

OVERVIEW OF DPA'S JUVENILE POST- DISPOSITION BRANCH

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CREATION OF THE JUVENILE POST-DISPOSITION BRANCH

- ▶ DPA's Juvenile Post-Disposition Branch (JPDB) was created in the 1990s out of a federal consent decree related to conditions of confinement.
- ▶ KRS 15A.065(6) gives DPA the authority and obligation to provide counsel for youth in DJJ facilities:
 - ▶ The Department of Juvenile Justice shall, in cooperation with the Department of Public Advocacy, develop a program of legal services for juveniles committed to the department who are placed in state-operated residential treatment facilities and juveniles in the physical custody of the department who are detained in a state-operated detention facility, who have legal claims related to the conditions of their confinement involving violations of federal or state statutory or constitutional rights.

JPDB DUTIES

- ▶ Providing legal services for juveniles in DJJ facilities
 - ▶ Visiting youth at DJJ facilities
 - ▶ Filing motions and state habeas petitions to end improper commitment or detention, to terminate commitment, and to improve/change conditions
- ▶ Litigating appeals from juvenile court dispositions and issues related to dispositions
- ▶ Litigating appeals and post-conviction matters regarding youthful offenders

JPDB DUTIES (continued)

- ▶ Advocating for youthful offenders at 18-year-old resentencing hearings and related opportunities for release, including preparing alternative sentencing plans and connecting clients to services
- ▶ JPDB has pursued relief for individual clients in the wake of *Roper*, *Miller*, and *Montgomery* through collateral attack, direct appeal, and litigation with the Kentucky Parole Board
- ▶ Re-entry planning, parole representation, and clemency applications for individual youthful offender “lifers”

JPDB DUTIES (continued)

- ▶ Providing educational advocacy for youth in custody or re-entering their communities
- ▶ Assisting in the training of DPA attorneys and serving as a resource for practitioners who represent juveniles