



Administrative Office of the Courts

Laurance B. VanMeter
Chief Justice of the
Commonwealth

1001 Vandalay Drive
Frankfort, Kentucky 40601
502-573-2350 or 800-928-2350
kycourts.gov

Jason L. McGinnis
Interim Director

Administrative Office of the Courts

Report for Juvenile Justice Oversight Council
Submitted by Jason McGinnis Interim 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:

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

Chief Justice-elect Debra Hembree Lambert

The Justices of the Supreme Court of Kentucky voted to elect Deputy Chief Justice Debra Hembree Lambert as the next Chief Justice of the Commonwealth of Kentucky. Chief Justice-elect Lambert will serve a four-year term beginning Jan. 6, 2025.

Chief Justice-elect Lambert was elected as a justice of the Supreme Court in November 2018 from the 3rd Supreme Court District, which is made up of 25 counties. She heads the Kentucky Judicial Commission on Mental Health, a groundbreaking commission that is working to address mental health needs, substance use disorder and intellectual and developmental disabilities.

Justice Lambert came to the Supreme Court after four years on the Kentucky Court of Appeals. Prior to taking the appellate bench, Justice Lambert was a Circuit Judge/Family Court division for the 28th Judicial Circuit, composed of Lincoln, Pulaski, and Rockcastle counties. She was appointed to that seat in 1999 by then-Governor Paul E. Patton. While a Family Court Judge, she created the first Drug Court in the area. She was recognized for her efforts in 2002 when the National Association of Drug Court Professionals inducted her into the Stanley M. Goldstein Drug Court Hall of Fame. For several years, she volunteered in area middle schools, working 10 weeks each semester with at-risk children and families in an effort to help them avoid truancy charges.

Justice Lambert volunteers as a certified suicide prevention trainer, training others on how to properly intervene to prevent suicide.

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 CDW program policy and FAIR Team Guidelines were made to align with legislative changes as follows:

- House Bill 611
 - The maximum length of diversion increased from six to twelve months.
 - FAIR Team inactivity to implement recommendations within 30 days results in the case 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 notify 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 is sent to the youth's school requiring destruction of related records.
- 2024 Senate Bill 20
 - Modified the procedures and forms related to detention decisions, effective July 1st, for clarity and data tracking.
- 2023 House Bill 3 and 2024 House Bill 5 and 278
 - The procedures and forms related to detention decisions, effective July 1st, was modified for clarity and data tracking.
 - Detention decisions relating to mandatory detention offenses, effective July 1st, are monitored for processing and data tracking.

Court Designated Worker Program staff have received initial and booster trainings on all newly implemented procedures. To ensure fidelity, staff were tested on the initial training on the updated policies and procedures. From those entries booster trainings were developed and completed as of August 2024. Staff will receive additional trainings by December 2024.

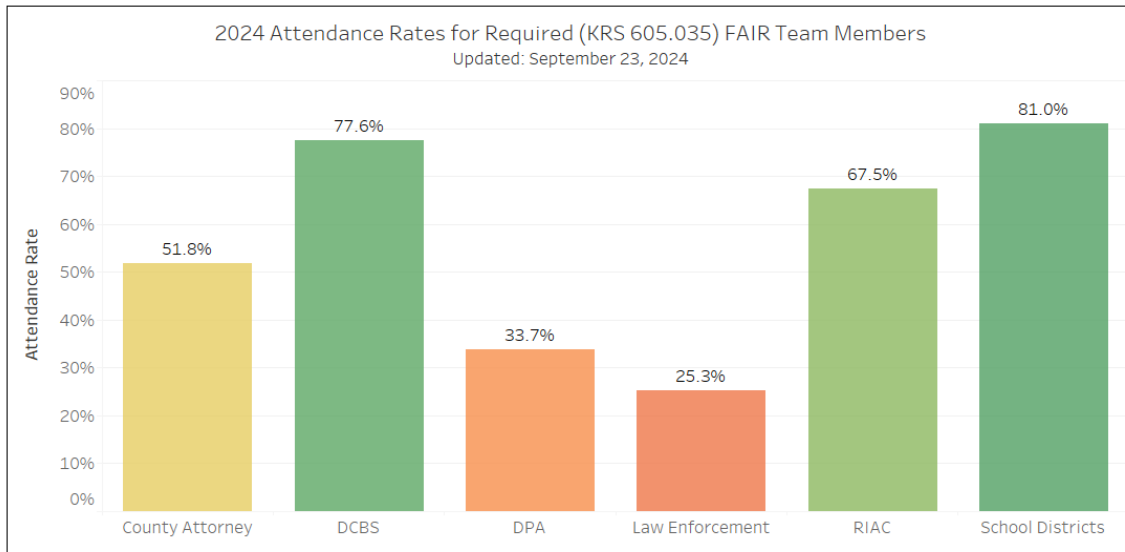
Communication Plan

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 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 September 23, 2024, 2,009 in 2024.
- Of the 2,013 complaints closed thus far in 2024 that had been referred to FAIR Teams, 54% of the cases were resolved outside of court while 46% were referred to court.
- FAIR attendance rates are noted in the chart below. Attendance data was pull generated on September 23, 2024.
- Attendance rates are generally on par or above rates in 2023. DCBS has seen the largest attendance rate increase, with an increase of around 10% compared to the last calendar year.



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 commonwealth 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 September 22nd, there have been 1,197 complaints detained at intake in 2024. Additional data points comparing detentions for the first eight months (January – August) of 2023 and 2024 below:

- Detentions in the first eight months of the year went from 1,031 to 1,036 (an increase of less than 1%).
- When comparing Jefferson County to the rest of the commonwealth, Jefferson County saw a 26% decrease in detentions at intake through the first eight months of the year while the rest of the commonwealth had a 12% increase in detentions.

Comparing calendar years might mask some trends, looking specifically at the beginning of fiscal year 2025 compared to the previous year can reveal more significant shifts. In FY 2025, as of September 22, 2024, 447 complaints have been detained. That represents a 20% increase compared to the same period in FY 2024. This can be broken down to a 24% increase in detained complaints in Jefferson County and a 20% increase in the commonwealth's other 119 counties. There has not been a similar increase in total complaints filed with only a 0.5% increase over the same period.

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.