

## **EXECUTIVE SUMMARY**

### **PARENTAL INVOLVEMENT PRACTICES OF JUVENILE COURTS**

**Report to the  
Office of Juvenile Justice and Delinquency Prevention  
U.S. Department of Justice**

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Over the past several years, public concern over juvenile crime has risen. Policy consideration of available policy options has ranged from juvenile court sentencing reforms, to new provisions addressing the transfer of juveniles to the adult system, and to innovative restorative justice models. However, among the alternatives not receiving much attention or support have been the issues of enhancing parental responsibility of delinquent behavior, parental involvement in juvenile delinquency proceedings and the accessibility and quality of parenting education and support programs available through the courts. This report provides an exploration into the various ways in which jurisdictions are involving parents in juvenile delinquency proceedings and follow-up interventions.

### **RESEARCH OBJECTIVES**

This study was designed to gain, for the first time, a national perspective on how courts, probation departments, and their follow-up interventions address parental involvement and accountability in juvenile court cases.

The main objectives of this project were to study:

1. Application of existing "parental involvement" and "parental responsibility" laws by juvenile courts and juvenile probation offices;
2. Practices used by judges and probation officers to encourage meaningful participation by parents in delinquency and status offense proceedings; and
3. The availability and quality of parent education/support programs for parents of court-involved juveniles.

### **RESEARCH METHODS**

We employed four research approaches. First, a mail survey provided a national perspective on how courts and probation departments are responding to parental participation. Second, follow-up telephone surveys were conducted with selected courts, probation departments, and parenting education programs to uncover greater details about their approaches. In addition, numerous discussions were conducted with juvenile drug court coordinators/administrators, other juvenile drug court staff and judges in juvenile drug courts across the country and Internet searches for information about parental involvement in drug courts. Third, on-site data collection in six courts provided an in-depth understanding of their approaches to parental involvement. Fourth, we conducted a statutory survey of state laws of parental involvement and accountability in juvenile delinquency proceedings.

## **OVERALL FINDINGS**

The six common findings from each of our information sources provide us with a national overview of how juvenile courts and juvenile probation department efforts address parental participation in juvenile proceedings and related follow-up interventions.

### **Special Efforts to Encourage Parental Involvement Appear Rare**

- Our study did not find any unique or special efforts that we hoped courts or probation departments would be using to secure more custodial and non-custodial parental participation and involvement in both court proceedings and follow-up interventions. Many respondents stated that they had particular difficulty in gaining non-custodial parent participation (e.g., because of a lack of contact information, non-existent or poor communications between custodial and non-custodial parents, and scheduling of hearings and case-related meetings that seemed to inhibit involvement). We did find, however, that some judges and probation officers were holding hearings and meetings at times that were convenient for parents. We believe that juvenile court officials are not focusing sufficient attention to the interactions of parents, their children, and the courts.

### **Respondents Stressed the Importance of More Proactive Institutional Commitment to Parental Involvement**

- There was a consensus among our respondent judges and probation officers on a need for more attention to the subject of parental involvement in juvenile court proceedings and follow-up interventions. Our respondents emphasized the need for proactive institutional commitment by all involved parties to gain positive parental participation in the juvenile justice process.

### **There are Insufficient Resources for Parents of Juvenile Delinquents**

- Many respondents to our mail survey reported availability of resources (e.g., written materials on resources, help to parents in securing services, and parenting education programs) to assist parents with behaviorally troubled children and to familiarize parents with the juvenile court process. During the telephone phase of our project, we attempted to identify these resources, but we found that when these were described they were most often for the juveniles, not specifically aimed at their parents. We concluded that there appear to be far too minimal resources available for parents to assist and educate them in the juvenile justice process or on enhancing their parenting skills.

### **Parenting Education Programs Are Not a Major Resource to Juvenile Courts**

- Many judges and probation officers responding to our mail survey did not report any available parenting education programs for parents of youth involved in the

juvenile court. We did, however, identify through our follow-up telephone surveys twelve parenting skills programs that we believe are replicable in other jurisdictions. (We believe that there are other potentially replicable programs but these were not captured in our study.) Parenting education programs were not commonly used by most of our respondents, suggesting their lack of common use throughout the country. Our findings suggest that, unfortunately, parenting skills programs are not central to the juvenile court and follow-up intervention process in many jurisdictions.

### **Low Parental Involvement in Juvenile Proceedings is Often Due to Life Stressors, Not Bad Parenting**

- Many respondents reported a lack of custodial, and especially non-custodial, parental participation in both juvenile court proceedings and the probation process. Judges and probation officers reported that the lack of parental involvement is generally due to parents dealing with common life stressors (e.g., job issues, financial concerns, and marital/domestic problems) rather than a consequence of willfully bad parenting.

### **There is Vague Legal Authority on and Limited Attention to Sanctioning Parents**

- Many states lack clear legal authority for courts to order sanctions against parents who willfully refuse to attend juvenile court proceedings and abide by the terms and conditions established for the family by the juvenile probation department. We found that juvenile court judges focus little, if any, attention on sanctioning parents for their non-involvement in juvenile delinquency proceedings or their non-cooperation with the juvenile probation process. Judges commented that using parental sanctions can impose hardships on families and may alienate some parents from further cooperation with the juvenile justice system.

## **RECOMMENDATIONS FOR IMPROVING PARENTAL INVOLVEMENT**

### **IN JUVENILE COURT PROCEEDINGS AND FOLLOW-UP INTERVENTIONS**

Enhancing the inclusion, and more active participation, of parents in the juvenile justice process was seen by most of our information sources as necessary to truly improve outcomes for juveniles. This opinion was particularly strong among those who viewed the juvenile justice system as having far greater potential for being a proactive and preventative institution, instead of simply a punitive one.

Juvenile courts serve a diverse population of juveniles and parents, have a range of funding sources, and operate under widely-differing laws and policies. However, as a result of our national study, we believe there are a set of common reforms that can better assure effective juvenile court and probation practices related to the role of parents in the process, as well as a set of needed improvements that can be made by creating, or

enhancing, court-operated, court-related, or court-referred parent education and parent support programs.

## **GENERAL RECOMMENDATIONS**

### **Make a New Juvenile Court Commitment to Parental Involvement**

- There should be, within the entire juvenile justice system, a new or renewed institutional commitment to the active inclusion of parents in the juvenile justice process. Proactive intervention and family inclusion should become standard priorities for juvenile courts, juvenile probation departments, and juvenile justice agencies.

### **Enhance Involvement of Both Fathers and Mothers**

- Juvenile courts, juvenile probation departments, and juvenile justice agencies should take affirmative steps to enhance involvement of mothers and fathers, including both custodial and non-custodial parents, in juvenile court proceedings and follow-up interventions.

### **Educate Parents About the Court Process**

- Written and audio-visual materials should be developed to provide parents of court-involved youth with more awareness of the critical importance that parental involvement in court proceedings, and their child's life, can play to reduce juvenile delinquency.

### **Use Interagency Protocols to Improve Parental Involvement**

- Protocols and other mechanisms should be created to enhance communication among juvenile courts, juvenile probation departments, schools, juvenile justice agencies, social services/child welfare agencies, and health/mental health providers in order to better focus on improving parental participation in the lives of troubled children and to better assure that these families get the full attention they need.

### **Tell Fathers and Mothers How Critical Their Involvement Is**

- All professionals involved in the juvenile justice system should consistently and clearly inform parents, both fathers and mothers, and both custodial and non-custodial parents, about the importance of their involvement in their child's life and the positive role they can play in aiding their troubled child. Judges and probation officers should recognize and encourage a greater role for non-custodial fathers whose children are before the court. Special efforts are needed to secure more positive non-custodial parent participation in both court proceedings and follow-up interventions.

### **Clarify Who is Responsible for Involving Parents**

- Protocols should be developed for consolidating diffuse responsibilities for involving both custodial and non-custodial parents in juvenile court proceedings affecting their child. For example, there should be a clear understanding of who is responsible for providing notice to non-custodial parents, how their identity and contact information will be ascertained, when and how they will be informed of their child's juvenile court proceeding, and how they will be encouraged to participate.

### **Use Family Group Conferences as a Key Parental Involvement Tool**

- Providing "Family Group Conferencing" in delinquency and status offender cases can help avoid troubled youth from being unnecessarily placed in detention facilities or other institutional settings. Such placements are far more likely if parents and family members are not viewed as willing resources to help the child. Family Group Conferencing provides the opportunity for the youth's extended family to come together and make decisions to address the needs of both the youth and community safety, while making reasonable efforts to keep the youth within his or her extended family.

### **Gather Complete Information on Parents**

- Juvenile justice/juvenile corrections agencies should enhance their focus on gathering parent-related information (e.g., improving intake forms to gather accurate and up-to-date information on both parents). They should be given enhanced financial resources for an improved focus on parental information and family assessment.

### **Make Parental Involvement a National and Statewide Training Issue**

- National and state training of juvenile court judges, juvenile probation officers, and juvenile justice agency staff should include a focus on improving parental involvement in juvenile court proceedings and follow-up interventions.

### **Give Juvenile Courts and Juvenile Justice Agencies More Funding to Enhance Their Parental Involvement**

- Those working with parents of court-involved youth should take (and have) the time to establish rapport and trust with the parents. To achieve this goal, state legislatures and other funding resources should recognize the need for supporting increased resources to those working with parents and children in the juvenile justice system.

## **Support Demonstration Grants for Parental Involvement Projects**

- The U.S. Congress, state legislatures, and government social services and juvenile justice programs should provide funding for pilot projects that support greater parental involvement, both fathers and mothers, in juvenile proceedings, as well as funding for resources to aid parents of court-involved juveniles, such as home-based supervision and therapeutic services, domestic violence counseling, and use of in-home electronic monitoring devices as an alternative to juvenile incarceration.

## **JUVENILE COURTS AND PROBATION DEPARTMENTS**

### **Be Creative in Getting Parents to Court**

- Courts should identify and implement creative mechanisms for notifying and encouraging attendance of both mothers and fathers, including both custodial and non-custodial parents, at court hearings, probation meetings, and parenting improvement programs. Such mechanisms may include sending or delivering written notices/materials, making phone calls, doing home visits, using legal process to compel attendance, issuing contempt of court sanctions in particularly egregious cases, arranging for parental transportation, and other forms of contact by court personnel.

### **Tell Parents How Important They Are to the Process**

- Judges and probation officers should be more active in expressing to parents the importance of their becoming more involved in their child's life. Communication barriers with parents, such as their lack of understanding of the court process or language differences, should not be permitted to interfere with such critical parental interactions. As an aid in sharing this information, easy-to-understand written materials should be readily available for all parents that familiarizes them with the court process, their expected role during court proceedings, and their expected involvement with the juvenile probation process.

### **Consider Juvenile "Night Court" Sessions to Secure Parental Involvement**

- Judges and probation officers should consider "juvenile night court" or evening juvenile probation meetings to help working parents participate in the process.

### **Look to Volunteers as an Aid to Parental Involvement**

- Judges and probation officers should look into how community parent volunteers, and new or existing court-connected volunteer programs, could be utilized to aid parental involvement/support in delinquency and status offense cases.

### **Consider Child Neglect Actions for the Worst Cases**

- Judges and probation officers should consider whether, in particularly egregious cases of parental antipathy towards their troubled, court-involved children (e.g., parental failure to participate in remedial services/counseling plans), in cases where there have been gross failures of parental supervision, or in cases where parents may share culpability for their child's delinquent behavior, to have the child welfare agency and/or prosecutor file child neglect petitions through which jurisdiction over recalcitrant parents could be more easily accessed.

### **Promote Use of Parent Support Programs**

- Judges and probation officers should work with juvenile justice agency officials and others to promote the availability and utilization of programs that provide intensive family- and community-based treatment approaches that address behaviors of juvenile offenders as well as skills needed for family members to help improve those behaviors.

### **Help Start Parent Education Programs**

- Judges and probation officers should help develop or organize parenting education programs, or promote the wider availability of "slots" for juvenile court-involved parents in existing community-based parenting education programs. Where appropriate, parents should be encouraged to attend such classes after initial contact with probation. Probation services should follow up on parental attendance to ensure that real barriers are not preventing parents from participating.

### **Help Juvenile Defenders Address Parental Involvement Issues**

- Judges and court administrators should support, and state legislatures should fund, social work positions within juvenile defense programs that can help provide more informed recommendations to the court geared to the strengths of the parents and their needs, and that can help link parents of juvenile offenders with needed services.

## **JUVENILE COURT-RELATED PARENT EDUCATION/SUPPORT PROGRAMS**

### **Identify and Use an Array of Programs for Helping Parents**

- Juvenile courts and probation departments should have a broad array of accessible programs, adequately funded by the courts, juvenile justice agencies, or other government agencies, which provide services to parents of juvenile offenders and status offenders. Such programs should be geared to the level of offenses or behaviors of the court-involved youth and to the specific problems/needs that their parents are faced with at home.

### **Get Parents Help in Improving Their Parent-Child Relationships**

- Juvenile courts, juvenile probation departments, and juvenile justice agencies should provide parents with quality assistance in improving their parent-child relationships by helping them secure appropriate and timely community resources, referrals, support groups, classes, programs, and/or counseling.

### **Assure Parent Support Programs Have Qualified Leadership**

- Parenting support groups should be led by qualified and trained social workers, therapists, counselors, or others.

### **Consider Attending Court-Related Parenting Improvement Sessions**

- Judges and probation officers should carefully consider a potential presence at activities that are conducted as part of court-related or court-referred programs for juvenile offenders and their parents. They should consider how the judge's and probation officer's personal participation in, or attendance at, sessions designed to promote improved parent-child relationships might aid in conveying to those parents the critical importance of such efforts in preventing juvenile crime.

### **Advocate for More Parenting Support Programs**

- Judges, chief juvenile probation officers, and heads of juvenile justice agencies should work with state governors and legislatures to promote support for more parent support, education, parenting skills, and parent-child communication enhancement programs specifically for parents of juvenile offenders and status offenders. Such programs or classes can assist parents in more effectively dealing with their troubled children. Parenting-related skills-building programs also need to be available for, and specially targeted to, parents of older juvenile offenders (e.g., ages 15-17), early adolescent offenders (e.g., ages 12-14), and pre-adolescent offenders (e.g., ages 9-11). A special focus should be given to the development of parent education prevention programs geared toward parents of younger children from high-risk families.

### **Recognize the Barriers That Impede Parental Involvement With the System**

- Judges and probation officers should be aware that mandated participation in parenting skills programs may present special burdens for single and low-income

parents, as well as for parents in rural communities. Programs and services for these parents should be sensitive to the cultural and economic differences of the attendees and tailor their costs and services to these families in order to make them accessible and effective. Classes, support groups, seminars, and meetings should be held at times that fit parents' schedules, and at locations convenient to home or work. Transportation, food, and child care assistance can be vital in increasing parental involvement in these programs.

### **Don't Stigmatize Parents Who Participate in Parenting Programs**

- Parenting-related skills-building programs should not in any way stigmatize or single-out participating parents of juvenile offenders, even if their attendance was court-ordered. Programs should work to gain confidence, and commitments of time and energy, from both parents and children.

### **Encourage Parenting Programs to Have a Youth-Involvement Component**

- Parenting-related skills-building programs should have an element of youth involvement. For example, children can benefit from talking with other youth in group discussions about parent-child relationships.

### **Have a Special Focus on Involving Non-Custodial Parents**

- Parenting-related skills-building programs should take special efforts to reach non-custodial parents of juvenile offenders, especially fathers who may wish to become a more positive force in their troubled child's life.

### **Encourage Parents to Help Other Parents**

- Parenting-related skills-building programs should find opportunities for parents to do volunteer work for the program. For example, some parents might volunteer their time in lieu of paying for services or program costs. When parents are volunteering, they are not only a part of their child's rehabilitation, but are also a part of a broader effort to help families.

### **Improve Research on, and Evaluations of, Parenting Programs**

- Judges, probation officers, and directors of juvenile justice agencies should encourage and promote evaluations of parenting skills programs, and of court-related parental involvement policies, to determine if they are effectively reaching parents, leading to improved parent-child relationships, and reducing juvenile recidivism.
- Parenting-related skills-building programs should put more emphasis on conducting evaluations of their impact on parents and their children. These programs should respond to stated concerns or complaints by parent participants.

- Although we identified twelve programs, each with a slightly different approach to parenting skills improvement, there should be further, and more extensive, research of existing programs that may be helpful in fashioning more effective follow-up interventions for parents whose children are involved in delinquency and status offense proceedings.

## **USE OF LEGAL SANCTIONS AGAINST PARENTS**

### **Recognize How Parental Sanctions Might Hurt Families**

- Judges should be aware that using parental sanctions may impose serious hardships on families, with a potential disproportionate impact on poor single mothers from racial and ethnic minority groups. Judges should be aware of the circumstances of each case and the family's financial situation before imposing parental sanctions or issuing court orders mandating parental involvement. Judges should also recognize that the imposition of parental sanctions may alienate some parents from cooperation with the juvenile justice system.

### **Providing Parental Legal Representation Where Necessary**

- In some cases, parents may need their own, separate legal representation during the juvenile court process. Although juveniles are statutorily and constitutionally entitled to legal representation, their parents involved in delinquency and status offense cases are not. Parents involved in juvenile court proceedings may become the subject of court orders, may be interrogated by judges with a view toward potential child neglect action, and even fined or jailed. In some cases, parents can find themselves ordered to end a relationship with someone, to move out of a residence, or to take other actions before their child is returned home. Parents involved in the juvenile justice system, especially in status offense cases where they are the moving party, may need the aid of an attorney. Where a parent in such a situation is indigent, judges might want to consider appointing counsel for them, after of course assuring that the court-involved child is provided with competent counsel.

## **LEGISLATIVE REFORMS**

### **Consider What Legislative Reforms May be Necessary**

- State legislatures should review existing juvenile laws to see how they might better enhance involvement of both parents in juvenile court proceedings and follow-up interventions.

### **Make Parental Involvement an Explicit Part of the Juvenile Code**

- State legislatures should review the preamble, legislative intent section, or purpose clauses typically preceding the main text of their state's juvenile code, as well as other parts of the code, to determine whether these provisions adequately express the important role of parents within the juvenile court and juvenile justice process. These provisions may warrant revision or clarification so that judges and probation officers have explicit legislative authority to, where necessary, compel parents to undergo evaluations, to participate in counseling and treatment, and to be actively involved in court-mandated parent education training.

### **Enhance Resources to Families Before Considering New Punitive Parental Sanctions**

- State legislatures, before they act on proposals to provide or increase punitive sanctions to parents of juvenile offenders, should carefully consider the existing barriers to parental involvement in the lives of their children, such as a lack of affordable day care and after-school programs, the inaccessibility of adequate mental health services, and the insufficient attention that public social services/child welfare agencies give to families with troubled adolescents.

### **Give Judges Clear Authority to Issue Sanctions Against Parents Who Willfully Fail to Attend Court Hearings, Cooperate with Probation Plans, or Otherwise Assist in Helping Their Troubled Child**

- State legislatures should review their juvenile laws, and make appropriate changes, so that their juvenile court judges have clear legal authority, where necessary in the interests of justice, to issue sanctions (such as contempt of court orders) against parents who refuse to attend juvenile proceedings and abide by the terms and conditions established for the family by the juvenile probation department.
- State legislatures should, in considering statutory reform related to parental sanctions, assure that a wide range of potential parental "penalties" are available to the judge, including compelling parents to participate in court-ordered parenting education, counseling, and treatment, obligating the parent to assist the court and probation department in implementing the court's orders, and requiring the parent to participate in formulating their child and family's dispositional case plan.
- State legislatures should consider enacting new parental involvement legislation that can be used in cases where parents are coming to the court for assistance with a troubled child, such as in status offense cases, so that parents in such cases can be required by the court to take a more active role in responding to, and remedying, the underlying family problems that led them to seek the court's assistance.

### **Eliminate Barriers to Critical Sharing of Information on Parents/Caretakers**

- State legislatures should consider new legislation that would allow for greater information access among various agencies that work with juvenile court-involved youth and their parents. Legislation, and policies implementing it, should be sensitive to the protection of the rights of clients while at the same time affording access that agencies need to important information available on issues related to parents and other adult caretakers.

### **Provide Employment Protections for Parents Whose Children are Involved in the Juvenile Court Process**

- State legislatures should provide job protections for parents who must miss work in fulfilling their obligations to the court and the probation department. Such legislation might, for example, prohibit employers from discharging a parent who is absent from work because of their need to attend court hearings, probation sessions, or parent education/counseling programs.

### **Revise "Child In Need of Services" (Status Offense) Laws So That They are Refocused as "Families in Need of Services" Laws**

- State legislatures should examine existing juvenile status offense laws (e.g., judicial interventions for runaway youth, children beyond their parents' control, school truants, and curfew violators) and, through statutory reform, shift the subject of such interventions away from the alleged incorrigible child to rather give this category of juvenile court intervention a more holistic "Families in Need of Services" whole-family focus.

## **NATIONAL RECOMMENDATIONS**

This study was funded by a small grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) in collaboration with the Consortium on Children, Families, and the Law. The above recommendations are for court, probation, juvenile justice agency, and court-related parenting education program personnel at the local level, as well as legislators at the state level. In order to enhance parental participation and make juvenile delinquency proceedings more effective, the courts need full support at the national level, especially from OJJDP.

- We recommend that OJJDP address the issue of parental involvement in the juvenile court/juvenile justice process in their annual program planning, and that it seek comments from the juvenile justice field on this new area of interest.
- We recommend the establishment of a new program direction for OJJDP, with commensurate financial and staff support, aimed at greatly enhancing the involvement of parents in the juvenile justice process.

- We recommend that OJJDP consider making funds available for more comprehensive evaluations of parental involvement in the juvenile court, in the probation process, and especially in court-related parenting education and parent support programs.

We recommend that OJJDP widely disseminate the recommendations from our study, as well as support additional research and technical assistance that would assist states and communities in implementing innovative practices related to parental involvement in the juvenile court/juvenile justice process.

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