

INFOCUS



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Improving Juvenile Indigent Defense

In May 1967, the U.S. Supreme Court issued a landmark ruling in *In re Gault* that established the right to counsel for youth in delinquency cases. Despite progress made in the five decades since that decision, the promise of *In re Gault* has yet to become a reality for many of America's youth. **Research** shows that barriers to juveniles' receipt of proper counsel may include juvenile defenders' excessive caseloads, inadequate compensation for public defenders, and a lack of juvenile-specific training for lawyers.

Juvenile defenders play a critical role in ensuring fairness and equity for youth and families, and in preserving public confidence in the juvenile justice system. By funding efforts that will help to improve outcomes for indigent juvenile offenders, OJJDP is helping to reduce the risk of reoffending, enhance public safety, and increase the likelihood that these youth will become productive, law-abiding members of society.

Program

Enhancements for Juvenile Indigent Defense

Through this program, OJJDP is working to ensure that all youth involved with the juvenile justice system have equal access to specialized, well-resourced, juvenile defense counsel. Grantees use program funds to improve the quality and availability of legal services, to respond to gaps in practice, and to ensure that juveniles have access to resources that address the **collateral consequences** of justice system involvement. Grantees may also use funds to train court personnel, improve juvenile courts' data collection efforts, analyze a jurisdiction's juvenile defense delivery system, and identify and implement successful strategies that may be replicable across jurisdictions.

Training and Technical Assistance

National Juvenile Defender Center

The National Juvenile Defender Center provides technical assistance to juvenile defenders and juvenile defense agencies across the country; conducts juvenile-specific trainings for public defenders and court-appointed counsel; supports the creation of specialized juvenile defender units; and develops tools, training, and resources specific to identified regional, state, and local needs. The center also maintains a **clearinghouse of information** on juvenile defense and children's constitutional rights.

For More Information

Access more information about how OJJDP helps to ensure that all justice-involved youth receive the guarantees of due process and equal protection at <https://ojjdp.ojp.gov/programs/juvenile-indigent-defense>.

Funding

Between fiscal years 2017 and 2019, OJJDP awarded approximately \$7.2 million to improve the quality of juvenile indigent defense nationwide.

- ▶ Fiscal Year 2019—\$1.8 million
- ▶ Fiscal Year 2018—\$1.7 million
- ▶ Fiscal Year 2017—\$3.7 million

From the Field

Supported by a 2018 grant, Ohio's Hamilton County Public Defender Juvenile Division is developing an innovative, multidisciplinary team approach to juvenile defense that involves attorneys, investigators, social workers, community volunteers, and a mitigation specialist advocating for system-involved youth. The mitigation specialist investigates each client's unique circumstances, gathers comprehensive social histories, identifies appropriate community-based treatment and services, and prepares individualized disposition plans and mitigation reports for the defense attorneys.

The division is also establishing a participatory defense network to improve outcomes for juveniles. Participatory defense is a community-organizing model for youth involved in the justice system, their families, and their communities to positively impact case outcomes. Together with its community partners, the Juvenile Division is providing staff and volunteers with rigorous training on the principles and tools required to effectively implement participatory defense.



Office of Juvenile Justice and
Delinquency Prevention
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