health behavior:** When the court is notified by a party to the truancy action, a parent or school district representative that a truant youth or parent/guardian has been displaying concerning mental health behaviors, or if the court observes such behaviors in court, a request for a Crisis evaluation will be immediately ordered.

Adams:

- The Truancy clerk will call the established number and a CRC therapist will be on site within 20 minutes to evaluate the youth/parent in crisis.
- The Court will support a safe space for the CRC therapist to complete their crisis evaluation.
- The Court will ask any respondent parents to stay and participate in the crisis evaluation, if appropriate.
- If an M1 is warranted, the designated clinician will call non-emergency transport for ambulance to complete secured transportation.
- If an M1 is warranted, the clinician will notify court staff, court-house deputies and the CRC Mobile Crisis Team, per CRC standard protocol.
- If an M1 is not warranted, the clinician will verbally notify court staff and create safety plan with the youth and family, and make referrals for treatment if necessary.
- Court clerk will document the results of the crisis evaluation in the minute order.

Broomfield

- The truancy clerk will call Mental Health Partners, Broomfield Office location at 720-562-0535 and a MHP clinician will be on site within 15 minutes to evaluate the youth in crisis.
 - If no one is available at the Broomfield MHP local office the truancy clerk will call the MHP crisis number, 303-447-1665 and request a mobile response which will take at least 30 minutes.
 - If an M1 is warranted, the MHP clinician will call non-emergency transport for ambulance to complete secured transportation.
 - If an M1 is warranted, the MHP clinician will verbally notify court staff, court-house deputies (who could assist with M1) and notify MHP Crisis Team 303-447-1665.
 - If an M1 is not warranted, MHP will verbally notify court staff and create safety plan with the youth and family, and make referrals as needed.
 - Court clerk will document the results of the crisis evaluation in the minute order.
- **Youth demonstrating concerning substance use/abuse:** When the court is notified by a party to the truancy action, a parent or school district representative that a truant youth has been engaging in concerning substance use/abuse, these steps may be taken:
- Substance Abuse evaluation may be ordered through Arapahoe House
 - Family will be provided with an informational handout regarding what to do and who to contact in an emergency situation.

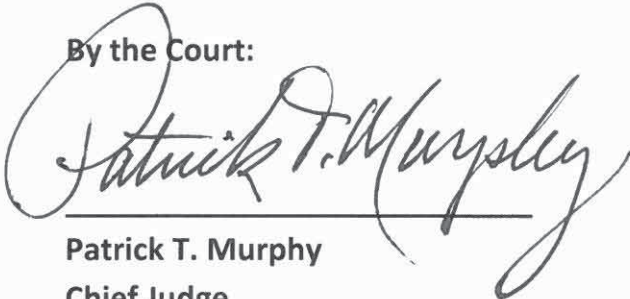
Collaboration: The Seventeenth Judicial District Truancy Court is committed to working closely with school districts, human services, attorneys, and other community stakeholders in order to support youth and

families while they are involved in the truancy court system. The listed collaborative partnerships are not exclusive; others can be added as needed.

- **Quarterly Meetings (Adams County):** Judicial Officer and court staff, school representatives and legal counsel from all 7 school districts, charter schools, human services, Guardians ad Litem, defense counsel, and service providers meet to discuss Truancy procedures, challenges, and resources/services.
- **The Link assessment (Adams County):** The Link (Juvenile Assessment Center) is present during Truancy hearings, may conduct assessments of families in need or in crisis, and provide additional resources/services.
- **Community Reach Center School-based Mental Health Specialists:** CRC has mental health professionals that can provide mental health services in and out of the school in order to help students and their families find and utilize the appropriate mental health services.
- **Truancy Advisement Video (Adams County & Broomfield County):** Judicial Officers in both Adams County & Broomfield County videotaped a Truancy Advisement in English and in Spanish to be used by school districts at the mediation stage.
- **Griffith Center ASK program (Adams County & Broomfield County):** School districts may refer truant or chronically absent youth for individual and/or family therapy, mentoring, and parenting classes.
- **Truancy Intervention (Adams County & Broomfield County):** partnering with A Precious Child, a local non-profit organization, to provide incentives for youth and other living essentials to youth and families involved in truancy actions.
- **Caring Adult Network (Adams County & Broomfield County):** partnering with and utilizing the resources of the mentoring and advocacy partnership to provide needed services to youth involved in a truancy action.
- **Truancy Advocate Program (Broomfield County):** utilizing trained CASA Volunteers on Truancy cases to provide an additional layer of support and advocacy to youth and families, and information and recommendations to the court, about youth and families involved in truancy actions.
- **The Link assessment (Broomfield County):** The Link (Juvenile Assessment Center) can be asked to do an assessment of families in need or in crisis during Truancy Review Board (TRB) or in court.
- **Truancy Review Board (Broomfield County):** Multi-disciplinary stakeholders gather twice a month to meet with youth and families, when needed, post-mediation, pre-court to identify barriers to attendance and to provide youth and families with resources/services.
- **Quarterly Meetings (Broomfield County):** Broomfield Best Practice Court, Educational Outcomes and Outreach Committee (judicial officer, court staff, school district representatives, human services) meets to discuss Truancy procedures, challenges, new resources/services, outreach to the community regarding truancy issues, and identifying additional collaborative partners.

The Seventeenth Judicial District Plan for Handling Truancy Cases was adopted by Order of the Court on this 3rd day of March, 2016.

By the Court:

A handwritten signature in black ink, reading "Patrick T. Murphy". The signature is written in a cursive style with a large initial "P" and "M". A horizontal line is drawn across the signature.

Patrick T. Murphy
Chief Judge

Truancy Pilot Project

➤ **Dates:** February 9, 2016-April 30, 2016

➤ **Participating:**

Court: Magistrate, state court interpreter, Court Programs Coordinator

Northglenn HS: School Resource Officer, Assistant Principal, Truancy Case Manager, Intervention Services Case Manager, Dean of Students, Registrar, school-based psychologists, school interpreter, videographer

Community: Griffith Center

➤ **Process:**

Prior to Hearing day:

- Northglenn High School identifies students/families based on specific criteria
 - Pilot hearing is the 3rd direct intervention in response to absenteeism, but the families do not require a high level of services
- School district serves families with a summons & files petition with the court; court numbers are assigned to cases Court clerks create court files and prepare note-taking sheets for each case, along with a scheduling sheet to provide future court dates.

Voluntary Hearing day:

- School district will record advisements (audio and video) and provide the court with a copy
- Families arrive 15 minutes early to meet with school district representatives
- Magistrate advises the youth/family of the Colorado compulsory attendance law and advises them of this voluntary program which allows them an opportunity (30 days) to improve school attendance without having to be involved in the court system. The youth/family has an opportunity to discuss the program with the court, and then decide if they wish to participate in the voluntary program. The Court confirms with the youth/family what their responsibilities will be under the terms of the program, and the alternatives that they face if not compliant.
- Youth and family are asked to meet with Truancy Case Manager within one week to create an Attendance Improvement Plan (AIP)
- Families are asked to meet with community service providers before they leave, as needed
- Youth and family are given a court date/time to attend the next court hearing (at the courthouse)
 - If youth complies with the AIP and improves attendance, then youth and family will not have to attend the assigned court date; the court date will serve as a review date with the school district and the court, and the appearance of parties is waived. A case may proceed to an additional review (with or without appearance), be dismissed in its entirety, or be set for a hearing on advisement if there is noncompliance with the program.

Post-Voluntary Hearing:

- Clerks will enter the event in as a HEAR and enter notes into the minute order.
- Clerks will enter next scheduled date as Hearing on Advisement (HADV).
- If youth is complying with AIP and attendance is in compliance with the state attendance law, the school will notify the youth and family that they do not have to attend the assigned court date. School district will take this opportunity to update the court on the youth's progress. School district may decide to dismiss the truancy action if youth continues to be in compliance with the AIP.