



## JIDAN JOURNAL

December 2009

### In This Issue

- [Exciting Florida Victory](#)
- [New Publications](#)
- [State Updates](#)
- [Models for Change National Conference](#)

### From NJDC

A few weeks ago, JIDAN team members met in Washington, DC for the annual Fall SIG meeting.

This meeting was especially exciting as it marked the first opportunity for the teams to report on progress on their SIG implementation efforts.

With the help of experts from the Vera Institute, we also took important steps towards creating a methodology for documenting the results, both short and long term, of our collective work.

As we move fully into the implementation of the JIDAN work, we want to encourage each team to continue thinking about the measurable and quantifiable outcomes that will demonstrate progress made and showcase our achievements.

To follow-up with the Vera Institute on your outcome monitoring plans, please contact Jen Fratello and Kate de Zengotita at 212-376-3084 or [jfratello@vera.org](mailto:jfratello@vera.org) and [kdezengotita@vera.org](mailto:kdezengotita@vera.org).

We were also pleased to hear from Abby Levine from the Alliance for Justice about the "ins and outs of lobbying." Abby is available to answer any follow-up questions on your specific lobbying issues and can be reached at 202-822-6070 or [alevine@afj.org](mailto:alevine@afj.org).

The first day of our meeting coincided with a big day in Washington

Thanks to all JIDAN team members who attended the 13th Annual Juvenile Defender Leadership Summit in Denver. JIDAN played a prominent role in this year's summit activities as we were able to share our work and progress with a number of non-JIDAN states. We were fortunate to be able to offer scholarships to allow eight JIDAN members to take part in the Summit who otherwise would have been unable to attend.

NJDC has begun work on the creation of a video archive to document the history of juvenile indigent defense. Through interviews with defenders and other juvenile stakeholders, we plan to capture personal stories of success and ongoing work being done in the field. Taping began at Summit, where more than 35 individuals shared their inspiring stories with us, and will continue through March of 2010. These videos will become part of the collection,

"Introspective: Creating a Juvenile Defense Archive," to be housed at the Georgetown Law Center's Equal Justice Library. To donate memorabilia or to schedule taping, please

as the Supreme Court heard *Sullivan v. Florida* and *Graham v. Florida*, two cases challenging the constitutionality of sentencing youth to life without parole. Team members, Angela Vigil and Marsha Levick, who attended the hearings, treated us to an engaging account of the arguments.

Later that evening at an event hosted by the Georgetown University Law Center, we heard from a panel of attorneys who submitted supporting briefs on these historic cases.

The transcript of Bryan Stevenson's oral argument on behalf of the petitioner in *Sullivan* can be found [here](#).

Thanks for all the great feedback from the meeting.

Our next SIG meeting will be May 24-25, 2010 in Chicago. Details to follow.



### Shackling Victory in Florida

The long awaited decision from the Supreme Court of Florida on shackling has finally arrived. The decision finds that indiscriminate shackling of juveniles is "repugnant, degrading, humiliating, and contrary to the stated primary purposes of the juvenile justice system and to the principles of therapeutic justice" and "may violate the children's due process rights and infringe on their right to counsel."

This victory is the result of a ton of work by staff members of the Miami Public Defender's Office who spent years writing and filing motions and amicus briefs against the practice of shackling. After they convinced the Miami judges to stop shackling kids, they continued to encourage lawyers all over the state and the nation to litigate this issue.

Without the tireless, hard work of the Florida JIDAN Team members Carlos Martinez, Marie Osborne, Rob Mason and Angela Vigil, this important decision would not have been possible. So many wonderful people contributed to this momentous victory for which we are all grateful. Thank you Miami for opening the door.

The changes will become effective January 1, 2009.

You can read the decision [here](#).

contact Rey Cheatham Banks at [rbanks@njdc.info](mailto:rbanks@njdc.info).

The videos will be featured at next year's Summit in Washington, DC.

## State Updates

### California

[Pacific Juvenile Defender Center](#) launches web-site, listserv and juvenile specific training program. [Read more](#)

### Florida

As part of their work on the Access to Counsel SIG, the Florida JIDAN team has prepared waiver of counsel model guidelines and will begin implementation in a pilot in Pinellas County starting January 1, 2010.

The Florida team has also created practice standards for attorneys representing children in delinquency cases. The standards were developed after the team conducted a thorough examination of national guidelines and practice standards in approximately 20 states. Miami-Dade County has agreed to be the first public defender's office in the state to implement these practice standards. The office will use the guidelines for training, evaluation of performance, promotions and bonuses. A pre and post test will be conducted in the pilot site to determine the effectiveness of the new standards. If effective, the team will enlist several other

## New Publications

["Hidden Injustice: Lesbian, Gay, Bisexual and Transgender Youth in Juvenile Court"](#), a report on LGBT Youth in Juvenile Courts.

Contact NJDC for a copy of the newly released, [Toward Developmentally Appropriate Practice](#): A Juvenile Court Training Curriculum or for training opportunities.

## Training Opportunities



### Massachusetts

#### January 14, 2010

Collateral Consequences of Juvenile Adjudications  
3:00 - 5:00 p.m.  
Middlesex County, Location TBA

#### January 27, 2010

The Law Regarding School Searches and Seizures  
3:00 - 4:00 p.m.  
Middlesex County, Location TBA

#### February 4 & 5, 2010

MCLE Juvenile Law Basics Plus!  
9:30 a.m. - 5:00 p.m.  
10 Winter Place, Boston, MA  
For additional info contact [Wendy Wolf](#).

public defender offices throughout the state to adopt the standards and move toward statewide implementation.

### Illinois

Congratulations to Illinois team member Julie Biehl who has been named the new director of the [Children and Family Justice Center](#) in the Bluhm Legal Clinic at Northwestern University School of Law. Julie succeeds Bernardine Dohrn founder and director of CFJC for the past eighteen years.

"Julie will guide the CFJC into the critical challenges of the 21st century, continuing to attract a superb team of lawyers, students and clients who insist on the rights of all children to the full benefits of justice," said Dohrn.

Dohrn will remain as clinical faculty at the center.

### Louisiana

Congratulations to the Louisiana JIDAN team for their assistance in passing draft language for a bill ensuring that all youth in Louisiana are provided with counsel at the earliest stages of delinquency proceedings in the state.

The bill language recommended by the Children's Code Committee, which includes four JIDAN team members, to the Law Institute creates a presumption of indigence for all children in Louisiana and appoints a public defender for every child admitted to any

## Quick Links

[JIDAN Home](#)  
[Reform Progress](#)  
[Calendar](#)  
[Directory](#)  
[Publications](#)  
[Newsroom](#)

[About](#)

## Loyola's Center for Juvenile Law and Policy Receives \$100,000 Donation.

Congratulations to CA JIDAN team member, Cyn Yamashiro, Executive Director of the Center for Juvenile Law and Policy (CJLP) on the organization's recent \$100,000 donation.

The funds, donated by Loyola alumnus Larry Feldman and his wife Jo Kaplan, will be used to fund the CJLP directorship.

A juvenile court referee, Kaplan has been working within the juvenile delinquency system for the better part of four decades.

### Information Sharing

The Children and Family Justice Center at Northwestern School of Law is spearheading "[Project Off the Record](#)" to assist defenders in removing their client's names from state and local sex offender registries. For sample petitions and more information, visit their [website](#).

## OJJDP Invites Comments on Proposed FY 2010 Program Plan

The federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) has published a [Notice of its Proposed Plan for Fiscal Year \(FY\) 2010](#) in the December 1, 2009, Federal Register. The Proposed Plan describes discretionary program activities that OJJDP proposes to carry out during FY 2010.

Taking into consideration comments received and its final FY 2010 appropriation, OJJDP will develop a Final Plan describing program activities that the office intends to fund during FY 2010. The Final Plan will be published in the Federal Register.

Comments on the Proposed Plan must be received by January 15, 2010, and may be submitted [online](#) or mailed to OJJDP. To view OJJDP's Proposed Plan and detailed guidance on submitting comments, visit [ojjdp.ncjrs.gov/funding/FY10OJJDPProposedPlan.pdf](http://ojjdp.ncjrs.gov/funding/FY10OJJDPProposedPlan.pdf).

Comments may be submitted online at [www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480a61626](http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480a61626).

detention center upon admission.

The bill will be submitted to the Louisiana Legislature for final approval.

The team is also drafting performance standards for juvenile defenders in collaboration with the Juvenile and Family Law Judges Association.

### Massachusetts

In an effort to engage juvenile leadership around the state and create a collaborative juvenile defender culture statewide, the Massachusetts JIDAN team brought the entire Juvenile Defender Advisory Council (JDAC) to the NJDC Summit. JDAC consists of juvenile supervising attorneys from each of the 14 counties in Massachusetts and the supervising attorneys from the two juvenile defender offices in Roxbury and Worcester.

This extraordinary gesture from the Massachusetts team goes a long way toward the facilitation, development and implementation of improving policies and practices around the state.

### New Jersey

New Jersey team member, Yvonne Smith Segars, wins public service award. [Read more](#)

### Pennsylvania

Pennsylvania JIDAN

## Constant Contact Newsletter



**Annie Lee 2009 Champion for Change Winner  
with Laurie Garduque and Justice Bobbe Bridge**

### Upcoming Dates

February 18-19, 2010  
DOJ National Symposium on Indigent Defense  
Washington, DC

May 24-25, 2010  
Spring SIG Meeting  
Chicago

September, 2010  
Fall SIG Meeting  
Location TBD

stakeholders met to review proposals for reforming juvenile indigent defense system in Pennsylvania. [Read more.](#)

### Washington

The Washington JIDAN team is working on improving contracts for indigent defense services in the state.

In addition, the team is collaborating with their state advisory group, the Governor's Juvenile Justice Advisory Committee, to identify counties with high incarceration rates. The team contacted defense attorneys in two of the counties with high incarceration rates, that do not provide counsel at first appearance hearings, to explore creating a pilot that will ensure early access to counsel. The pilot will also measure the impact on resulting detention days and other aspects of the youth's court experience.

In other Washington news, Models for Change Lead Entity Bobbe Bridge and several JIDAN team members are part of the Washington State Becca Task Force, a statewide voluntary organization chaired by and comprised of statewide leaders, including legislators, judges, prosecutors, defense attorneys, law enforcement, schools, treatment providers, and court administrators to help keep youth in school and out of the juvenile justice system by promoting the intent, goals and outcomes of the Washington State Becca Laws (Truancy, At-Risk Youth and

Children in Need of Services).

Visit their new website at

<http://www.wabeccataskforce.org/index.html>.

### **Models for Change Fourth Annual National Conference**

The [John D. and Catherine T. MacArthur Foundation](#) and the [Coalition for Juvenile Justice](#) held the Fourth Annual National Conference December 8-9 in Washington, DC. The two-day working conference provided MfC and National Resource Bank members an opportunity to network, share information and learn about the important work that has been accomplished in each of the Models for Change sites over the past year. Participants from each Action Network attended.

The conference also allowed participants time to celebrate critical advances in the field and build greater momentum for further reform in MfC and Network states, local jurisdictions, and ultimately in states across the nation.

Workshops were offered on a range of topics from community and family engagement, DMC successes, adolescent/domestic battery and effective messaging around juvenile justice issues.

### **Champion for Change Award Winner Annie Lee**

Congratulations to Washington team member, Annie Lee, for receiving the Models for Change, Champion for Change

Award.

Champions for Change are individuals who have positively affected the lives of court-involved youths, their families, and communities in ways that provide opportunities for pathways away from delinquency and re-offending, and increase the youths' potential to be successful in school, and in family, peer, and community relationships.

"It was natural for Annie to combine her formidable talents with the work of Models for Change to continue to improve outcomes for youth involved in the juvenile justice system," says Justice Bobbe J. Bridge, retired, Founding President/CEO, Center for Children & Youth Justice, the lead entity for Washington MfC. "Her contributions have been vital to the success of our initiative."

### **Marsha Levick Named a 2009 Forward 50**

Congratulations to Marsha Levick of the Juvenile Law Center for making this year's list of Forward 50, men and women who are leading the American Jewish community into the 21st century.

Levick made the list for uncovering what is being called "the most serious incident of judicial corruption in the nation's history" in Pennsylvania's Luzerne County.

Read more at [Forward 50, 2009](#).

### **Pennsylvania JIDAN Team Reforming Juvenile Indigent Defense System**

The Pennsylvania JIDAN team, along with representatives from Pennsylvania's juvenile justice community met in Harrisburg to review proposals for reforming the juvenile indigent defense system in Pennsylvania.

In attendance were experts from public and private organizations that have a long-term interest in the well-being of Pennsylvania's juvenile indigent defense system.

The work of the Pennsylvania JIDAN team is sponsored by the [Juvenile Defenders Association of Pennsylvania](#), a non-profit corporation established for the purpose of improving access to counsel and the quality of representation for Pennsylvania's youth.

For questions about the Pennsylvania JIDAN initiative, please contact Robert Listenbee at [rlistenbee@philadefender.org](mailto:rlistenbee@philadefender.org) or Barbara Krier at [BLKrier@yourk-county.org](mailto:BLKrier@yourk-county.org).

## **PCJDC Website Launched**

The Pacific Juvenile Defender Center launched its new web-site with support from NJDC and volunteer efforts from JIDAN team members. In addition to the web-site, PJDC efforts include a members-only listserv and the creation of a committee framework to address training, resource development, litigation support, and capacity building for the juvenile defender community. Log on at [www.pjdc.org](http://www.pjdc.org). For more information on joining the listserv or training, contact [cyacoalition@yahoogroups.com](mailto:cyacoalition@yahoogroups.com).

## **New Jersey JIDAN Team Member Receives Public Interest Award**

Yvonne Smith  
Segars, New  
Jersey's  
Public  
Defender  
since 2002,  
received the  
2009 Mary  
Philbrook



Public Interest Award, given by the Women's Law Caucus, the Association for Public Interest Law, the Alumni Association of Rutgers University School of Law-Camden, and the Camden County Bar Association.

A member of the New Jersey JIDAN team and a defense attorney for 20 years, Segars is a staunch advocate for the poor and disenfranchised.

The Mary Philbrook Public Interest Award is given annually by the Women's Law Caucus and the Association for Public Interest Law (APIL) in recognition of Mary Philbrook, the first woman admitted to the New Jersey Bar. Philbrook was a prominent leader in the campaign for women's suffrage and the Equal Rights Amendment and was instrumental in the formation of New Jersey's first statewide legal aid society.

Segars is a member of the Chief Defender Policy Group for the National Legal Aid and Defender Association (NLADA), vice-chair of the NJ State Sentencing Commission, a member of the New Jersey State Criminal Disposition Commission, and the NJ Domestic Violence Fatality

and Near Fatality Review Board. She also served on the Criminal Justice Subcommittee of New Jersey's Mental Health Task Force.

She was the 2005 recipient of Kean University's Doctor of Laws Honorary Degree and received her J.D. from Rutgers School of Law, Newark, and her B.A. in psychology from Kean University.

The award was presented October 1 at the Camden Campus Center of Rutgers University.

## **FROM THE FOUNDATION**

With the assistance of the [Justice Policy Institute](#) (JPI) and the [National Center for Juvenile Justice](#) (NCJJ), Models for Change is creating a resource inventory database to aid other jurisdictions implementing reform strategies.

The inventory will include information, resources, and materials that have been used in the reform process, including tools, surveys, instruments, guidelines, protocols, manuals and other products. Each document will include an outline, a description, and an explanation of how they were created. The documents will be classified according to the issues they address.

Please submit documents and tools for inclusion in the inventory to [rbanks@njdc.info](mailto:rbanks@njdc.info).

Join Our Mailing List!

The JIDAN Journal reports on efforts by the Juvenile Indigent Defense Action Network (JIDAN) to improve juvenile indigent defense practice. JIDAN is a project of the John D. and Catherine T. MacArthur Foundation's Models for Change. The National Juvenile Defender Center manages the JIDAN and publishes this newsletter. Please contact us at **[rbanks@njdc.info](mailto:rbanks@njdc.info)** or 202-452-0010, ext. 107.

The submission deadline for the March edition of the JIDAN JOURNAL is March 15, 2010.

Email Marketing by

