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# Antecedents and Consequences of Juvenile Case Processing

## Where Are We Now, and Where Do We Go From Here?

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Philosophical and practical changes in the juvenile justice system are influenced by, and have implications for, timely and quality juvenile case processing. Drawing on juvenile case-processing literature published from the late 1970s until present, the antecedents and consequences of juvenile case processing are discussed in an effort to draw attention to possible causal relationships. The authors argue that juvenile case-processing efficiency is, perhaps, one of the more pivotal issues facing juvenile justice today, and further empirical studies and scholarly dialogue on this issue are needed. The current state of knowledge concerning systemic, intra-agency, and interagency barriers to timely and quality juvenile case processing serves as a springboard for suggestive approaches to examining juvenile case processing from a more rigorous, comprehensive, and holistic perspective.

**Keywords:** *case-processing delay; inefficient case processing; juvenile case processing; juvenile justice*

Since its conception in the late 1800s, the U.S. juvenile justice system has experienced significant changes in its orientation, procedures, organization, and overall mission. Within the past 40 years, the philosophy underlying juvenile justice has experienced a major shift from that of *parens patriae*, individualized justice, treatment, and rehabilitation to an increased emphasis on punishment, accountability, public safety, and victim and community reparation.

According to some, this contemporary juvenile justice system falters in its ability to provide juvenile offenders individualized service, attention, and justice, the very philosophical ideals that distinguish the juvenile system from the adult criminal justice system, and upon which the first juvenile courts in the United States were founded (Butts & Harrell, 1998). From this perspective, the juvenile court process is more formalized and standardized than ever before, and the system's hallmark of individualized justice has been threatened

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to extinction (National Council of Juvenile and Family Court Judges [NCJFCJ], 2005). Moreover, the advent of particular due-process rights afforded juveniles since the 1960s, coupled with legislation in the 1990s allowing for expanded juvenile transfer to adult court, seemingly have paved the way for the juvenile justice system's procedural convergence with the adult system. The injection of juvenile due-process rights into court policies and procedures, significant increases in the number of formally handled cases, and pressures that congested systems and high caseloads place on juvenile justice officials have all aided in shaping a juvenile justice system quite foreign to that of earlier eras.

In response to these system strains and nationwide concern about youth crime and violence during the past 15 years, significant attention has been given to juvenile case-processing timeliness and quality. The purpose of this article is to advance scholarly and practitioner knowledge of the antecedents (empirically substantiated causes) and consequences of inefficient juvenile case processing. A synopsis of the current state of empirical research on juvenile case processing is provided, gaps in the literature are identified, and suggestive lines of future empirical inquiry are offered.

The contemporary juvenile justice goals of accountability and balanced and restorative justice (BARJ), due process, and deterrence and rehabilitation are discussed first within the historical context of the juvenile court's evolution. A connection is made between these goals and the increased attention paid to juvenile case processing in recent years. Made explicit are the concepts of *efficient* and *inefficient case processing* and the underlying dimensions of timeliness and quality. A discussion of the potential consequences of inefficient juvenile case processing highlights the importance of examining its antecedents and serves as a backdrop for the synopsis of empirical research in this area. Specific attention is paid to systemic, intra-agency, and interagency barriers to timely and quality juvenile case processing.<sup>1</sup> In the end, the current state of empirical knowledge serves as a springboard for suggestive lines of future empirical inquiry.

## Historical Context of the Contemporary Juvenile Court

The practices of the contemporary juvenile court are largely a product of the court's evolution. Indeed, the philosophical and practical distinctions between the juvenile and adult court systems have diminished over the past several decades (Butts, 2000; Butts & Halemba, 1996; Butts & Harrell, 1998). As early as the 1920s, the juvenile court was criticized for coddling youthful offenders, and it responded to this criticism by becoming increasingly punitive (Myers, 2005). By the 1950s and 1960s, critics argued that the juvenile justice system had become a de facto adult system, but without appropriate procedural safeguards.

Initially, the distinction between the juvenile and adult systems was maintained legally, as seen in the case of *In re Holmes* (1955). However, by the mid-1960s, there was widespread recognition that juvenile offenders were being abused and negatively stigmatized, with the added implication of deprivation of liberty. Thus, in a series of cases, the U.S. Supreme Court granted juveniles a number of procedural due-process rights.

First, in *Kent v. United States* (1966), the U.S. Supreme Court held that transferring juveniles to adult court is a critical stage for which a right to a hearing, with counsel, is required. The following year, in *In re Gault* (1967), the Supreme Court granted juveniles a

number of procedural safeguards at adjudicatory hearings, including advance notice of charges, legal representation, the right to confront and examine witnesses, and the privilege against self-incrimination. Soon after, through *In re Winship* (1970), the Court raised the standard of proof required for a determination of guilt in a delinquency proceeding from “preponderance of the evidence” to “beyond a reasonable doubt.” Finally, in 1975, the Supreme Court applied the double jeopardy clause of the Fifth Amendment to juveniles, ruling that a decision to transfer a youth to adult court could not follow adjudication in juvenile court (*Breed v. Jones*, 1975).

Following the due-process revolution of the 1960s and 1970s, juvenile violent crime rates remained relatively stable for a 10-year period (Myers, 2005). What gradually changed, however, was the terminology used in the purpose clauses of juvenile codes across the United States. Purpose clauses explicitly espousing the child-welfare and rehabilitative philosophy of juvenile justice gradually became infused with accountability and punishment-oriented terminology and associated philosophies of justice (NCJFCJ, 2005).

From 1985 to 1994, juvenile violent crime rates, particularly homicide, increased dramatically (Myers, 2005; Zimring, 1998). Worsening social conditions combined with nationwide concern about youth violence fostered a moral panic. Fear of being victimized by juvenile “super predators” was perpetuated by a number of sources, including the media and various criminological scholars (Bazelon, 2000; Bennett, DiIulio, & Walters, 1996; DiIulio, 1995).

The juvenile violent crime surge was met with a number of policy responses. One of the most notable was the legislative enactment of juvenile justice reform laws (Torbet et al., 1996). Between 1992 and 1997, almost all states rewrote or expanded their laws concerning the criminal prosecution and sentencing of juveniles, and between 1998 and 2002, 31 states made further adjustments to their laws (Griffin, 2005). Four of the most prominent modifications included the expanded transfer of juveniles to adult court, diminished confidentiality restrictions, an increased prosecutorial role in juvenile court, and an increase in punishment-oriented sanctions (Feld, 1998; Forst & Blomquist, 1991; Mears, 2002; NCJFCJ, 2005; Scott & Grisso, 1998; Shine & Price, 1992). Victims were given a stronger voice in the processing of juvenile offenders, more extensive correctional programs and specialized prosecutorial and restitution programs were established, and judicial discretion declined with the increased standardization of sentencing according to offense- and offender-specific factors (Feld, 1998; Mears, 2002).

By the mid-1990s, this “get tough” approach to juvenile crime was associated with rising juvenile caseloads, juvenile court backlog, system congestion, and increasing juvenile detention and correctional facility populations (Sickmund, 2002; Snyder, 1998; Snyder & Sickmund, 1995; Stahl, 1999). It was at this time that serious concerns about juvenile case-processing time began to emerge. In contrast, in the mid-1980s, there was “essentially no literature on the delay of juvenile justice” (Mahoney, 1985, p. 37). Over the next decade, questions arose regarding the degree to which lengthy case-processing time compromises juvenile due-process rights (Butts, 1997c; Feld, 1993; Sarri et al., 2001). Also questioned was the impact that case-processing delay has on defense counsel advocacy and effective legal representation, along with the juvenile court’s ability to successfully rehabilitate and deter offenders, thereby decreasing recidivism rates (Butts & Sanborn, 1999; Shine & Price, 1992).

These concerns prompted two major policy responses. The Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Juvenile Accountability Incentive Block Grants (JAIBG) program, first introduced in 1998, was designed to encourage states to institute accountability-based reforms (Albert, 1998). States were allocated funding according to one or more purpose areas, such as hiring prosecutors to reduce court backlog, enhancing interagency information sharing, and increasing the efficacy of juvenile courts and probation in reducing recidivism (Andrews & Marble, 2003). The JAIBG program was renamed the Juvenile Accountability Block Grants (JABG) program in November 2002, and its purpose areas were expanded to 16 to include an explicit focus on graduated sanctions, BARJ, and risk and need assessment (OJJDP, 2005). As is evident in the purpose clauses of 17 state juvenile justice codes (Griffin, Szymanski, & King, 2006), the philosophies and mission statements of many state juvenile justice systems have been revised to reflect the BARJ philosophy of justice that the JABG program advocates. In fact, as of March 2005, only 3 states still embrace the child welfare philosophy that guided juvenile justice policy from the late 1800s to the mid-1900s.<sup>2</sup>

Although the expressed purpose of the JAIBG/JABG programs did not include reducing juvenile case-processing times, national research during the past 10 years has confirmed that lengthy juvenile case-processing time is, indeed, a problem (Butts, 1997a, 1997b; Butts & Halemba, 1996). This research also confirmed that the concerns first expressed in the mid-1980s concerning juvenile processing delay were not without warrant (Mahoney, 1985), and further efforts to reduce delay are necessary. Moreover, timely case processing should be maintained simultaneously ensuring that the quality of legal representation is not compromised and juveniles are provided the services and treatment they need (Puritz, Burrell, Schwartz, Soler, & Warboys, 1995; Puritz & Shang, 1998).

## Contemporary Nature of Juvenile Case Processing

Today, court backlog and system congestion are still an issue, detention rates are relatively high compared to earlier eras, and the number of juveniles needing mental health and substance abuse services and treatment is growing (NCJFCJ, 2005; Snyder & Sickmund, 2006). Moreover, there is wide jurisdictional variation in court practices and decision making, along with lengthy case processing (NCJFCJ, 2005). In an effort to respond to and resolve many of these issues, increased attention has been paid to ways in which juvenile case-processing time may be reduced simultaneously enhancing the quality of case processing and the integrity of the system.

### Case-Processing Time, Quality, and Efficiency

*Case-processing time.* Case-processing time, or the total number of days it takes for a case to reach one or more stages in the system (i.e., referral to adjudication; referral to disposition), is the most commonly used measure of the pace of case progress (Hewitt, Gallas, & Mahoney, 1990; Steelman, Goerdt, & McMillan, 2000). Some researchers prefer to examine case-processing time in terms of delay, or the total number of days that exceed

time limits set forth by professional standards (Butts & Halemba, 1996; Hewitt et al., 1990; Steelman et al., 2000).

Various professional standards promulgate what is considered timely processing by specifying the maximum number of days it should take a case to be processed from one major stage to another. The four most well-known time standards include those endorsed by the American Bar Association's National Conference of State Trial Judges (NCSTJ), the National District Attorneys Association (NDAA), the Institute of Judicial Administration-American Bar Association (IJA/ABA), and the National Advisory Committee (NAC) for Juvenile Justice and Delinquency Prevention. The NDAA's National Prosecution Standard 92.5 (previously Standard 19.2), the most liberal of the four time standards, recommends a maximum referral-to-disposition time limit of 60 days for detained youth, and 90 days for nondetained youth (NDAA, 1991). The other three standards endorse maximum referral to disposition time limits ranging between 30 and 33 days for detained juveniles, and 45 to 80 days for nondetained youth (Butts & Halemba, 1996; IJA/ABA, 1980; NCSTJ, 1985; OJJDP, 1980).

According to Dodge and Pankey's (2003) *Case Processing Time Standards in State Courts, 2002-03*, 23 states have adopted juvenile case-processing time standards to which adherence is either voluntary or mandatory. Since 2003, several other states, such as Pennsylvania (Pennsylvania Juvenile Court Judges Commission [PJCJC], 2005), also have enacted legislation mandating adherence.

It is not clear how effective case-processing time standards are for reducing juvenile case-processing time. What is clear, though, is that a disjuncture exists between actual juvenile case-processing times and those prescribed by professional standards. In the mid-1990s, many juvenile courts across the United States processed cases at times in excess of 90 days, the most lenient maximum time limit set by professional standards (Butts, 1997a; Butts & Halemba, 1996).

*Case-processing quality.* While some scholars, practitioners, policy makers, and the public generally support the adage "justice delayed is justice denied" (see Rottman, 2000; Solomon & Somerlot, 1998), others insist that timeliness alone should not be equated with justice (Gallas, 1987). In some instances, case-processing delay is necessary, especially when cases are complex and involve extensive investigation (Butts & Halemba, 1996; Mahoney, 1985). Courts that aim to reduce all delay will consequently sacrifice quality, a fundamental component of justice, and the second dimension of case processing (Gallas, 1987; Ostrom & Hanson, 1999).

Overall, quality of juvenile case processing has received less attention in the literature than case-processing time. In fact, although increased attention has been paid to juvenile due-process rights over the past 40 years, the very essence of quality in the context of juvenile case processing has only recently been explicitly explored and addressed (Puritz et al., 1995).

Case-processing quality has several dimensions. According to Standard 3.3: Court Decisions and Actions of the *Trial Court Performance Standards (TCPS)* (Trial Court Performance Standards Commission, 1990), quality case processing involves doling sanctions proportionate to the "nature and magnitude of the case" and providing "individual attention to each case" (Ostrom & Hanson, 1999, p. 5). Ostrom and Hanson (1999) added to these characteristics the concept of *effective advocacy*, stating that this type of defense representation is

present in courts that are “well managed, adequately resourced, sufficiently adversarial, and home to competent counsel” (p. 5). Although the *TCPS* were specifically designed for use in criminal trial courts, the concepts of *equity*, *fairness*, and *individual case attention* are intrinsic to the criminal and juvenile justice systems. Not only is attention to each case synonymous with the juvenile justice system’s hallmark of individualized justice, but also the entire U.S. justice system is founded on the ideals of equity and fairness.

*Case-processing efficiency.* Case-processing efficiency is the use of “resources in their most productive fashion to produce the most of what a court system values” (Ostrom & Hanson, 1999, p. 6). Ostrom and Hanson did not explicitly define the marriage of case-processing timeliness and quality as case-processing efficiency. They did assume, however, that courts valuing and maintaining case-processing timeliness and quality are efficient courts in that the processing of cases from one stage to another is conducted in a timely manner. Thus, case-processing efficiency can be viewed as a conceptual synthesis of case-processing timeliness and quality, or the intersection where timeliness and quality meet (Ostrom & Hanson, 1999).

Efficient juvenile case processing involves processing cases through the juvenile justice system with some degree of speed simultaneously upholding the quality of justice. To be more specific, it involves processing juvenile cases within a time frame designated as “timely” (i.e., 30 days from referral to disposition); providing juvenile cases and offenders individual attention throughout the process; ensuring due-process rights have not been violated or compromised, and the alleged offender has access to and the opportunity to take advantage of dedicated, experienced, and “active” counsel; and dispensing sanctions that are proportionate to the nature and seriousness of the offense.

Efficient juvenile case processing should not be pursued as an end in itself. It should be employed as a means of achieving the juvenile justice system goals of individualized justice, BARJ, rehabilitation, and deterrence. The following discussion outlines how inefficient case processing may serve as a barrier to achieving these various system goals.

## Consequences of Inefficient Juvenile Case Processing

The importance of studying the antecedents of juvenile case processing time and quality lies in the potential consequences that inefficient case processing has for achieving various juvenile justice goals. As one juvenile justice administrator stated, “Certainly as one cog in the juvenile justice system, juvenile courts should shoulder some of the responsibility for deterrence, rehabilitation, reintegration, incapacitation, and punishment” (Waint, 2002, p. 18). Although juvenile courts, officials, and attendant agencies have undoubtedly taken responsibility for achieving these ends, it is important to discuss how inefficient juvenile case processing may impede efforts to achieve these goals.

Little or no published research exists that examines the potential impact of lengthy case processing or the compromised quality of processing on offenders’ self-reported or official recidivism or on the juvenile justice system goals of BARJ, rehabilitation, or deterrence. For example, empirical research examining the impact of case-processing time (swiftness

of punishment) on offenders' self-reported or official criminal behavior (recidivism) is relatively sparse. Rather, the bulk of deterrence research has examined the relationship between the certainty and severity elements of punishment and recidivism, with an overwhelming focus on adult offenders (see, e.g., Cheatwood, 1993; Petersilia & Turner, 1993; Sherman, 1990; Sherman & Berk, 1984; Weisburd, Sherman, & Petrosina, 1990). A few deterrence studies have examined juvenile offender populations; however again, elements other than swiftness have received attention (see, e.g., Barton & Butts, 1990; MacKenzie, Brame, McDowell, & Souryal, 1995).

Dialogue concerning the relationships between case-processing delay and the goals of juvenile justice, and juvenile justice policy based on these relationships, continue to be founded on the conjecture that "justice delayed is justice denied." Although there is a paucity of empirical research that substantiates this hypothesis, particularly in the context of juvenile justice, from a theoretical perspective, inefficient case processing may affect all of these system goals.

### **Timing of Justice**

Time is not only important for deterring and rehabilitating juvenile offenders, but also the length of time between initial stages of processing and disposition and sentencing may have direct implications for the extent to which juvenile offenders internalize accountability for their antisocial behavior and make sincere amends. Lengthy case processing "lessens the impact of an intervention" (NCJFCJ, 2005, p. 66), thereby making it difficult to deter juveniles from committing future delinquent acts, rehabilitate and restore them to a prosocial state of mind, and instill a complete understanding and sincere acknowledgment of harms caused.

For juveniles, the deterrent effect of sanctions may lie disproportionately in the swiftness-of-punishment element of deterrence theory. Juveniles perceive time in a more delayed fashion than adults (Butts & Sanborn, 1999; NCJFCJ, 2005). To most adults, a month may feel like 30 days; however, to a typical juvenile, a month feels much longer. The longer the time period between the commission of an offense and associated sanctions, the less likely youth will attribute the consequences to their behavior (Walters, Parke, & Cane, 1965), and the less likely responsibility for behavior will be genuinely internalized. As a result, lengthy case processing may nullify, to some degree, the deterrent impact of sanctions, the intended impact of rehabilitation and associated services, and the internalization of accountability expected of juveniles at the back-end stages of case processing (disposition and sentencing).

Aside from differences in temporal conception, psychology, and emotionality (Rosado, 2000), adults and juveniles also differ in terms of cognition. Juveniles are typically short-sighted and do not make clear connections between actions at one particular point in time and consequences at another (Schmidt, Reppucci, & Woolard, 2003). As recent research on brain development indicates, the cognitive dimension of the human brain does not fully develop until most people reach their early 20s. The underdevelopment of the frontal lobes during adolescence limits youth judgment and maturity, which is why scientists contend that adolescents have "increased difficulty making mature decisions and understanding the consequences of their actions" (American Bar Association, 2003, p. 4).

It is possible that unsuccessful efforts to deter future delinquent behavior may be due, in part, to the negative impact that lengthy case processing may have on the extent to which



juvenile delinquents internalize accountability for their misgivings, and consequently take responsibility for their actions. Specifically, lengthy case processing may abate the degree to which youth may feel accountable for their behavior. In turn, this diminished accountability may decrease the utility of deterrence-based sanctions, rehabilitation-based services, and BARJ programs and initiatives. Sincere victim and community reparation, and a full understanding of harms to each, is unlikely if the accountability that is shouldered by juveniles at disposition and sentencing is not internalized to the degree it is intended. Lengthy case processing has the potential to lessen juveniles' acknowledgment and internalization of accountability, particularly when the time period between action and consequence is such that a connection between the two is not made or fully understood.

Time also is important for terminating the delinquency careers of many juveniles. Lengthy juvenile case-processing compromises the ability of juvenile courts to intervene in the budding delinquency careers and terminate delinquency pathways before juveniles graduate to serious and chronic delinquency (Butts & Halemba, 1996; Butts & Sanborn, 1999; Kurlychek, Torbet, & Bozynski, 1999). For many youth, case-processing delay equates to more time for delinquent behavior. As Mahoney's (1985) results indicate, delay can result in youths being arrested a second or third time before sanctions are dispensed for the first offense.

## Quality of Justice

Although lengthy case processing weakens public confidence in the juvenile justice system and increases the costs associated with handling cases (Frankenburg & Tarling, 1983; Freisen, Geiger, Jordan, & Sulmonetti, 1979), it also may negatively affect the quality of case processing (Hewitt et al., 1990). For example, lengthy case processing, at the aggregate, increases system congestion and creates court backlogs. By creating a bottleneck effect, it increases the number of cases courts must handle. With only 24 hours in a day, and a limited number of court staff and juvenile justice officials, caseloads also increase, and resources become strained (Mahoney, 1985). Juvenile justice officials with high caseloads do not have time to provide adequate attention to case investigation and preparation. Moreover, defense counsel do not have time to adequately explain proceedings to juveniles and their guardians, and the use of pretrial motions decreases and plea bargaining increases in an effort to reduce caseloads and relieve court backlog (Mahoney, 1985; Puritz et al., 1995). In essence, lengthy case-processing time leads to increases in juvenile justice official caseloads, and some of the techniques used to alleviate associated pressures and keep the system flowing compromise case-processing quality and the overall quality of justice (Puritz et al., 1995).

All of these issues underscore the importance of time in the processing of juvenile cases and the contention that inefficient case processing compromises the ability of courts to achieve system goals. To maximize the deterrent and rehabilitative impacts of sanctions and services, juvenile courts need to process cases as quickly as possible without compromising due process, fairness, and equity. To do this, dispositions need to be achieved as close in time to the commission of the offense as possible, with the number of hearings kept to a minimum (Butts & Halemba, 1996; Butts & Sanborn, 1999; NCJFCJ, 2005).

As evidenced by research conducted on timely and quality case processing in trial courts (Ostrom & Hanson, 1999), achieving and maintaining timeliness and quality is possible.

Doing so requires the knowledge and management of various systemic, interagency, and juvenile justice official-specific factors that contribute to the processing of cases through key stages of the system (i.e., referral, adjudication, and disposition).

## Antecedents of Inefficient Juvenile Case Processing

In an effort to conduct a comprehensive review of the juvenile case-processing literature, and identify causal antecedents of inefficient juvenile case processing, a five-prong methodological approach to the literature search was employed. Specifically, we retrieved literature from the late 1970s until present by consulting the Web sites of 14 national, nonprofit, and private organizations that publish in the area of juvenile justice; 3 policy think tanks; and 8 university-affiliated juvenile justice research centers and institutes. We also obtained literature from the Justice Research and Statistics Association's (JRSA) Web site. In instances where reports were not attainable via JRSA's Infobase of State Activities and Research, the Web sites of various Statistical Analysis Centers were accessed. Keyword searches also were conducted in various library databases.<sup>3</sup> The following is a discussion of the systemic, juvenile justice official-specific, and interagency factors found to serve as barriers to timely and quality juvenile case processing.

### Systemic Barriers

Six factors inherent to the organization of the juvenile court serve as significant barriers to efficient juvenile case processing. These barriers center on issues related to jurisdiction size and resources; goals, policies, and procedures; caseload management; diversion; local legal culture; and education and training.

*Jurisdiction size and resources.* Butts (1997b) examined juvenile case processing in 394 U.S. counties in 1991 and 1992 and determined that large jurisdictions experience longer case-processing times than small jurisdictions, even after controlling for factors such as *population size* and *offense type*. Examinations of the direct relationship between offense type and case-processing time indicate that drug offense cases experience longer case-processing times than other types of cases. Because large jurisdictions typically handle more drug offense cases than small jurisdictions, it appears that offense type partially confounds the relationship between jurisdiction size and case-processing time (Butts, 1997b).

The empirical results concerning the relationship between court resources and case-processing time are mixed. What is clear is that juvenile justice officials perceive limited resources as one barrier to implementing time standards and reducing lengthy case-processing time (Butts & Halemba, 1996; Sarri et al., 2001; Waint, 2002). Although large jurisdictions typically cope with strained resources, and it is these jurisdictions that tend to experience case-processing delay, what has not been empirically established is whether limited resources cause case-processing delay (Butts & Halemba, 1996). Sarri et al.'s (2001) analysis of juvenile case-processing time and decision making in four states indicates that it is not so much the quantity and types of resources that are of importance when examining the degree to which juvenile case-processing delay efforts are successful. Although they found

that the quantity of resources available is related to differences in case outcomes, what is of greater importance is how existing resources are used. Adult case-processing studies also underscore the importance of working more efficiently with the resources that are available (Levin, 1975; Mahoney et al., 1988).

*Goals, policies, and procedures.* Adult case-processing research indicates that without the establishment of and adherence to court goals, policies, and procedures, criminal courts efforts to reduce backlog and case-processing time are futile (Freisen et al., 1979; Hewitt et al., 1990; Neubauer, Lipetz, Luskin, & Ryan, 1981; Schiller, 1979; Taggart, Mays, & Hamilton, 1985). A primary reason why courts struggle to reduce case-processing time is because they do not have backlog and time-reduction goals and objectives established (Church, Carlson, Lee, & Tan, 1978; Hewitt et al., 1990). The lack of general operating policies and procedures, such as continuance policies, also appears to be a significant problem. Butts and Halemba (1996) also found that of the 371 juvenile justice officials they surveyed, 38% felt continuances were granted too often, and 29% reported having no continuance policy (p. 62). In criminal courts, Schiller (1979) and Hewitt et al. (1990) found courts that struggle to reduce adult case-processing time lack judicial oversight over courtroom practices and judicial enforcement of continuance policies is rare.

*Caseflow management.* Courts that experience case-processing delays are those that typically operate without a management information system (MIS; Butts & Halemba, 1996; Church et al., 1978; Freisen et al., 1979; Goerdt, Lomvaridas, & Gallas, 1991). MISs track cases through the system and retain specific information such as the total number of days a case has been in the court system, the number of continuances per case, and what stages of the system cases are currently situated in. The use of an MIS that is maintained by court staff and accessible to all juvenile justice officials provides for easier caseflow management and is a means by which court backlog and potential delay can be monitored (Solomon & Somerlot, 1998).

Research on adult case-processing time indicates that caseflow management, and differentiated caseflow management (DCM) in particular, is an effective strategy for reducing case-processing time (Bureau of Justice Assistance [BJA], 1995; Church et al., 1978; Hewitt et al., 1990; Neubauer et al., 1981; Steelman et al., 2000; Taggart et al., 1985). Effective caseflow management systems enable juvenile courts to handle more cases in less time with the same amount of resources (BJA, 1993). DCM, which involves placing cases into different processing tracks based on case and offender characteristics and other criteria (BJA, 1993, 1995), provides for easier court docket management because the court time and associated resources needed to process each type of track are estimated ahead of time. As Goerdt et al.'s (1991) study of urban felony case processing in civil litigation trial courts highlights, case management must be employed in the early stages of processing to successfully reduce case-processing time. Doing so enables courts to plan ahead in scheduling judges and allocating resources according to expected caseload volume.

*Diversion.* A fourth systemic factor found to hinder the quality of case processing centers on the issue of diversion, and the degree to which it is used. Diversion programs were initially

established to reduce the number of formally handled cases simultaneously addressing the needs and risk factors of first-time and nonviolent youth offenders. As a means to reduce court backlog and system congestion, diversion programs also enable the system to better deal with serious, chronic, and violent offenders by providing them with individualized justice and available back-end services and resources (Cocozza et al., 2005; Kurlychek, 1997).

Research generally has shown that diversion programs reduce caseloads, costs, and case-processing time (Butts, 1997b; Butts & Halemba, 1996; Cocozza et al., 2005). As Butts' (1997b) examination of data from the National Juvenile Court Data Archive indicates, formally petitioned juvenile cases typically experience longer case processing times than cases processed informally via diversion programs. In fact, he found that almost 70% of all informal cases examined were disposed 35 days from the initial date of referral whereas less than 30% of formally handled cases were completed within this same time frame (Butts, 1997b, p. 12). What has yet to be empirically verified is the degree to which differences in recidivism between formally handled cases and cases diverted from the system can be attributed to differences in case-processing time.

Data from juvenile justice official interviews and surveys indicate that diversion is underutilized, and more diversion options are needed (Butts & Halemba, 1996; Sanborn, 1995; Sarri et al., 2001). For instance, more than 50% of judges and 61% of defense attorneys surveyed by Butts and Halemba (1996) considered the lack of diversion options a "moderate" or "serious" determinant of case-processing delays (p. 62). Recent court statistics confirm that the concerns expressed by juvenile justice officials are warranted. Of the 1.6 million delinquency cases handled by juvenile courts in 2002, 58% were handled formally, an 8% increase from 1985 (Snyder & Sickmund, 2006).

*Training and education.* Training and education is a fundamental component of any system-wide reform initiative. All key participants in the juvenile court process (prosecutors, defense counsel, judges, probation officers, and court staff) need to receive training on case-flow management systems (i.e., MIS), DCM, and any other automated computer programs that aid in monitoring caseload and processing time (Steelman et al., 2000). Moreover, juvenile justice officials also should participate in training programs to understand how court administrative and operational procedures and practices will change as the result of the implementation of time standards, and what the goals, reporting requirements, and evaluative criteria are (NCJFCJ, 2005).

Educational programs spearheaded by the judiciary should communicate to juvenile justice officials what the known barriers to achieving system goals are (i.e., timely case processing). Research on adult case processing indicates that such educational programs are helpful for reducing adult case-processing time (Hewitt et al., 1990). Although empirical research substantiating this connection in the context of the juvenile court has not been conducted, this type of educational training has been advocated by numerous juvenile justice organizations and scholars (i.e., NCJFCJ, 2005; Sarri et al., 2001). What juvenile case-processing research has found is that many juvenile justice officials report the lack of education and training on caseload management and other organizational tools as one major reason juvenile case-processing time standards have not been successfully implemented within their respective courts (Waint, 2002).

*Local legal culture.* Since Church et al.'s (1978) Pretrial Delay Project first examined the impact of local legal culture on decision making and case processing in adult courts, research has steadily increased in this area. Referred to as the "informal expectations, attitudes, and practices of judges and attorneys" (Church et al., 1978, p. 5), local legal culture has been shown to influence adult case-processing time through its direct impact on courtroom practices and functioning (Church et al., 1978; Ostrom & Hanson, 1999; Ostrom, Hanson, & Kleiman, 2005). Church et al.'s (1978) research indicates that local legal culture may have a more significant impact on case-processing time than court backlog or case volume.

Research on case-processing time and court culture in trial courts indicates that reducing case-processing time without sacrificing the quality of processing is possible. In summarizing the results of their research, Ostrom and Hanson (1999, 2000) stated that prosecutors and defense counsel in trial courts that have worked toward bringing about more timely case processing are "more likely to see each other as well prepared, well trained, and trial tested, and less likely to perceive resource shortages, even though their caseloads were no less burdensome than those of their counterparts in slower courts" (Ostrom & Hanson, 1999, p. 11).

Within the past few years, advances have been made in the study of local legal culture with the development of scales and instruments that tap into different dimensions of court culture by measuring various aspects of court organization and management (see Ostrom, Ostrom, Hanson, & Kleiman, 2005). A fourfold typology of court culture, consisting of communal, networked, autonomous, and hierarchical cultures, also has been developed (Ostrom, Hanson, & Kleiman, 2005). According to Ostrom, Hanson, and Kleiman (2005), courts that stress the importance of solidarity while placing little importance on sociability experience faster case-processing times than courts that emphasize the opposite. Hierarchical court cultures, characterized by high solidarity and low sociability, are hypothesized to experience the fastest case-processing times of the four court cultures. This type of court culture places importance on rules and procedures, has clearly defined and widely communicated goals and objectives, has a clear sense of who is in charge of the court, and typically employs structured decision-making instruments and technologies.

The utility of Ostrom, Hanson, and Kleiman's (2005) fourfold typology of court culture has only been tested in adult courts (Brown, 2006), and although associations between speedy case-processing time and the hierarchical and networked court cultures have been established, research has yet to establish causality. Research applying this typology to the juvenile court may be worthwhile, especially because juvenile justice reform efforts appear to have changed juvenile courtroom dynamics and culture. Juvenile courts appear to be moving away from the autonomous culture, characterized by low solidarity and sociability, high judicial discretion, noncollaborative work relations, and little consensus on court goals and objectives, and moving toward networked and hierarchical cultures, which are hypothesized to produce timelier case processing (Ostrom, Hanson, & Kleiman, 2005).

Although research on juvenile court culture has not been conducted, Butts and Halemba's (1996) survey results underscore the possibility that differences in case-processing times across courts may be partially attributed to cultural differences. Specifically, in courts that experienced lengthy case-processing times, juvenile justice officials were quick to point the finger at other officials when asked what factors contribute to delay. Moreover, 33% of juvenile justice officials and court staff stated that case-processing delay was not an important concern

of defense attorneys, and 26% of the sample stated that delay was not an important concern of prosecutors (Butts & Halemba, 1996). Regardless of whether or not perception matches reality, merely perceiving that a noncollaborative work environment exists may affect how juvenile justice officials view and approach their respective responsibilities in reducing case-processing time and enhancing quality.

## Juvenile Justice Official-Specific Barriers

There are state and local differences in the manner in which juvenile cases are processed; however, a commonality shared by all state juvenile justice systems is the four participants in the juvenile court process. These juvenile justice officials include prosecutors, defense counsel, judges, and probation officers. The following selective discussion outlines various juvenile justice official-specific barriers to efficient juvenile case processing.

*Prosecution.* According to the IJA-ABA Juvenile Justice Standards Project (Flicker, 1977), prosecutors should be present at every juvenile hearing and should be involved in every step of case processing from referral to disposition. Prosecutors are an integral component of juvenile case processing, and their practices and attitudes can have an impact on the quality and timing of this process.

A review of the literature revealed four critical issues inherent in prosecutorial work that serve as barriers to efficient juvenile case processing. These barriers center on issues related to prosecutorial experience, training and education, the use of diversion alternatives, and case preparation.

Many juvenile prosecutors perceive the juvenile court as a “training ground” for their future work in the criminal justice system (Laub & MacMurray, 1987, p. 206). Research indicates that juvenile prosecutors have less experience prosecuting cases than criminal prosecutors (Laub & MacMurray, 1987; Sanborn, 1995), and this lack of experience does not go unnoticed. Most of the 100 juvenile justice officials Sanborn (1995) interviewed felt juvenile prosecutors tend to be new and inexperienced. This lack of experience, and the attitude that the juvenile court is merely a stepping stone for work in the criminal justice system, may affect the timing and quality of case processing. Although not empirically substantiated, it seems likely that many “entry-level prosecutors” (NCJFCJ, 2005, p. 29) bide their time until they can move “up” to the criminal court system, and as a result, they do not have a sincere vested interest in the timing or quality of the cases they aid in processing. New prosecutors do not have experience working with juveniles, and hence, they may not fully understand the developmental differences between adults and youth. Moreover, they may not approach the prosecution of juveniles with the understanding that many may have various mental or substance abuse issues.

Regardless of prosecutorial experience, training and education are a necessity. For instance, prosecutors have an increased role in the decision to transfer juveniles to adult court (i.e., prosecutorial certification). This transfer decision necessarily involves information about adolescent psychological and social development (Myers, 2005). A review of the transfer guidelines established by the Supreme Court in the *Kent* (1966) decision that are used to guide transfer decision making highlights how issues related to adolescent development form the basis of many transfer decisions (e.g., amenability to treatment, threat to public safety).

Research has not assessed the degree to which the training and education of juvenile prosecutors enhances case-processing time or quality. In fact, little research has examined the impact that training and education have on the behaviors and attitudes of all juvenile justice officials, and the impact that such training has on juvenile case-processing time and quality. Adult case-processing research indicates that the decisions criminal prosecutors make partly hinge on the education and training they have been provided, and prosecutorial training and education are important for reducing adult case-processing time (Hewitt et al., 1990). Research within the confines of juvenile justice indicate that many prosecutors are not content with the type and degree of training they are provided, and they would like more training on available diversion options and the philosophy of juvenile justice (Sanborn, 1995). As promulgated by the NCJFCJ (2005), prosecutors need to be trained and educated about adolescent development, youth substance abuse and mental health issues, diversion options and graduated sanctions, the criteria for varying degrees of probation supervision, youth crime and violence prevention initiatives, various types of available treatment options, and the range of available dispositional resources (NCJFCJ, 2005). Not having this training and education may serve as a barrier to case-processing quality, and effective treatment of juveniles in the system (Rosado, 2000).

A third prosecutorial barrier to timely and quality juvenile case processing centers on the use of diversion. Of the little research that has explicitly examined this issue, it appears that diversion alternatives to formal case processing are underutilized by prosecutors (Sanborn, 1995). The proper use of diversion cuts down the number of cases in the system, the amount of court resources that must be utilized, and it enhances the quality of justice for first-time or nonviolent offenders. It also decreases the number of cases that are assigned to prosecutors, defense counsel, and judges, which in turn enables prosecutors and defense counsel to allocate more time to cases that are being formally handled (Sanborn, 1995).

The last prosecutorial barrier to timely and quality juvenile case processing involves case preparation. When prosecutors are not prepared for court, continuances generally are requested, adding time to the processing of the case. Lack of case preparation also may jeopardize the quality of justice dispensed, especially when prosecutors do not ensure structured decision-making instruments are administered, or when they do not properly investigate the background of the case. Limited research indicates that poor case preparation on the part of prosecutors is a problem. Forty percent of the juvenile justice officials Sanborn (1995) interviewed stated that prosecutors do not adequately prepare cases for hearings. This issue also was raised by juvenile justice officials surveyed in Texas (Senate Interim Committee on Gangs and Juvenile Justice [SICGJJ], 1998), who identified the lack of prosecutorial case preparation and delays in reviewing cases, and filing paperwork, motions, and petitions as the second most significant barrier to timely case processing.

*Defense.* Youths who are represented by defense counsel typically experience longer case-processing times than youths who do not have legal representation (Mahoney, 1985). Scholars offer several possible reasons for this relationship. Legal representation enhances the quality of case processing because someone is advocating on the juvenile's behalf. When juveniles have legal representation, more pretrial motions are filed, and this, itself, will lengthen case-processing time. As well, juveniles who exercise their right to counsel

also tend to exercise other due-process rights, and this also may increase case-processing time (Feld, 1993; Puritz et al., 1995).

Legal representation should not be viewed as a barrier to timely case processing (Puritz et al., 1995). The goal is to reduce case-processing time while simultaneously upholding the quality of the process. Defense counsel, in many respects, ensures that quality is not taken out of the equation, and defense attorneys should ensure individual attention is paid to each juvenile case and juveniles receive the services they need. With this in mind, there are four important barriers to efficient juvenile case processing that are specific to the role of defense counsel. These barriers center on issues related to the timing and appointment of counsel, caseload volume, high turnover and lack of experience, and training and education.

Puritz et al.'s (1995) national assessment of juvenile representation revealed that many juveniles do not have legal representation. This finding is echoed by other multistate (i.e., Sarri et al., 2001) and multijurisdictional assessments (i.e., Burruss & Kempf-Leonard, 2002) of juvenile case processing. Without such representation, juveniles do not have anyone in their corner advocating on their behalf. As Puritz et al. (1995) aptly pointed out, juveniles who do not have a defense attorney can fall prey to the expediting practices of prosecutors who try to process cases as quickly as possible to alleviate pressures associated with high caseloads. Research also indicates that juveniles do not exercise their right to counsel as much as they should (Ainsworth, 1996; NCJFCJ, 2005; Puritz et al., 1995). Because juveniles who do not exercise their right to counsel also tend to not exercise other due-process rights, it is the judge's responsibility to ensure that youth who waive counsel have a complete understanding of the potential ramifications of their decision (Puritz et al., 1995).

The timing at which defense counsel is assigned also is important. The stage at which defense counsel is assigned affects the quality and number of investigations conducted, the quality of case preparation, and even the quality of the attorney-offender relationship (Puritz et al., 1995). According to the National Council for Juvenile and Family Court Judges (2005), courts that do not actively ensure that youth are assigned counsel in the early stages of processing are the same courts that condone substandard practices, such as not attending hearings and not being adequately prepared to defend cases. Defense counsel assignment must be done as early in the process as possible, preferably prior to detention and the initial hearing. Puritz et al.'s (1995) national assessment of legal representation found that early assignment of counsel is a problem across juvenile courts in the United States. Specifically, 22% of defense attorneys are assigned to cases after the detention hearing is conducted (Puritz et al., 1995).

High caseloads have been found to be the "single most significant barrier to effective representation" (Puritz et al., 1995, p. 46). The recommended caseload size is between 200 and 250 cases per year, yet in the mid-1990s, many defense attorneys dealt with caseloads in excess of 300 (Puritz et al., 1995). Ninety-four percent of public defenders surveyed cited high caseloads and associated strains as the reason why they are not able to properly prepare cases, conduct investigations, assess the degree to which youths are bonded to society and family, and meet with offenders before hearings to explain the nature of the proceedings (Puritz et al., 1995, p. 46). Puritz et al. (1995) also found that high caseloads compromise the quality of legal representation on several fronts. Because of high caseloads, defense attorneys were more apt to plea bargain and less likely to conduct quality investigations and



file pretrial motions. In fact, only 30% of defense counsel in Puritz et al.'s study made pretrial motions while working in the juvenile justice system.

Although Puritz et al.'s (1995) study was conducted 12 years ago, O'Neill's (2004) more recent study on juvenile disposition decisions in one northeastern county confirms that high caseloads are still a troubling issue. Public defenders in O'Neill's sample estimated handling between 5 and 30 cases per week and spending between 15 minutes and 2 days on each case.

Lack of attorney experience in defending juvenile cases also compromises the quality of case processing. Puritz et al. (1995) and Sarri et al. (2001) found that many juvenile defense attorneys lack experience defending juveniles. Turnover is relatively high as well. Fifty-five percent of juvenile defense attorneys leave their positions after 2 years (Puritz et al., 1995). This type of turnover may be one reason why juvenile defense attorneys are not experienced; they do not appear to work in the juvenile justice system for long periods of time.

Aside from high caseloads and associated stress, one reason why defense counsel may leave their positions after a couple of years may be the low morale and poor working conditions and pay to which they must contend (Puritz et al., 1995). Some of the defense attorneys included in Puritz et al.'s study did not even have an office to work from and had to conduct daily business from courtroom tables.

The last barrier to timely and quality case processing specific to the role of defense attorneys centers on training and education. Adult case-processing research has found a positive relationship between defense counsel training and timely case processing (Hewitt et al., 1990). Professional development training and orientation programs for new criminal defense attorneys, and annual training for all defense attorneys, appears helpful in reducing adult case-processing time (Hewitt et al., 1990).

Not having access to and participating in various training and education opportunities also hinders the quality of case processing. Understanding the various biological, psychological, cognitive, and emotional differences between adolescents and adults, and adolescents themselves, aids defense counsel in understanding why juveniles become involved in the juvenile justice system in the first place, and what resources and services are needed to address their needs (Rosado, 2000, p. vii).

As results from Puritz et al.'s (1995) national assessment of juvenile representation indicate, lack of training and education appears to be a problem. Seventy-eight percent of the juvenile defense counsel surveyed reported that their offices did not have money for training, 48% reported receiving no continuous training and education, and 32% reported working in offices that did not even have a training manual (Puritz et al., p. 55). Moreover, of the training that defense counsel in the survey did receive, training on juvenile transfer, diversion, adolescent development, and pretrial motions was rarely (if ever) provided. Juvenile justice officials also reported that defense attorneys need more training and education on postdispositional options and services.

*Judiciary.* The responsibility for successful juvenile justice reform falls disproportionately in the hands of the judiciary, and for good reason. Judges are "king of the castle" in many respects. They are responsible for the operation of the juvenile court, from calendaring systems to case management systems used to track and monitor cases, and clearly articulating court goals, objectives, and procedures and ensuring juvenile justice officials work to achieve

and adhere to them (PJCJC, 2003, p. 32). Judges also oversee the operation of the court during hearings and are responsible for helping to establish new front-end and back-end programs, spearheading interagency collaboration efforts, keeping abreast of new diversion and sentencing options, and holding all juvenile justice officials accountable for achieving juvenile court goals (NCJFCJ, 2005; PJCJC, 2003; Rottman, Efke, & Casey, 1998). Research on juvenile and adult case processing indicates that three factors specific to the role of juvenile judges may serve as barriers to efficient case processing. These barriers center on issues related to judicial leadership, commitment, dedication, high caseloads, and training and education.

Courts that lack judicial leadership, commitment, and dedication have extreme difficulties in implementing processing time standards (Brown, 2006; Wait, 2002) and bringing about timely and quality case processing (Butts & Halemba, 1996; Gallas, 1987; Hewitt et al., 1990; Mahoney, Sipes, & Ito, 1985; Rottman et al., 1998; Schiller, 1979). Aikman, Carlson, Page, Sipes, and Tan (1980), who conducted a 3-year project examining the decision making and case processing of state trial courts, found that judicial leadership and dedication were instrumental for changing local legal culture, and the ability to process cases in a timely manner partly hinged on this change in culture.

There is no consensus concerning what constitutes a reasonable judicial caseload (Hurst, 1999), and to our knowledge, no published research has assessed the degree, if any, that judicial workloads affect juvenile case-processing time. Survey research does indicate that judges, like most other juvenile justice officials, must deal with large workloads (SICGJJ, 1998). In identifying high judicial caseloads as a barrier to timely juvenile case processing, juvenile judges in Texas attributed the inability to meet case-processing time standards to the low number of judges working in their respective courts (SICGJJ, 1998). To decrease workloads, juvenile court judges may advocate for the additional hiring of full-time judges as one way to move cases through the system and meet case-processing time standards.

Judicial training and education is extremely important. Aside from judicial training that centers on court leadership, organization and management, and new state juvenile laws and diversion and disposition options, adolescent development training and education is instrumental for decisions that juvenile court judges must make at detention hearings and the adjudication stage of case processing. It is at this stage that judges must assess juveniles' competency to stand trial, their intent, and their culpability in the crimes of which they are accused. The decisions that judges make at this point have implications for whether charges are sustained and the juvenile will participate in the adjudication hearing. Judges also use developmental-type information at the sentencing stage (Rosado, 2000), where a variety of sentencing options must be assessed (e.g., release, nonsecure community program, residential program, secure confinement, etc.).

No published research exists that makes an empirical connection between the training and education of juvenile court judges and case-processing time and quality. Within the adult case-processing literature, such a connection has been made. Hewitt et al.'s (1990) case studies of six criminal courts found that the training and education that judges received had a positive impact on their leadership skills, and judges were able to take what they learned and apply it to the organizational features of their respective courts. Implementing what they learned aided in reducing adult case-processing time.

*Probation.* Probation officers play an instrumental role in the processing of juvenile offenders. Since the advent of the JABG program, the integration of BARJ principles into court decision making, and the resultant establishment of different types of probation supervision programs (see Griffin, 1999; Torbet, Ricci, Brooks, & Zawacki, 2001), the role of probation in processing cases has expanded significantly. Today, probation officers are typically responsible for intake, screening, assessment, collecting restitution, completing predisposition investigations, and supervising community service activities and juveniles on probation. With this expansion in responsibility, increased attention has been paid to reducing probation officer caseloads and increasing the number and quality of training and education opportunities (Corbet, 2002; Griffin & Torbet, 2002; Kurlychek et al., 1999).

There is a paucity of empirical research that examines factors specific to the roles, attitudes, and behaviors of juvenile probation officers that affect juvenile case-processing time and quality. Most literature in this area is experiential in nature and takes a “best practices” stance to the field of probation by discussing the past successes and failures of juvenile probation departments in implementing juvenile justice reform initiatives (Kurlychek et al., 1999).

Of the research that has been conducted, it appears that wide variation in juvenile probation performance, training, and caseload volume exists within and between probation departments (Kurlychek et al., 1999; Puzanchera, 2003; Torbet, 1996). Within Pennsylvania, Torbet et al. (2001) found significant variations in the implementation and types of school-based program services provided. High caseloads and the limited numbers of juvenile probation staff have been found to hinder the quality of probation supervision and the frequency of probation contact (SICGJJ, 1998; Torbet, 1996; Wait, 2002).

## **Interagency Barriers**

*Information sharing.* Information sharing is instrumental for effecting change in the timing and quality of juvenile case processing (Baer & Picciano, 2000; Hewitt et al., 1990; Slayton, 2000). Agencies that do not share or are slow to share information concerning available resources and services, and information pertinent to juvenile cases, and the mental or developmental capacity of offenders are not collaborating toward reaching system goals. When this occurs, the quality of case processing declines, case-processing time may increase, and the ability of juvenile courts to employ a comprehensive approach to addressing juveniles’ needs is greatly hindered (Slayton, 2000).

Although adult case-processing time has been found to increase as a result of limited information sharing (Hewitt et al., 1990), to our knowledge, no published research has examined this issue in relation to juvenile case-processing time and quality. Studies concerning adult case processing have found that case-processing time increases when agencies and juvenile justice officials are slow to share information and communicate with other agencies (Hewitt et al., 1990). The only juvenile justice research related to this topic indicates that a lack of information sharing is perceived by juvenile justice officials to be a barrier to the implementation of case-processing time standards (Wait, 2002).

*Interagency collaboration.* Unlike the adult criminal justice system, the juvenile justice system is inextricably tied to community agencies and social services, and interagency

collaboration at this level is extremely important. The collaboration of juvenile justice officials also is important for moving juvenile cases through the system in a timely fashion.

The lack of interagency collaboration has been found to be a significant barrier to efficient case processing in adult courts (Hewitt et al., 1990). Mahoney et al. (1988) also found that perceptions of interagency collaboration vary according to the pace of litigation in trial courts. Specifically, criminal justice officials who work in trial courts with lengthy case-processing times tend to perceive a lack of interagency collaboration in reaching court goals and objectives whereas officials working in courts that process cases in a timely manner perceive interagency collaboration as solid and strong (Mahoney et al., 1988).

Less empirical research has been conducted on the efficacy of interagency collaboration for reducing case-processing time and enhancing quality. Juvenile justice research does indicate that getting juvenile justice officials and their respective agencies to work together toward achieving system goals (i.e., timely case processing) may be challenging. More than one half of the probation officers and prosecutors in Sanborn's (1995) study perceived the existence of conflict between each respective agency, with juvenile justice officials from urban jurisdictions perceiving more conflict than those from suburban and rural jurisdictions. Sarri et al. (2001) also identified the disjuncture between the juvenile justice philosophies of prosecutors, defense, judges, and probation officers as a source of conflict that hinders interagency collaboration.

## **Conclusion**

Changes in the juvenile justice system are affected by and have implications for efficient juvenile case processing, and more specifically case-processing time and quality. As noted by Gallas (1987), justice systems that place an overemphasis on speed and timeliness will undoubtedly sacrifice other system goals and values. Doing so will consequently lead to an unjust juvenile justice system that operates with tarnished integrity. Bringing about and maintaining timely and quality juvenile case processing is a balancing act. It requires balancing case-processing timeliness with quality simultaneously dispensing justice according to system goals. As research on adult and juvenile case processing reveal, this balancing act is possible.

The purpose of this article was to present a synopsis of the antecedents and consequences of inefficient juvenile case processing. A review of the case-processing literature indicates that although many antecedents have been identified, the degree to which many of these factors cause case-processing delay and compromise the quality of case processing in the juvenile justice system has not been verified through empirical research. As is highlighted, more research has been conducted on adult than juvenile case processing.

## **Current State of Empirical Knowledge**

Many systemic, juvenile justice official-specific and interagency factors are associated with inefficient juvenile case processing. Some systemic antecedents include the lack of caseload and differentiated case management systems, policies, and procedures, strict continuance

policies, and the underutilization of diversion. The lack of training and education on issues related to caseload management, MIS, and case-processing time reduction initiatives also impedes efforts to reduce case-processing time.

Concerning juvenile justice official-specific barriers, there appears to be positive associations between inefficient case processing and the lack of prosecutorial experience, training, and case preparation and the underutilization of diversion alternatives. Factors inherent to the role of defense attorneys, which have been found to be related to the compromised quality of juvenile case processing, include the assignment of counsel late in the stages of case processing; a lack of legal representation, experience defending juveniles, education, and training; and high caseloads. The lack of judicial leadership, commitment, training, and education, along with large judicial workloads, also are problematic. High probation caseloads and limited number of staff may also be related to the quality of case processing, in that probation officers cite these issues as reasons why they are unable to make frequent contacts with juvenile probationers.

### **Causality and Methodological Rigor**

Many of the causal antecedents of inefficient case processing identified in the criminal justice system should be empirically verified within the confines of juvenile justice. As compared to the criminal justice system, the juvenile justice system operates under a different philosophy of justice. As a result, work orientations, local legal culture, caseload volume, and court-related pressures may be different in juvenile courts as compared to adult courts. If these factors do operate differently in juvenile courts, the impact they have on juvenile case-processing time and quality also may be different.

In a similar vein, more methodologically rigorous empirical studies are needed that employ statistical techniques capable of establishing causality. As Robert Quinn (Saari & Quinn, 1987) aptly stated, "if delay is correlated with other measures . . . then the relationships should be shown empirically" (p. 63). This observation is particularly relevant for research examining the antecedents of inefficient juvenile case processing, for much insight is yet to be learned in the way of causality.

Researchers interested in studying juvenile case processing should take a multimethod approach to data collection. This will provide for a more comprehensive and holistic assessment of the many factors associated with timeliness and quality. Not many studies on juvenile case processing have collected quantitative and qualitative data. To examine quantitative and qualitative aspects of case processing, data may be obtained from surveys of juvenile justice officials, MIS reports and other court-related case-processing data, well-designed interview protocols, focus groups, and site visits.

### **Future Empirical Inquiry**

Six major gaps exist in the juvenile case-processing literature. Therefore, what follows are the major lines of future empirical inquiry designed to advance knowledge in this area.

First, research needs to assess the empirical relationship between case-processing time and quality. Viewed as two mutually exclusive concepts (Ostrom & Hanson, 1999), it may

be worthwhile to investigate the extent to which a reciprocal relationship exists. Some of the research reviewed highlights this possibility. Second, more research needs to examine juvenile case-processing time (Butts, 1997a, 1997b) and identify which of the many antecedents of lengthy case processing are truly causal. Third, more case studies examining the efforts of individual juvenile courts to enhance timely and quality case processing are needed.

A fourth line of future empirical inquiry pertains to the consequences of case-processing time and quality. To our knowledge, no published research has explored the degree to which juvenile case-processing time and/or quality affects the rehabilitative, balanced, and restorative justice, and deterrence goals of juvenile justice. Research examining the potential deterrent effect of speedy juvenile case processing may add to our current knowledge base concerning the relative efficacy of deterrence theory's swiftness-of-punishment element. For instance, research indicates that juveniles diverted from traditional case processing and placed in "fast track" diversion programs (Barnosky, 1997), teen court (Butts, 2002; Butts & Buck, 2000; Butts, Buck, & Coggeshall, 2002), and restitution programs (Schneider & Schneider, 1985) have lower recidivism rates than formally processed youth with equivalent offense and offender characteristics. However, outcome evaluations assessing the relative impacts of these diversion programs on recidivism have not examined whether unique characteristics intrinsic to these programs contribute to the low recidivism rates of offenders who participate. What we do know, for example, is that teen courts typically experience faster case-processing times than conventional juvenile courts (Butts & Buck, 2000; Butts et al., 2002), and they are increasingly being used as a type of diversionary alternative to the formal case processing of first-time, nonviolent offenders. Examining the degree to which the case-processing times of teen courts and other diversion programs affect participant recidivism may not only add to the literature on the efficacy of specific deterrence but also provide some insight into the extent to which lengthy case-processing time in traditional courts contributes to offender recidivism.

A fifth suggestive line of inquiry is to examine the local legal culture of juvenile courts. To our knowledge, no published research has applied Ostrom, Hanson, and Kleiman's (2005) typology of courtroom culture to the juvenile court. Doing so may provide additional insight into the "best practices" juvenile courts and judges may employ when seeking to enhance juvenile justice official and interagency collaboration.

Within the past 8 years, states and localities, with the aid of JABG funding, have implemented BARJ programs and other juvenile accountability-based policies and initiatives (Center for Opinion Research, 2002; Griffin, 1999; PJCJC, 1997). As well, a current trend across juvenile justice systems in the United States is the implementation of juvenile case-processing time standards. Although some states implemented time standards years ago (Connor, 2001; Dodge & Pankey, 2003; Waint, 2002), others have only recently passed state legislation mandating adherence (PJCJC, 2005). This rise in time standard implementation and adherence, coupled with the establishment and maintenance of JABG-funded programs and initiatives, provides a propitious time for conducting juvenile case-processing implementation and outcome evaluations. Thus, a sixth suggestive line of inquiry is to continue assessing the implementation of juvenile case-processing time standards, identifying barriers to implementation, and conducting outcome evaluations that assess the impact of implementation on timely and quality juvenile case processing.

## Notes

1. For the sake of brevity, we focus squarely on systemic, intra-agency, and interagency barriers of efficient juvenile case processing, and exclude a discussion of various case- and offender-specific factors. See Butts and Gable (1992), Luskin and Luskin (1987), and Swigert and Farrell (1990) for an examination of some of these factors in relation to case processing timeliness and quality.

2. Juvenile justice purpose clauses that integrate balanced and restorative justice (BARJ) principles include Florida, Illinois, New Jersey, Pennsylvania, Maryland, Alaska, Idaho, Kansas, Wisconsin, District of Columbia, Alabama, California, Indiana, Minnesota, Washington, Montana, and Oregon; purposes clauses with an explicit child-welfare focus include Kentucky, Massachusetts, and West Virginia. See Griffin, Szymanski, and King (2006) for information on the type and degree of purpose clause overlap.

3. Specific information concerning the names of organizations, statistical analysis centers, and databases consulted and examined may be forwarded on request.

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