



## Administrative Office of the Courts

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## Administrative Office of the Courts

Report for Juvenile Justice Oversight Council  
Submitted by Katie Comstock AOC Director  
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The Administrative Office of the Courts (AOC) is pleased to report its progress on several important juvenile justice initiatives. This report will provide an update on the following:

- Implementation of Legislation from Regular Sessions 2023 & 2024
- Family, Accountability, Intervention, and Response (FAIR) Team Outcomes and Attendance by Mandated Members
- Trends in Detentions

### **Implementation of Legislation from Regular Sessions 2023 & 2024**

#### **Implementation Plan**

To address statutory changes impacting justice-involved youth, the AOC finalized policy revisions, form changes, booster trainings for Court Designated Workers (CDW), modifications to the CDW case management system, and communication plans.

Revisions to policies and procedures have been made to align with legislative changes as follows:

- 2024 House Bill 611
  - The maximum length of diversion has increased from six to twelve months.
  - If a FAIR Team does not implement recommendations within 30 days (changed from 90 days) the case is referred to formal court.
  - Intense tracking measures are currently in place for habitual truant complaints filed with the CDW. This process monitors affidavits, diversion failure after four unexcused absences during diversion, and county attorney intervention if the complaint accuses the youth of having 15 or more unexcused absences in the complaint.

- 2024 Senate Bill 11
  - CDWs are notifying the youth's actively enrolled school when the county attorney finds reasonable grounds that an applicable offense was committed.
  - Notice of successful completion of diversion will be sent to the youth's school and require destruction of related records.
- 2024 Senate Bill 20
  - Modified the procedures and forms related to detention decisions, effective July 1<sup>st</sup>, for clarity and data tracking.
- 2023 House Bill 3 and 2024 House Bills 5 and 278
  - The procedures and forms related to detention decisions, effective July 1st, has been modified for clarity and data tracking.
  - Detention decisions relating to mandatory detention offenses, effective July 1st, are being monitored for processing and data tracking.

Court Designated Worker Program staff have received initial training and booster trainings on newly implemented procedures. To ensure fidelity, staff were tested on the initial training on the updated policies and procedures and from those entries booster trainings were developed and will be completed by the end of August 2024.

### **Communication Plan**

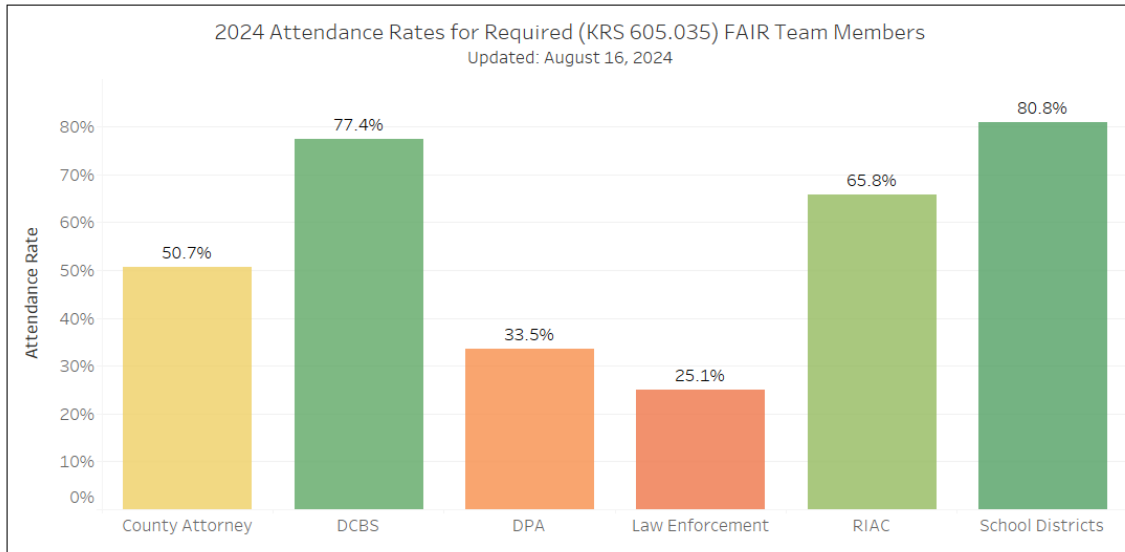
Management from the Department of Family and Juvenile Services (FJS) continues to regularly correspond with the Kentucky Department of Education, Kentucky Directors of Pupil Personnel, Kentucky County Attorneys Association, and the Department of Juvenile Justice to discuss legislative changes. To ensure that local stakeholders were aware of changes to forms, and policy and procedures, CDW regional supervisors have conducted individual meetings with members of the judiciary, county attorneys, school districts, and FAIR Team members.

### **FAIR Team Outcomes and Member Attendance**

The AOC reports outcomes for cases reviewed by FAIR Teams at each Juvenile Justice Oversight Council meeting.

- FAIR Teams were referred 1,922 complaints in 2022; 2,149 complaints in 2023; and, as of August 16, 2024, 1,902 in 2024.
- Of the 1,782 complaints closed thus far in 2024 that had been referred to FAIR Teams, 53% of the cases were resolved outside of court while 47% were referred to court.

- FAIR attendance rates are noted in the chart below. Attendance data was generated on August 16, 2024.



### **Trends in Detentions**

Detention at intake means a youth has been taken into custody by law enforcement and a judge has ordered the youth be detained in a secure facility pending a detention hearing.

Like the decrease of complaint filings across the state over the years, detentions have decreased as well. Detentions peaked at the earliest year we have reportable data – 2006. In 2006, there were 4,583 complaints detained at intake. In 2019, there were 1,586 complaints detained at intake. This number further decreased by 40% during the peak of the pandemic but increased in 2023 to 1,555 complaints. As of August 16, there have been 968 complaints detained at intake in 2024. Additional data points comparing detentions for the first 7 months (January – July) of 2023 and 2024 below:

- Detentions in the first seven months of the year went from 874 to 892 (an increase of less than 1%).
- When comparing Jefferson County to the rest of the state, Jefferson County saw a 35% decrease in detentions at intake through the first seven months of the year while the rest of the state had a 20% increase in detentions.

### **Definitions for Consideration**

- **Successful Diversion:** A diversion that has been deemed to have met the requirements of agreed-upon action steps and goals to the best of the youth’s ability and the complaint has been dismissed.
- **Unsuccessful Diversion:** A diversion in which that youth has failed to meet the requirements of their agreed-upon diversion agreement and the diversion has been terminated.

- **Adjudication:** A formal court hearing to determine the truth or falsity of the allegations in a juvenile petition. KRS 610.060.
- **Disposition:** A hearing, held after and (usually) separately from the adjudication hearing, to determine the action to be taken by the Court on behalf of a child who has been found to have committed a public or status offense. KRS 610.110

In conclusion, AOC will continue to update the JJOC on the ongoing efforts to improve Kentucky's juvenile justice system.