

## **Rule 60. Juvenile Drug Court**

### **(A) Establishment of the Juvenile Drug Court**

The Cuyahoga County Juvenile Drug Court ("Juvenile Drug Court") was established in May, 1998 to offer a therapeutically oriented judicial approach to providing court supervision and appropriate treatment to substance-dependent youths who come before the juvenile court.

The Juvenile Drug Court strives to help each youth become a fully functioning adolescent by focusing on sobriety, mental health stability, academia and maturity into young adulthood. The overarching goal of the Juvenile Drug Court is to enhance public safety and encourage youth to live healthy and drug-free lives.

### **(B) Placement in the Juvenile Drug Court**

Any Cuyahoga County Juvenile Court jurist or the Intake Coordinator may refer a youth to the Juvenile Drug Court by contacting the Drug Court Case Management Clerk.

To be eligible for participation in the Juvenile Drug Court, a youth must meet the following criteria: The youth must be assessed as being drug dependent or have a drug abuse problem and be amenable to treatment; youth who are dually diagnosed will be admitted to this docket when the primary concern is the drug abuse problem; Youth who demonstrate suicidal, homicidal or delusional ideations shall not be admitted until those conditions have been assessed by a certified mental health professional and are adequately controlled by medication and/or mental health treatment; Youth whose developmental disabilities or mental health issues are so significant that the individual may not be able to understand or comprehend the goals and expectations of the program will not be admitted into the program; The youth's charges will be assessed on a case-by-case basis for content, degree, impact etc. in determining whether a youth should be eligible for Juvenile Drug Court; The youth must be at least 13 years of age and be a Cuyahoga County resident; The youth must admit to the new charge(s) and volunteer to participate in the Juvenile Drug Court.

The presiding judge over the Juvenile Drug Court has the ultimate discretion over who is admitted onto the docket with input and recommendations from the Prosecutor's Office and the Public Defender's Office. The Cuyahoga County Juvenile Drug Court is a voluntary program and no youth can be ordered to enter the program.

### **(C) Case Assignment in Multi-judge Courts**

If accepted into Juvenile Drug Court, the underlying delinquency will be transferred from the originally assigned judge to the Juvenile Drug Court judge. While in Juvenile Drug Court, the youth shall appear on a regular basis for status review hearings before the Juvenile Drug Court jurist. Upon unsuccessful completion (neutral discharge or unsuccessful discharge for cause) from Juvenile Drug Court, the matter shall be reassigned to the previously assigned Cuyahoga County Juvenile Court Judge.

(D) Juvenile Drug Court Assessment and Case Management

The Juvenile Court Drug Court coordinator will conduct an initial screening and provide the youth with the program design and expectations. If the youth appears to meet the legal and clinical eligibility requirements of the Cuyahoga County Juvenile Drug Court and continues to express an interest in participating in the program, a drug and alcohol assessment and if applicable, a mental health assessment, will be scheduled.

If the youth is accepted into the program, a participation agreement with the parent and the public defender shall be completed. Treatment services will be promptly made available to the youth based upon the individualized needs as evidenced by the assessments.

As described more fully in the Cuyahoga County Drug Court Program Description, each youth shall be closely monitored by random, frequent and observed alcohol and other drug testing protocols that meet the requirements of the program. Each youth's performance and progress shall be closely monitored by regularly conducted status team meetings and ongoing judicial interaction which shall occur no less frequently than twice monthly while in the initial phases of the program. As the participant completes phases, judicial interaction may become less frequent.

(E) Termination from the Juvenile Drug Court

A youth is terminated from the Juvenile Drug Court in one of three ways.

A successful termination occurs when the participant completes all necessary requirements of the Juvenile Drug Court and graduates from the Juvenile Drug Court. Upon a successful completion and graduation, the youth will not be adjudicated and the case will be dismissed pursuant to Juv. R. 29. The record will be dismissed under the Juvenile Drug Court and will be immediately sealed.

An unsuccessful termination occurs when the participant is persistently noncompliant with the rules and requirements of the Juvenile Drug Court. A participant who is unsuccessfully terminated from the Juvenile Drug Court will be adjudicated a delinquent child and the matter will be transferred to the previously assigned jurist for disposition.

A neutral discharge can occur when a participant is no longer able to participate in the Juvenile Drug Court. A participant who is neutrally discharged from the Juvenile Drug Court will be adjudicated a delinquent child and the matter will be transferred to the previously assigned jurist for disposition.