
 <p style="text-align: center;">State of Connecticut JUDICIAL BRANCH COURT SUPPORT SERVICES DIVISION POLICY AND PROCEDURES</p>	POLICY NO. 7.4	EFFECTIVE DATE: June 15, 2011	PAGE 1 of 7
	SUPERSEDES: February 15, 2005		
APPROVED BY: William H. Carbone, Executive Director	TITLE: JUVENILE SERVICES INTAKE PROCEDURES		

1. **Policy** Whenever the Court Support Services Division (CSSD), Juvenile Services is in receipt of a written FWSN complaint and/or Delinquency summons, a preliminary screening will be conducted to determine whether the facts, if true, would be sufficient to be a juvenile matter, and whether the interests of the public or the child require that further action be taken, in accordance with CGS § 46b-128, <http://www.cga.ct.gov/asp/menu/Statutes.asp>.

2. **Definitions**

- A. **Complaint** A written document submitted to the court in which it is alleged that a juvenile has violated one or more FWSN offense.
- B. **Families With Service Needs (FWSN)** An area of jurisdiction in Juvenile Court which deals with the status offenses: Runaway, Beyond Control, Indecent or Immoral Conduct, Truancy or Defiance of School Rules, and a juvenile thirteen years of age or older who has engaged in sexual intercourse with another who is at least thirteen years of age and not more than two years older or younger than the juvenile.
- C. **Family Support Center (FSC)** The FSC is a multi-service “one-stop” program for FWSN referred juveniles and their families. This program model was predicated on research of best practices to divert status offenders from court involvement.
- D. **HIV Victim Notification Letter** A specialized victim letter that is sent to victims of an alleged sexual offense where there is contact between the penis and the vulva or the penis and the anus, where such contact involving the penis occurs upon penetration, however slight, or contact between the mouth and the penis, the mouth and the vulva or the mouth and the anus, in which they are notified that they may request that the arrested juvenile be tested for HIV/AIDS.
- E. **Judicial Handling** A case processing decision that assigns a delinquency summons or a FWSN complaint to be petitioned before a judge.
- F. **Juvenile Probation Officer (JPO)** A professional employee whose duties include preparing studies for the court and supervising juveniles under the court’s jurisdiction.


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- G. Low-Supervision Juvenile Probation Officer (LSJPO) A JPO whose duties are limited to supervision of Low-Supervision cases, and certain other duties as designated by the office supervisor.
- H. Non-Judicial Handling A case processing decision that assigns a delinquency summons or a FWSN complaint to be processed by a JPO without presentation to a judge.
- I. Summons A signed referral from a police department to the court, which directs a juvenile to appear on a date certain, in which it is alleged that the juvenile has committed a criminal act or violation of a town ordinance.
- J. Victim Anyone who has suffered a loss or injury, either physical or emotional, due to the delinquent act of a juvenile.


3. Operational Procedures

A. Receipt of Delinquency Summons

- (1) The office supervisor or designee will review the complaint or summons to ensure that the following criteria are met:
 - a. It is in writing and signed.
 - b. The facts are sufficient to support the charge.
 - c. The allegations are serious enough to warrant some form of court intervention, utilizing the Criteria for Summons Requiring No Further Action form, (**CSSD Attachment A**).
 - d. The court has jurisdiction by age.
 - e. The receiving court is the appropriate court of venue.
 - f. The case has been date stamped.

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- g. The case has been assigned a docket number.
- (2) The office supervisor or designee will complete the following for all summonses which are not accepted:
- a. Make a copy of the rejected summons and retain the copy in a file titled, "Returned Summonses".
 - b. Return the rejected summons to the sending police department utilizing the 'Juvenile Probation Letter to the Police' (**CSSD Attachment B**) and ensure that information regarding Juvenile Review Boards is included.
 - c. Notify the parent/guardian of the referred juvenile of any summons that is not accepted utilizing the 'Juvenile Probation Letter to the Parents' (**CSSD Attachment C**) and enclose a list of community services designed to assist families and juveniles.
 - d. Dispose of the summons utilizing the dispositional code, "99" "Dismissed Insufficient" to ensure that the docket number is disposed of in a manner that will allow for its reuse by Court Operations
- (3) The office supervisor or designee will assign for judicial handling all delinquency cases meeting any of the following criteria:
- a. All felonies.
 - b. Theft, use, or operation of a motor vehicle.
 - c. Sale or possession with intent to sell any controlled substance.
 - d. Use or possession of a firearm.
 - e. A new referral on any juvenile previously convicted delinquent or adjudicated FWSN.
 - f. A new referral on any juvenile currently on probation or judicial supervision.

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- g. Any case in which the juvenile has two or more prior delinquency referrals or FWSN admissions.
 - h. Any case in which none of the above applies but the supervisor, for good reason, believes that judicial handling is required.
- (4) Failure to file a petition on any case meeting any of the criteria listed in above (a. through g.), will require documentation in the case file and supervisory approval.
- (5) The office supervisor or designee will assign for non-judicial handling all delinquency cases that do not meet any of the criteria in the preceding paragraph, and will assign such cases to the Low-Supervision JPO (LSJPO) except when the operational needs of the office preclude such assignment.

B. Assignment of Delinquency Summons

- (1) The office supervisor or designee will assign new cases to a probation officer based on geographic, caseload balancing, or other criteria that meets office needs.
- (2) If the juvenile is under post-dispositional supervision, has a pending case, or is the sibling of a court involved juvenile, the office supervisor or designee will assign all subsequent or new cases to the originally assigned probation officer.
- (3) The office supervisor or designee will randomly assign all cases to the Gender Responsive Probation Officer in compliance with CSSD Policy and Procedure 7.35, Female Responsive Juvenile Probation Practice.

C. Victim Notification


- (1) In each case the office supervisor or designee will identify the victim(s) if any, of the referred juvenile.
- (2) The office supervisor or designee will ensure that a Notice of Victim's Rights, JD-JM-84, <http://spforms/CourtForms/Shared%20Documents/PDF/jm084.pdf> is mailed to the victim.

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- (3) The office supervisor or designee will ensure that the victim of an alleged “sexual act” in any of the following offenses: 53a-70, 53a-70a, 53a-70b, 53a-71, 53-21, 53a-72a, 53a-72b, 53a-73a, is sent an HIV Victim Notification Letter (**CSSD Attachment D**) or (**CSSD Attachment D-1**), Spanish version, in addition to the Notice of Victim’s Rights.

D. Receipt of FWSN Complaint

- (1) The officer supervisor or designee will review all complaints to ensure that the following criteria are met:
- a. It is in writing and signed.
 - b. The facts are sufficient to support the referral, and Court intervention is warranted.
 - c. The complaint is within statutory guidelines.
 - d. The court has jurisdiction by age.
 - e. The receiving court is the appropriate court venue.
 - f. The case has been date stamped.
 - g. The case has been assigned a docket number.
 - h. The child has no current or pending FWSN cases.
 - i. In the case of school referrals, the Superintendent of schools has signed the referral, there is documentation that the required evaluations have been completed, and the school has attempted administrative and social service remedies, and unexcused absences are documented.
 - j. Upon receipt of a referral, the supervisor or designee will act as the referring agent to the Family Support Center. Referrals that meet eligibility criteria will be made within 24 hours of intake in accordance with CSSD Policy and Procedure 7.37, FWSN Case Handling.

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E. Assignment of FWSN Referrals:

- (1) The office supervisor or designee will assign for non-judicial handling all FWSN cases, in accordance with geographic, caseload balancing, or other criteria that meets office needs.
- (2) The office supervisor or designee will code all subsequent FWSN complaints as, "Additional Information" whenever a juvenile has a pending FWSN complaint being handled either non-judicially or judicially, and will ensure that the docket number is disposed of in a manner which will allow for its reuse by Court Operations.
- (3) The office supervisor or designee will randomly assign cases to the Gender Responsive Probation Officer in compliance with CSSD Policy and Procedure 7.35, Female Responsive Juvenile Probation Practice.


F. FWSN Response Letter The office supervisor or designee will ensure that the Response to Complaint – Family With Service Needs, Judicial Form JD-JM-121EL, <http://spforms/CourtForms/Shared%20Documents/PDF/jm121.pdf> is sent to the complainant whenever the following occurs:

- (1) The case is not accepted, explaining the reasons for non-acceptance.
- (2) The case is being diverted to the Family Support Center.

G. Notification to School Officials of Case Assignment in FWSN School Complaints
The office supervisor or designee will ensure that the appropriate school official is notified in writing that the case has been accepted, and inform the official of the assigned probation officer.

H. Case Balancing

- (1) The office supervisor or designee will monitor the CMIS Case Balancing Report when assigning cases to probation officers, to ensure the fair and equitable distribution of cases.

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(2) Probation officers will conduct a monthly review of all pending cases to ensure that case status information is current and accurate.

4. **Exceptions** Any exception to this policy will require prior written approval from the Division's Executive Director.

CRITERIA FOR SUMMONS REQUIRING NO FURTHER ACTION

C.G.S. §46b-128 Investigation of delinquency complaint. Nonjudicial disposition. Petition of delinquency. Summoning of child and parent or guardian. (a) Whenever the Superior Court is in receipt of any written complain filed by any person, any public or private agency or any federal, state, city or town department maintaining that a child's conduct constitutes delinquency within the meaning of section 46b-120, it shall make a preliminary investigation to determine whether the facts, if true, would be sufficient to be a juvenile matter and whether the interests of the public or the child require that further action be taken.....

Supervisors will review summons to determine if any of the following are present and if present if further Court action should be taken:

- A. Child is age 8 or less.
- B. The Summons indicates behaviors that are in keeping with normal adolescent behavior.
- C. The summons is for an infraction involving skateboarding, bicycles, loitering, simple trespass involving school property.
- D. The summons is for Possession of tobacco products if the child is under 15 years of age.
- E. The summons is for Siblings fighting in the home, when no weapons were used and no injuries sustained.
- F. The summons is for Fights in school which involve two juveniles of similar age, no injuries were reported, and both juveniles were arrested.
- G. The summons is for School incidents that are in keeping with normal adolescent behavior given that adolescents lack good decision making and typically do not analyze the consequences for their behaviors such as;
 - 1. Wearing a hat in school.
 - 2. Talking back to staff.
 - 3. Running in the halls.
 - 4. Swearing.
 - 5. Acting in a disruptive manner but no violence took place, no destruction of property occurred and no injuries were sustained.



State of Connecticut

JUDICIAL BRANCH
Superior Court – Juvenile Matters

YOUR COURT ADDRESS

COURT SUPPORT SERVICES DIVISION

[Police Officer Name]
[Department Address]
[Department address]

Re: [Juvenile name][D.O.B.]
[Department Case number]

[Officer -----,]

Please be advised that a review of the Juvenile Summons and Complaint/Promise to Appear regarding the above noted juvenile does not appear to contain facts, which if true, would be sufficient to be a juvenile matter and/or that the interests of the public or the child require that further action be taken by the Court, pursuant to CGS §46b-128. As a result, you are hereby notified that your complaint is being dismissed and erased without further action. In addition, pursuant CGS § 46b-146 you are hereby directed to erase all records concerning this incident.

Many towns and cities around the state of Connecticut have Juvenile Review Boards (JRB) which handle these types of offenses without giving the child a criminal record. If your town has such a resource you are encouraged to utilize it for further incidents of this nature. I have enclosed information regarding municipalities that have JRBs along with contact information in the event you are interested in learning more about them. Please feel free to contact me if you have any questions.

Sincerely,

Juvenile Probation Supervisor

Enclosure



State of Connecticut

JUDICIAL BRANCH

COURT SUPPORT SERVICES DIVISION

Juvenile Probation - _____, Supervisor
Insert Name
(Insert Office Address)

Date _____

Parent of Child _____

Address _____

Town, CT, zip code _____

Re: Child's Name _____

Dear Mr., Ms., Mrs. _____:

Please be advised that the Juvenile Probation Department of Court Support Services has received a complaint alleging that your child is delinquent as a result of committing the crime(s) of _____
_____ on _____ in _____. Pursuant to
Date Town of Offense

CGS § 46b-128 a review of this complaint/summons was completed to determine whether the facts, if true, would be sufficient to be a juvenile matter and whether the interests of the public or the child require that further action be taken.

It has been determined that this complaint is either insufficient or does not require further action. Therefore, the summons will be returned to the sending police officer with instructions for the immediate erasure of all police records of this alleged incident. Neither you nor your child need to appear at: _____ on _____.
Name of Court location Date of Summons

I have enclosed information regarding services available to you and/or your child in the community should you require assistance. Please contact me if you require additional information or have any questions regarding this matter.

Sincerely,

Supervisor's Name



State of Connecticut
JUDICIAL BRANCH
COURT SUPPORT SERVICES DIVISION

HIV VICTIM NOTIFICATION LETTER

Date: _____

Case #: _____

Probation Officer: _____

Dear _____:

As a victim of a sexual offense, you have the right to request that the arrested juvenile be tested for AIDS/HIV.

If you wish to request to have this testing performed, please sign the statement at the bottom of this letter and return the entire letter to this court location within ten (10) days.

You are also advised that you may seek such testing, counseling and referrals for appropriate health care and support services for yourself from the Department of Public Health and Addiction Services. That agency may be contacted at 203-240-9115.

Supervisor / Lead Probation Officer

REQUEST FOR TESTING:

I HEREBY REQUEST THAT THE JUVENILE DEFENDANT BE TESTED FOR AIDS/HIV.

SIGNED

DATE



Estado de Connecticut
DIVISIÓN DE APOYO AL TRIBUNAL

RAMA JUDICIAL
DIVISIÓN DE SERVICIOS DE APOYO AL TRIBUNAL

CARTA A LA VÍCTIMA DE NOTIFICACIÓN DE VIH

Fecha _____

No. del Caso: _____

Agente de Régimen Probatorio: _____

Estimado(a) _____

Como víctima de un delito de agresión sexual, usted tiene el derecho de solicitar que al menor arrestado se le haga una prueba de SIDA/VIH.

Si usted desea solicitar que le hagan esta prueba por favor firme la declaración al pie de esta carta y envíe la carta completa al Tribunal de esta en el término de diez (10) días.

Le informamos que puede procurar sobre esta prueba, consejería y remisiones a los servicios de apoyo y atención de salud para usted de parte del Departamento de Salud Pública y Servicios de Adicción. Se puede comunicar con la Agencia llamando al 860-240-9115.

Supervisor/Agente de Régimen Probatorio

SOLICITUD PARA LA PRUEBA:

YO POR ESTE MEDIO SOLICITO QUE AL MENOR ACUSADO LE HAGAN LA PRUEBA DE SIDA/VIH.

FIRMADO

FECHA