

BOARD OF JUVENILE JUSTICE

STANDARDS FOR NONRESIDENTIAL SERVICES

AVAILABLE TO JUVENILE AND DOMESTIC

RELATIONS DISTRICT COURTS

Adopted by the Board of Juvenile Justice July 10, 2002.

STANDARD: 6 VAC 35-150-55. Probation officers' caseload.

The caseload for probation officers in the unit shall be determined in accordance with approved procedures, taking into account the relative weight of cases based on the frequency and intensity of contacts indicated by an assessment of the juvenile's risk of reoffending, case complexity, and other factors.

PROCEDURE:

INTERPRETATION:

All cases receiving any type of services from CSU personnel shall be entered into and kept current on the CSU Workload Module.

COMPLIANCE DETERMINATION:

Review workload module. Obtain workload information from Central Office prior to audit.

Interview Director as to how the data is used to determine caseload.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

Existing procedures do not address how the workload module is used to determine caseload.

STANDARD: 6 VAC 35-150-60. Organizational structure.

There shall be a written description and organizational chart of the unit showing current lines of authority, responsibility and accountability, including the unit director's reporting responsibility.

COMPLIANCE DETERMINATION:

Review unit description and organizational chart.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-70. CSU director and staff.

A. For every employee and volunteer in the unit there shall be a current position description indicating the minimum qualifications required and the incumbent's duties and responsibilities.

COMPLIANCE DETERMINATION:

Review position descriptions.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-70. Court service unit director and staff.

B. Unless otherwise provided by local or state policy, a performance plan and a performance evaluation shall be completed annually for each employee in accordance with approved procedures.

PROCEDURE:

Approved procedures are included in the Human Resources policy and procedure manual.

INTERPRETATION:

DJJ operated CSUs are to follow the state policy and procedures
Locally operated CSUs are to follow locally approved policies and procedures.

COMPLIANCE DETERMINATION:

Review policy and procedure manual (may be online).
Review a sample of employee performance plans and annual performance evaluations.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-70. Court service unit director and staff.

C. The Court Service Unit Director shall provide financial, managerial and programmatic reports as required by department and local policy.

PROCEDURE:

INTERPRETATION:

For DJJ Units, the Regional Operations Manager should be aware of ongoing compliance with this standard. A written statement from the ROM stating compliance is acceptable.
For locally-operated CSUs documentation of a statement from fiscal agent.
For managerial and programmatic issues documentation from the director’s supervisor .

COMPLIANCE DETERMINATION:

State-operated CSUs: Letter from ROM.

Locally-operated CSUs: Documentation of a statement from fiscal agent
Managerial and programmatic issues interview or review documentation from the director’s supervisor

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-80. Background checks.

All new unit employees and auxiliary personnel, including volunteers, shall undergo a preemployment check of references; criminal history checks with the automated Virginia Criminal Information Network (VCIN), the National Criminal Information Center (NCIC), and the Department of Motor Vehicles (DMV); and fingerprint checks by the State Police and the FBI; those who have direct contact with youth shall also undergo a child protective services registry check.

INTERPRETATION:

Each CSU will need to maintain a file of backgrounds completed since the last audit. For State operated CSUs the auditor will review the presences of the investigation conducted by the DJJ Background Unit and the CPS registry check requested by the Unit Director.

For locally operated CSUs the auditor will review information on file for each of the elements required by the standard.

The auditor will not review the content of the information on file.

COMPLIANCE DETERMINATION:

Review new staff information for each requirement.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-90. Training.

C. All clerical staff shall receive at least 20 hours of training annually to upgrade skills.

INTERPRETATION:

Includes all full-time and part-time clerical staff.

COMPLIANCE DETERMINATION:

Review training documentation.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-90. Training.

A. All employees, volunteers and interns shall receive documented orientation and annual training appropriate to their duties and to address any needs identified by the individual and the supervisor.

COMPLIANCE DETERMINATION:

Review files of employees, volunteers and interns for documentation of orientation and annual training.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-90. Training.

B. All full-time employees who provide direct services to juveniles and their families shall receive 40 hours of juvenile justice - related training annually.

INTERPRETATION:

Juvenile justice training can be formal training classes related to their position or informational training through staff meetings.

COMPLIANCE DETERMINATION:

Review training records for full-time employees.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-100. Personnel policies and operating procedures.

All staff shall have access to policies and approved procedures governing:

1. Recruitment and selection;
2. Grievance and appeal;
3. Confidential individual employee personnel records;
4. Discipline;
5. Equal employment opportunity;
6. Leave and benefits;
7. Resignations and terminations;
8. Orientation;
9. Promotion;
10. Probationary period; and
11. Competitive salary.

INTERPRETATION:

State-operated CSUs: Follow the state approved policy and procedure manual
Locally-operated CSUs: Follow locally approved policy and procedure manual

COMPLIANCE DETERMINATION:

Observe the policy and procedure manual.
Interview employees as to availability.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-110. Volunteers.

A. Volunteers shall comply with all applicable regulations, policies and approved procedures.

PROCEDURE:

DJJ Procedure 15-001

COMPLIANCE DETERMINATION:

Review documentation of instances of non-compliance to applicable regulations and policies and approved procedures.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-110. Volunteers.

B. One or more designated persons shall coordinate volunteer services.

COMPLIANCE DETERMINATION:

Interview person designated to coordinate volunteer services.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-110. Volunteers.

C. Volunteers shall be registered with the department for liability insurance purposes.

COMPLIANCE DETERMINATION:

Observe copy of roster and documentation of it being sent to the Department on an annual basis. Compare active roster of volunteers with the volunteers in the Volunteer Registry.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-120. Reportable incidents.

When an event or incident occurs that is required by department procedures to be reported, staff shall report the event or incident as required by and in accordance with department procedures.

PROCEDURE:

DJJ Procedure 02-002

COMPLIANCE DETERMINATION:

Review documentation of any reportable incidents.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-130. Research.

A. Youth shall not be used as subjects of human research except when approved procedures permit human research in accord with Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1 of the Code of Virginia.

PROCEDURE:

DJJ Procedure 07-006.1

COMPLIANCE DETERMINATION:

Review any research project for approval.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-130. Research.

B. The testing of medicines or drugs for experimentation or research is prohibited.

COMPLIANCE DETERMINATION:

Interview administrator.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-140. Records management.

A. Case records shall be indexed and kept up to date and uniform in content and arrangement in accordance with approved procedures.

PROCEDURE:

9450

INTERPRETATION:

CSU directors shall establish internal policies and procedures that map and describe the case management process in the district.

COMPLIANCE DETERMINATION:

Review internal procedures and compare to file management.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-140. Records management.

B. Juvenile case records shall be kept in a secure location accessible only to authorized staff.

INTERPRETATION:

Case files are not considered secure if they are left in an area where persons other than CSU staff have access to them. (Example – cleaning personnel) They should be kept in a locked cabinet or desk drawer when not in use.

COMPLIANCE DETERMINATION:

Observe location.
Interview staff.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-140. Records management.

C. All records shall be maintained and disposed of in accordance with The Library of Virginia regulations and record retention schedules, and with approved procedures-

PROCEDURE:

9450 IV A.4

INTERPRETATION:

If there is no DJJ procedure then the program shall have on file a local procedure developed by the CSU Director and approved by the ROM.

COMPLIANCE DETERMINATION:

Interview director.
Review any local procedure.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-140. Records management.

D. Any disclosure or release of information shall be in accordance with the Code of Virginia and applicable Federal Regulations (i.e., 42 CFR governing substance abuse records) and approved procedures.

PROCEDURE:

9450 IVA.3

INTERPRETATION:

Pursuant to the above CSU directors shall establish internal policies and procedures that provide for the security, confidentiality and safe-handling of all case files and juvenile records:

COMPLIANCE DETERMINATION:

**Review procedure.
Review presence of COV information.
Interview staff.**

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-140. Records management.

E. The case records of youth placed in any post-dispositional residential care shall contain:

1. Social history;
2. Order or agreement concerning the placement;
3. Dates of acceptance and placement;
4. Reason for placement;
5. Financial and tuition arrangements, if appropriate; and
6. Supervision and visitation agreements.

COMPLIANCE DETERMINATION:

Review sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-150. Reports for the court.

All reports prepared for the court shall be prepared and reviewed in accordance with approved procedures and, except for transfer reports and addenda to previously submitted reports, shall contain the following identifying information:

1. Full name of subject;
2. Social Security Number;
3. Address;
4. Race;
5. Date of birth (must be verified);
6. Sex;
7. Parents or guardians (for juveniles only);
8. Author; and
9. Date of report.

PROCEDURE:

9230

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-160. Social history.

A. A social history shall be prepared for each juvenile placed on probation supervision with the court service unit or committed to the department, within timelines established by approved procedures.

PROCEDURE:

9230 and 9240

INTERPRETATION:

Pre-dispositional social history reports shall be filed with the clerk's office 72 hours prior to the scheduled court hearing or within the designated time required by the court if different than 72 hours.

Post-dispositional investigations shall be completed not later than 60 days after receiving the case (*after the order is entered*). (9240)

In cases of courtesy supervision the timeframe starts upon receipt of the request.

COMPLIANCE DETERMINATION:

Review a sample of case files.

(In some CSUs the Judge may give permission for the Unit to submit reports past the timeframes. In such cases a written statement from the Judge was satisfy compliance or an interview with the judge as to practice.)

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-160. Social history.

B. A current social history shall be prepared upon written request from other units when accompanied by a court order. An existing social history that is not more than 12 months old may be used provided an addendum is prepared updating all changed information.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-160. Social history.

C. Social history reports shall be in written form and include at least the following information:

1. Identifying information as listed in 6 VAC 35-150-150.
2. Court history - specific description of past, present and pending petitions and dispositions.
3. Police or prosecutor's version of the instant offense, when available, for all juveniles who are committed to the department.
4. Victim impact information, when ordered by the court.
5. An accurate and up-to-date offense history.
6. Previous contacts with the unit, including diversion and informal resolution at intake, and known contacts with other agencies or treatment services in the community.
7. Subject: physical description; behavioral description; medical, educational, psychological information (as applicable); educational and other known handicaps or disabilities (if applicable); peer relationships, including gang affiliation; response to authority; employment status; and whether the subject has a driver's license.
8. Family: parents/custodians/guardians - ages, marital status, court record, employment status, economic status, level of education, health, interpersonal relationships. Siblings - ages, court record, level of education.
9. Home and neighborhood: Physical description of home and neighborhood, family's and officer's view of neighborhood impact on subject, and length of residence.
10. Assessment of the subject's strengths and weaknesses and, if applicable, the subject's family.
11. Recommendations may be included if permitted by the court.

PROCEDURE:

9230

INTERPRETATION:

The case record review form has been developed based on the format in 9230 to expedite the audit process. There are some elements in the approved procedure not required by the standard and these are not to be assessed. An attempt has been made to remove these from the form. The information on siblings is not required by the approved procedure but is to be assessed.

COMPLIANCE DETERMINATION:

Review a sample of case files

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLAINT:

STANDARD: 6 VAC 35-150-160. Social history.

D. Adults' social history reports, if ordered by the court, may be in a modified format as provided for in procedures approved by the court service unit director after consultation with the judge or judges of the court.

INTERPRETATION:

Internal procedures and format has to be developed by director.

COMPLIANCE DETERMINATION:

**Review format.
Review several case files.**

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-165. Custody investigations.

If the unit performs custody investigations upon order of the court, such investigations shall be completed in conformance with "Guidelines for Custody Investigations" (1995) jointly promulgated by the State Board of Juvenile Justice and the State Board of Social Services.

PROCEDURE:

9280

COMPLIANCE DETERMINATION:

Review a sample of custody investigations.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-175. Suitable quarters.

A. The CSU director annually shall review the unit's needs for suitable quarters, utilities and furnishings and request from the appropriate governing body the resources to meet these needs.

COMPLIANCE DETERMINATION:

Interview CSU director.
Review budget requests.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-175. Suitable quarters.

B. Intake, probation and parole officers shall have access to private office space so equipped that conversations may not be overheard from outside the office.

COMPLIANCE DETERMINATION:

Observe space and interview staff.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-180. Prohibited financial transactions.

The unit shall not collect or disburse support payments, fines, or restitution.

COMPLIANCE DETERMINATION:

Interview staff.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-190. Procedures for handling funds.

The court service unit director shall establish written policies, procedures and practice for handling funds within the unit. All court service units shall adhere to all Commonwealth of Virginia purchasing and fiscal requirements when expending state funds.

INTERPRETATION:

Funds could include those such as petty cash, flower fund, drink machine fund, employee fund, etc.

COMPLIANCE DETERMINATION:

Review local procedures.
Interview ROM for compliance with purchasing and fiscal requirements.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-200. Security and emergency procedures.

In accordance with approved procedures, the unit shall implement:

1. Safety and security precautions for the office environment, to include at least fire, bomb threat, hostage and medical emergency situations; and
2. Safety and security precautions for staff making field visits to juveniles and their families.

PROCEDURE:

9461

COMPLIANCE DETERMINATION:

Interview staff as to knowledge of procedures and implementation.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-210. Physical force.

A. Physical force shall be used only to protect self or others.

COMPLIANCE DETERMINATION:

Interview staff regarding the use of physical force.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-210. Physical force.

B. Each use of physical force shall be reported in writing to the CSU director, who shall ensure that all reportable incidents are further reported in accordance with the department's policies for reporting serious incidents.

PROCEDURE:

9462

COMPLIANCE DETERMINATION:

**Review a sample of reportable incidents.
Interview staff for use instances of physical force and review applicable documentation.**

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-220. Searches of youth.

Searches of individuals may be conducted only in accordance with approved procedures and only by staff who have received training approved by the Department.

PROCEDURE:

9469

INTERPRETATION:

Training would have to be approved by the DJJ Training Unit and such approval documented.

COMPLIANCE DETERMINATION:

Look for an approved procedure and training.
Interview staff.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-230. Weapons.

A. A probation officer may obtain authorization to carry a weapon as provided by § 16.1-237 of the Code of Virginia only in accordance with approved procedures that require at least: firearms safety training, a psychological or mental health assessment, and approval by the court service unit director and the director's supervisor.

PROCEDURE:

NONE (9676 is proposed)

COMPLIANCE DETERMINATION:

Review for required approvals, training, and assessments.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-230. Weapons.

B. All court service unit staff authorized to carry weapons shall have received training approved by the department regarding the limited circumstances when weapons may be carried and used as required by law and liability insurance coverage.

INTERPRETATION:

Training has to be approved by the DJJ Training Unit and such approval documented.

COMPLIANCE DETERMINATION:

**Review training approvals.
Review training records.**

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-240. Arrest of youth by staff.

Probation officers shall exercise their arrest powers only in accordance with approved procedures.

PROCEDURE:

9463

COMPLIANCE DETERMINATION:

Interview staff.
Review training.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-250. Absconders.

Unit staff shall cooperate with department personnel and state and local law-enforcement authorities to help locate and recover juveniles who fail to report for probation or parole supervision or who escape or run away from a juvenile correctional center, detention home or other juvenile placement.

COMPLIANCE DETERMINATION:

Interview staff.
Interview Director for compliance.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-260. Transportation of detained juveniles.

A. Detained juveniles shall be transported in accord with "Guidelines for Transporting Juveniles in Detention" (June 13, 1991) issued by the board in accord with § 16.1-254 of the Code of Virginia.

COMPLIANCE DETERMINATION:

Interview staff to determine if they transport.
Observe COV availability.
Observe copy of "Guidelines."

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-260. Transportation of detained juveniles.

B. When the CSU is responsible for the transportation of youth to special placements, staff shall make transportation arrangements appropriate to the security risk posed by the juvenile.

COMPLIANCE DETERMINATION:

Interview staff regarding security risk considerations.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-260. Transportation of detained juveniles.

C. Routine transportation of juveniles in post-dispositional detention shall be the responsibility of the parents or the program providing service to the juvenile.

COMPLIANCE DETERMINATION:

Interview director and staff.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-270. Intake duties.

A. When making an intake determination as provided for by the Code of Virginia, whether in person or by telephone or interactive video conferencing, the intake officer shall, in accordance with approved procedures:

1. Explain the steps and options in the intake process to each person present, including their constitutional and statutory rights ;
2. Make all required entries into the Department's Juvenile Tracking System;
3. Consult with available parents, guardians, legal custodian or other person standing in loco parentis to determine the appropriate placement, unless a court has ordered detention; and
4. Notify the juvenile's parents, guardians, legal custodian or other person standing in loco parentis in cases involving the juvenile's detention.

PROCEDURE:

9115

COMPLIANCE DETERMINATION:

Interview staff.

Sample JTS for required entries.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-270. Intake duties.

B. When making a detention decision pursuant to § [16.1-248.1](#) and when making recommendations to the court at a detention hearing pursuant to § [16.1-250](#), court service unit personnel shall make use of the uniform risk assessment instrument and related procedure mandated by Chapter 648 of the 2002 Acts of Assembly.

PROCEDURE:

9260 & 9131& 135

COMPLIANCE DETERMINATION:

**Interview staff.
Review a sample of case files.**

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-280. Medical and psychiatric emergencies at intake.

If during the intake interview the intake officer suspects that the youth requires emergency medical or psychiatric care, the intake officer shall:

1. immediately contact the youth's parents or legal guardians to advise them of the emergency and any responsibilities they may have; and
2. before placing a youth in a more restrictive setting, the intake officer shall arrange for the youth to receive the needed emergency care.

PROCEDURE:

9125

COMPLIANCE DETERMINATION:

Interview staff.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-290. Intake communication with detention.

When CSU staff facilitate the detention process, they shall:

1. query the Juvenile Tracking System to ascertain all pertinent information on the juvenile who is being detained, and complete the Juvenile Alert Screen on the Juvenile Tracking System; and
2. give detention staff, by telephone or in writing or by entry into the Juvenile Tracking System, no later than the time the juvenile arrives at the detention facility, the reason for detention and the instant offenses, and the following information when available and applicable: medical information; parents' names, addresses and phone numbers; prior record as regards sexual offenses, violence against persons or arson; suicide attempts; and gang affiliation.

PROCEDURE:

9132

COMPLIANCE DETERMINATION:

Interview staff.

By phone contact the most frequently used detention center.

Observe JTS information.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-300. Pre-dispositionally placed youth.

A. In accordance with approved procedures, a representative of the court service unit shall make contact, either face-to-face or via videoconferencing, with each youth placed in pre-dispositional detention, jail or shelter care within five days of the placement and shall make contact with the youth at least once every 10 days thereafter, either face-to-face or by telephone or videoconferencing.

PROCEDURE:

9134

INTERPRETATION:

When juveniles are transferred to circuit court the visits are no longer required after there is a circuit court order advising the attorney for the Commonwealth that he may seek an indictment. In 16.1-269.6, the above action divests the juvenile court of jurisdiction and thus the juvenile court service unit.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-300. Pre-dispositionally placed youth.

B. The case of each pre-dispositionally placed youth shall be reviewed at least every 10 days in accordance with approved procedures to determine whether there has been a material change sufficient to warrant recommending a change in placement.

PROCEDURE:

9134

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-300. Predispositionally placed youth.

C. When the unit has placed or is supervising a youth in a residential facility, designated staff of the court service unit shall be available to the facility's staff 24 hours a day in case of emergency.

COMPLIANCE DETERMINATION:

**Interview staff as to on-call process.
Review on-call schedule for coverage.**

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-310. Post-dispositional detention.

When a court orders a juvenile to be detained post-dispositionally for more than 30 days, the court service unit shall develop a written plan with the facility to enable such youth to take part in one or more community treatment programs appropriate for their rehabilitation which may be provided at the facility or while on temporary release status, as determined by their risk to public safety and other relevant factors. The court service unit shall provide a copy of the juvenile's social history to the post-dispositional detention program upon request.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-320. Notice of youth's transfer.

When court service unit staff have knowledge that a youth has been moved from one facility or program to another, they shall notify the youth's parents or guardians within 24 hours and document the notification in the youth's case record.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-330. Removal of youth from home.

When considering whether to remove a youth from his home for any reason other than to detain the youth, the youth's parents or guardians, if available, shall be included in making that decision.

COMPLIANCE DETERMINATION:

Interview staff.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-335. Informal supervision.

When unit personnel are supervising a juvenile in the absence of a court order, such supervision shall not exceed 90 days. Court service unit personnel shall not supervise any person absent a court order except as provided for in approved procedures.

PROCEDURE:

9123

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-340. Beginning supervision.

Within the timeframes established by approved procedures for beginning supervision, a probation or parole officer shall:

1. See the subject face-to-face;
2. Give the subject the written rules of supervision, including any special conditions, and explain these to the subject and, when appropriate, to the subject's parents or guardians; and
3. Document these actions in the case record.

PROCEDURE:

9323

INTERPRETATION:

It is understandable that it can take some time for the court order to arrive and that there are legal implications for providing supervised probation in the absence of a written order. It was the intent of this standard to start service delivery as soon as possible after disposition. The first contact should occur no later than five working days after disposition.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-350. Supervision plans

A. To provide for the public safety and address the needs of subjects and their families, subjects shall be supervised according to a written supervision plan, developed in accordance with approved procedures and timeframes, that describes the range and nature of field and office contact with the subject, with the parents or guardians of a juvenile subject, and with other agencies providing treatment or services.

PROCEDURE:

9324

INTERPRETATION:

Units may develop supervision protocols specific to their unit. Cases are to be supervised according to the established protocol.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-350. Supervision plans

B. When the youth resides in or is expected to return to the family home, the probation officer shall, in accordance with approved procedures, develop and implement a family involvement plan.

PROCEDURE:

9338 parole

INTERPRETATION:

For parole cases DJJ forms 9260 and 9338 are to be used.

COMPLIANCE DETERMINATION:

Review a sample of completed forms in case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-350. Supervision plans

C. When the youth is in direct state care, the probation officer shall, in accordance with approved procedures and 6 VAC 35-150-420, send a report on the family's progress toward planned goals to the facility at which the juvenile is housed.

PROCEDURE:

9332

INTERPRETATION:

Quarterly is every 90 days after the development of the plan.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-350. Supervision plans

D. At least 60 days prior to a juvenile's anticipated release from commitment, a written parole supervision plan shall be prepared in accordance with approved procedures.

PROCEDURE:

9338

COMPLIANCE DETERMINATION:

Determine LOS date and date of the plan.
Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-350. Supervision plans

E. A supervision plan for parole shall be prepared for all judicial review hearings for serious juvenile offenders as required by law and in accordance with approved procedures.

PROCEDURE:

9332

COMPLIANCE DETERMINATION:

Review a sample of case files of serious offenders.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-350. Supervision plans

F. If the court has not ordered specific conditions of supervision, a supervision plan for an adult probation subject shall be prepared within 30 days after disposition, after consulting with the adult and, if appropriate, his family.

INTERPRETATION:

Although there is little guidance on the development of supervision plans for adults, these should be developed under the same requirements as a juvenile probationer.

COMPLIANCE DETERMINATION:

Review a sample of applicable adult cases.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-350. Supervision plans

G. At least once every 90 days, in accordance with approved procedures, each written supervision plan or family involvement plan shall be (i) reviewed with the subject individual or family and (ii) reviewed by a supervisor from both a treatment and a case management perspective to confirm the appropriateness of the plan.

PROCEDURE:

9339

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-370. Placements in the community.

When the unit (i) is supervising and (ii) has placed a subject in a community facility or program, unit staff shall advise the facility or program of the subject's service needs and shall maintain contact with the subject and the facility or program staff in accordance with the supervision plan.

INTERPRETATION:

The CSU has to be both the supervising agency and the placing agency.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-380. Violation of probation or parole.

When a subject violates probation or parole, unit personnel shall take action in accordance with approved procedures.

PROCEDURE:

9326

INTERPRETATION:

Procedure calls for a discussion with supervisor. If formal action is required a petition is filed.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-390. Transfer of case supervision to another unit.

When a subject's legal residence is not within the jurisdiction of the original court service unit, supervision cases may be transferred to another unit providing similar services in Virginia in accordance with approved procedures.

PROCEDURE:

9351

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-400. Notice of release from supervision.

Notice of release from supervision shall be given to subjects, and to the parents or guardians of juvenile subjects, and appropriately documented in the case record, in accordance with approved procedures.

PROCEDURE:

9327

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-410. Commitment information.

A. When a youth is transferred into direct state care, the following items either accompany or precede the youth to the reception and diagnostic center: the order of commitment, copies of clinical reports, predisposition studies, record of immunizations when available, and any other information required by the Code of Virginia, department policy, or approved procedures.

PROCEDURE:

9332

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-410. Commitment information.

B. If a juvenile is transferred to the department directly from the court, in addition to ensuring the delivery of the items required in subsection A of this section, unit staff shall immediately notify the reception and diagnostic center by telephone of the youth's impending arrival.

PROCEDURE:

9332

INTERPRETATION:

A directive from the administration prohibits the direct transfer.

COMPLIANCE DETERMINATION:

Review a sample of case files for instances where this may have happened.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE:

STANDARD: 6 VAC 35-150-420. Contacts during youth's commitment.

During the period of a youth's commitment, a designated staff person shall make contact with the committed youth, the youth's parents, guardians or other custodians, and the treatment staff at the youth' direct care placement as required by approved procedures. The procedures shall specify when such contact must be in-person face-to-face contact and when contacts may be made by video conferencing or by telephone.

PROCEDURE:

9332

INTERPRETATION:

The assigned PO shall meet face-to-face with the juvenile at least once every 90 days, commencing with the date of the juvenile's arrival at RDC. Alternate arrangements can be made pursuant to 9332.

COMPLIANCE DETERMINATION:

Review a sample of case files.

AUDIT FINDING:

Compliance Noncompliance Area of Attention Not Applicable

INFORMATION RELATING TO COMPLIANCE: