

NORTH DAKOTA JUVENILE COURT - STATEWIDE INTAKE MATRIX

Referral Category	Diversion Typically the method to handle the 1 st – 3 rd referrals or if the last referral > 1 year ago or if this is the first referral in new case type	Informal Adjustment Typically after youth has already received multiple diversions unless case requires DOT notice or 24/7 program	Formal Petition Best practice to meet at least one of the check boxes and be approved by JCO III or Director
Unruly	<ul style="list-style-type: none"> ▪ 1-3 unruly referrals ▪ Young offenders under 12 ▪ Repeat Offenders with different offense level ▪ Children in placements 	<ul style="list-style-type: none"> ▪ Youth with 3 or more referrals ▪ Similar Diverted Offenses in the past 6 months 	<ul style="list-style-type: none"> <input type="checkbox"/> Denial at IA and SA wants to file <input type="checkbox"/> Exhausted community resources and placement recommended
Infraction / Misdemeanor	<ul style="list-style-type: none"> ▪ 1-3 referrals ▪ Youth under 12 ▪ Repeaters with different offense level ▪ Children in placements ▪ Restitution cases for RJ 	<ul style="list-style-type: none"> ▪ 2 or more referrals ▪ Non-Cooperation with Diversion ▪ Similar repeat diverted referrals in the past six months ▪ Referral, if admitted, requires ND DOT notice or 24/7 program 	<ul style="list-style-type: none"> <input type="checkbox"/> Denial at IA with sufficient evidence to file petition <input type="checkbox"/> Exhausted community resources and placement recommended <input type="checkbox"/> Risk to public safety – in detention <input type="checkbox"/> Offenses that require offender registration <input type="checkbox"/> Contested restitution cases <input type="checkbox"/> Meets criteria for JDC or JDC termination <input type="checkbox"/> 3+ offenses in the past 6 months <input type="checkbox"/> Noncompliant with IA reporting probation
Felony Drug or Property	<ul style="list-style-type: none"> ▪ First referral ▪ Youth under age 12 ▪ Repeat referral with different offense level ▪ Children in placements ▪ (only after consulting with SA) 	<ul style="list-style-type: none"> ▪ 2 or more referrals ▪ Youth in residential placements (Only after consulting with SA) 	
Felony Against Persons	<ul style="list-style-type: none"> ▪ Youth under age 12 or youth in placements (only after consulting with SA) 	<ul style="list-style-type: none"> ▪ Youth under age 12 (Only after consulting with SA) 	

Intake Matrix Business Rules:

When conducting intake, start at the lowest level possible and consider diverting multiple times prior to scheduling the first informal adjustment. Cases should have at least one prior diversion, if not two or three before being scheduled to come in for an informal adjustment.

- Any offense which requires a notification to be sent to the North Dakota Department of Transportation requires at least an informal adjustment as notice can only be sent to ND DOT after an “admission” is received.
- Any offense which could require sex offender registration should be staffed first with the county state’s attorney and if they authorize an informal adjustment or charging at a lesser offense level, that decision should be obtained in writing or at least document in CMS contacts.
- Any offense which will require 24/7 Sobriety Program may result in supervised probation to assist the youth in complying with all the requirements.
- Juvenile Court staff should not recommend the filing of a transfer to adult court unless it is a mandatory transfer offense.
- Juvenile Court staff should not recommend an interim YCC evaluation as we use the YASI assessment in the community to determine risks and needs.
- Competency and / or Amenability to Treatment in the Juvenile Systems Evaluations are performed at the North Dakota State Hospital unless arranged with a private evaluator by defense counsel.
- Referrals received on a youth in residential placement but are from another region shall be staffed with the JCO III of the home jurisdiction prior to a formal petition being filed.

A. Disposition Matrix

Most Serious Presenting Offense	Admin Waived Risk Level (age <12 / abilities)	Low Risk to Reoffend	Moderate Risk to Reoffend	High Risk to Reoffend
Unruly¹	Level 1	Level 1 - 2b	Level 1-2b	Level 1-3b
Infraction or Misdemeanor	Level 1-2a	Level 1a – 3a	Level 2b – 3d	Level 2b – 4a
Non-Violent Felony	Level 1-3b	Level 2a – 3b	Level 2b – 4a	Level 2b – 4b
Violent Felony	Level 2a-3b	Level 2b – 3c	Level 2b – 4b	Level 3b – 4b

Level 1 = Informal Adjustment (IA) without community supervision

1a = IA counseled, warned and adjusted

1b = IA released with referral to community resources / ND DOT notice / restitution only

Level 2 = Informal Adjustment (IA) with community supervision

2a = Non-reporting probation with program(s) tied to highest identified area(s) contributing to risk

2b = Reporting probation with case plan and program(s) tied to highest identified areas contributing

Level 3 = Formal Court Order without removal of custody from parents / guardian

3a = Adjudicated no conditions / deferred disposition

3b = Reporting probation, case plan, program(s) tied to risk

3c = Intensive Supervised Probation (ISP), case plan, program(s) tied to risk

3d = Reporting probation, successful completion of juvenile drug court²

Level 4 = Formal Court Order with removal of custody from the parents / guardian

4a = Non-secure custody³: Custody to county social services (<13 years) or Division of Juvenile Services

4b = Secure custody: Custody to Division of Juvenile Services and includes use of Youth Corrections

When developing a least restrictive disposition recommendation under the juvenile court mission of balanced and restorative justice, the assigned juvenile court officer will consider the following factors along with the Disposition Recommendation Matrix:

1. The best interests of the child;
2. The results of the child's YASI full assessment including the youth's protective factors, static and dynamic risk factors and identified needs;
3. The referred offense(s) and any aggravating or mitigating circumstances;
4. The impact on the victim and any requested restitution or other wishes of the victim;
5. The risk to public safety the child poses;
6. The extent to which enhanced involvement and supervision of the child may improve public safety concerns;
7. Evidence of a repeated pattern of behavior by the child;
8. Any statutorily mandated dispositions (such as 24/7 program, notice to North Dakota Department of Transportation or transfer to adult court);
9. Whether the child meets criteria for Juvenile Drug Court where program is available.
10. The results of any court-ordered or filed with the court evaluations that indicate a need for out-of-home placement in order to access an appropriate level of treatment.

¹ Includes MIP/MIC

² Youth must meet juvenile drug court criteria and reside within a region with a juvenile drug court

³ See definition at Section III(C)

Dynamic Risk

	Very High	High	Medium High	Medium	Medium Low	Low
Very High	Moderate	Moderate	Low	Low	Low	Low
High	Moderate	Moderate	Moderate	Low	Low	Low
Medium High	Moderate	Moderate	Moderate	Moderate	Low	Low
Medium	High	Moderate	Moderate	Moderate	Moderate	Low
Medium Low	High	High	Moderate	Moderate	Moderate	Moderate
Low	High	High	High	Moderate	Moderate	Moderate

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CASE PLANNING GRID

North Dakota Juvenile Court - Graduated Incentives and Sanctions

INCENTIVES

SANCTIONS

Reduced Level of Supervision and Early Termination / Modifications to Non- Treatment Conditions of Probation
 Early termination from probation, modification in reporting requirements, letter in support of expungement, fine reduction, reduction in community service hours.

Interventions for Serious Behavior
 (ex., school suspension, felony citation, sex offender with pornography, contact with victim, school suspension)
 GPS, home detention, increased person restrictions, involvement in long-term programming, increased supervision, mandatory reporting to juvenile court, pick-up and hold, review hearing.

Earned Privileges
 Driving privileges, overnights, extended curfew, phone visits, gifts.

Interventions for Moderate
 (ex., curfew violation, missing appointment or class, positive drug screen, home/parent issues - ongoing, school infractions - ongoing, work absences)
 Closed campus, no overnights, computer/cell phone restrictions, curfew restrictions, involvement in short-term programming, community service, driving restrictions, homebound, journal/booklet.

Positive Acknowledgement and Recognition for Progress
 Recognition by the Judge through written letter of commendation, recognition by the JCO through written letter and commendation, certificates of achievement.

Interventions for Minor Behavior
 (ex., curfew violation, missing appointment or class, positive drug screen, home/parent issues - isolated, school infractions - isolated, work absences)
 Written assignment, apology letter, verbal admonishment, problem solving with youth, school conference, parent/child conference.

- * Short-term programming: Programming that constitutes three sessions or less.
- * Long-term programming: Programming that constitutes four or more sessions.
- * Programs from a lower level can be utilized in higher levels the same is not true in reverse.