

DEPARTMENT OF HUMAN SERVICES
DIVISION OF JUVENILE JUSTICE SERVICES
POLICY AND PROCEDURES

Policy No: 03-04	Effective Date: 12/05/03	Revision Date: 03-22-16
Subject: Community Service, Restitution, & Fines		

I. Policy Statement

Division operated facilities/programs shall provide opportunities for juveniles to complete their court-ordered community service hours, restitution, and payment of fines. Case managers shall ensure that juveniles have the opportunity to complete their court ordered community service hours, restitution, and payment of fines. This can be accomplished by advising the program where the juvenile is placed of those requirements, monitoring progress towards fulfilment of those requirements, and accurately reporting to the juvenile court.

II. Rationale

The purpose of this policy is to ensure that juveniles receiving services from the Division, continue their court-ordered obligations of community service, restitution, and fines, and are accountable to repay the victim and/or the community.

III. Definitions

"Restitution" is the dollar amount that has been ordered by the Juvenile Court for a juvenile to repay their victim(s). Restitution is initially quantified as a specified dollar amount, but it can be re-quantified into hours, calculated using the current federal minimum wage, so that the restitution fund can be accessed in order for the victim to receive compensation for their losses.

"Community Service hours" are work hours ordered by the Juvenile Court as a consequence or penalty for a juvenile.

"Fines" are the dollar amounts that a juvenile is ordered by the Juvenile Court to pay as a consequence or a penalty. Fines generally cannot be paid by working community service/restitution hours.

"Work Projects" are job assignments that are given to juveniles in order for them to complete their court ordered community service/restitution. Work projects are completed within the Division and through cooperation and coordination with non-profit organizations or cities, counties, state and federal agencies. Tasks that the juvenile would normally perform in conjunction with receiving Division services, such as chores or cleaning their room, are not considered work projects and are not counted toward community service/restitution.

IV. Procedures

A. Division operated facilities and programs shall provide juveniles' opportunities to perform work projects throughout a Division building or in the community, at

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specific jobs, on a regular basis or on special projects, in order for juveniles to complete their court ordered community service/restitution.

1. The Division's Assistant Program Directors (APD's) are responsible to screen work projects associated with their facility/program to ensure appropriateness of the work and compliance with this policy.
2. The Division facility/program APD's, supervisors, and designated personnel are responsible to develop internal protocols and guidelines that address scheduling; staffing patterns; ratios; emergency procedures while on work projects; schedule deviations; external requests to provide work crews, and additional items relative to the specific facility/program. This information will be contained in the facility/program operations manual and reviewed annually.
3. Work projects assigned to juveniles shall not be degrading, demeaning, or of a type that could not be completed by staff members.
4. Although other types of activities are generally preferable to cleaning roadways, Division facilities/programs may request approval to participate in the clean-up of State highways:
 - a. Approval to participate in any highway clean-up projects by juveniles from any Division facility or program must be requested through the Division Executive Management Team (EMT).
 - b. The EMT shall evaluate each request to participate in a highway clean-up project and consider time of day, volume of traffic, other security-and safety-related circumstances, and other restitution opportunities, before granting approval for participation.
 - c. Division staff and juveniles participating in any approved highway clean-up project shall wear safety vests.
 - d. There shall be a minimum of two Division staff with each work crew, while on a highway. Staff shall observe the work crew at all times ensuring that the juveniles do not place themselves or the public in a dangerous situation.
 - e. Staff shall follow appropriate safety procedures while supervising juveniles in Division custody who participate in the clean-up of state highways:

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5. Juveniles shall receive an hour of work credit for every hour of work they actually perform. Staff shall only give credit for hours actually worked. At no time shall juveniles be credited with hours for good behavior, good attitude, or anticipated community service/restitution that has not actually been completed.
 6. Individuals and staff are not allowed to use juveniles to perform projects for personal gain.
- B. Case managers shall monitor and ensure that juveniles on their caseload complete their court-ordered financial and work hour obligations. Case managers shall report to the court on all issues regarding community service/restitution, for juveniles on their caseload.
1. Upon receipt of a new case, the case manager shall review, with the juvenile, their court-ordered financial and work hour obligations and establish a plan to meet them.
 2. At each court review hearing or Youth Parole Authority (YPA) hearing, the case manager shall inform the court or YPA of the juvenile's progress in meeting these obligations.
 3. For restitution purposes, case managers shall transfer the number of restitution hours reported by a facility or program to a restitution form, and calculate the restitution amount completed by multiplying the hours worked times the current minimum federal hourly wage. Case managers shall submit the form to the JJS finance personnel for processing and keep a copy of the completed form for the juvenile's file.
 4. Case managers shall report to the Juvenile Court the number of community service/restitution hours reported by the program or facility, and maintain a copy of the documentation in the juveniles' file.
- C. JJS facilities/programs will document community service/restitution.
1. The juvenile's community service/restitution hours are to be recorded on a time card or a work restitution form. The specific job duties the juvenile completed must be listed on the form.
 2. The juvenile and supervising staff shall sign off on the date and number of community service/restitution hours completed.

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3. Completed forms shall be given to the facility/program supervisor, or their designee, submitted to the case manager, and placed in the juvenile's file.
4. If the youth is in secure care, staff shall document progress/completion of court-ordered obligations in the parole report for the Youth Parole Authority.
5. The supervisor or designee shall record the hours monthly and submit a written monthly report to the juvenile's case manager.

V. Continuous Renewal

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Board of Juvenile Justice Services and is approved upon the signature of the Director.



Russell K. Van Vleet, Chair
Board of Juvenile Justice Services

03-22-16

Signature Date



Susan V. Burke, Director
Division of Juvenile Justice Services

03-22-16

Signature Date