

The Impact of COVID-19 on the Nation's Juvenile Court Caseload

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Data from the National Juvenile Court Data Archive can help assess the impact of the COVID-19 pandemic on juvenile court workloads

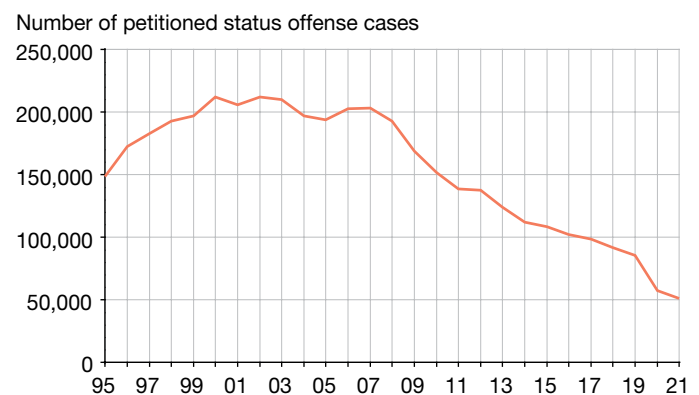
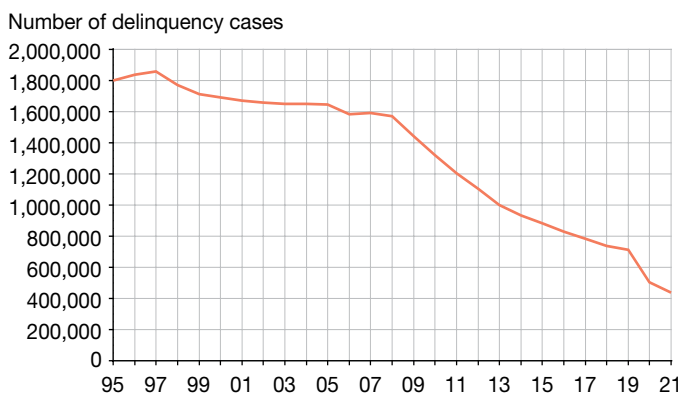
The COVID-19 pandemic, declared a public health emergency in the United States on March 13, 2020, had an impact on the policies, procedures, and data collection activities of juvenile courts relating to the referrals and processing of youth. Mitigation efforts such as stay-at-home orders and school closures impacted the volume and types of law-violating behavior by youth referred to juvenile court.

Data submitted to the National Juvenile Court Data Archive project (Archive) provide unique insight into the impact of COVID-19 on juvenile court caseloads. The Archive collects

juvenile court data from around the nation to create national estimates detailing demographic and case processing characteristics of delinquency and petitioned status offense cases handled in U.S. juvenile courts.

The uniqueness of the data collected by the Archive allows for a monthly analysis of court case volume and processing, which provides insight into any changes in case processing characteristics both at the onset of the COVID-19 pandemic and over time. This bulletin focuses primarily on patterns in case processing activities which occurred in 2020, compared with an average of the case processing characteristics for the prior 3 years (2017-2019), but also displays data through 2021.

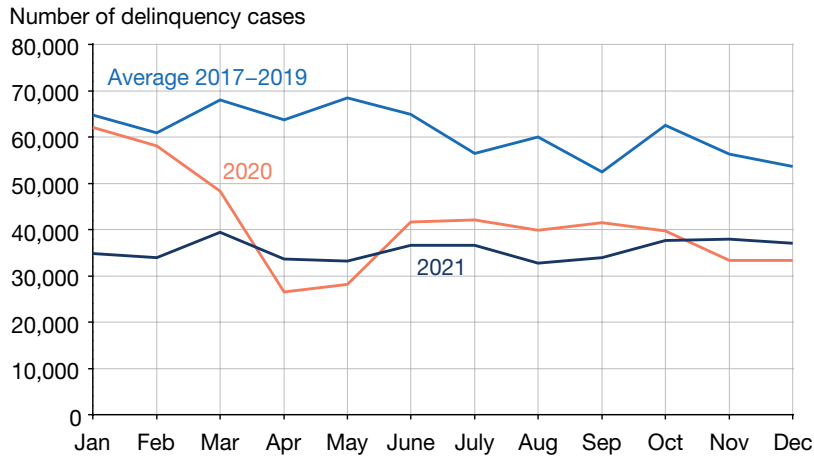
The decline in the number of cases handled in juvenile court between 2019 and 2020 outpaced the annual decrease for any year in the last 3 decades



- The number of delinquency cases handled by juvenile courts decreased from nearly 2 million cases in the late 1990s to less than 500,000 cases in 2021. Similarly, the number of petitioned status offense cases handled by juvenile courts grew to over 210,000 cases in the early 2000s before decreasing to less than 52,000 cases in 2021.
- Between 2010 and 2019, the annual year-to-year decline in the number of delinquency and petitioned status offense cases handled by juvenile courts each ranged from 1% to 10%; however, the number of delinquency cases declined 29% between 2019 and 2020, and the number of petitioned status offense cases fell 33% which is the largest 1-year change of the 1995-2021 period for each.
- At least some of the decrease in the number of cases handled by juvenile courts in 2020 was due to COVID-19 and the impact it had on the juvenile justice system.

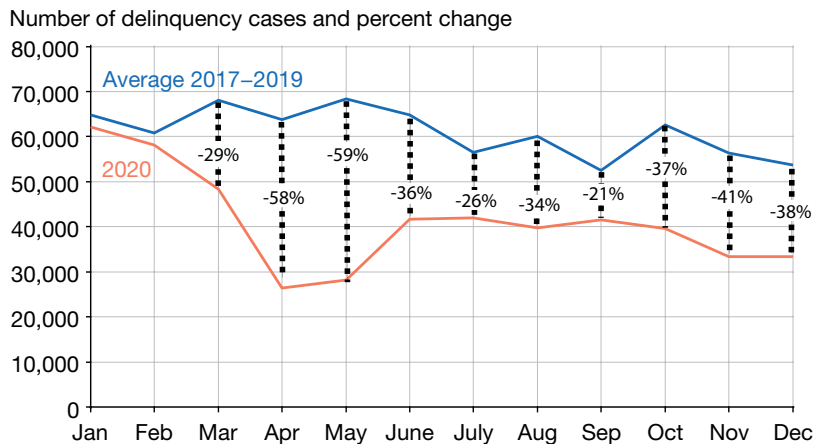
Juvenile court workloads were most notably impacted at the onset of the pandemic, between March and May of 2020

The number of delinquency cases decreased from 58,200 in February 2020 to 26,500 in April 2020



- The number of delinquency cases handled by juvenile courts in March, April, and May 2020 was well below the average number of cases handled in the same months between 2017 and 2019.
- The monthly number of delinquency cases handled by juvenile courts was fairly stable in 2021 and remained consistently below the average monthly number of cases handled between 2017 and 2019.

After the onset of the pandemic in March 2020, the monthly number of delinquency cases remained at least 21% below the average monthly number of cases handled in the prior 3 years



- In March 2020, there were 29% fewer delinquency cases handled compared with the average number of cases handled in the same month for the prior 3 years. This difference grew to 58% in April and 59% in May.

NOTE: The percent change is between the number of delinquency cases handled each month in 2020 compared with the average number of cases handled in the same month for the prior 3 years (2017–2019).

Case processing activities were likely impacted by COVID-19

The proportion of delinquency cases involving detention in 2020 was very similar to prior years

Some youth are detained while they await their adjudicatory or disposition hearing, depending on the seriousness of the offense and other factors, such as prior offending or the results of a risk assessment. Despite a slight decrease at the onset of the pandemic, the overall proportion of delinquency cases involving detention in 2020 was the same as the average for 2017–2019 combined (25% each).

While there was some variation in how cases were handled in 2020, the pattern of informally handled cases in 2021 saw a return to the pre-pandemic pattern

The proportion of cases handled informally (i.e., without filing a petition to formally request an adjudicatory or judicial waiver hearing) increased between February and April of 2020 (from 47% to 63%). As a result, the proportion of informally handled cases in April 2020 was 17 percentage points above the average proportion of cases handled informally in the

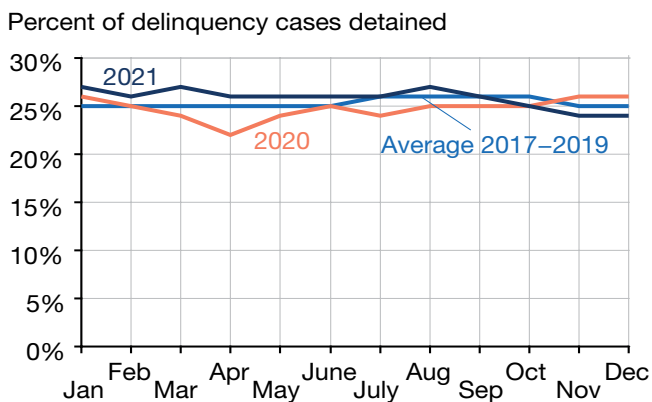
same month during the prior 3 years. In 2021 the proportion of cases handled informally was very similar to the pattern of the average proportion of cases handled informally in the 3 years between 2017 and 2019.

Fewer cases were judicially waived to criminal court at the onset of the pandemic

The number of cases in which juvenile court judges waived jurisdiction and transferred the case to criminal court fell considerably at the onset of the pandemic. For example, the number of cases judicially waived in April 2020 (120 cases) was 63% less than the number of cases waived in January 2020 (310 cases).

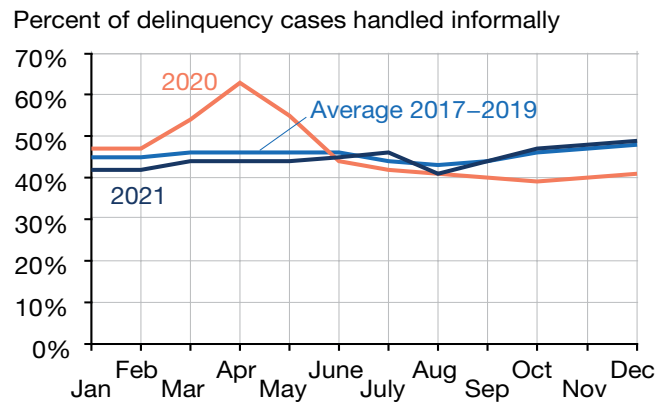
Additionally, the number of cases judicially waived in March, April, and May 2020 was at least 30% below the average number of cases waived in the same months between 2017 and 2019. However, beginning in June 2020 and through the end of the year, the number of cases waived increased and returned to a level similar to the average of the prior 3 years.

The monthly proportion of delinquency cases detained in 2020 varied from the average for the prior 3 years by no more than 2 percentage points



- In 2021, the average proportion of cases involving detention was about the same as in prior years (26%).

The proportion of cases handled informally rose sharply at the onset of the pandemic, then decreased



- Following an increase through April 2020, the monthly proportion of cases handled informally decreased through the end of year.
- From June to December 2020, the monthly proportion of cases handled informally was below the average proportion for the prior 3 years.

The number of cases resulting in a delinquency adjudication decreased substantially at the onset of the pandemic

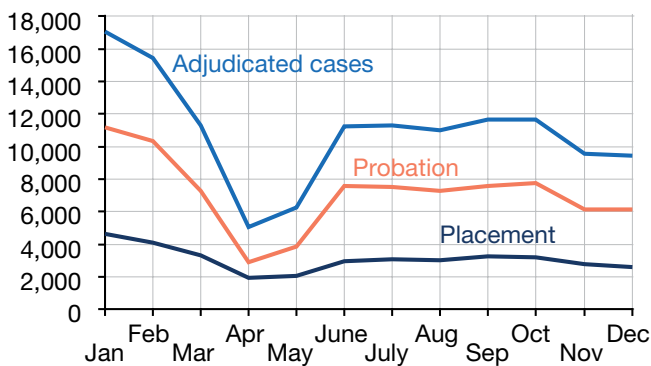
Adjudicatory hearings establish responsibility for an alleged act. When a youth is adjudicated delinquent, it means the court found the youth responsible for the delinquency offense they were charged with. Following an adjudication, the court holds disposition hearings to decide which sanctions it should impose and whether it should place the youth under court supervision. Many cases result in multifaceted dispositions and most involve some type of court supervision – known as probation. Other cases may result in an order to place the youth in a residential facility. Overall, the proportion of adjudicated cases resulting in either probation or placement has remained steady in recent years, fluctuating less than 5% between 2005 and 2021 for each disposition option.

The number of delinquency cases resulting in an adjudication decreased 55% between March and April 2020. The number of adjudicated cases resulting in probation decreased 60% during the same period, while the number of adjudicated cases resulting in residential placement also decreased but less (41%).

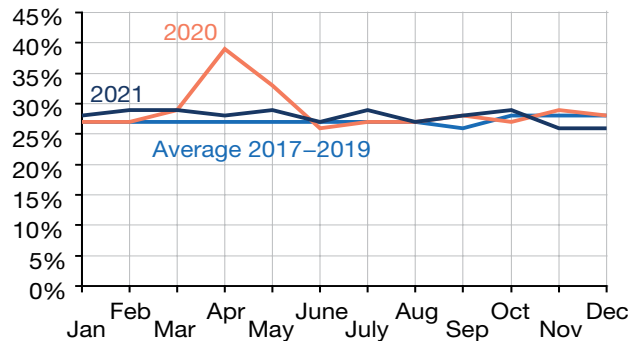
As a result of these combined factors, the proportion of adjudicated cases resulting in placement increased between March and April 2020. However, once the number of cases resulting in an adjudication and the number of adjudicated cases resulting in probation both returned to previous levels, the proportion of cases resulting in placement throughout the rest of 2020 and through 2021 resembled the pattern of the prior 3 years.

Decreases in the number of cases resulting in a delinquency adjudication and the number of adjudicated cases resulting in probation between March and April 2020 explains the increase in the proportion of cases that resulted in placement during the same time

Number of adjudicated delinquency cases, 2020



Percent of adjudicated delinquency cases resulting in out-of-home placement



- Between January and April 2020, the number of petitioned delinquency cases resulting in an adjudication decreased 55% from 17,100 cases to 5,100 cases.
- The relative decline in the number of adjudicated cases resulting in probation between January and April 2020 was greater than the decline in the number of cases resulting in placement during the same period (60% vs 41%). As a result, the proportion of adjudicated delinquency cases resulting in placement increased from 29% in March 2020 to 39% in April 2020 and then returned to typically reported levels for the remainder of the year.

Juvenile court processing of petitioned status offense cases followed similar patterns as delinquency cases

The number of status offense cases handled by juvenile courts decreased substantially at the onset of the pandemic

Status offenses are acts that are illegal only because the persons committing them are of juvenile status. The Archive collects data about five major status offense categories: running away, truancy, curfew law violations, ungovernability (also known as incorrigibility or being beyond the control of one’s parents), and underage liquor law violations (e.g., a minor in possession of alcohol, underage drinking).

While the number of petitioned status offense cases handled by juvenile courts has been on the decline since at least 2005, the onset of the pandemic in the spring of 2020 accelerated this decline; between February and May 2020, the number of petitioned status offense cases fell 46%, from 6,400 cases to 3,500 cases. The number of status offense cases handled in May 2020 was 63% below the average for the same month in the prior 3 years. While status offense cases followed the

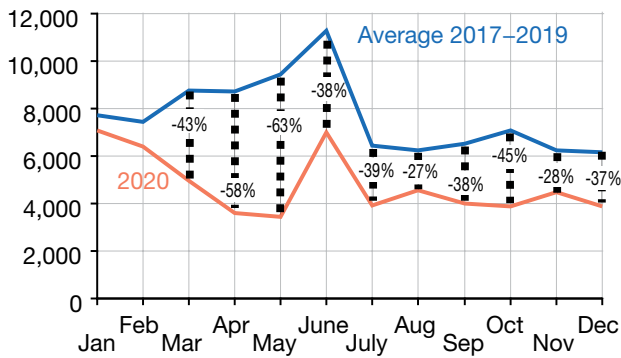
prior trend of peaking in June (an historical trend likely due to truancy case closures as schools are dismissed for the summer), the monthly number of cases handled by juvenile courts in 2020 was consistently below the June peak and was on average 37% below corresponding months between 2017 and 2019. Except for April and May, the monthly number of petitioned status offense cases in 2021 was lower or generally the same as in 2020.

The pandemic had very little impact on the use of detention for status offense cases

While their cases are being processed, youth charged with status offenses are sometimes held in secure detention. (Note that the Juvenile Justice and Delinquency Prevention Act discourages secure detention and placement of youth for status offenses.) Compared with the average of the prior 3 years, there was very little change in the proportion of status offense cases involving detention in 2020.

The number of status offense cases handled in May 2020 was 63% below the average for the same month in the prior 3 years

Number of petitioned status offense cases and percent change

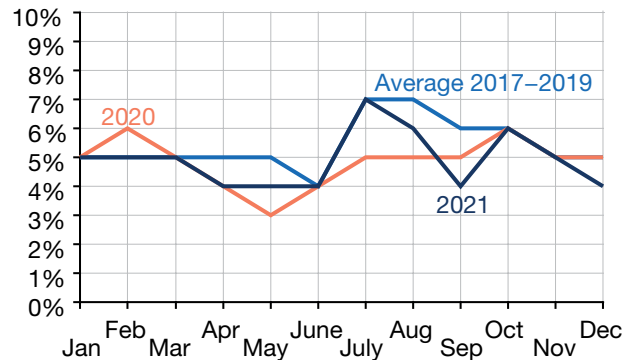


- Between March and June 2020, the number of status offense cases handled was about half the average number of cases for the corresponding months in 2017–2019 and from June through December 2020, the monthly number of petitioned status offense cases was at least 27% below the average monthly number of cases handled in the prior 3 years.

NOTE: The percent change is between the number of petitioned status offense cases handled each month in 2020 compared with the average number of cases handled in the same month for the prior 3 years (2017–2019).

The monthly proportion of status offense cases involving detention in 2020 and 2021 was about the same as prior years

Percent of petitioned status offense cases detained



- The monthly proportion of petitioned status offense cases involving detention in 2020 was, at most, two percentage points below the average monthly proportion of cases detained between 2017 and 2019.

The proportion of petitioned status offense cases receiving a formal sanction decreased substantially at the onset of the pandemic

Petitioned status offense cases may result in an adjudication where the youth is found responsible for the offense with which they were charged. Formal sanctions may be imposed in these cases, the most notable of which include residential placement or formal probation. Informal sanctions can be imposed on petitioned status offense cases even if they do not result in an adjudication. These sanctions include fines, restitution, community service, or referrals outside the court for services with minimal or no further court involvement anticipated. Finally, a petitioned status offense case may result in a dismissal, meaning that the charges brought against the youth are dropped and there is no further court involvement.

Most petitioned status offense cases typically do not result in an adjudication. Not surprisingly, most of these cases are dismissed, though some receive a type of informal sanction. Conversely, once adjudicated, most status offense cases result in formal probation, while

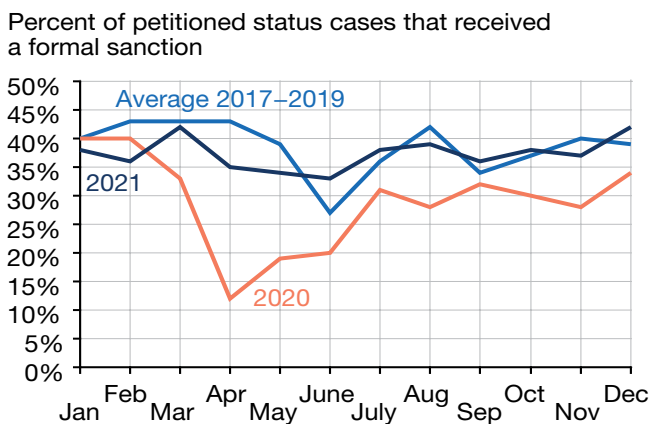
a very small proportion of cases result in residential placement.

The number of status offense cases resulting in formal sanctions decreased 73% between March and April 2020. As a result, the proportion of petitioned status offense cases receiving a formal sanction in April 2020 was well below the average for the same month in the prior 3 years and remained below the prior 3-year average for the remaining months in 2020.

The proportion of status cases that were dismissed increased during the early months of the pandemic

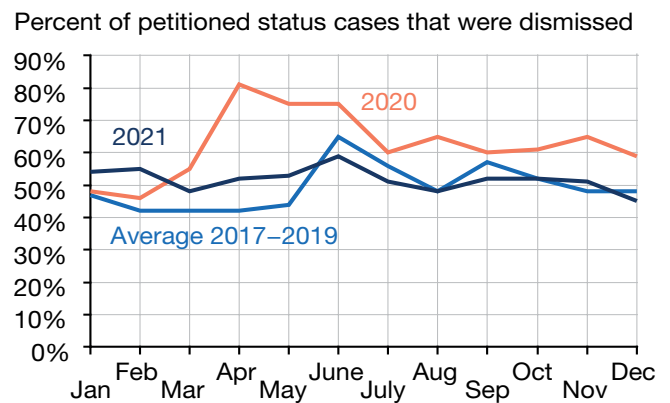
The proportion of status offense cases that were dismissed in 2020 increased at the onset of the pandemic and was consistently above the monthly average of the prior 3 years for the remainder of the year. In March of 2020, 55% of petitioned status offense cases were dismissed, compared with 81% in April. The proportion that were dismissed in April 2020 was 40 percentage points above the average for the same month in the prior 3 years.

The proportion of petitioned status cases that received a formal sanction in April 2020 was 31 percentage points below the average for the same month in the prior 3 years



- On average, the monthly proportion of status offense cases receiving a formal sanction in 2020 was 10 percentage points below the monthly average for the prior 3 years; in 2021, the monthly proportion approached the average proportion of the 2017-2019 period.

The monthly proportion of status offense cases that were dismissed between March and December 2020 was on average 15 percentage points above the monthly average during the same months for the prior 3 years



- The monthly proportion of status offense cases that were dismissed increased at the start of the pandemic and remained above the levels for the prior 3 years through 2020, while the proportion of such cases decreased in 2021 to the levels between 2017 and 2019.

Teasing out the impact of the COVID-19 pandemic on juvenile courts requires further analysis

The data show that the number of cases handled by juvenile courts fell considerably at the start of the pandemic. While case volume increased in months following, the caseload in 2020 did not approach the monthly average number of cases handled between 2017 and 2019. From a case processing perspective, the proportion of cases that were dismissed at intake or otherwise received informal sanctions increased during the early months of the pandemic, suggesting that public health mitigation efforts encouraged juvenile courts to prioritize resource utilization in response to the burgeoning crisis.

Compared with 2020, data describing cases disposed in 2021 reveal a 13% decrease in the number of delinquency cases and a 10% decrease in the number of petitioned status offense cases handled by juvenile courts. Though a more modest change than between 2019 and 2020, the conjunction of the continuing impact of COVID-19, along with jurisdictions enacting local policy changes (e.g., diverting more youth away from the court system) that were formalized prior to March 2020, may explain the larger than average annual decrease in cases handled between 2020 and 2021.

Sustained potential effects of the pandemic may not be seen until data detailing cases disposed in 2022 and 2023 are available. These data may help to answer if the easing of pandemic restrictions throughout the nation resulted in an increase in the number of delinquency and petitioned status offense cases handled in juvenile court in 2022 or 2023. Alternatively, data from 2022 and 2023 may show a continued decrease in the number of cases handled by juvenile courts. Such a decrease could reflect a continuation of the pre-pandemic decline that started in the 1990s, or it may be a function of new practices introduced during the pandemic, or a combination of these and other factors.

When complying with various public health mitigation efforts, while still balancing public safety and being responsive to justice-involved youth, local justice serving agencies may have become more deliberate about which cases courts should process and what sanctions are most appropriate. These adaptations may have become more common practice, potentially impacting the number of cases handled by juvenile courts. Examining administrative data alone is insufficient to understand the true impact of COVID-19 and should be considered in conjunction with qualitative data gathered from judicial staff and policymakers at the local level.

Delinquency and Status Offense Estimates

This bulletin describes delinquency cases and petitioned status offense cases handled between 2005 and 2021 by U.S. courts with juvenile jurisdiction. The estimates are based on data from nearly 2,400 courts with jurisdiction over 83% of the youth population ages 10 through the upper age of original juvenile court jurisdiction in each state in 2021. The unit of count is a case disposed.

Each case represents the most serious offense of one youth on a new referral processed by a juvenile court, regardless of the total number of offenses contained in that referral. A youth may be involved in more than one case during the calendar year. Cases were only included if the month of disposition was known.

The National Center for Juvenile Justice (NCJJ) is a non-profit organization that conducts research on a broad range of juvenile justice topics and provides technical assistance to the field. NCJJ is the research division of the National Council of Juvenile and Family Court Judges (NCJFCJ).

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Related COVID-19 Resource:

Juvenile Residential Facility Response to the Coronavirus Pandemic (COVID-19), 2020
(<https://ojjdp.ojp.gov/publications/juvenile-residential-facility-response-covid-19-2020.pdf>)