PARENTAL INVOLVEMENT PRACTICES
OF JUVENILE COURTS

Report to the
Office of Juvenile Justice and Delinquency Prevention
U.S. Department of Justice

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In collaboration with

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Parental Involvement Practices of Juvenile Courts
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CHAPTER 1
INTRODUCTION

Far too many courts, as well as family and youth service agencies, have either undervalued or ignored the role parents play in their children’s severe misbehavior and what can and should be done about it.


The Genesis for This Project

Public anxiety and frustration over a rise in youthful misbehavior and juvenile crime had, by the mid-90’s, resulted in some media and policymaker attention to the topic of enforcing, or enacting new “parental responsibility laws.” States began to consider legislation to extend criminal culpability to parents who were grossly negligent in their parental supervision or wantonly disregarded their child’s misconduct. “If a child does the crime…” some journalists provocatively asked, “should the parents do the time?”

It was at this time, when a few newspaper, magazine, and television news stories began to highlight a handful of parental prosecutions resulting from their child’s juvenile offenses, that the Stanford Law & Policy Review invited the Center’s director to write an article for a symposium issue, “Violence in America: How Can We Save Our Children?” It was an opportune moment to examine the traditional aspects of holding parents accountable for their children’s misbehavior, comment upon emerging developments, and re-focus the policy questions around “parental involvement” in the juvenile court process.

That article (see citation above) described the evolution of civil and criminal liability of parents for the delinquent acts of their children. It pointed out that courts and legislatures had been steadily broadening the area of parental responsibility (e.g., civil liability for property damage or personal injury caused by a child, child neglect/child endangerment actions, parental sanctions for youth curfew violations, and penalties when a child gains access to firearms). It observed that the application of parental legal responsibility was in no way a new development (e.g., “contributing to the delinquency of a minor” laws and parental sanctions for a child’s failure to attend school had been in the statute books for decades).

The article noted that criminal actions against parents for the delinquent acts of their minor children appeared, anecdotally, to be rare (no research had been conducted on parental criminal prosecutions or on the judicial use of sanctions against parents). It stated that a basic intent behind parental responsibility laws appeared to be giving local courts the power to motivate parents towards exercising better supervision and control over their children, rather than jailing or fining them. Judicial authority over parents, the article concluded, should be benignly applied with a holistic view towards involvement of the child’s family in
addressing, and remedying, the underlying problems that may have led to the child’s delinquent acts.

The debate over taking intrusive actions against parents who may, or may not, have had the ability to control their children was just beginning. Yet no one in the juvenile justice field appeared to be focusing, through published writing or active training, on how juvenile court judges and juvenile probation officers might play a more active role in parental involvement and empowerment. It therefore made sense, as a next step, to bring together a multidisciplinary group of legal, judicial, probation, research, and youth-serving professionals to discuss these issues.

**The 1999 Study Group on Parental Interventions to Prevent Child Violence**

Through the Consortium on Children, Families, and the Law, and with support of the Office of Juvenile Justice and Delinquency Prevention, a two-day meeting was convened in July 1999. It examined the issue of parental involvement and parental responsibility laws, policies, and programs – particularly as they related to children in the juvenile justice system.

When kids enter that system, we asked, what might be done to help their parents increase their capacity for effective child-related support, supervision, and guidance? How might the legal/judicial process better support and enhance parental involvement, care, discipline, and supervision as part of efforts to prevent juvenile crime and youth violence?

We explored the concept of enhancing systemic supports for parenting improvement, especially to aid parents of behaviorally troubled teen and pre-teen children. The study group heard about how juvenile courts can help educate parents on improving parent-child relationships, how holistic family-based therapeutic intervention can help prevent juvenile recidivism, how a juvenile court focus on parents can fit within the restorative justice model, the effectiveness of parent education training, parent-child mediation, and several other topics.

The group noted that none of the legal intervention, or punitive sanction, strategies involving parents had ever been evaluated. Almost nothing was known about their implementation. We discussed the virtually unused approaches that could be applied by those in the juvenile court to draw on the strengths of parents and help further empower them, such as making parents an active part of the juvenile justice process. Finding practical ways of supporting, with dignity, parents of court-involved juveniles was an important theme of our meeting.

How were laws and policies on parental involvement in juvenile court proceedings being applied? Some quick research in preparation for the 1999 study group (principally done by ABA Center on Children and the Law interns) had found that even where strong laws on this topic existed, they were often not used. Good legislative concepts to promote parental strengthening, we were informed, seemed to be sabotaged by grossly inadequate funding. Using parents as resources was virtually ignored. In short, helping parents -- as a key feature
of juvenile court interventions -- appeared to be, based on our quite limited inquiries at that
time, quite rare.

We concluded the 1999 study group with a discussion of critical next steps to advance
attention to the subject of parental involvement by the juvenile court system (note that we
have long-ago stopped referring to this as a “parental responsibility” issue). Several
suggestions emerged, among them:

• A need for more careful studies of various parenting improvement interventions,
  particularly those that are court-connected, to identify programs with positive effects (as
  well as documenting their unintended negative consequences);

• A need to know more about the actual use by juvenile courts of parental sanctions and
  other forms of parental involvement;

• A need to know more about how parents actually experience the juvenile justice system,
  and how that relates to their prior expectations of the system;

• A need for a normative legal analysis of the principle of “parental involvement,”
  particularly what that should mean in concrete terms; and

• A need for better information-sharing and greater awareness among juvenile court
  judges, elected officials, and journalists concerning the positive uses of parental
  involvement within the juvenile court process.

This Exploratory Research Project

Just prior to the 1999 study group meeting, the ABA Center on Children and the Law staff
concluded that more extensive research was needed on the parental involvement topic. We
proposed to conduct this research with the aid of funding that had been made available to the
Consortium on Children, Families, and the Law (in which our Center has long been
involved) by the Office of Juvenile Justice and Delinquency Prevention. In early 2000 we
entered into a sponsored research agreement with the Consortium’s home base, Clemson
University. The actual start of our funded research work began several months later.

This research project proposed to identify ways in which courts involve parents in juvenile
delinquency and status offense proceedings. We indicated that our focus would include, but
not be limited to, steps taken to:

• Provide notice of court actions to custodial and non-custodial parents;

• Require parents to attend court hearings;

• Compel parents, as part of probation or other court dispositions, to participate in
counseling, parent education, or other programs;

• Use other “family-centered” approaches to case resolution; and

• Use, in particularly egregious cases, criminal or civil sanctions against parents.

We hoped that this project would produce useful data on how courts are using existing
parental involvement legislation as well as, where such laws do not exist, the inherent
powers of the juvenile court to involve parents in rehabilitative planning for their children.
Where interesting and potentially replicable programs were identified, we planned to make
information on them available to aid other courts in developing similar programs.
It has been our intention to also gather information on the various “contact points” of parental involvement with the courts. For example, we were hoping to learn if, and how, courts are involving non-custodial fathers in the cases of their delinquent children. We have hoped to assess how courts utilize, ignore, value, or discount parental involvement at each stage of juvenile proceedings. Finally, we intended to identify areas related to parental involvement in the juvenile courts that warrant further, and more extensive, research – or where evaluations of existing programs might be particularly helpful.
This study was designed to gain, for the first time, a national perspective on how courts, probation departments, and their follow-up interventions address parental involvement and accountability.

The main objectives of this project were to study:

1) Application of existing “parental involvement” and “parental responsibility” laws by juvenile courts and juvenile probation offices;
2) Practices used by judges and probation officers to encourage meaningful participation by parents in delinquency and status offense proceedings; and
3) The availability and quality of parent education programs for parents of court-involved juveniles.

Our information sources included:

1) A national mail survey, with 117 responses from juvenile court judges and probation officers;
2) Over thirty detailed telephone interviews with judges, probation officers, and parenting education program facilitators;
3) Extensive on-site data collection in six juvenile courts in three states;
4) Collection of juvenile drug court information and the state laws applicable to these courts, as they pertain to the issue of parental involvement; and
5) An analysis of state legislation that addresses the issue of parental accountability and responsibility when children are in violation of the law, as well as reviewing the literature on this topic.

OVERALL FINDINGS

The six common findings from each of our information sources provide us with a national overview of how juvenile courts and juvenile probation departments efforts address parental participation in juvenile delinquency proceedings and related follow-up interventions.

Special Efforts to Encourage Parental Involvement Appear Rare

- Our study did not find any unique or special efforts that we hoped courts or probation departments would be using to secure more custodial and non-custodial parental participation and involvement in both court proceedings and follow-up interventions. Many respondents stated that they had particular difficulty in gaining non-custodial parent participation (e.g., because of a lack of contact information, non-existent or poor communications between custodial and non-custodial parents, and scheduling of hearings and case-related meetings that seemed to inhibit involvement). We did find,
however, that some judges and probation officers were holding hearings and meetings at times that were convenient for parents. We believe that juvenile court officials are not focusing sufficient attention to the interactions of parents, their children, and the courts.

**Respondents Stressed the Importance of More Proactive Institutional Commitment to Parental Involvement**

- There was a consensus among our respondent judges and probation officers on a need for more attention to the subject of parental involvement in juvenile court proceedings and follow-up interventions. Our respondents emphasized the need for proactive institutional commitment by all involved parties to gain positive parental participation in the juvenile justice process.

**There are Insufficient Resources for Parents of Juvenile Delinquents**

- Many respondents to our mail survey reported availability of resources (e.g., written materials on resources, help to parents in securing services, and parenting education programs) to assist parents with behaviorally troubled children and to familiarize parents with the juvenile court process. During the telephone phase of our project, we attempted to identify these resources, but we found that when these were described they were most often for the juveniles, not specifically aimed at their parents. We concluded that there appear to be far too minimal resources available for parents to assist and educate them in the juvenile justice process or on enhancing their parenting skills.

**Parenting Education Programs Are Not a Major Resource to Juvenile Courts**

- Many judges and probation officers responding to our mail survey did not report any available parenting education programs for parents of youth involved in the juvenile court. We did, however, identify through our follow-up telephone surveys twelve parenting skills programs that we believe are replicable in other jurisdictions. (We believe that there are other potentially replicable programs but these were not captured in our study.) Parenting education programs were not commonly used by most of our respondents, suggesting their lack of common use throughout the country. Our findings suggest that, unfortunately, parenting skills programs are not central to the juvenile court and follow-up intervention process in many jurisdictions.

**Low Parental Involvement in Juvenile Proceedings is Often Due to Life Stressors, Not Bad Parenting**

- Many respondents reported a lack of custodial, and especially non-custodial, parental participation in both juvenile court proceedings and the probation process. Judges and probation officers reported that the lack of parental involvement is generally due to parents dealing with common life stressors (e.g., job issues, financial concerns, and marital/domestic problems) rather than a consequence of willfully bad parenting.
There is Vague Legal Authority on and Limited Attention to Sanctioning Parents

- Many states lack clear legal authority for courts to order sanctions against parents who willfully refuse to attend juvenile court proceedings and abide by the terms and conditions established for the family by the juvenile probation department. We found that juvenile court judges focus little, if any, attention on sanctioning parents for their non-involvement in juvenile delinquency proceedings or their non-cooperation with the juvenile probation process. Judges commented that using parental sanctions can impose hardships on families and may alienate some parents from further cooperation with the juvenile justice system.

RECOMMENDATIONS FOR IMPROVING PARENTAL INVOLVEMENT IN JUVENILE COURT PROCEEDINGS AND FOLLOW-UP INTERVENTIONS

Enhancing the inclusion, and more active participation, of parents in the juvenile justice process was seen by most of our information sources as necessary to truly improve outcomes for juveniles. This opinion was particularly strong among those who viewed the juvenile justice system as having far greater potential for being a proactive and preventative institution, instead of simply a punitive one.

Juvenile courts serve a diverse population of juveniles and parents, have a range of funding sources, and operate under widely-differing laws and policies. However, as a result of our national study, we believe there are a set of common reforms that can better assure effective juvenile court and probation practices related to the role of parents in the process, as well as a set of needed improvements that can be made by creating, or enhancing, court-operated, court-related, or court-referred parent education and parent support programs.

GENERAL RECOMMENDATIONS

Make a New Juvenile Court Commitment to Parental Involvement

- There should be, within the entire juvenile justice system, a new or renewed institutional commitment to the active inclusion of parents in the juvenile justice process. Proactive intervention and family inclusion should become standard priorities for juvenile courts, juvenile probation departments, and juvenile justice agencies.

Enhance Involvement of Both Fathers and Mothers

- Juvenile courts, juvenile probation departments, and juvenile justice agencies should take affirmative steps to enhance involvement of mothers and fathers, including both custodial and non-custodial parents, in juvenile court proceedings and follow-up interventions.
Educate Parents About the Court Process

- Written and audio-visual materials should be developed to provide parents of court-involved youth with more awareness of the critical importance that parental involvement in court proceedings, and their child’s life, can play to reduce juvenile delinquency.

Use Interagency Protocols to Improve Parental Involvement

- Protocols and other mechanisms should be created to enhance communication among juvenile courts, juvenile probation departments, schools, juvenile justice agencies, social services/child welfare agencies, and health/mental health providers in order to better focus on improving parental participation in the lives of troubled children and to better assure that these families get the full attention they need.

Tell Fathers and Mothers How Critical Their Involvement Is

- All professionals involved in the juvenile justice system should consistently and clearly inform parents, both fathers and mothers, and both custodial and non-custodial parents, about the importance of their involvement in their child’s life and the positive role they can play in aiding their troubled child. Judges and probation officers should recognize and encourage a greater role for non-custodial fathers whose children are before the court. Special efforts are needed to secure more positive non-custodial parent participation in both court proceedings and follow-up interventions.

Clarify Who is Responsible for Involving Parents

- Protocols should be developed for consolidating diffuse responsibilities for involving both custodial and non-custodial parents in juvenile court proceedings affecting their child. For example, there should be a clear understanding of who is responsible for providing notice to non-custodial parents, how their identity and contact information will be ascertained, when and how they will be informed of their child’s juvenile court proceeding, and how they will be encouraged to participate.

Use Family Group Conferences as a Key Parental Involvement Tool

- Providing “Family Group Conferencing”\(^1\) in delinquency and status offender cases can help avoid troubled youth from being unnecessarily placed in detention facilities or other institutional settings. Such placements are far more likely if parents and family members are not viewed as willing resources to help the child. Family Group Conferencing provides the opportunity for the youth’s extended family to come together and make decisions to address the needs of both the youth and community safety, while making reasonable efforts to keep the youth within his or her extended family.

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\(^1\) Family Group Conferencing in delinquency cases is a process, originating over a decade ago in New Zealand and Australia, in which the delinquent youth’s family and close “community” members play a major role in fashioning integrative solutions to these cases. Several articles/papers describing the Family Group Conference approach can be found at www.realjustice.org/pages/reading.html.
Gather Complete Information on Parents

- Juvenile justice/juvenile corrections agencies should enhance their focus on gathering parent-related information (e.g., improving intake forms to gather accurate and up-to-date information on both parents). They should be given enhanced financial resources for an improved focus on parental information and family assessment.

Make Parental Involvement a National and Statewide Training Issue

- National and state training of juvenile court judges, juvenile probation officers, and juvenile justice agency staff should include a focus on improving parental involvement in juvenile court proceedings and follow-up interventions.

Give Juvenile Courts and Juvenile Justice Agencies More Funding to Enhance Their Parental Involvement

- Those working with parents of court-involved youth should take (and have) the time to establish rapport and trust with the parents. To achieve this goal, state legislatures and other funding resources should recognize the need for supporting increased resources to those working with parents and children in the juvenile justice system.

Support Demonstration Grants for Parental Involvement Projects

- The U.S. Congress, state legislatures, and government social services and juvenile justice programs should provide funding for pilot projects that support greater parental involvement, both fathers and mothers, in juvenile proceedings, as well as funding for resources to aid parents of court-involved juveniles, such as home-based supervision and therapeutic services, domestic violence counseling, and use of in-home electronic monitoring devices as an alternative to juvenile incarceration.

JUVENILE COURTS AND PROBATION DEPARTMENTS

Be Creative in Getting Parents to Court

- Courts should identify and implement creative mechanisms for notifying and encouraging attendance of both mothers and fathers, including both custodial and non-custodial parents, at court hearings, probation meetings, and parenting improvement programs. Such mechanisms may include sending or delivering written notices/materials, making phone calls, doing home visits, using legal process to compel attendance, issuing contempt of court sanctions in particularly egregious cases, arranging for parental transportation, and other forms of contact by court personnel.
Tell Parents How Important They Are to the Process

- Judges and probation officers should be more active in expressing to parents the importance of their becoming more involved in their child’s life. Communication barriers with parents, such as their lack of understanding of the court process or language differences, should not be permitted to interfere with such critical parental interactions. As an aid in sharing this information, easy-to-understand written materials should be readily available for all parents that familiarizes them with the court process, their expected role during court proceedings, and their expected involvement with the juvenile probation process.

Consider Juvenile “Night Court” Sessions to Secure Parental Involvement

- Judges and probation officers should consider “juvenile night court” or evening juvenile probation meetings to help working parents participate in the process.

Look to Volunteers as an Aid to Parental Involvement

- Judges and probation officers should look into how community parent volunteers, and new or existing court-connected volunteer programs, could be utilized to aid parental involvement/support in delinquency and status offense cases.

Consider Child Neglect Actions for the Worst Cases

- Judges and probation officers should consider whether, in particularly egregious cases of parental antipathy towards their troubled, court-involved children (e.g., parental failure to participate in remedial services/counseling plans), in cases where there have been gross failures of parental supervision, or in cases where parents may share culpability for their child’s delinquent behavior, to have the child welfare agency and/or prosecutor file child neglect petitions through which jurisdiction over recalcitrant parents could be more easily accessed.

Promote Use of Parent Support Programs

- Judges and probation officers should work with juvenile justice agency officials and others to promote the availability and utilization of programs that provide intensive family- and community-based treatment approaches that address behaviors of juvenile offenders as well as skills needed for family members to help improve those behaviors.

Help Start Parent Education Programs

- Judges and probation officers should help develop or organize parenting education programs, or promote the wider availability of “slots” for juvenile court-involved parents in existing community-based parenting education programs. Where appropriate, parents should be encouraged to attend such classes after initial contact with probation.
Probation services should follow up on parental attendance to ensure that real barriers are not preventing parents from participating.

Help Juvenile Defenders Address Parental Involvement Issues

- Judges and court administrators should support, and state legislatures should fund, social work positions within juvenile defense programs that can help provide more informed recommendations to the court geared to the strengths of the parents and their needs, and that can help link parents of juvenile offenders with needed services.

JUVENILE COURT-RELATED PARENT EDUCATION/SUPPORT PROGRAMS

Identify and Use an Array of Programs for Helping Parents

- Juvenile courts and probation departments should have a broad array of accessible programs, adequately funded by the courts, juvenile justice agencies, or other government agencies, which provide services to parents of juvenile offenders and status offenders. Such programs should be geared to the level of offenses or behaviors of the court-involved youth and to the specific problems/needs that their parents are faced with at home.

Get Parents Help in Improving Their Parent-Child Relationships

- Juvenile courts, juvenile probation departments, and juvenile justice agencies should provide parents with quality assistance in improving their parent-child relationships by helping them secure appropriate and timely community resources, referrals, support groups, classes, programs, and/or counseling.

Assure Parent Support Programs Have Qualified Leadership

- Parenting support groups should be led by qualified and trained social workers, therapists, counselors, or others.

Consider Attending Court-Related Parenting Improvement Sessions

- Judges and probation officers should carefully consider a potential presence at activities that are conducted as part of court-related or court-referred programs for juvenile offenders and their parents. They should consider how the judge’s and probation officer’s personal participation in, or attendance at, sessions designed to promote improved parent-child relationships might aid in conveying to those parents the critical importance of such efforts in preventing juvenile crime.
Advocate for More Parenting Support Programs

- Judges, chief juvenile probation officers, and heads of juvenile justice agencies should work with state governors and legislatures to promote support for more parent support, education, parenting skills, and parent-child communication enhancement programs specifically for parents of juvenile offenders and status offenders. Such programs or classes can assist parents in more effectively dealing with their troubled children. Parenting-related skills-building programs also need to be available for, and specially targeted to, parents of older juvenile offenders (e.g., ages 15-17), early adolescent offenders (e.g., ages 12-14), and pre-adolescent offenders (e.g., ages 9-11). A special focus should be given to the development of parent education prevention programs geared toward parents of younger children from high-risk families.

Recognize the Barriers That Impede Parental Involvement With the System

- Judges and probation officers should be aware that mandated participation in parenting skills programs may present special burdens for single and low-income parents, as well as for parents in rural communities. Programs and services for these parents should be sensitive to the cultural and economic differences of the attendees and tailor their costs and services to these families in order to make them accessible and effective. Classes, support groups, seminars, and meetings should be held at times that fit parents’ schedules, and at locations convenient to home or work. Transportation, food, and child care assistance can be vital in increasing parental involvement in these programs.

Don’t Stigmatize Parents Who Participate in Parenting Programs

- Parenting-related skills-building programs should not in any way stigmatize or single-out participating parents of juvenile offenders, even if their attendance was court-ordered. Programs should work to gain confidence, and commitments of time and energy, from both parents and children.

Encourage Parenting Programs to Have a Youth-Involvement Component

- Parenting-related skills-building programs should have an element of youth involvement. For example, children can benefit from talking with other youth in group discussions about parent-child relationships.

Have a Special Focus on Involving Non-Custodial Parents

- Parenting-related skills-building programs should take special efforts to reach non-custodial parents of juvenile offenders, especially fathers who may wish to become a more positive force in their troubled child’s life.
Encourage Parents to Help Other Parents

- Parenting-related skills-building programs should find opportunities for parents to do volunteer work for the program. For example, some parents might volunteer their time in lieu of paying for services or program costs. When parents are volunteering, they are not only a part of their child’s rehabilitation, but are also a part of a broader effort to help families.

Improve Research on, and Evaluations of, Parenting Programs

- Judges, probation officers, and directors of juvenile justice agencies should encourage and promote evaluations of parenting skills programs, and of court-related parental involvement policies, to determine if they are effectively reaching parents, leading to improved parent-child relationships, and reducing juvenile recidivism.

- Parenting-related skills-building programs should put more emphasis on conducting evaluations of their impact on parents and their children. These programs should respond to stated concerns or complaints by parent participants.

- Although we identified twelve programs, each with a slightly different approach to parenting skills improvement, there should be further, and more extensive, research of existing programs that may be helpful in fashioning more effective follow-up interventions for parents whose children are involved in delinquency and status offense proceedings.

USE OF LEGAL SANCTIONS AGAINST PARENTS

Recognize How Parental Sanctions Might Hurt Families

- Judges should be aware that using parental sanctions may impose serious hardships on families, with a potential disproportionate impact on poor single mothers from racial and ethnic minority groups. Judges should be aware of the circumstances of each case and the family’s financial situation before imposing parental sanctions or issuing court orders mandating parental involvement. Judges should also recognize that the imposition of parental sanctions may alienate some parents from cooperation with the juvenile justice system.

Providing Parental Legal Representation Where Necessary

- In some cases, parents may need their own, separate legal representation during the juvenile court process. Although juveniles are statutorily and constitutionally entitled to legal representation, their parents involved in delinquency and status offense cases are not. Parents involved in juvenile court proceedings may become the subject of court orders, may be interrogated by judges with a view toward potential child neglect action, and even fined or jailed. In some cases, parents can find themselves ordered to end a
relationship with someone, to move out of a residence, or to take other actions before their child is returned home. Parents involved in the juvenile justice system, especially in status offense cases where they are the moving party, may need the aid of an attorney. Where a parent in such a situation is indigent, judges might want to consider appointing counsel for them, after of course assuring that the court-involved child is provided with competent counsel.

LEGISLATIVE REFORMS

Consider What Legislative Reforms May be Necessary

• State legislatures should review existing juvenile laws to see how they might better enhance involvement of both parents in juvenile court proceedings and follow-up interventions.

Make Parental Involvement an Explicit Part of the Juvenile Code

• State legislatures should review the preamble, legislative intent section, or purpose clauses typically preceding the main text of their state’s juvenile code, as well as other parts of the code, to determine whether these provisions adequately express the important role of parents within the juvenile court and juvenile justice process. These provisions may warrant revision or clarification so that judges and probation officers have explicit legislative authority to, where necessary, compel parents to undergo evaluations, to participate in counseling and treatment, and to be actively involved in court-mandated parent education training.

Enhance Resources to Families Before Considering New Punitive Parental Sanctions

• State legislatures, before they act on proposals to provide or increase punitive sanctions to parents of juvenile offenders, should carefully consider the existing barriers to parental involvement in the lives of their children, such as a lack of affordable day care and after-school programs, the inaccessibility of adequate mental health services, and the insufficient attention that public social services/child welfare agencies give to families with troubled adolescents.

Give Judges Clear Authority to Issue Sanctions Against Parents Who Willfully Fail to Attend Court Hearings, Cooperate with Probation Plans, or Otherwise Assist in Helping Their Troubled Child

• State legislatures should review their juvenile laws, and make appropriate changes, so that their juvenile court judges have clear legal authority, where necessary in the interests of justice, to issue sanctions (such as contempt of court orders) against parents who refuse to attend juvenile proceedings and abide by the terms and conditions established for the family by the juvenile probation department.
• State legislatures should, in considering statutory reform related to parental sanctions, assure that a wide range of potential parental “penalties” are available to the judge, including compelling parents to participate in court-ordered parenting education, counseling, and treatment, obligating the parent to assist the court and probation department in implementing the court’s orders, and requiring the parent to participate in formulating their child and family’s dispositional case plan.

• State legislatures should consider enacting new parental involvement legislation that can be used in cases where parents are coming to the court for assistance with a troubled child, such as in status offense cases, so that parents in such cases can be required by the court to take a more active role in responding to, and remedying, the underlying family problems that led them to seek the court’s assistance.

Eliminate Barriers to Critical Sharing of Information on Parents/Caretakers

• State legislatures should consider new legislation that would allow for greater information access among various agencies that work with juvenile court-involved youth and their parents. Legislation, and policies implementing it, should be sensitive to the protection of the rights of clients while at the same time affording access that agencies need to important information available on issues related to parents and other adult caretakers.

Provide Employment Protections for Parents Whose Children are Involved in the Juvenile Court Process

• State legislatures should provide job protections for parents who must miss work in fulfilling their obligations to the court and the probation department. Such legislation might, for example, prohibit employers from discharging a parent who is absent from work because of their need to attend court hearings, probation sessions, or parent education/counseling programs.

Revise “Child In Need of Services” (Status Offense) Laws So That They are Refocused as “Families in Need of Services” Laws

• State legislatures should examine existing juvenile status offense laws (e.g., judicial interventions for runaway youth, children beyond their parents’ control, school truants, and curfew violators) and, through statutory reform, shift the subject of such interventions away from the alleged incorrigible child to rather give this category of juvenile court intervention a more holistic “Families in Need of Services” whole-family focus.

NATIONAL RECOMMENDATIONS

This study was funded by a small grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) in collaboration with the Consortium
on Children, Families, and the Law. The above recommendations are for court, probation, juvenile justice agency, and court-related parenting education program personnel at the local level, as well as legislators at the state level. In order to enhance parental participation and make juvenile delinquency proceedings more effective, the courts need full support at the national level, especially from OJJDP.

- We recommend that OJJDP address the issue of parental involvement in the juvenile court/juvenile justice process in their annual program planning, and that it seek comments from the juvenile justice field on this new area of interest.

- We recommend the establishment of a new program direction for OJJDP, with commensurate financial and staff support, aimed at greatly enhancing the involvement of parents in the juvenile justice process.

- We recommend that OJJDP consider making funds available for more comprehensive evaluations of parental involvement in the juvenile court, in the probation process, and especially in court-related parenting education and parent support programs.

- We recommend that OJJDP widely disseminate the recommendations from our study, as well as support additional research and technical assistance that would assist states and communities in implementing innovative practices related to parental involvement in the juvenile court/juvenile justice process.
CHAPTER 3
RESEARCH DESIGN

RESEARCH OBJECTIVES

Little legal writing has been done on, or public attention given to, the issue of parental involvement in juvenile delinquency and status offender proceedings -- as well as its contemporary importance as a policy issue. The much-narrower sub-topic of holding parents civilly or criminally liable for the offenses of their minor children has gotten more attention. However, we are unaware of any research that has been done regarding the actual implementation of such so-called “parental responsibility” laws. This project is intended as a first step to gather baseline information on the broad topic of parental participation in juvenile court proceedings. This research has sought to identify the ways in which courts “involve” parents in juvenile delinquency and status offender proceedings, not simply when and how they may occasionally “punish” them.

The main objective of this project was to study the use of parental involvement laws by courts and probation offices, as well as practices used to encourage meaningful participation by parents in their children’s juvenile delinquency and juvenile status offense proceedings. We wanted to determine how courts and probation offices presently utilize, ignore, value, or discount parental participation in these proceedings.

Where laws specifically related to parental involvement and responsibility did not exist, we hoped to find how the inherent powers of the juvenile court and probation offices are used to involve parents in rehabilitative planning for their children. Among our objectives were to find where interesting and potentially replicable parenting education programs were located, to identify key aspects of these, and to make information on them available to aid other courts in developing similar programs.

Lastly, we intended to identify areas that warrant further, and more extensive, research or to propose where evaluations of existing programs may be particularly helpful in fashioning more effective interventions for parents in delinquency and status offense proceedings.

Our examination of parental involvement included steps taken to: provide notice of court actions to custodial as well as non-custodial parents; require parents to attend court hearings; compel parents, as part of probation or other court dispositions, to participate in counseling, parent education, or other programs; take other “family-centered” approaches to case resolution; and use, in particularly egregious cases, criminal or civil sanctions against parents.

The information gathered in this study was intended to capture similar information elements. These included, but were not limited to, such matters as:

- Citations to specific laws, court rules, cases, or other formal written policies affecting the involvement of both custodial and non-custodial parents in delinquency and status offense cases;
• Information on how often custodial and non-custodial parents appear with their child in these proceedings at preliminary hearings, adjudication hearings, and disposition hearings, and how often parents are brought into court through the use of some formal court process (e.g., summons, subpoena, bench warrants, etc.);
• Information on the various “contact points” of parental involvement with the courts. For example, we wanted to learn if, and how, courts are involving non-custodial parents -- typically father -- in the cases of their delinquent children;
• Information on how often parents are required to pay fines, court costs, or other financial payments related to their child’s misconduct, treatment, or residential care (and the nature and amount of such orders);
• Information on how often parents are required to perform tasks (e.g., attend programs or counseling, or perform community service) as part of their child’s probation plan or as some other form of court-ordered mandate; and
• Information on if, when, and how courts have used existing laws providing for criminal penalties to be assessed against parents (e.g., “contributing to the delinquency of a minor” laws; curfew violation penalties; punishments for parents whose children are chronically truant from school).

RESEARCH METHODS

We employed four research approaches. First, a mail survey provided a national perspective on how courts and probation departments are responding to parental participation. Second, follow-up telephone surveys were conducted with selected courts, probation departments, and parenting education programs to uncover greater details about their approaches. In addition, numerous discussions were conducted with juvenile drug court coordinators/administrators, other juvenile drug court staff and judges in juvenile drug courts across the country and Internet searches for information about parental involvement in drug courts. Third, on-site data collection in six courts provided an in-depth understanding of their approaches to parental involvement. Fourth, we conducted a statutory survey of state laws of parental involvement and accountability in juvenile delinquency proceedings.

National Mail Survey

The national mail survey synthesized a national perspective on how current procedures are used by courts and probation offices to encourage meaningful parental participation in delinquency and status offense cases. The mail survey was also used to select a sample for the telephone survey phase of the project.

Mail survey sampling plan. A purposive sampling plan was used for the mail survey to maximize the chances of finding courts, probation offices, and agencies in the community using unique and innovative approaches to increase parental participation. The national mail survey was sent to 101 specialized juvenile or family court judges (two in each state and the District of Columbia) and a mail survey of 101 chief juvenile probation officers (two in each
state and the District of Columbia). The chief juvenile court judges and chief probation officers were selected from each state’s two largest jurisdictions. The largest jurisdictions included the counties/municipalities serving the largest populations in each state.

**Mail survey methods.** An invitation letter, mail survey, and an informed consent form were sent to the selected judges and probation officers. The letter described the purpose of the study and described their requested participation, including filling out and returning the consent form with the survey instrument. Their identifying information on the survey was used only for purposes of calling selected respondents back for a follow up telephone interview.

Several steps were taken to increase the chances that the mail survey was returned. First, the mailing included a cover letter explaining the importance of the study and urging its completion. Second, the 6-page survey was designed in a user-friendly format to take 15-20 minutes. Third, a self-addressed stamped return envelope was included for easy mailing, or respondents were given the option of faxing the return survey. Fourth, a tracking procedure was used to determine who had failed to return the survey. Fifth, a post-card was sent to non-respondents urging their completion of the survey. Sixth, a second invitation letter, survey, and consent form, with a self-addressed stamped return envelope, was sent to non-respondents requesting again their completion of the survey.

Similar or identical questions were asked of both the judges and probation officers in separate survey instruments.

**Main queries of the mail survey to juvenile and family court judges included the following:**
- How and when do parents attend juvenile delinquency hearings?
- What is the frequency with which different types of notifications are used to encourage custodial parent(s) participation at these hearings?
- What are the reasons judges see for custodial parent(s)’ absence from hearings?
- Do judges support legal sanctions against a parent who fails to attend their juvenile’s court proceedings? What are the positive and negative effects of the use of such sanctions?
- Do judges believe the mother or father needs to be more involved in their child’s juvenile delinquency proceedings?
- Are special efforts used to promote participation by custodial as well as noncustodial parents in delinquency proceedings?
- Is there an interpreter to help non-English speaking parents understand juvenile delinquency proceedings?
- Does the court take any actions to educate parents (i.e., provide written materials) about the juvenile court process?
- How does their court encourage active participation by parents in juvenile delinquency proceedings?
- Does the court refer parents to a parenting skills/education program for parents of juvenile delinquents?
Main queries of the mail survey to chief juvenile probation officers included the following:

- How and when do parents attend the first initial probation session?
- What is the frequency with which actions are taken by the probation department to encourage parents of referred children to attend meetings with probation staff?
- What are the reasons probation officers see for parental absence from scheduled meetings at the probation department?
- Do probation officers believe mothers or fathers need to participate more in their child’s involvement with the juvenile probation department?
- Are special efforts used to promote participation by custodial and noncustodial parents with the juvenile probation department? If so, what types?
- Is there an interpreter to help non-English speaking parents understand the probation officer’s directives?
- What type of assistance is offered to assist parents with a behaviorally troubled child?
- What actions does the probation department take to educate parents about the juvenile court and/or juvenile probation process (i.e., written materials)?
- How does the probation department encourage active participation by parents in the probation process?
- Do probation officers support legal sanctions against a parent who fails to cooperate with their child’s probation plan? What are positive/negative effects of using such sanctions?
- Does the probation department refer parents to a parenting skills/education program for parents of juvenile delinquents?

Mail survey response rate. We received at least one response, either judge or probation officer, from every state except one. A total of 101 presiding judges were mailed surveys and 44 were returned. The response rate for judges was 44 percent. A total of 101 chief probation officers were mailed surveys and 73 were returned. The response rate for probation officers was 72 percent.

See Chapter 4 for an in depth discussion of the mail survey findings.

Telephone Survey

Following our national mail survey, we conducted two phases of further research to learn more about parental involvement in juvenile courts. The first phase consisted of over 30 telephone interviews with judges, probation officers, and/or parenting skills education program directors. The purpose of these interviews was to gain more information about jurisdictions that were thought to have juvenile probation departments, other special court-based approaches, and/or special counseling or parental education programs focusing on aiding parents of troubled teenagers to improve parenting skills and parent-child relationships.

Interviewees provided interesting information on special counseling or parental education programs that focused on aiding parents of juvenile offenders or status offenders to improve parenting skills and their relationships with their children. The programs that were described to us in the telephone surveys are offered in many jurisdictions across the United States.
They include: Anger and Conflict Resolution Classes, Group Parenting Sessions, Parenting Skills Classes, Multisystemic Therapy, Evaluations and Referrals, Family Counseling, Individual Parenting Counseling, Legal Awareness Workshops, and Video Education Programs. These programs can, our respondents told us, be extremely useful in enhancing positive parental involvement in juveniles’ lives and encouraging parental participation in the juvenile court process. During this phase of our research, we identified twelve particularly innovative or unique court-related parenting education programs. Contact information for these programs is in Appendix I.

The second phase of our follow-up research consisted of numerous discussions and e-mail communications conducted with juvenile drug court coordinators/administrators, other juvenile drug court staff and judges in juvenile drug courts across the country. This phase focused on juvenile drug courts due to our belief that judges hearing cases in a specialized court may be doing more to involve parents in court proceedings and follow-up interventions than a traditional juvenile court. Those contacted were asked to provide an assessment of the juvenile drug court program in their jurisdiction, and specifically to comment on the level and type of parental involvement in their program. Research on this issue was also conducted by searching for juvenile drug court references on the Internet. The National Criminal Justice Reference Service and the Criminal Justice Abstracts databases were searched for legal and academic publications concerning parental responsibility and juvenile substance abuse. Much of the information obtained was provided by the Office of Juvenile Justice and Delinquency Prevention and the National Juvenile Justice Clearinghouse.

**Telephone survey sampling plan.** The telephone sample was chosen based on judges and probation officers whose returned instruments indicated that they possibly had unique or innovative laws, policy, or parenting education programs. In addition, project staff took into consideration the respondents’ willingness to participate in a follow-up telephone interview, as so indicated on their signed consent form. Some follow-up telephone interviews were also conducted with other court staff or probation officers even if the original mail survey respondent had indicated an unwillingness to participate in a follow-up telephone interview. These respondents were also asked to sign a consent form. Also, we did not have to receive a returned survey from both a probation officer and a judge to include that jurisdiction in the sample. Based on responses received, the selected telephone survey sample included twenty-four jurisdictions consisting of one or more interviewees, including judges, probation officers, and/or parenting skills education program directors based at the court (or within a community agency).

**Telephone survey methods.** These respondents were contacted and asked to participate in a brief, (approximately 15-minute) telephone interview, which was scheduled at their convenience. If the interviewee contacted was the individual who filled out the mail survey and agreed to participate in the telephone survey by signing and returning the consent form, the individual was reminded of the nature and purpose of the project and that their continued participation was entirely voluntary. If the interviewee had not filled out the consent form attached to the mail survey, an introductory letter and consent form was sent, or faxed, to this individual to invite them to participate in a telephone interview. Once the consent form
was received these individuals were contacted, and a telephone interview was set up and conducted at their convenience.

Telephone respondents were asked if there were any other judges, probation officers, and/or parenting education program directors whom we should contact. If there was such an individual, we recorded his or her name and contact information. These individuals were interviewed after they received an invitation letter with a consent form and had then signed and returned the consent form.

Further information was gathered from these respondents on the details of the court, probation officer’s approach, and/or the parenting skills education program based at the court (or within a community agency). Similar or identical probes were asked of judges, probation officers, and parenting skill education directors during the telephone interview.

**Main subject-area probes for our telephone interviews with chief juvenile judges were:**

- Describe special efforts your court takes to better assure the presence in court, and cooperative participation of, parents of youth involved in juvenile delinquency cases. How effective are these efforts?
- How do you identify and involve non-custodial parents, especially absent fathers, in their child’s juvenile court proceedings and disposition plans?
- What steps do you take to get parents involved with their child’s juvenile court case in positive, productive ways?
- In the courtroom, do you ask parents questions about their relationship with their child? If not, why not? If yes, why do you ask parents questions? What weight do you give to parents’ descriptions of their parent-child relationships? What types of information are you looking for? How do you use this information in your decisions?
- In your opinion, should juvenile courts increase the involvement of parents in their child’s delinquency case? Why or why not? If yes, how do you think this could be done? What are barriers to increasing this involvement?
- (If the court uses parental sanctions.) What are the types of cases in which parental sanctions are used? Describe the types of sanctions used. Please give your opinion as to the effectiveness or ineffectiveness of those various sanctions.
- (If the court has a parenting skills/education program). Briefly describe the program. How long has this program been in effect? Do you have an estimate of the percentage of parents who have participated? Do you have any measures or impressions about the effectiveness of this program in terms of preventing juvenile recidivism and in preventing escalation of juvenile criminal behavior?
- If your state were to give more resources to your court for improving the role and involvement of parents in cases of juvenile delinquency and status offenses, what would you like to see those new resources used for?
- Would additional community-based services for parents help keep children out of your court? If so, what kind?
Main subject-area probes for our telephone interviews with chief juvenile probation officers were:

- Describe any special efforts your probation department takes to better assure the presence and cooperative participation of parents of juvenile delinquents.
- Describe what steps your department takes to get parents involved with their child’s probation plan in positive, productive ways.
- How do you identify and involve non-custodial parents, especially absent fathers, in the probation department’s work with juveniles?
- Do you ask parents questions about their relationship with “their child”? What types of information are you looking for?
- Do you consider the information parents provide to be confidential, privileged information that cannot be used against the juvenile in court? Have you used information supplied by a parent about a juvenile’s behavior to violate the youth’s probation?
- In your opinion, can juvenile probation departments increase the involvement of parents of juveniles in the outcome of their child’s probation? If yes, how do you think this could be done? If no, what are barriers to increasing involvement?
- (If the court uses parental sanctions.) What are the types of cases in which parental sanctions are used? Describe the sanctions used. Please give your opinion as to the effectiveness or ineffectiveness of those various sanctions.
- (If the probation department offers a parenting skills/education program). Briefly describe the program. How long has this program been in effect? Do you have an estimate of the percentage of all parents with children on probation who are referred to the program? Can you estimate what percentage of parents referred to the program successfully complete it? Do you have any measures or impressions about the effectiveness of this program in terms of preventing juvenile recidivism and in preventing escalation of juvenile criminal behavior?
- If your state were to give more resources to juvenile probation for improving the role and involvement of parents in juvenile delinquency and status offense cases, what would you like to see those resources used for?
- Would additional community-based services for parents help keep children out of court? What kind?

Main subject-area probes for our telephone interviews with parenting skill education directors were:

- Please describe any program that your court, probation department, or a community agency operates that helps improve parenting skills for parents of court-involved juvenile offenders and status offenders.
- Describe the curriculum.
- Are there enough program “slots” to help all parents you would like to see involved?
- When is a parent referred? Are parents ordered to attend?
- What do you do when parents, who have been ordered to attend, do not attend?
- Are there opportunities for interaction between parents and their child in the program?
- Is the program culturally diverse and accessible to minority communities?
• What are the financial costs of the program and are parents required to pay any fees for participation in the program?
• Do you have any measure or impressions about the effectiveness of this program in preventing juvenile recidivism and in preventing escalation of juvenile criminal behavior?

We found twelve programs, within the twenty-four jurisdiction sample, that have been identified because of innovative practices that we believe will be of special interest to other courts/communities. We asked the respondent(s) who were interviewed for these twelve programs to review their project’s description, make any necessary changes, and sign and return the consent form so that their program could be identified to be available to aid other courts in developing similar programs. See Chapter 4 for program descriptions and Appendix I for contact information for these court-related parental education programs.

Telephone survey response rate. There were initially twenty-four jurisdictions selected for the telephone survey phase of the project. In these twenty-four jurisdictions, over 30 individuals were interviewed. There were only a few sites where no contact was made with a respondent due to no return call from the respondent after multiple attempts by our project staff. Twelve programs, out of a twenty-four jurisdiction sample, were considered by us as particularly valuable and replicable parenting education programs.

See Chapter 5 for more about parental involvement at the local juvenile court level, within our in-depth discussion of the telephone survey findings.

On Site Data Collection

In addition to the mail and telephone surveys, on-site data collection was conducted to gather more descriptive information on how particular courts are working to secure active parental participation.

On site sampling plan. Data were collected in six courts, including two juvenile courts in a northeastern state, two in a southeastern state, and two in a state in the mid-west. Courts in each of the three states were selected based on geographic proximity to the project’s university-based researcher assistants and to achieve some demographic diversity among the selected jurisdictions. Ideally, one court was to be a specialized urban juvenile court and the other in a non-urban court that did not solely have juvenile jurisdiction but was rather a court of general jurisdiction with broad authority over a variety of civil and criminal cases. We did not anticipate having trouble getting access to files and observing hearings because each participating university had a relationship with many courts. These courts were not selected to yield a representative picture of how courts and probation departments address parental involvement. In addition, the six courts were not chosen because they were necessarily thought to have innovative and comprehensive approaches.

On site data collection methods. A professor at each of three universities, Clemson University, State University of New York-Buffalo, and the University of Nebraska-Lincoln,
supervised graduate students who served as research assistants to gather data in two courts in each of their states. The research assistants were also supported by the co-project directors at the ABA.

The director of the Center on Children and the Law and co-project director of this project, Howard Davidson, conducted site visits at each of the courts, accompanied by the research assistants and the supervising professor at the three universities. This group met with judges, probation officers, family counselors, or other relevant court-related professionals to describe the project and its goals.

Data were collected in three ways.

1. Data were collected from court intake forms, case disposition forms, and other case file information. With the permission of the presiding judge and/or probation staff, research assistants reviewed at least five delinquency case files in each court. Information related to parental involvement was recorded on a data collection form. No identifying information was collected from the case files. Researchers reviewed blank forms used by the juvenile court judge, court clerk, and court reporter for recording dispositions as well as intake forms used by the juvenile court clerk.

2. There were also observations of several juvenile court hearings in each of the courts in order to observe parental interactions/participation during the hearings. With the permission of the presiding judge, research assistants sat in on at least five delinquency hearings that included a mix of initial arraignments (preliminary hearings) as well as adjudicatory hearings and dispositional hearings. Research assistants sat in the back of the courtroom so as not to appear intrusive. They completed a brief observation form, which contained no identifying information.

3. Research assistants interviewed judges, probation officers, prosecution and defense attorneys, and individuals who direct parenting skills enhancement/parental counseling programs. The questions asked were similar to the mail and telephone survey questions. Those respondents who elected to participate engaged in brief 30-minute interviews with the research assistant. All interviewees signed a consent form before the interview was conducted.

All on-site data collection materials were kept confidential. No court was utilized, or court-related personnel interviewed, unless they voluntarily agreed to participate in this study and signed consent forms. Research assistants did not record or copy any material with identifying information (other than the name of the court for file purposes). Project staff carefully reviewed all data to ensure that forms or other materials contained no identifying information.

On-site response rate. There were six courts that participated fully for the on-site phase of the project.

All on-site data collection information was summarized by the research assistants in site reports. See Chapter 6, 7, and 8 for the site reports.
Survey of State Laws

We conducted a survey of state laws, completed in July 2000, providing an overview of the methods that state legislatures use to both involve parents in judicial proceedings affecting minors and to hold them accountable for both their own actions and the actions of the child. The cited statutes represent the most recent version available, via electronic database, as of July 31, 2000. This does not include statutes enacted in 2001, nor does it necessarily include every new statute enacted during 2000 (especially in the latter part of that year) or special 1999 legislative sessions. See Appendix III for an overview of State Parental Involvement/Accountability Statutes.

See Chapter 9 for the summarized results of our statutory survey of state laws.

Generalizability

The sampling plan was not intended to yield a representative nationwide picture of how courts and probation departments address parental involvement. It was skewed to capture as many innovative and comprehensive approaches as possible by purposively reaching out to courts likely to have such approaches. Therefore, the results do not reflect a national average. We uncovered many creative and comprehensive approaches, and our data reflect interesting ways that courts and probation departments are working to increase parental participation.

Confidentiality

All signed consent forms, all survey forms with identifying judge or probation officer information (from the mail survey), and all on-site project materials were kept in locked files.

Institutional Review Board

The instruments, consent forms, and methods used for the mail survey, telephone interviews, and on-site data collection were reviewed by a project advisory board comprised of a juvenile court judge, several people with juvenile probation officer experience, a children’s attorney, and other experts, and they were all approved by the Clemson University Institutional Review Board.

Project Team

Management of this project, administration, tracking of the mail and follow-up telephone surveys, subsequent report writing, analysis of findings, synthesis of recommendations, and compiling of the final report were conducted by the Washington, DC-based ABA Center on
Children and the Law, a program of the American Bar Association’s Fund for Justice and Education. The data collection at six courts, and subsequent report writing, was done by research assistants, and supervised by faculty at Clemson University, the University of Nebraska-Lincoln, and the State University of New York-Buffalo.
CHAPTER 4
NATIONAL MAIL SURVEY

This project’s national mail survey identified and synthesized, for the first time, a country-wide perspective on how current procedures are used by courts and probation offices to encourage meaningful parental participation in juvenile court delinquency and status offense cases. The mail survey was also used to select a sample for the telephone survey phase of the project.

The sampling plan for the national mail survey to judges and probation officers was not intended to yield a representative picture of how courts and probation departments are involving parents in court proceedings or the probation process. The sampling plan was designed on the supposition that jurisdictions with the largest populations might be more likely to have innovative ways of promoting parental involvement. Therefore, these results do not reflect a national average of parental involvement in juvenile delinquency proceedings and/or judges’ and probation officers’ views on encouraging more parental participation. We made visible the ways courts and probation departments are attempting to increase parental involvement in their child’s life and to assist with their behavior problems.

Similar or identical questions were asked of both judges and probation officers in separate survey instruments. The mail survey findings are reported in two ways: either combining judges and probation officers when similar questions were asked of both respondents, or reported separately when respondents were not asked the same question. The mail survey data were quantitatively analyzed only to report descriptive information. The open ended mail survey questions are reported in a qualitative fashion. For many of the open ended questions we derived categories in which to classify findings from judge and probation officer responses to those questions.

Refer back to Chapter 3: Research Design for a discussion of the mail survey methods.

What Concrete Steps Do Juvenile Courts Take to Secure Parental Attendance at Delinquency Hearings?

Parental attendance is crucial at juvenile delinquency hearings, especially because judges may be reluctant to, or prohibited from, proceeding with a hearing if no parent of the juvenile, or other responsible adult caretaker, is present in court. Despite the importance of parental attendance, judges reported lower than expected attendance of parents at these hearings. The judges reported only that a little over two-thirds (68%) of juveniles’ parents, one or both, usually or always attend their child’s first formal juvenile delinquency hearing (see Table 1a). The judges were asked to estimate the percent of delinquency hearings in which a parent appears. Most (81%) judges responded that 80 or 90 percent of the time a parent did in fact appear at juvenile delinquency hearings (see Table 1b). Most (88%) judges indicated that 10 or 20 percent of the time another relative of the child, but not a parent, appeared at juvenile delinquency hearings (see Table 1b).
TABLE 1
Parental Attendance, Absence and Notification at Juvenile Delinquency Hearings

Table 1a
Parental attendance at first formal juvenile delinquency hearing (N=44)

<table>
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<tr>
<th></th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
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<tr>
<td></td>
<td>-</td>
<td>18%</td>
<td>14%</td>
<td>54%</td>
<td>14%</td>
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Table 1b
Estimation of parental appearance in juvenile court (N=42)

Parent Appeared:

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<th>0%</th>
<th>10%</th>
<th>20%</th>
<th>30%</th>
<th>40%</th>
<th>50%</th>
<th>60%</th>
<th>70%</th>
<th>80%</th>
<th>90%</th>
<th>100%</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2%</td>
<td>2%</td>
<td>5%</td>
<td>10%</td>
<td>26%</td>
<td>55%</td>
<td>-</td>
<td>-</td>
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Another Relative Appeared:

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<th>10%</th>
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<td>69%</td>
<td>19%</td>
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<td>5%</td>
<td>2%</td>
<td>-</td>
<td>2%</td>
<td>-</td>
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Table 1c
Reasons for custodial parent’s absence from hearings

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<th></th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack transportation (N=42)</td>
<td>-</td>
<td>81%</td>
<td>19%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Incarcerated (N=43)</td>
<td>-</td>
<td>93%</td>
<td>7%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Can’t get off work (N=43)</td>
<td>2%</td>
<td>72%</td>
<td>21%</td>
<td>5%</td>
<td>-</td>
</tr>
<tr>
<td>Unable locate parent (N=43)</td>
<td>4%</td>
<td>77%</td>
<td>19%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Refusal (N=42)</td>
<td>5%</td>
<td>79%</td>
<td>16%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Insufficient time (N=43)</td>
<td>16%</td>
<td>79%</td>
<td>5%</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Table 1d
Types of notification used to encourage custodial parent participation (N=44)

<table>
<thead>
<tr>
<th></th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written material</td>
<td>7%</td>
<td>23%</td>
<td>9%</td>
<td>25%</td>
<td>36%</td>
</tr>
<tr>
<td>Court issues legal process</td>
<td>9%</td>
<td>34%</td>
<td>7%</td>
<td>18%</td>
<td>32%</td>
</tr>
<tr>
<td>Phone calls</td>
<td>9%</td>
<td>43%</td>
<td>20%</td>
<td>14%</td>
<td>14%</td>
</tr>
<tr>
<td>Home visits</td>
<td>18%</td>
<td>55%</td>
<td>11%</td>
<td>16%</td>
<td>-</td>
</tr>
<tr>
<td>Contempt of court</td>
<td>53%</td>
<td>43%</td>
<td>2%</td>
<td>-</td>
<td>2%</td>
</tr>
<tr>
<td>Bring parent to court</td>
<td>61%</td>
<td>39%</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
There are many reasons parents do not appear at juvenile delinquency hearings. We asked judges what they believed the reasons were for custodial parent absence from court hearings. Many judges said that each of the “excuses” we listed on the survey occurred at least sometimes to cause parental absence: the parent lacked transportation to court (100%); the parent was incarcerated (100%); the parent wasn’t able to get off work (98%); the police or court was unable to locate the parent (96%); the parent simply refused to go to court (95%); and there was insufficient time for giving notice of the court date to the parent (84%) (see Table 1c). Other reasons for parental absence from delinquency hearings were noted by several judges, including parents having a physical or mental illness, the parent living out of state, and the juvenile being in state custody for a significant period of time so that the parent had assumed that their attendance would not matter.

To increase the frequency in which parents attend juvenile delinquency hearings, courts informed us that they use many forms of notification to encourage parental attendance at hearings of court-involved juveniles. Many judges stated that a few of the reasons we listed on the survey were usually or always used to notify parents and encourage their participation: delivering or sending written materials to the home (61%); court issuance of legal process to compel parental attendance (50%); and advance phone calls from the court to notify parents of the first scheduled hearing of their child’s case (28%) (see Table 1d). Other steps to notify parents that were used at least sometimes to notify parents and encourage their in-court participation were: court staff (i.e., probation officer or other court personnel) making home visits prior to hearings (82%); non-attending parents being held in contempt of court (47%); and police or court officers going to the home and actually bringing parents to court (39%) (see Table 1d). A few respondents noted that court staff admonished parents, in open court, of the importance of continuing to attend their child’s juvenile court hearings.

What Steps Do Juvenile Courts Take to Familiarize Parents About the Court Process?

Written materials that explain the judicial process in delinquency cases can benefit parents by familiarizing them with the usual court actions and their expected involvement with the juvenile probation office. Almost two-thirds (63%) of our respondent juvenile probation officers stated that they routinely gave written materials to parents to familiarize them with the process (see Table 2). Despite this high response rate that suggested to us that juvenile courts commonly had written materials available for parents, our respondents neither included such materials with their returned surveys (as we had requested) or described their written materials for us. The materials that we did receive appeared to be tailored to educate juvenile offenders, not necessarily their parents.

Probation officers noted some other actions that their departments take to educate parents about the juvenile court or probation process. The following categories of actions are derived from their responses to an open-ended question about this.

Educate parents through direct contact. Parent meetings or orientation sessions with juvenile probation officers, defense attorneys, prosecuting attorneys, court counselors,
TABLE 2  
Familiarization with Juvenile Court Process

Are written materials given to parents to assist with the juvenile court process or juvenile probation plan? (N=71)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>63%</td>
</tr>
<tr>
<td>No</td>
<td>37%</td>
</tr>
</tbody>
</table>


and/or judges may be used to educate parents. Telephone and/or in-person meetings may be held before, after, and/or during hearings. Meetings may be scheduled during the day or evenings to accommodate transportation and conflicts for probationers and their parents. Court staff and probation officers may offer detailed explanations to parents of their responsibilities and liabilities and may make themselves available to answer any questions about the juvenile court process. Case-specific materials (e.g., court orders and written conditions of their child’s probation) may be given to the parent, and explained, as a means of educating parents about the impact of the court’s decisions.

**Offer special programs.** Special programs may be offered to educate parents about the juvenile court or juvenile probation process.

**Use court liaison officers.** Court liaison officers may work in the courtroom to assist parties in understanding each proceeding.

**Educate parents through video presentations.** A video (e.g., “What happens in juvenile court”) may be used to educate parents and juveniles about the court or juvenile probation process.

**Set up an information table.** Courts may maintain an information table in a reception area that includes many brochures and fact sheets, referrals to special programs, or issues related to youth, families and the court process.

**Provide juvenile court and/or probation department information on a website.**

**Have court officials do public speaking.** Court staff may do public speaking at meetings of community organizations, neighborhood community centers, recreation centers, family groups, parent groups, and local schools, and they may appear on talk shows or speak at other venues.

**What is Done to Secure Parental Attendance at Meetings with Juvenile Probation Officers?**

Parental attendance is essential during initial probation assessments and throughout the juvenile probation process. When a juvenile is referred to probation for initial assessment, the majority (96%) of our respondent probation officers stated that *usually or always* a juvenile’s parent is interviewed in connection with that assessment (see Table 3a).

The probation officers were asked to estimate the percentage of probation department meetings in which a parent or another relative appeared at the meeting (see Table 3b). Over two-thirds (68%) responded that 90 or 100 percent of the time a parent appeared at the meeting. Almost two-thirds (63%) responded that 10 percent of the time another relative appeared at these meetings.
TABLE 3
Parental Attendance, Absence, and Notification with Probation Department

Table 3a
How often is a parent interviewed in the probation department’s initial assessment of the juvenile? (N=73)

<table>
<thead>
<tr>
<th></th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>-</td>
<td>3%</td>
<td>1%</td>
<td>30%</td>
<td>66%</td>
</tr>
</tbody>
</table>

Table 3b
Estimation of percentage of delinquency cases in which a relative of the juvenile meets with probation department

Parent Meets: (N=71)

<table>
<thead>
<tr>
<th></th>
<th>0%</th>
<th>10%</th>
<th>20%</th>
<th>30%</th>
<th>40%</th>
<th>50%</th>
<th>60%</th>
<th>70%</th>
<th>80%</th>
<th>90%</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meets</td>
<td>-</td>
<td>-</td>
<td>4%</td>
<td>1%</td>
<td>-</td>
<td>1%</td>
<td>3%</td>
<td>4%</td>
<td>19%</td>
<td>45%</td>
<td>23%</td>
</tr>
</tbody>
</table>

Another Relative Meets: (N=70)

<table>
<thead>
<tr>
<th></th>
<th>0%</th>
<th>10%</th>
<th>20%</th>
<th>30%</th>
<th>40%</th>
<th>50%</th>
<th>60%</th>
<th>70%</th>
<th>80%</th>
<th>90%</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meets</td>
<td>4%</td>
<td>63%</td>
<td>19%</td>
<td>6%</td>
<td>4%</td>
<td>3%</td>
<td>-</td>
<td>-</td>
<td>1%</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Table 3c
Reasons why parent might be absent from meeting with probation department

<table>
<thead>
<tr>
<th>Reason</th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unable locate parent (N=73)</td>
<td>-</td>
<td>90%</td>
<td>10%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Incarcerated (N=73)</td>
<td>-</td>
<td>94%</td>
<td>6%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Can’t get off work (N=73)</td>
<td>1%</td>
<td>59%</td>
<td>29%</td>
<td>10%</td>
<td>1%</td>
</tr>
<tr>
<td>Refusal (N=72)</td>
<td>4%</td>
<td>82%</td>
<td>13%</td>
<td>1%</td>
<td>-</td>
</tr>
<tr>
<td>Lack transportation (N=73)</td>
<td>6%</td>
<td>64%</td>
<td>26%</td>
<td>4%</td>
<td>-</td>
</tr>
<tr>
<td>Insufficient notice of time (N=72)</td>
<td>14%</td>
<td>83%</td>
<td>3%</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Table 3d
Types of notifications used by probation department to encourage parents to attend meeting with probation department

<table>
<thead>
<tr>
<th>Notification</th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written material (N=73)</td>
<td>-</td>
<td>16%</td>
<td>18%</td>
<td>33%</td>
<td>33%</td>
</tr>
<tr>
<td>Phone calls (N=73)</td>
<td>-</td>
<td>29%</td>
<td>16%</td>
<td>40%</td>
<td>15%</td>
</tr>
<tr>
<td>Home visits (N=73)</td>
<td>4%</td>
<td>64%</td>
<td>11%</td>
<td>11%</td>
<td>10%</td>
</tr>
<tr>
<td>Court issues legal process (N=72)</td>
<td>25%</td>
<td>53%</td>
<td>7%</td>
<td>5%</td>
<td>10%</td>
</tr>
<tr>
<td>Contempt of court (N=72)</td>
<td>35%</td>
<td>53%</td>
<td>1%</td>
<td>7%</td>
<td>4%</td>
</tr>
<tr>
<td>Bring parent to office (N=73)</td>
<td>80%</td>
<td>20%</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
There are many reasons why parents might be absent from a scheduled meeting with a probation officer (see Table 3c). We asked probation officers the reasons for custodial parent absence from probation meetings. Most probation officers stated that the reasons listed on our survey occurred at least sometimes to cause parental absence: the police, court, or probation office was unable to locate the parent (100%); the parent was incarcerated (100%); the parent couldn’t get off work (99%); the parent refused to go to the scheduled appointment (96%); the parent lacked transportation to the probation office (94%); and there had been insufficient time for giving notice of the meeting to the parent (86%). Other reasons for parental absence noted in probation officers’ open ended responses included: the parent was forgetful, passive-aggressive, or deceased; the child lived in an alternative care setting and the parents assumed their attendance would not matter; or the parent felt guilty or embarrassed by their child’s involvement in the justice system.

To increase the frequency of parental attendance at probation sessions, officers take a variety of actions. We asked respondents what forms of notification concerning expected parental attendance at juvenile probation meetings their department used (see Table 3d). The most likely form of notification usually or always used, by 66 percent of probation departments, was to send or deliver written material to the home of the juvenile’s parents. Over half (55%) also stated that probation staff usually or always make phone calls prior to the meetings. Probation officers also informed us that these other reasons, listed on the survey instrument, occurred at least sometimes to encourage parents of referred children to attend meetings with probation officers: probation staff made home visits prior to meetings (96%); probation asked the court to issue legal process to compel parental attendance (75%); probation asked the judge to hold non-attending parents in contempt of court (65%); and a probation officer went to the home and brought the parent to the scheduled meeting (20%). There were other steps noted, in open ended responses to our survey instrument, that were seen as encouraging parental attendance, including: use of appointment letters or instruction sheets; probation staff introducing themselves to the parent at their child’s preliminary or probable cause hearings, if the youth was detained; if the parent had also been a victim of their child’s offense, then a victim advocate might contact them; and transportation to the probation office might be offered to parents.

What Assistance is Available for Parents who Turn to the Court for Help With Their Troubled Youth?

Juvenile court officials reported to us that they are often finding that parents are looking for someone else, in a position of authority, to assist with the behavioral problems of their child. The majority (85%) of our respondent judges and probation officers stated that parents too-often turn to the court for help with their behaviorally troubled child because they do not know where else to go (see Table 4a). Fortunately, almost all (96%) of the judges and probation officers in our survey stated that their court or probation office provides assistance to parents to help them with their behaviorally troubled child (see Table 4b).

Judges and probation officers told us, based on our survey questions (see Table 4c), that their court or probation department offered to parents the following assistance. About 91
TABLE 4
Parents Turning to the Court For Help and Assistance

Table 4a
Do parents too often turn to the court for help with a child? (N=116)

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>85%</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>15%</td>
<td></td>
</tr>
</tbody>
</table>

Table 4b
Is there assistance provided to parents to help them with their behaviorally troubled child? (N=117)

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>96%</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>4%</td>
<td></td>
</tr>
</tbody>
</table>

Table 4c
What type of assistance does your court or probation department provide? (N=117)

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Help secure community resources</td>
<td>91%</td>
<td>9%</td>
</tr>
<tr>
<td>Parenting skills/education program</td>
<td>73%</td>
<td>27%</td>
</tr>
<tr>
<td>Written materials</td>
<td>30%</td>
<td>70%</td>
</tr>
</tbody>
</table>
percent indicated that they helped parents secure community resources (e.g., a specialized school or a mental health or social service program) for their child. Three-fourths (73%) of the courts said they assisted parents by offering some type of parenting skills/parenting education program. Only one-third (30%) claimed to provide written parenting materials to assist parents.

The respondents often stated that the reason why their court, or probation department, did not offer any of the services that we listed on the survey was due to the other office (i.e., court or probation department) offering the assistance needed to help parents with their behaviorally troubled child. For instance, if a judge filled out the survey s/he often stated that the judge (or court staff) does not offer assistance but that the probation department offers assistance. Other types of available parenting assistance noted by probation officers in their open-ended responses to us included: referrals to or contracts with numerous programs; use of community assistance teams, social workers, and social service agencies that offer support groups to parents; parenting education classes; parent-child mediation or parent-child conflict resolution programs; and individual or family counseling.

**What Do We Know About Parenting Skills Education Programs Available to Juvenile Courts?**

We were pleased to find that court-accessible parenting skills education programs are becoming more abundant in many jurisdictions (see Table 5a). The majority (88%) of our respondents stated that at least sometimes parents were referred or ordered by the court into a parenting skills/education program when their child committed a juvenile offense, and 83 percent of the respondents stated that at least sometimes parents were referred to such programs when their child was before the court for a status offense. Despite the relatively high percentage of parents who are referred or ordered into such programs, only 28 percent of the respondents stated that parents usually or always complete their parenting skills/education program (see Table 5b). Almost two-thirds (63%) of our respondents stated that these programs collect information on how helpful the parenting skills/education program was to the parents (see Table 5c). However, despite the frequency in which parents were referred to some form of parenting skills education program, many of our respondents failed to include, as we had requested, detailed information or contact information for programs that offered parenting skills education programs which solely provided their services to parents of juvenile delinquents.

Parents of juvenile status offenders (e.g., chronic truants) are often found to have poor parenting skills (e.g., a lack of parental control). When parents do not have control of their behaviorally troubled child, their child’s behavior may lead to more serious offenses. We anticipated, therefore, that there would be a higher response of available parenting skills education programs for parents of status offenders because these classes would assist parents in dealing with their child(ren) before they become juvenile offenders. However, we did not find more programs directed towards parents of status offenders.
### TABLE 5
Parenting Skills Education Program

#### Table 5a
How often are parents referred to a parenting skills education program when a child is before the court for a:

<table>
<thead>
<tr>
<th></th>
<th>Never (N=111)</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juvenile Offense</td>
<td>12%</td>
<td>47%</td>
<td>30%</td>
<td>10%</td>
<td>1%</td>
</tr>
<tr>
<td>Status Offense</td>
<td>17%</td>
<td>34%</td>
<td>33%</td>
<td>12%</td>
<td>4%</td>
</tr>
</tbody>
</table>

#### Table 5b
How frequently do parents complete the program? (N=100)

<table>
<thead>
<tr>
<th></th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5%</td>
<td>27%</td>
<td>40%</td>
<td>27%</td>
<td>1%</td>
</tr>
</tbody>
</table>

#### Table 5c
Does the program collect information on how helpful it was to parents? (N=70)

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>63%</td>
<td>37%</td>
</tr>
</tbody>
</table>

Are Interpreters Available to Aid Non-English Speaking Parents of Juvenile Offenders?

Parental communication with court officials and the probation department is imperative during the juvenile justice process. It is essential that there be no barriers in communication or understanding for juveniles, or their parents, due to the lack of interpreters or the unavailability of bilingual or multilingual court personnel or contractors.

Almost all of our respondent judges (98%) stated that their court provided an interpreter for non-English speaking parents to help them understand juvenile delinquency proceedings. One judge stated that they had trouble-finding interpreters for some languages (e.g., Vietnamese).

Over two-thirds (68%) of the probation officers responded to our survey that their probation department included staff who could converse with non-English speaking parents in their primary language. Interpreters were usually used for non-English speaking parents unless staff was not aware of the language barrier in advance of the meeting. In most cases, where the probation department did not have bilingual or multilingual staff who could converse with non-English speaking clients, the office had access to a translator, or one was available on contract. Some probation officers noted that they had positions that are only filled by bilingual employees. One probation officer noted that they had a sign language interpreter available through a contract. The most common reasons given as to why a probation department might not have bilingual or multilingual staff available was a limitation on resources available to hire a staff person, especially to aid all non-English speaking parents. Some probation officers noted the lack of bilingual staff hiring requirements because the majority of the community they serve is English speaking and that their court is in a “non-diverse” area.

Do Judges and Probation Officers Want to See More Parental Involvement in Delinquency Proceedings and the Juvenile Probation Process?

We believe that a parent’s level of involvement in their child’s delinquency proceedings and probation process is a significant factor in their child’s success or failure in this “system.” We contend that a juvenile is less likely to re-offend where there has been positive parental involvement. We asked juvenile judges and probation officers if mothers and fathers need to be more involved in their child’s juvenile delinquency proceedings and probation process. About two-thirds (62%) of the judge’s responded that fathers should usually or always be more involved with their youth’s juvenile delinquency proceedings (see Table 6a).

Reflecting the fact that far more mothers than fathers are already involved as active participants in the juvenile court process, only a bit over half (55%) of the judge’s responded that mothers usually or always should be more involved (see Table 6a). Over half (55%) of our respondent probation officers stated that there usually or always needs to be more father involvement with the probation department (see Table 6b). Over one half (57%) stated that there usually or always needs to be more mothers’ involvement with the probation department (see Table 6b).
TABLE 6
Support More Parental Involvement with
the Juvenile Delinquency Proceedings and the Probation Process

Table 6a
Judges’ support of more parental involvement in juvenile delinquency proceedings (N=42)

<table>
<thead>
<tr>
<th></th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
<th>Depends</th>
</tr>
</thead>
<tbody>
<tr>
<td>More Father Involvement</td>
<td>-</td>
<td>12%</td>
<td>14%</td>
<td>31%</td>
<td>31%</td>
<td>12%</td>
</tr>
<tr>
<td>More Mother Involvement</td>
<td>-</td>
<td>26%</td>
<td>12%</td>
<td>29%</td>
<td>26%</td>
<td>7%</td>
</tr>
</tbody>
</table>

Table 6b
Probation officers’ support of more parental involvement with juvenile probation department

<table>
<thead>
<tr>
<th></th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
<th>Depends</th>
</tr>
</thead>
<tbody>
<tr>
<td>More Father Involvement</td>
<td>1%</td>
<td>14%</td>
<td>18%</td>
<td>30%</td>
<td>25%</td>
<td>12%</td>
</tr>
<tr>
<td>More Mother Involvement</td>
<td>-</td>
<td>23%</td>
<td>10%</td>
<td>24%</td>
<td>33%</td>
<td>10%</td>
</tr>
</tbody>
</table>
Most of the responses we received from probation officers and judges regarding reasons why more parental involvement is needed in juvenile court proceedings and/or probation department work with juvenile offenders fell into the following categories, derived from the responses to our open ended questions.

**More joint parenting efforts can aid kids in trouble.** Parents presenting a united front as positive role models can be a powerful force in keeping a child free from delinquency. It is essential to have the involvement of both parents to reinforce and support court directives at home. Parents often have different opinions about their child’s behavior, discipline issues, etc. and therefore joint meetings with both parents can help arrive at compromise case resolutions (e.g., agreements on alternative home placements) as well as work out important family issues affecting the child (e.g., divorce).

**Relationship dynamics can be part of the delinquency problem.** Often the relationship between the child and the custodial parent(s), child and non-custodial parent, and/or between the parents themselves is one of the root contributing factors to delinquency which need to be addressed and resolved for the child’s court involvement to lead to successful outcomes. Lack of parental love, and parental abandonment, are two issues that surround juvenile delinquency. More parental involvement in the court process can help lead to improvements in the parent-child relationship, as well as begin to address critical issues surrounding parental affection and separation.

**The custodial parent, usually the mother, has a significant role to play both in the child’s development and as a general resource to their child.** Most juvenile offenders are from single parent families, usually female-headed households. The custodial parent, usually a mother, often has critical information about their child’s behavior at home that is needed for the court to conduct a thorough assessment, provide effective supervision and appropriate probation terms, and reach outcomes that truly aid the child.

**Mothers have a key impact on their court-involved children, even when not the custodial parent.** A child spends time with their mother even though she may not reside in her child’s home. Maternal participation with the juvenile court has a major impact on the outcome of the case, and if there is no support from the mother then the chances for the child’s success go way down.

**The non-custodial parent, usually the father, also has a significant role to play both in the child’s development and as a general resource to their child.** It is common for non-custodial parents, usually fathers, to be far less involved in the life of their child than custodial parents, usually mothers, especially in the juvenile court’s proceedings. However, some juveniles have contact, often regularly, with a non-custodial parent who lives outside their home. As a non-custodial parent, although divorced/separated from (or never married to) the custodial parent, a non-custodial parent still may have parental rights, and their responsibility is to ensure the child develops appropriately. The non-custodial parent, usually the father, needs to be working in partnership with the juvenile court and participating in the child’s life to help prevent their child from re-offending. The non-custodial parent’s involvement can often become a valuable resource: for
expressing opinions that provide insight into the child’s life; providing input and information that aid in family/child assessment planning; securing an alternative to the child’s current home placement; assisting with concurrent planning; determining the child’s amenability to treatment; helping their court-involved child deal with the restrictions in their probation plan; and, not insignificantly, offering critical financial support to their child.

We also received responses from probation officers and judges as to why they thought more parental involvement, by the mother or father, was not necessarily needed in juvenile court proceedings and/or probation department actions. In response to our open ended questions we were informed of the following.

**Some parental involvement can cause harm to juveniles.** Increasing parental involvement based upon a child’s juvenile court involvement, whether from mother or father, depends upon the nature of the parent-child relationship and parent-child contact. Parents are often distracted by, or preoccupied with, their own issues (e.g., mental illness, drug or alcohol problems, criminal involvement) that can cause harm to the child, and the parent may actually be a negative role model (e.g., perpetrator of domestic violence or child abuse). Also, some children may not respond at all to direction and support from a second parent, who is usually the non-custodial parent. Therefore, more involvement of that parent could cause harm to the success of the child. A non-custodial parent’s presence, or more involvement, might also cause more harm if they have not previously been constructively involved in their child’s life.

**As long as one parent is involved, that may be enough.** In an ideal situation, the involvement of both custodial and non-custodial parents is optimal. However, as long as one parent is actively involved, some judges and probation officers viewed the second parent’s involvement as not necessary. Often a non-custodial parent was, for example, welcome to attend court or a probation meeting, but they were not required to do so as long as a custodial parent(s) was present. When conducting initial interviews related to a juvenile delinquency case, what is most critical is to have the custodial parent present.

**Court orders may be needed to prevent greater parental involvement.** Court orders may be used to prevent more parental involvement; for instance, where a custodial or non-custodial parent has been abusive, neglectful, and/or incarcerated, the courts and probation officers may actually limit contact with the child, or an action may be commenced to terminate parental rights.

**What Actions Do Juvenile Courts Take to Encourage Active Parental Participation in Delinquency Proceedings and the Probation Process?**

In response to mail survey questions, judges described ways their courts encouraged parental participation in juvenile delinquency proceedings: in most courts, referrals were made to social service agencies that could work with parents (91%); also in many courts, parents were asked to testify (or more informally give in-court information) about their relationship
with the juvenile (84%); courts also often required parents to sign their child’s probation contract or informed them that they were subject to sanction for their child’s post-court delinquent behavior (71%); less frequently, courts had special programs to aid parents turning to the court for help with a behaviorally troubled child (52%); and (far less of the time) there were some courts that had programs in which adults from the community were recruited by the court to help parents of court-involved juveniles (23%) (see Table 7a).

Probation officer respondents to our mail survey stated, as ways their probation department encouraged parental participation in the probation process, that: referrals were made to social service agencies to work with court-involved families (84%); parents could be required to sign probation contracts or were informed that they were subject to sanction for their child’s juvenile probation violations (68%); the probation department had access to a special program to aid parents who had turned to the court for help with a behaviorally troubled child (55%); and, much less frequently, there was a program that probation could use where adults from the community had been recruited by the court to help parents of court-involved juveniles (23%) (see Table 7b).

Even though a fair number of judges and probation officers alike responded that they had access to special parental help programs or to programs where adults were recruited from the community to help parents of court-involved juveniles, few respondents noted any details of such efforts, supplied us with relevant materials, or gave us contact information for these programs.

What Special Efforts Do Juvenile Court Judges and Probation Officers Take to Promote Both Custodial and Non-Custodial Parent Participation in Juvenile Delinquency Proceedings?

Our respondents confirmed our view that special court-related efforts to promote parental participation can be critical to a successful outcome for juvenile offenders. Over three-fourths (79%) of the judges we surveyed stated that their court takes special efforts to promote custodial parent participation, and over two-thirds (66%) told us that they promoted non-custodial parent participation (see Table 8a). Over four-fifths (82%) of our probation officer respondents informed us that their probation departments took special efforts to promote custodial parent participation, and over one-half (56%) said they promote non-custodial parent participation (see Table 8b). Despite the relatively high response to our question about special efforts used to promote parental participation, the efforts specifically noted did not, to us, seem unusually innovative or unique.

Many probation officers and judges noted similar efforts used to promote custodial as well as non-custodial parent participation in delinquency proceedings. Here are some specific things they told us about, based on their responses to our open ended questions.

**Orders.** Orders to appear, subpoenas, and summonses explaining the importance of custodial and non-custodial obligations and attendance requirements at hearings were used to promote participation. Even though custodial parents are sometimes reluctant to
### TABLE 7
Encourage Active Participation in Delinquency Proceedings and Probation Process

**Table 7a**

How does your court encourage active participation by parents? (N=44)

<table>
<thead>
<tr>
<th>Method</th>
<th>Yes (%)</th>
<th>No (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social services agencies work with parents</td>
<td>91%</td>
<td>9%</td>
</tr>
<tr>
<td>Ask parent to testify</td>
<td>84%</td>
<td>16%</td>
</tr>
<tr>
<td>Sign probation contracts</td>
<td>71%</td>
<td>29%</td>
</tr>
<tr>
<td>Special program to aid parents</td>
<td>52%</td>
<td>48%</td>
</tr>
<tr>
<td>Adults recruited in community</td>
<td>23%</td>
<td>77%</td>
</tr>
</tbody>
</table>

**Table 7b**

How does your probation department encourage active participation of parents in the probation process?

<table>
<thead>
<tr>
<th>Method</th>
<th>Yes (%)</th>
<th>No (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Referrals made to social services agencies</td>
<td>84%</td>
<td>16%</td>
</tr>
<tr>
<td>(N=73)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign probation contracts</td>
<td>68%</td>
<td>32%</td>
</tr>
<tr>
<td>(N=72)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special program to aid parents</td>
<td>55%</td>
<td>45%</td>
</tr>
<tr>
<td>(N=73)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adults recruited in community</td>
<td>23%</td>
<td>77%</td>
</tr>
<tr>
<td>(N=73)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**TABLE 8**  
Special Efforts to Promote Custodial and Non-Custodial Participation in Delinquency Proceedings

Table 8a  
Does your court take special efforts to promote …

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Custodial Parents’ Participation (N=42)</td>
<td>79%</td>
<td>21%</td>
</tr>
<tr>
<td>Non-custodial Parents’ Participation (N=41)</td>
<td>66%</td>
<td>34%</td>
</tr>
</tbody>
</table>

Table 8b  
Does your probation department take special efforts to promote …?

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Custodial Parents’ Participation (N=72)</td>
<td>82%</td>
<td>18%</td>
</tr>
<tr>
<td>Non-custodial Parents’ Participation (N=71)</td>
<td>56%</td>
<td>44%</td>
</tr>
</tbody>
</table>
give juvenile courts contact information, many courts appear to be persistent in identifying and retrieving contact information on non-custodial parents and informing them about the child’s juvenile court proceedings, court orders affecting them, and their other obligations. Occasionally, court-related reading material is distributed to parents along with these orders. In addition to the orders, many court officials, prosecuting attorneys, probation officers, and social service agents appear to encourage custodial and non-custodial parents alike to attend their child’s court hearings.

**Flexibility in scheduling hearings and meetings.** Probation officers and court officials used many methods, including making home visits, sending letters, and/or placing phone calls, to both notify and explain the court process to custodial and non-custodial parents. Many cited flexibility in scheduling hearings and meetings to accommodate parental schedules by making parent appointments during non-traditional hours, based upon the work and transportation schedules of the custodial and non-custodial parents. Advocates, interpreters, transportation, and childcare were occasionally made available to parents to help secure their presence.

**Asking for parental input during court hearings.** Juvenile court judges and probation officers often asked both custodial and non-custodial parents, when present, for information on how their child acted at home and school, as well as if they agreed with their child’s plea decision, court order, and probation plan. We were told that they listened and asked the same questions to any custodial parent, non-custodial parent, or other family member who attended court hearings or meetings and who wanted to express opinions.

**State laws, policies and/or procedures may require parental attendance at juvenile proceedings as well as participation in juvenile probation contracts.** Parental participation by custodial and non-custodial parents is often court ordered when viewed by a judge as being in the best interest of the juvenile. Parental attendance was often statutorily required at the juvenile court’s initial intake conference. Parents were often expected to fully participate in the assessment, development, planning, and implementation of their child’s probation contract.

**Use of parental sanctions.** Courts did order, although rarely, sanctions (e.g., fines or incarceration) of parents for contempt of court (e.g., for failing to appear in court when ordered), and we were informed that this was done to encourage both custodial, and occasionally non-custodial, parent participation.

**Parental services to address intra-family issues.** Court officials and probation officers informed us that they assisted in helping resolve disagreements between custodial and non-custodial parents related to the child. Programs were also offered, or occasionally ordered, to promote more parental participation and skills-building, including free parenting classes, seminars, individual or family counseling, home-based counseling, fatherhood training programs, and other efforts to aid custodial and non-custodial parents.
**Non-custodial parent cooperation with probation plans.** Despite the high percentage of our respondents who observed negative relationships between custodial and non-custodial parents, court officials and probation officers often made sure that a non-custodial parent cooperated with both the court’s probation plan as well as with the custodial parent. Such efforts appear to help custodial parents know that the court and probation office are not placing total responsibility on them, but rather that the court is dividing the load of responsibility among the family members (including the delinquent child). If a non-custodial parent has in some way been involved in the life of the juvenile, s/he may be even more needed to take some responsibility for guidance, supervision, and overseeing their child’s compliance with probation conditions, especially (but not exclusively) during periods when the juvenile is in their care.

**What, If Any, Legal Sanctions are Used Against Parents?**

For much of the public, the issue of parental involvement in juvenile court is confused with the much narrower topic of holding parents civilly or criminally responsible for their child’s delinquent acts. We believe such sanctions are rarely used, and this study provided a first opportunity to get a national picture of the use of parental sanctions. Judges and probation officers were specifically asked how often their court imposed sanctions on parents for a juvenile’s delinquent acts or for failure to abide by the terms imposed by the court or the juvenile probation office.

Based on the survey questions, we learned that, *at least sometimes*, the following sanctions are imposed on parents: restitution by the parent to the victim of their child’s crime (58%); parental payment of court, detention, or other government costs (44%); parental incarceration (32%); parental payment of monetary fines (31% of respondents); and, parental community service (25%) (see Table 9a). If monetary fines were ordered, the range appeared to be between $25 and $1000. The typical length of parental incarceration, when ordered, was between one day and six months (and this was usually for contempt of court, but the actual incarceration was generally suspended). Other parental sanctions mentioned included having parents provide urine samples for drug testing, removing the child from the parent’s home and placing that child in the foster care system, mandating treatment for the parent, and referring the child to child protective services due to parental neglect or abuse.

Judges and probation officers expressed vastly differing opinions on the use of legal sanctions against parents in juvenile delinquency proceedings. When judges and probation officers were asked if they believed sanctions should be imposed on a parent for the delinquent acts of their child, almost half (46%) of the respondents stated that *it depended* upon the circumstances (see Table 9b). The majority of judges and probation officers stated that imposing sanctions on parents would be based upon the individual parent, the family, and the unique circumstances of the case. In particular, the imposition of sanctions *depended* on the age of the child, the delinquent act, the circumstances of the offense, any parental involvement in or complicity with the offense, and the parents’ prior actions in monitoring or supervising the child’s behavior. Even when respondents answered that the use of parental sanctions *depends* upon the case’s unique facts, their open ended responses
### Table 9
Legal Sanctions

Table 9a
Sanctions on parents for failure to abide by the court or juvenile probation officer

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Never</th>
<th>Sometimes</th>
<th>Often</th>
<th>Usually</th>
<th>Always</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restitution to victim (N=115)</td>
<td>42%</td>
<td>23%</td>
<td>16%</td>
<td>14%</td>
<td>5%</td>
</tr>
<tr>
<td>Court, detention, or other</td>
<td>56%</td>
<td>31%</td>
<td>2%</td>
<td>11%</td>
<td>-</td>
</tr>
<tr>
<td>government costs (N=114)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incarceration (N=113)</td>
<td>68%</td>
<td>28%</td>
<td>4%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Monetary fines (N=111)</td>
<td>69%</td>
<td>29%</td>
<td>-</td>
<td>2%</td>
<td>-</td>
</tr>
<tr>
<td>Community service (N=114)</td>
<td>75%</td>
<td>13%</td>
<td>4%</td>
<td>7%</td>
<td>1%</td>
</tr>
</tbody>
</table>

Table 9b
Should sanctions be imposed on parents for the delinquent act of their child? (N=117)

<table>
<thead>
<tr>
<th>Opinion</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Agree</th>
<th>Strongly Agree</th>
<th>Depends</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10%</td>
<td>20%</td>
<td>17%</td>
<td>7%</td>
<td>46%</td>
</tr>
</tbody>
</table>

Table 9c
Do you support legal sanctions against parents who fail to attend juvenile delinquency hearings? (N = 43)

<table>
<thead>
<tr>
<th>Support</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>70%</td>
</tr>
<tr>
<td>No</td>
<td>25%</td>
</tr>
<tr>
<td>Yes and No</td>
<td>5%</td>
</tr>
</tbody>
</table>

Table 9d
Do you support legal sanctions against parents who fail to cooperate with their child’s probation plan? (N=70)

<table>
<thead>
<tr>
<th>Support</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>89%</td>
</tr>
<tr>
<td>No</td>
<td>11%</td>
</tr>
</tbody>
</table>
followed many rationales, including: positive and negative effects of imposing legal
sanctions on parents for their child’s delinquent acts; failure to attend juvenile delinquency
hearings; and/or failing to abide by the court’s juvenile probation plan.

Almost three-fourths (70%) of our respondent judges stated that they would support the use
of legal sanctions (e.g., fines) against a parent who fails to attend their child’s juvenile
delinquency proceedings (see Table 9c). One-quarter (24%) of the judges and probation
officers stated that they agreed or strongly agreed that, in general, sanctions should be
imposed on parents for the delinquent act of their child (see Table 9b). At the other extreme,
almost nine-tenths (89%) of probation officers stated that they supported the use of legal
sanctions against a parent who failed to cooperate with their child’s probation plan (see
Table 9d).

Although most of our mail survey respondents stated that parental sanctioning depended on
the circumstances of the case, judges and probation officers’ rationales for not supporting
the use of sanctions and/or their beliefs that there are often negative effects of sanctioning
fell into the following categories, derived from the responses to the open-ended questions.

**Judges are reluctant to use parental sanctions if their state does not have specific laws
stating the parent can be held legally responsible for the delinquent acts of the child.**
Many of our respondents informed us that they lacked clear statutory authority to
sanction parents for their failures to abide by a court-imposed juvenile probation plan.
Sanctions against parents, some respondents said, should only be applied if the law
provides for this.

**Parental risk of civil liability for the acts of their child is enough of a sanction.**
Parents, some respondents reminded us, can be held civilly liable, when appropriate, for
their child’s actions in causing property damage and personal injury. Civil liability is a
sanction of its own that can serve to reinforce parental responsibility for their child’s
actions.

**Parental sanctions impose further hardships on the family.** The use of fines, payment
of detention/treatment/court costs, and jail time, we were told, can have a negative
monetary impact on, and thus cause severe hardships on, a delinquent child’s family.
Most juvenile offenders are from single parent families, usually where mothers are
struggling to make ends meet, working multiple jobs to care for their child(ren). For
most families, the lack of parental supervision of their children is not a lifestyle choice,
but a forced reality based upon economic realities.

**Courts need to support, not punish, parents through creative strategies.** Parents of
delinquent youth are often overwhelmed by their own personal issues and lack of
resources (e.g., unemployment, marital stress and divorce, poor environments in which
to raise children, and general financial woes). Many delinquent children simply make
poor choices, despite parents doing their best. Courts, we were told, need to engage
parents by offering resources and support, not penalizing them through sanctions for
their shortcomings. Punishing parents who don’t know how to help themselves, and who
aren’t aware of how to help their children, makes no sense. It is, these respondents suggested, more effective to develop creative strategies to engage parents and assist them in taking on more responsibility.

**The delinquent child him/herself should be solely accountable.** Criminal law requires that only those who have the required mental state, and commit a criminal act, should be held criminally liable. Sanctioning parents for the delinquent acts of children would, it was suggested, absolve children of responsibility and accountability for their behavior. Sanctioning parents can give a child an excuse to blame someone else, thus getting the wrong message from the court system.

**Parents may be further alienated from the justice system.** Sanctioning uninvolved or irresponsible parenting is, some observed, counter-productive, as it could cause parents and/or children to have more animosity, resentment, anger, frustration, isolation and alienation toward the court and/or the probation department, instead of seeing these bodies as institutions that can assist with addressing delinquent behavior. Fines and contempt sanctions against parents may lead to greater negative involvement by the “system” (i.e., removal of children from the home). If sanctions are imposed on parents, parent-probation officer relationships can lose critical elements of trust and confidentiality.

**Parental sanctioning creates further troubles in the family, placing children at even greater risk.** Sanctions imposed on a parent for a child’s delinquent acts can often interfere with a parent’s ability to raise their child(ren). Sanctions can, some observed, cause more tension, hostility, and blame in the household between parents, siblings, and other relatives. Also, some believe that children may see parental sanctions as their own punishment of their parents. Distortion of “responsibility” could endanger children and undermine family relationships. Sometimes parents may totally disengage from their children, or retaliate, because of sanctions imposed against them, and some parents may become very abusive toward a child they saw as causing them “trouble”.

**It is simply discriminatory.** Juvenile court sanctions against parents, some told us, disproportionately discriminate against minorities and the poor.

**Unfairness to parent.** Parents might not be responsible, in any fashion, for the delinquent acts of their child, so sanctions would not in such cases be fair. We were reminded that parents usually don’t have the ability to prevent delinquent acts.

**Even if ordered, parental sanctions would likely not be carried out.** Ordering parental sanctions, some believe, are a waste of court time because parents often won’t have the financial resources to pay the sum ordered, and jails are unlikely to want to keep parents incarcerated simply because of their non-cooperation with the court.

**Incarcerating a parent imposes an unacceptable cost to taxpayers.** Incarceration of a single parent with many children would, because of its residual effects on that family,
put the entire family at greater risk and potentially increase dramatically the costs to taxpayers.

Despite the large percentage of respondents stating that imposing sanctions depended on unique circumstances of every case, respondent rationales that supported the use of sanctions, and/or their opinion that there were positive effects of sanctioning, fell into the following categories, derived from their responses to our open-ended questions.

*Lack of active parental participation in the juvenile’s proceedings.* Sanctions, we were told, can influence active parental participation in juvenile proceedings. Once there is active parental participation, this encourages parental input and commitment. Parental non-attendance also reduces juvenile placement-related options available to the court and contributes to detention overcrowding and increased costs to taxpayers.

*Parental non-cooperation with court orders and/or probation plans.* Some respondents expressed the opinion that sanctions should not be imposed on parents for their child’s acts of delinquency, but rather for non-compliance/non-cooperation with court orders or probation plans. Sanctions against parents, these respondents told us, may be appropriate when the court knows that the parent(s) have not offered assistance or have improperly supervised their child in meeting probation conditions, have disrespected the court’s authority and process, and/or have not following through with court ordered parental treatment and/or parenting classes. Sanctions may then, some believe, be effective in reminding or coercing parents to be involved in getting their child to comply with the court’s dispositional orders and probation requirements.

*Enhancing joint efforts of parents and the juvenile court on behalf of children.* Court sanctions can, some of our respondents believe, contribute to furthering a joint and concerted effort between judges, probation officers, and parents to make an impact on delinquent children. For example, we were told that probation officers often could not successfully assist a child in carrying out conditions of probation without parental help (e.g., transportation to community service programs and parental attendance with their child at programs that require some degree of parental involvement).

*Punishing “bad” parents and strengthening good parenting.* If a parent encourages, contributes to, supervises, ignores, enables, or is an accomplice to the delinquent acts of their child, then, some of our respondents believe, there should be parental accountability through legal sanctioning. The imposition, and effects, of parental sanctions would depend upon the beliefs, attitudes, and steps that parents have taken to control their child’s behavior, as well as on their willingness to change their parenting style.

Parents are responsible for nurturing, teaching values, and giving their children a basic sense of right and wrong. Some parents seem to blame everyone else (e.g., their child’s friends, the court system, the schools, or the non-custodial parent) for their child’s delinquent behavior. Sanctions, some believe, can help parents realize that they are part of the problem and that they must become more positively involved in their child’s life.
If parents do not set a good example for their children, for instance by continuing to abuse drugs or alcohol, sanctions may be necessary. Sanctions can force parental awareness, leading to more parental supervision, involvement, accountability, and responsibility, and thus taking a more proactive approach to their child’s conduct by being a more positive role model. However, some respondents noted that if parents had exhausted all efforts to control their child or had positive attitudes about their role in improving their child’s behavior, those sanctions were not necessary.

Aiding family rehabilitation. Some of our respondents offered their view that the sparing use of sanctions can improve consistency in attendance at, or force parental participation in, therapy necessary for ensuring rehabilitation of the child and family. For courts to work effectively with juveniles, they need tools to assure that they can work effectively with troubled families.

Compelling school attendance. Some respondents expressed their opinion that the use of sanctions in ordering parents to drive their child to school had increased children’s school attendance.

Preventative actions for younger siblings of the juvenile delinquent. Sanctions against parents in a juvenile delinquency case may help their younger children who are not yet court-involved by getting the parent more involved with their children and, through family treatment, beginning to serve as a better role model for their younger children.

Victims of crime need to be compensated. Another view favoring parental sanctions seems to be based on the fact that parents are obligated to compensate victim(s) if the offending juvenile does not have the financial capacity to do so.

Sending a message to the community. Finally, another view expressed was that parental sanctions send a message to the community that the courts will hold parents and children, alike, accountable for juvenile crime and disobedience of school attendance laws.
CHAPTER 5
LEARNING MORE ABOUT PARENTAL INVOLVEMENT PROGRAMS
AT THE LOCAL JUVENILE COURT LEVEL

Following our mail survey, we conducted two phases of further research in order to learn
more about parental involvement in juvenile courts. The first phase consisted of telephone
interviews conducted with a selected sample of eighteen local sites. We conducted one or
more interviews per site, with judges, probation officers, and/or parenting skills education
program directors. The purpose of the telephone surveys was to gain more information about
jurisdictions that were thought to have juvenile probation departments, other special court-
based approaches, and/or special counseling or parental education programs focusing on
aiding parents of troubled teenagers to improve parenting skills and parent-child
relationships.

Interviewees provided some interesting information on special counseling or parental
education programs that focused on aiding parents of juvenile offenders or status offenders
to improve parenting skills and their relationships with their children. The programs that
were described to us in the telephone surveys are offered in many jurisdictions across the
United States. They include: Anger and Conflict Resolution Classes, Group Parenting
Sessions, Parenting Skills Classes, Multisystemic Therapy, Evaluations and Referrals,
Family Counseling, Individual Parenting Counseling, Legal Awareness Workshops, and
Video Education Programs. These programs can, our respondents told us, be extremely
useful in enhancing positive parental involvement in juveniles’ lives and encouraging
parental participation in the juvenile court process. During this phase of our research, we
identified twelve particularly innovative or unique programs. Contact information for the
programs are in Appendix I.

The second phase of our local research consisted of numerous discussions and e-mail
communications conducted with juvenile drug court coordinators/administrators, other
juvenile drug court staff and judges in juvenile drug courts across the country. This phase
focused on juvenile drug courts due to our belief that judges hearing cases in a specialized
court may be doing more to involve parents in the court proceedings than in traditional
juvenile court. Those contacted were asked to provide an assessment of the juvenile drug
court program in their jurisdiction, and specifically to comment on the level and type of
parental involvement in their program. Research on this issue was also conducted by
searching for juvenile drug court references on the Internet. The National Criminal Justice
Reference Service and the Criminal Justice Abstracts databases were searched for legal and
academic publications concerning parental responsibility and juvenile substance abuse.
Much of the information obtained was provided by the Office of Juvenile Justice and
Delinquency Prevention and the National Juvenile Justice Clearinghouse.

Refer back to Chapter 3: Research Design for a more in-depth description of the research
methods for this chapter.
SPECIAL JUVENILE COURT-RELATED PARENT EDUCATION PROGRAMS

The Parent Project, Inc. Program

Parent Project is a comprehensive, award winning national model for youth-focused, community-based programs. Parent Project is the largest court-mandated juvenile diversion program in the country. The main part of the Parent Project is a parenting skills training program, Changing Destructive Adolescent Behavior, designed specifically for parents with difficult or out of control adolescent children. Parent Project is being used to spur community policing programs by bringing parents into the problem-solving process and improving police/community relations. Depending upon the specific needs of the family and/or community, Parent Project provides activity based instruction and support groups.

Parent Project originated in Pomona, California, over a thirteen year development period, working with thousands of high-risk families to design a solid program curriculum. Over 100,000 families have attended Parent Project classes nationwide. The program’s structure varies according to the needs of the community in which it operates. The program curriculum is not geared to the offense of the child (i.e., parents of truant children will be in the same class as parents of children charged with armed robbery). Classes are available in Spanish, using a Spanish curriculum.

Law enforcement, probation departments, courts, schools, mental health, community based organizations, volunteer parents, and other public and private agencies support Parent Project in 30 states. Parent Project, Inc. must certify each Parent Project facilitator through forty hours of training. There are over 2,300 trained facilitators that have successfully completed the training.

Parent Project develops a collaborative implementation plan designed to meet the specific needs of high-risk families in their community. The majority of parents love and care about their children. Unfortunately, for many high-risk families, repeated frustrations and failures of daily stresses of life often lead to feelings of parental helplessness. Parents often give up because they feel unsuccessful. Parent Project not only delivers new skills and insights, it renews hope and parents see results in the home.

Parent Project focuses on three tools that parents need to change destructive adolescent behavior in their homes: desire, specific information and skills, and emotional and practical support. The program emphasizes the importance of love and affection, structure, active supervision, discipline, and communication.

Parent Project offers parents concrete, no-nonsense solutions to even their most difficult questions. The program’s curriculum is set surrounding questions such as: “What do I do when my child refuses to go to school? What do I do when my child physically harms me? What do I do about my child’s gang involvement? and How do I get my child out of prostitution or drug use?” Parent Project uses straight-forward, step by step action plans presented in the curriculum, allowing parents to take immediate steps toward intervention.
Parents usually meet one night per week, two to three hours per night, for 10 to 16 weeks. Each parent pays $20 to $55 (varies from agency to agency) for the entire program, covering the cost of the curriculum manual. An activity based 180-page curriculum manual, “A Parent’s Guide to Destructive Adolescent Behavior,” is available only to program participants. The curriculum is usually divided into two parts. The first part of the curriculum, Laying the Foundation for Change, is composed of six activity-based instructional units. Each unit is typically delivered at a weekly three-hour session and is content and skills based. During this part of the curriculum, parents learn identification, prevention and intervention techniques for problems with their child (e.g., poor school attendance and performance, teen alcohol and drug use, poor peer association, violence, runaways, sexual activity, and teen suicides).

Part two of the curriculum, Changing Behavior and Rebuilding Family Relationships, is composed of 10 topic-focused parent support group sessions. Each support group session is a two-hour session focusing mainly as a support group with an activity based parenting skills component. Each support group session is planned to provide parents practical and emotional support while they are changing the home environment. Parent support groups are formed using the UCLA self-help support group model. Parent Project also offers a vehicle for the establishment of ongoing self-help parent support groups throughout the community. Parents interacting with other parents in the program is described by many participants as one of the most helpful aspects of the program.

The children do not attend sessions with the parents. However, some of the Parent Project facilitators have classes for adolescents (A Teen’s Guide to Choosing Success, … Choosing Life), covering similar information to the parents’ content-based classes (e.g., communication skills) and a program for younger children (Loving Solutions for Tough Kids).

Approximately fifty percent of Parent Project attendees are parents of children in the juvenile justice system and are court-ordered or referred to attend the classes. Parents who independently seek out the Parent Project, or are referred to it by other individuals or agencies, make up approximately the other fifty percent of the classes. While judges are supportive of the Parent Project, they usually have little contact with the program.

There is usually a potluck meal ceremony at the end of the program. Certificates are distributed at the ceremony. If classes are court-ordered, a parent or child will present the probation officer with their certificate to prove parental completion of the program. Depending on the court, a parent who does not complete the program may be given a sanction, usually a fine or even jail time, by the court.

The project is seen as an effective program in improving parenting skills and helping parents become more involved in their child’s life. The program’s success has been measured by objective data and a standardized tool, Parental Locus of Control, which is based on parental viewpoints and how parents feel about the program. As an example of the program’s effectiveness, an evaluation was conducted of Parent Project in Boise, Idaho. A three-year
The study was conducted in Idaho’s 5th Judicial District which revealed a 33 percent reduction in juvenile crime, while significantly increasing both school attendance and performance.

Most of the participants offer positive anecdotal feedback that the classes are helpful and that they see improved home life, especially in improved family functioning, and there seems to be increased parental involvement in children’s subsequent delinquency proceedings.

**The Parents in Charge Program**

The Parents in Charge Program is offered by a private community-based family services center, Daybreak Dynamics, in Tulsa, Oklahoma. The Parents in Charge Program has existed for approximately eighteen years. It provides intervention for those families where parents feel they are losing parental authority. The families that attend Parents in Charge are referred to it by the court, or families hear about the program by word of mouth. Participants pay what they can afford to attend the program (e.g., $20).

The program’s structure begins with an individual family session. The family develops a contract to stop “fly-by-the-seat parenting” with the assistance of a therapist. The contract delineates parent and child responsibilities, sets rewards for following through with responsibilities, sets expectations for each family member, and helps avoid poor decision making and inconsistent rules.

After the individual family session, families attend a two-hour session once a week for ten weeks with a multifamily group-based training for parents(s) and their children. The program provides interactive learning opportunities covering conflict resolution, anger management, communications skills, family contracting limit setting, and feeling awareness. The Parents in Charge Program is designed around “4 C’s”: calmness (e.g., parent needs to be calm), courteous (e.g., no name calling), consistent (e.g., follow through with rewards and punishments), and contract (e.g., a written contract is drawn up and each family member must adhere to the agreed upon terms).

**The Families Forward Program**

The Families Forward Program, in Houston, Texas, is designed to teach parenting skills. It is a delinquency prevention program to help families of early juvenile offenders before problems become too difficult to deal with through the juvenile justice system. The program was created to address families of juveniles who are new to the system (e.g., first time offenders and high-risk children). Conducted as part of Juvenile Probation’s community outreach initiative, Families Forward is co-facilitated by representatives of the Escape Family Resource Center, the Mental Health/Mental Retardation (MH/MR) of Harris County, the Wings Project of Educational Specialists, and Harris County Juvenile Probation.

The program is offered each Saturday (except holidays) from 9am to 1pm. The second Saturday of each month is conducted entirely in Spanish. The program facility can accommodate up to 50 people each week, but usually an average of 25 people attend. Access
to this parent-only program may be by court order or upon referral from a probation officer, a defense attorney, or any other related agency representative. Although the course curriculum is set, the course contents can vary weekly, depending upon parental questions and group concerns. Designated topics are mechanics of probation, domestic crises, and school problems. Parents’ legal questions are addressed in the Families Forward 2-hour counterpart presentation, entitled the Legal Awareness Workshop (L.A.W. Program) – held the 2nd Thursday evening each month.

Doughnuts, bagels, juice, and coffee are served at a social hour prior to the 4-hour program. The intent of this social hour is to set the tone for communication, sharing situations with others, and opening parents up to getting and giving advice.

To incorporate a more diagnostic approach for continued education and counseling, the program recently included the MH/MR component, which allows parents to sign up for diagnostic assessment of their children and long-term counseling/intervention sessions which are intended to benefit first-time offenders, their siblings, and the family unit as a whole.

The Parenting Solutions Program

Parenting Solutions is a program offered by the Clark County Department of Family and Youth Services’ Parenting Project, based in Las Vegas, Nevada. Parenting Solutions is a six-week program designed for parents of youth from 11 to 17 years old. Parents and youth attend together to promote a relationship built on trust. Parents learn the importance of clear rules and consistent supervision while practicing a positive approach to discipline that teaches responsibility. Both parents and youth participate in problem-solving, conflict resolution and asset-building activities designed to promote a nurturing family environment.

The Parenting Solutions program is based on Gregory Bodenhamer’s book Back In Control and the Nurturing Program by Stephen Bavolek, Ph.D. Gregory Bodenhamer was a California juvenile probation officer who saw parents punishing their child(ren) without any results. Mr. Bodenhamer’s work urges parents to change their approach to discipline by focusing on their child’s specific behaviors -- increasing supervision for inappropriate behavior and offering more freedom for positive behavior. Dr. Bavolek is a nationally recognized leader in the field of parent education. His work helps parents and teenagers learn healthier, more nurturing ways to live together and interact with each other.

Parenting Solutions teaches parents how not to argue with their children and how to support positive, cooperative changes in a child’s behavior. The program assists parents in developing clearly defined rules and effective supervision strategies to promote the basic elements of success: consistent discipline within a caring family environment. One way to illustrate the project’s curriculum is in a triangle. The three sides of the triangle include: clearly defined rules (time, place, no loopholes); supervision (following through on the rules); and family togetherness and affection (sometimes forgotten in contentious relationships).
Parenting Solutions trainers use specific issues (e.g., homework, truancy, curfew, peer associations) that parents are addressing with their children to focus the sessions. Parents and children learn problem-solving and decision-making skills to find solutions that both parents and children can agree upon. The program helps keep parents informed by offering up-to-date information on curfew laws, school district attendance requirements and community resources. The program also helps parents prevent other behavioral problems, such as substance abuse. Its curriculum is taught through a combination of presentations, videos, experiential activities, group processes, and home-practice exercises.

The program has one session per week, lasting two and a half-hours per session for six weeks. Each session is in a group setting, and sessions are offered at locations throughout the community. The sessions are held on different evenings during the weekday and weeknights to accommodate parental schedules and accessibility. Parents sign up over the phone. Some parents, because of erratic work schedules, will attend on different nights than their spouses. If a parent misses a program s/he must make up the session missed. For example, if a parent misses session 2 (week 2), s/he must attend another session 2 to complete the program. Those parents who are court-ordered must complete the entire program. Those parents who are referred or who attend voluntarily are encouraged to complete the entire program.

Approximately 75 percent of the participants are referred from various community agencies, such as schools and community centers. The remaining 25 percent of the participants are court-ordered through Clark County Juvenile Probation Services, Child Projective Services, and the Nevada Division of Child and Family Services. Approximately 2,000 people attend the program each year. At the end of the Parenting Solutions program the participants receive a certificate of completion. Parenting Solutions is free for all participants.

Parenting Solutions uses both outcome and process evaluation to assess program effectiveness. Pretest-posttest measures are analyzed to determine program effectiveness, while client satisfaction surveys are used for participant feedback and recommendations. Based on participant feedback, more handouts were developed and sessions were expanded from two hours to two and half-hours for more interaction between parents and youth and for additional problem-solving activities.

Not having a baby-sitter for younger children can be an issue blocking attendance for some parents, since the Parenting Project is not able to provide childcare. Other challenges include accommodating the unusual work shifts of people living in Las Vegas and providing services to the rural areas of Clark County. The program is able to successfully meet these challenges through collaborative efforts with site sponsors and by providing neighborhood-based programming to offer programs at various times and days throughout Clark County.

This program has been nationally recognized by the Center for Substance Abuse Prevention and the Substance Abuse and Mental Health Services Administration. It has also received the National Association of Counties (NACo) award for innovative programs.
The CHOICE Parenting Skills Program

The CHOICE (Court Help On Increasing Control and Effectiveness) Program is an eight-week parenting skills training series offered in Oakland County, Michigan. Parents of court-involved juveniles attend one class per week, and each class is one and a half-hour long. There are twelve hours of instruction that must be completed. The class consists of only court-ordered parents. Those parents ordered to attend the CHOICE classes have children who are on probation and have regular contact with their probation officer.

Parents of juvenile offenders may often feel isolated, believing that no one can relate to their parenting problems. Participating in a group setting can help ease that frustration. Participating parents are surrounded by other parents who are experiencing similar problems with their children.

CHOICE teaches different techniques of parenting and discipline. CHOICE instructors assume that all parents have some parenting skill deficits. The parents learn how to use praise, attention, rewards, and privileges to improve the relationship with their child. In addition, parents learn how to reason with teenagers by setting limits and indicating expectations. The program advises against ignoring parent-child problems and promotes effective inter-family communication and anger management.

CHOICE is based on three parenting skill strategies that parents need in order to communicate with love, warmth, and affection. First, to stop giving negative feedback and criticism and start working toward a more positive home environment. Second, to enhance discipline and reasoning skills that will increase desirable behavior from their child. Third, to learn discipline skills that will help decrease inappropriate behaviors.

The instructor for each series conducts lectures, leads group discussions, and organizes role-playing exercises by using scripts and modeling. The program is primarily instructive rather than a parent support group.

The instructor’s goal is getting the parents, especially those resistant to coming, “hooked” on being in the group and committed to improving their parenting skills. Instructors try to be warm, charming, and humorous. The developer of the CHOICE program emphasized the importance of the instructor’s personality being down-to-earth, approachable, and fallible. Parents should not feel that the instructor is a “know-it-all” about parenting skills.

The program developer stated that the most pressing problem with parenting skills classes, particularly court-ordered classes, is getting parents over the initial hump of not wanting to be there and dissolving the “this is my child’s problem, not mine” mentality. For example, the developer of the program recounts his own mistakes in raising his children, emphasizes humor throughout the program in discussing stories about his own parenting mistakes, and typically provides good comic relief. Instructors try to get parents to laugh, as laughing is likely to keep group morale up and make the class a little more enjoyable. Instructors use these tactics to encourage the more resistant parents to loosen up and be more responsive to being there for the betterment of themselves, their children, and their families.
Instructors are also responsible for assigning and reviewing homework completed from a program handbook. The homework is completed weekly, and feedback is given weekly.

Food and drinks at the CHOICE sessions may also help parents feel more comfortable. The instructors use food (e.g., candy) and door prizes (e.g., donated concert tickets) as incentives for knowing the answers to certain parenting skills questions (e.g., the question of the week) and for having good attendance.

At the end of the eight-week series there is a course review, and parents fill out a comprehensive survey about their CHOICE experience. The questionnaire asks about each child’s improvement, the parent(s) feelings about the course, how else they would like to see their child change, and suggested improvements with the CHOICE program.

Most parents who complete CHOICE provide very positive feedback. The program developer attributed its success to “perception”. Because parents perceive their child differently, they may come to view their child as having made his/her own successful changes. Most often the improved parent/child relationship is due to the parents’ new-found identity with their child. The CHOICE program won a 1993 Outstanding Education Program award from the National Council of Juvenile and Family Court Judges.

The Safer Parenting Program

The Jefferson County (Alabama) Family Court contracts for a Safer Parenting Program that assists families of juvenile offenders. This is a six-week program that includes children who are in trouble with the court system and their parents. Two facilitators work with a group of up to 12 parents and another facilitator works with a group of up to 8 teenager children. The group sessions are held weekly at the Jefferson County Family Court and each session lasts 90 minutes. Families are court-ordered to participate in the program and attendance is mandatory.

The major focus of the program is on parenting skills. In order to help parents understand the reasons behind their children’s misbehavior, facilitators discuss with parents how the concept of belonging and self-worth are connected. Parents are encouraged to look back to their growing up years and to identify behaviors in their family lives that made them feel a sense of belonging and significance. Building on that awareness, parents are then encouraged to identify what makes their kids’ world different and what are some things that they can do to encourage their children and give them a sense of ability. The program emphasizes the difference between an encouraging parent and an enabler. As part of this general approach, the following topics and the specific skills necessary to implement the concepts are discussed and taught: good communication, positive discipline and its advantages over punishment and reward, development of responsibility through a process of choices linked to logical consequences, and power struggles and how to avoid them. Parents are encouraged to bring examples from their families for discussion, so that every parent benefits from each family’s experiences. Homework is assigned each week, in which parents
are encouraged to try the skills learned in group and to report on its effectiveness (or lack of) at the next meeting.

The group of adolescents meets at the same time as the parents group, with their own facilitator. Topics discussed in this group include: the importance of establishing goals, how to determine if their behavior is helping them to achieve those goals, how to choose more effective behaviors, communication with peers and parents, anger management and conflict resolution, and taking personal responsibility.

Except for the first meeting, when families and facilitators all meet together for the first 30 minutes, groups are coordinated but run separately. In the case of very small groups (i.e. only one or two families referred to a certain program session), this format changes and a few joint sessions are conducted to allow the families to practice the newly learned communication skills (this does not work with larger groups because kids tend to feel intimidated by the presence of peers).

The effectiveness of the SAFER Parenting Program varies with the parents’ willingness to participate and to learn new parenting strategies. If a parent misses more than one session, s/he has to start the program over again. In general, parents who are willing to give the new concepts a try start to notice improvement in their relationship with their children around the third or fourth week. Between 50 to 70 percent of the parents (it varies from group to group) use the concepts and skills taught in the program, and those usually report that “things are better” at home. With the program being six weeks long, families have the opportunity to try newly learned skills and behaviors and to discuss the difficulties they find in implementing them, then try again until they become relatively comfortable to use the new approach.

Anecdotal evidence from program participants and probation officers indicate that the program is effective. Parents usually report a significant reduction of power struggles and better communication among family members. Probation officers report receiving fewer “problem” calls from parents after they complete the program.

The Focus on Parents Support Group

A probation officer in Maricopa County, Arizona, saw the need for a support group in the community for parents of juveniles on probation. The Focus on Parents support group was created and convened in two geographic locations in Maricopa County. The group was similar to the structure of the Alcoholics Anonymous program. Focus on Parents was offered for two hours one day a week. The class structure included an hour of skills building and an hour for open discussion. During open discussion, parents talked with other parents of juvenile offenders. The group facilitator provided coffee and snacks for parents.

Parents did not have to notify group facilitators prior to their attendance at the meeting. However, parents often contacted the group facilitators, expressing interest in the group. The group facilitators suspect that low attendance at meetings was due to parents not having the energy, or being too busy, to attend the group in the evenings -- even though they had intended to do so earlier in the day. As Focus on Parents progressed, more people learned of
its existence and more parents attended. However, despite the growing number of parents who were aware of the group, few continued to attend. Focus on Parents decided to cease operation due to low participation.

However, the facilitator, currently acting as a probation officer, hopes to revive it. Efforts towards awareness and education would help increase the number of parents willing to attend the group. One of the facilitators believes groups similar in structure to Focus on Parents should be recommended, or court-ordered, to parents. The facilitator supports court-ordered attendance because it had ensured that parents attended sessions.

**Empowering Parents of Teens Program**

The Empowering Parents of Teens Program was developed in 1992 by two probation officers working for Maricopa County Juvenile Court in Phoenix, Arizona. The program came about as a result of the probation officers work with families and their feeling that traditional punitive methods of dealing with juveniles were not effective in making positive changes. Families and juveniles seemed to be more frustrated after interventions, such as detention and out of home placement had been tried only to see the juveniles acting out behavior resurface a short time after returning home.

The probation officers had used Positive Discipline theories in working with their own families as well as the juveniles on their caseloads. They found this approach to be more effective in facilitating positive, long lasting change. They developed a parenting program based on Positive Discipline to help parents reclaim a more positive and influential position within their families, rather than relying on the courts to “parent” their child. The program has been a part of the probation department for eight years, winning a NACO Achievement Award in 1996.

The program services parents of juvenile offenders as well as being open to other parents within the community that are experiencing problems. Parent referrals are received from Police Departments, Counselors, Child Protective Service Workers and Schools. Judges can order parents into the program but it is preferred that it be “strongly” encouraged rather than ordered. The program is a service of the court and therefore offered at no cost to participants.

The program is structured as an eight-week course meeting once a week for two hours and thirty minutes. The program is based on the book, *Positive Discipline* by Jane Nelson. The two facilitators are trained by the Positive Discipline approach. They each bring twenty–eight years of experience working with juveniles and families. The classes are geared toward building skills through experiential activities. Lectures are kept to a minimum. Parents learn by doing and understanding how it feels to be in the “child’s shoes”. Parents also participate in “Parents helping Parents” problem solving steps, which is a skill that can be taken home and used in solving problems in their family.

Some of the basic premises of the program are:
- All people, including children, are entitled to dignity and respect.
• Mistakes are opportunities to learn and grow. It allows children to experience the consequences of what they create and learn from the process.
• An acting out child is a discouraged child. Parents learn the reasons behind their children’s misbehavior and how to intervene more effectively.

Parent participants are reflective of the community surrounding the location of the court. Most participants are Caucasian of various economic backgrounds. Approximately six percent of participants are African American, twenty percent Latino and a small percent of Asian descent. The positive discipline approach seems to be successful because it allows participants to use the principals in a way that is respectful to their culture. Participants can use aspects of positive discipline principals that work in their family structure.

Participants are welcome to repeat sessions to continue learning new skills. Using the positive discipline philosophy, the two facilitators train other probation officers in parenting skills and how to handle difficult clients. This has been a benefit because it allows parents and probation officers to work as a team to encourage positive changes in children.

The Impact Family Counseling Agency

The non-profit agency, Impact Family Counseling (IFC), in Jefferson County, Alabama, is a multipurpose family-counseling agency. It serves both the court and the community. The court contracts with the agency to provide Gun Court and Drug Court Classes (see below for description) and a Family Counseling Program for parents of juvenile offenders. The approximate cost is $50,000 to run both the classes and the program. The government allocates $25,000 to the program and $25,000 is secured by other funding sources. If the program and classes had more funding, we were informed that the agency could double or triple the number of people served.

Initially, parents may not welcome attending the classes, particularly when they are court-ordered. However, by week 3 or 4, many parents engage in the classes because they are seeing improvement in their family lives. The parents are considered accountable for their child’s actions in the sense that if they change behaviors, their child will often also change.

IFC’s Family Counseling Program is a program for juvenile offenders and status offenders, their families and siblings. In 1999, the Family Counseling Program served 487 individuals. In 1999, about half of the participants were white (227) and the other half minorities (260). The number of families in the Family Counseling Program constantly changes due to the number of youth entering the system, lack of resources, and money. The program is designed for families of first-time juvenile offenders. However, repeat offenders also participate in the program. The infractions committed by repeat offenders are typically non-serious, including multiple truancies or burglary. The program’s goal is to offer services to offenders and their families upon entering the system. In the Family Counseling Program, there are various sessions including parent group time (parents interact with each other), child with therapist, parent with therapist, and family with therapist sessions. The Family Counseling Program is offered once a week for nine weeks, and each meeting lasts an hour and a half long.
A dramatic shift in parental attitudes has often occurred after involvement in the Family Counseling Program. Parents of juvenile offenders usually do not have good “control” of their children. The program trains parents to be in better control. Through the Family Counseling Program, parents often become better parents, resulting in a better home environment for the child. The child recognizes the improvement in their home environment, thus encouraging them to go along with the program. Children realize that the Family Counseling Program helps them get what they want from their parent (e.g., more freedom, responsibility, and trust if they abide by their curfew), while having a more stable and communicative relationship. The Family Counseling Program helps ensure cooperation between parents and child.

At the completion of the Family Counseling Program, there is a graduation ceremony and a duplicate certificate is given to the judge. The effectiveness of the program’s goal is shown by the reduction of this county’s high recidivism rates.

**Video Education to Inform Parents**

A video, “Juvenile Court: A Reality Check,” is used by the Oakland County Juvenile Court in Pontiac, Michigan to educate juveniles involved in the system, as well as the community, about the juvenile justice process. Juvenile justice staff members and professional actors prepared the video. The court’s caseworker supervisor was the technical advisor for the video. The video explains, step-by-step, the process of the juvenile court and possible case outcomes. The court’s initial intention was to set up the video in the waiting room of the probation department to educate parents and juveniles already in the initial stages of the process. However, after its development, the video became a tool for the general public, including parents, children, and school administrators.

The video depicts several scenarios illustrating juvenile delinquency proceedings, including interactions with probation officers, what it means to have a probation contract, consequences of delinquent behavior, experiences in a juvenile institution, and how juvenile counseling services work.

Viewers have generally stated it was beneficial to their involvement in the juvenile justice process. Parents not involved in the court system also speak highly of the video.

The video is available on loan to schools and other organizations. Oakland Juvenile Court Services has made an effort to lend copies to other agencies, jurisdictions/counties, schools and organizations. The video was awarded a 2000 national award from the American Correctional Association for one of the best entries in their 21st video festival.

**Parental Involvement in a Juvenile Review Board**

An evaluation study of the 10th Judicial District, Juvenile Court Services, in Olathe, Kansas, recommended that the court do something to improve moving cases more quickly through the juvenile justice system. A special Review Board was therefore created as an alternative to one specific aspect of the court’s work; juvenile delinquents returning to court for
violating probation or diversion conditions. A juvenile offender is now given an opportunity, after an alleged violation, to appear before the Review Board, in lieu of going to court.

The Review Board was formed by a local Teen Advisory Counsel, Juvenile Court Services, and the Tough Love organization. It is composed of trained volunteers recruited from the community consisting of two adults, two teenagers, and one deputy. The adult volunteers are almost all recruited from the Tough Love organization. The Tough Love organization is a national support group for parents of children with disciplinary problems. The Review Board does not exclude other adult volunteers from participating on the Review Board. The teen volunteers are ideally children who were once juvenile offenders. The teens are recruited from a variety of sources, including, Youth Court Program agencies, the Teen Advisory Counsel, and other peer help groups.

When a juvenile appears before the Review Board, the parent(s) of the juvenile must be present. The Review Board first speaks with the child alone, and then with the parent alone. The adult volunteers on the Review Board will often try to relate to the parent(s) and may offer advice. They discuss the parent’s obligation to their child, while understanding the difficulty of parenting a delinquent child. After meeting with the child and parent, the Review Board meets alone, to come to a consensus about how the matter should be handled.

The Review Board is not required to make any modifications to the original court ordered conditions. However, the Review Board typically supplements the original conditions. The Review Board can make modifications that address problems related to the alleged violations, such as increasing the number of community service hours, requiring a drug screen for the youth, or having the youth write a theme on a germane topic. The Review Board might also require the parents to do something in conjunction with the child’s probation or diversion conditions. The Review Board often makes the probation or diversion conditions more restrictive, but it also saves the child from returning to court.

The Review Board goes over the modifications with the child and parents together. If the child and parent(s) are in agreement with the modifications, they sign the agreement listing the modifications. These modifications then become part of the court’s orders. If the Review Board modification is not agreed upon by the Review Board, the child, and the parent, then the case is sent back to the court for a hearing.

Community Volunteers as Auxiliary Probation Officers

In Memphis, Tennessee, the juvenile probation department uses community volunteers as probation officers. Currently, 253 community volunteers act as Auxiliary Probation Officers for 1000 juveniles and their families each year. A judge appoints an administrator to oversee the self-governed Auxiliary Probation Service. All Auxiliary Probation Officers meet together once a month. The city is divided into divisions, and, according to residence, the Officers are assigned to cases that are ideally fairly close to their own home.

The salaried Memphis and Shelby County juvenile probation officers rarely leave the court building. After a juvenile is charged with a crime, a probation officer is assigned to assure
compliance with restrictions set by the court. The salaried probation officers do not do the fieldwork of meeting regularly with families. The fieldwork is completed by Auxiliary Probation Officers, who are given badges and are, essentially, the hands, ears, and eyes of the court.

A juvenile on court-ordered supervised probation is referred to the Auxiliary Probation Service. The Auxiliary Probation Service then assigns an Auxiliary Probation Officer to the juvenile and their family. The Auxiliary Probation Officers each supervise one to three juvenile offenders at a time. Two is the standard caseload for volunteers. The Auxiliary Probation Officers meet with the juvenile and the family on a weekly basis and contact the juvenile and their family at home three to four times a week.

The Auxiliary Probation Officers make a special effort to interact with parents. Auxiliary Probation Officers hold various meetings with parents to encourage them to get involved. The Auxiliary Probation Officers sometimes interact with non-custodial parents as well. During meetings, an Auxiliary Probation Officer answers questions about the court process and goes over paperwork with the parent(s) and child. The purpose of these meetings is to make the parents and the child feel more comfortable with the process and to ensure that they understand what is happening. The juvenile is encouraged to contact the Auxiliary Probation Officer if support is necessary.

The Memphis and Shelby County Auxiliary Probation Service was the first, and is the largest, Auxiliary Probation Service in the country. In 1964, Judge Kenneth Turner, newly elected juvenile court judge, initiated the service as a way to let more males in the community get involved in helping troubled youth. Some of the Auxiliary Probation Officers are parents of children who were once juvenile offenders. Since 1964, volunteer community service has become more popular, and therefore it has been increasingly more difficult to recruit volunteers. Also affecting the number of volunteers is the increasing seriousness of crimes that juveniles are committing.

**PARENTAL INVOLVEMENT IN JUVENILE DRUG COURTS**

In recent years, many jurisdictions around the country have developed “juvenile drug courts.” Modeled, in part, on adult drug courts, juvenile drug courts seek to deal more effectively with the growth of drug usage that is reflected in the court’s caseload and the ramifications that many communities have witnessed related to teen substance abuse. Juvenile drug courts may allow young offenders the opportunity to have offenses completely erased from their records after completing the drug court program. As in traditional juvenile cases, delinquent youth are often ordered by juvenile drug courts to perform community service, participate in counseling, periodically appear in court, and consult with probation officers. However, juvenile drug courts may add some additional requirements. For example, a county in California requires drug screening twice a week, group counseling

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2Juvenile Drug Courts: Preliminary Assessment of Activities Underway and Implementation Issues Being Addressed, prepared by the Drug Court Clearinghouse and Technical Assistance Project: A program of the Drug Courts Program Office, Office of Justice Programs, U.S. Department of Justice. This information can be found at [http://www.american.edu/academic.depts/spa/justice/publications/juvsum.html](http://www.american.edu/academic.depts/spa/justice/publications/juvsum.html).
once a week, individual counseling once a week, a mandatory curfew of eight p.m., and frequent direct contact with a special probation officer for all of the juveniles involved in the juvenile drug court.

Several issues related to parents have been identified in the formation and operation of juvenile drug courts. One of the noted obstacles to working with juveniles in juvenile drug courts is a lack of parental involvement. The juvenile drug court judge has the opportunity to preside over a process that can show parents how it is possible to establish a stable home environment for adolescent growth and accountability. Judges and court staff may often have to encourage parents to reduce counterproductive behaviors and to stabilize their home. The judge’s goals will likely be to motivate, with a positive approach, family participation in the juvenile’s recovery effort; as well as to provide family intervention in a positive supportive approach without alienating the parent or custodian. Studies have shown that the families of addicted juveniles play a critical role in juvenile recovery and may, in certain situations, actually influence juvenile drug use. Therefore, in the view of several judges we spoke to, the family must also be assessed and “treated” along with the juvenile.

Each juvenile drug court seems, based on our discussions with personnel, to recognize the special importance of parents in juvenile rehabilitation. However, jurisdictions deal with these issues differently. For example, even if it is within the power of the court to impose sanctions on non-complying parents where a child’s drug problem may be tied to their behavior, judges are likely to first consider whether such action will actually help or harm the relationships between the parent and the child, or between the court and the child. Incarceration of parents or removal of a child from the home are drastic measures, and based on our discussions, they are certainly viewed as last resorts. Judges will usually seek to establish a cooperative relationship with parents.

Legislative Authority for Juvenile Drug Courts to Compel Parental Involvement

Most jurisdictions have broadly worded juvenile court statutes providing for parents of drug-abusing delinquents to be court-ordered into family treatment counseling and probation with their children. Under these broad juvenile statutes (which are not focused on juvenile drug

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3 Judge Charles M. McGee, Judge John Parnham, Judge Thomas T. Merrigan, Michael Smith, M.D., Caroline S. Cooper, Applying Drug Court Concepts in the Juvenile and Family Court Environments: A Primer for Judges, The Mindset of the Parent (June 2000 (Rev.)).
4 Id.
5 Judge Charles M. McGee, Judge John Parnham, Judge Thomas T. Merrigan, Michael Smith, M.D., Caroline S. Cooper, Applying Drug Court Concepts in the Juvenile and Family Court Environments: A Primer for Judges, Applying Substance Abuse Treatment Principles to Juveniles and Their Families (June 2000 (Rev.)).
6 Juvenile and Family Drug Courts: An Overview, Critical Issues Unique to Juvenile and Family Drug Court Programs, prepared by the OJP Drug Court Clearinghouse and Technical Assistance Project: A Program of the Drug Courts Program Office, Office of Justice Programs, U.S. Department of Justice (January 1, 1998). This information can be found at http://www.american.edu/academic.depts/spa/justice/juvoverview.htm.
7 These states are: Alabama, Alaska, Arizona, Arkansas, California, Colorado, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North
courts specifically), courts have authority to compel a non-complying parent or family member to attend court proceedings and juvenile counseling.

In many of these states, we have learned from our discussions that some judges interpret these statutes as giving them authority to order drug screening of parents. However, even though this inherent power of the court exists, we were told that these extreme measures are seldom employed. One state has never invoked this authority, according to a juvenile drug court coordinator. According to a county court administrator in one county in a state with apparent authority to do so, there has been only one mandated parental drug screening since 1996.

Wisconsin is the only state where the legislature seems to have explicitly granted the juvenile courts authority to order drug screening of parents whose children are involved in the courts:

“The court may also order an examination or an alcohol and other drug abuse assessment that conforms to the criteria specified under s. 938.547(4) of a parent, guardian or legal custodian whose ability care for a juvenile is at issue before the court.”

According to several juvenile drug court administrators we spoke to, many courts fear that the issuance of parental orders or sanctions will drive a wedge between them and the parent, which will complicate the juvenile’s progress in rehabilitation. Instead, most courts utilize the less stringent methods mentioned elsewhere in this report, such as inviting parents to attend counseling sessions rather than requiring attendance. Judges often use their inherent powers, conveyed through broadly-worded statutes, to encourage parents and juveniles to undergo treatment together, and it is this inherent power which gives judges authority to occasionally order that parents participate in each stage of the juvenile drug court program.

Based on our discussions, there appears to be a marked difference in the level of parental involvement with juvenile drug courts, as contrasted with parental involvement in the more traditional juvenile court system. Most juvenile drug court professionals appear to have structured their programs so as to provide intensive judicial intervention and parental supervision of juveniles involved with substance abuse that may not generally be utilized in traditional juvenile court proceedings.

According to a director of one juvenile drug court, children are not allowed into their program unless the parent first signs an agreement stating their commitment to their child’s rehabilitation. This same court requires parents to attend counseling sessions and hearings once a week. In other juvenile drug courts, parental involvement may be strictly voluntary. Parents may be invited to attend hearings and joint counseling sessions with their children. Parents may be encouraged to participate in each phase of the rehabilitation process. Judges in juvenile drug courts may be especially able to build a “relationship” with the juvenile and their parent, leading to an increased level of personal accountability. Juvenile drug court staff may have lighter caseloads than those working with other cases. Juvenile drug courts


may take a more “personal” approach with families than in the traditional juvenile court process.

Other Local Approaches That Can be Useful in Working with Parents of Substance-Abusing Juvenile Offenders

**Gun Court and Drug Court Classes.** The Juvenile Gun Court and Drug Court in Jefferson County, Alabama, offers several components to respond to juvenile offenders with gun or drug-related offenses. The Gun Court and Drug Court have combined their resources to promote education classes for parents of juvenile offenders with gun or drug related offenses. These classes, conducted at the courthouse, are in their fifth year of operation. All legal guardians and juveniles are required by the judge to attend the one and a half-hours per week and 10 sessions long classes. The number of participants in each class depends on the number of offenses that come before the Gun Court and Drug Court. There are usually fifteen to thirty families participating each week. The program uses a seminar format. An agency speaker, coroner, sheriff, or police officer may address the parents and juveniles throughout the sessions.

Attendance is strictly mandatory for those ordered to attend classes by the court. The judge reported that 84 percent of parents who are ordered actually attend classes. The other 16 percent had a legitimate conflict (e.g., a work conflict) preventing them from attending. The judge can incarcerate those who do not attend, but has not done so. The judge has held parents in contempt of court for not initially attending, though all of those parents eventually went to Gun Court and Drug Court classes.

A study was conducted on the effectiveness of the Juvenile Gun Court and Drug Court classes. The findings suggest they are effective because of the large amount of parental participation and the positive feedback received in post-program follow-up that includes intensive supervision. The success is also evident in the decrease of juvenile recidivism rates.

**The Strengthening Families Program.** In an effort to bring juveniles and parents together in a therapeutic manner, judges in Kentucky, Indiana, Missouri, Oregon and Louisiana can refer delinquent youth and their parents to the Strengthening Families Program. This seven-week curriculum is designed to bring parents together with their 10 to 14 year-old children, with the goal of reducing substance abuse and other problem behaviors in youth. The program is appropriate for parents of all educational levels and seeks to address the needs of at-risk youth. Parents and youth attend separate skill-building sessions for the first hour and spend the second hour together in supervised family activities. The program is designed for 8 to 13 families and is typically held in a public school, church, or community center. Three facilitators (one for parents and two for youth) are needed for each session. All of the facilitators offer assistance to families and model appropriate skills during the family session. Parent sessions include didactic presentations, role-plays, group discussions, and

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other skill-building activities. Videotapes are used for all parent sessions; this standardizes
the program and visually demonstrates effective parent-child interactions. The majority of
each youth session is spent in small and large group discussions, group skill practice, and
social bonding activities. Family sessions help parents and youth practice skills learned in
the separate parent and youth sessions.

**Multisystemic Therapy.** Several juvenile drug court judges we spoke to endorse the use of
in-home counseling. Multisystemic Therapy is an intensive family- and community-based
treatment approach that addresses the multiple determinants of serious antisocial behavior in
juvenile offenders. The approach views individuals as being nested within a complex
network of interconnected systems that encompass individual, family, and extra-familial
(peer, school, neighborhood) factors. Intervention may be necessary in any one or a
combination of these systems. Multisystematic Therapy targets chronic, violent, or
substance abusing juvenile offenders at high risk of out-of-home placement and their
families. Multisystematic Therapy strives to promote behavior change in the youth’s natural
environment, using the strengths of each system (e.g., family, peers, school, and
neighborhood, support network) to facilitate change. The major goal of Multisystematic
Therapy is to empower parents with the skills and resources needed to independently
address the difficulties that arise in raising teenagers and to enable youth to cope with
family, peer, school, and neighborhood problems. Within a context of support and skill
building, the therapist places developmentally appropriate demands on the adolescent and
family for responsible behavior. Intervention strategies are integrated into a social-
ecological context and include strategic family therapy, structural family therapy, behavioral
parent training, and cognitive behavior therapies. Multisystematic Therapy is provided using
a home-based model of services. This model helps to overcome barriers to service access,
increases family retention in treatment, allows for the provision of intensive services (i.e.,
therapists have low caseloads), and enhances the maintenance of treatment gains. The usual
duration of Multisystematic Therapy is approximately 4 months.10

Juvenile drug courts may use both Multisystematic Therapy and other forms of family
therapy. Many Multisystematic Therapy programs require parents to participate in special
parent groups established for the program, which attempt to provide them with both support
and skills for more effectively dealing with their children.11 According to a chief judge in
one juvenile drug court, her state is in the early planning stages of developing various types
of treatment and education programs that will seek to better involve parents of delinquents
in the process of rehabilitation.

**Use of an Advisory Committee.** We learned that one state’s juvenile drug courts have an
advisory committee of seventy to eighty people that includes counselors, community leaders
and teachers. The Committee meets three to four times a year, and both juvenile drug court-

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10 *Multisystemic Therapy, Program Overview*, prepared by Multisystemic Therapy Services (May 12, 2000).
This information can be found at [http://www.mstservices.com/text/treatment.html](http://www.mstservices.com/text/treatment.html).
11 *Juvenile Drug Courts: Preliminary Assessment of Activities Underway and Implementation Issues Being
Addressed*, prepared by the Drug Court Clearinghouse and Technical Assistance Project: A program of the
Drug Courts Program Office, Office of Justice Programs, U.S. Department of Justice. This information can be
found at [http://www.american.edu/academic.depts/spa/justice/publications/juvsum.html](http://www.american.edu/academic.depts/spa/justice/publications/juvsum.html).
involved parents and young offenders are required to attend and share their stories of rehabilitation. This not only builds a link between the parent and the child, but also strengthens ties between those families and their communities. The state’s drug courts also encourage parents to attend social outings with their children. A group of drug court participants often attends basketball games and other social events, which the parents are strongly encouraged to be a part of.

**Parent/Guardian Agreements.** Almost all juvenile drug courts require parents to sign a parent/guardian agreement before their child can begin participation in the drug court program. One court administrator told us that after an agreement is signed the parent is obligated to attend many court appearances, provide transportation for the youth, and participate in their Multi-Systematic Therapy program. The juvenile drug courts in another state often use the parent/guardian agreement as leverage to encourage parents to support their children and to attend court proceedings.

**Conclusion: Parental Involvement in Juvenile Drug Courts**

Juvenile drug courts are still a very new concept in the juvenile justice system. The first such drug courts were developed in 1995. However, the issue of parental involvement is seen as an integral part of that process. Unfortunately, how to effectively work with parents is a question that still appears to perplex many jurisdictions. In some cases, parents may seem eager to help their child, but in others the parent will appear to have been completely absent (physically or emotionally, or both). Since, the role of parent is seen as vital to the child’s drug rehabilitation process, we asked how non-compliant parents might be required to participate without “turning them off” to the drug court program. Most juvenile drug court judges we spoke to seem to realize that their ultimate effectiveness, in the long term, will depend upon their achieving parental compliance with drug court program requirements through persuasion rather than coercion. Judges likely realize that it is in the best interests of the child for the court to work with the parent, rather than against the parent. Most juvenile drug courts were created because of a need for programs to help rebuild relationships between parents and their substance-abusing children. It is our hope that legislation can be developed to better address the functions of juvenile drug courts and better define the role of the parent in the juvenile drug court process.

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12 *Juvenile and Family Drug Courts: An Overview, Critical Issues Unique to Juvenile and Family Drug Court Programs*, prepared by the OJP Drug Court Clearinghouse and Technical Assistance Project: A Program of the Drug Courts Program Office, Office of Justice Programs, U.S. Department of Justice (January 1, 1998). This information can be found at [http://www.american.edu/academic.depts/spa/justice/juvoverview.htm](http://www.american.edu/academic.depts/spa/justice/juvoverview.htm).
The following findings were made by a multi-modal assessment of two juvenile courts in a midwest state. Both courts were located in urban areas of the state. Two upper-level law-psychology graduate students collected all the data, including interviews of key participants in the court system, observations of juvenile hearings, and review of juvenile court records. Interviews were conducted with four judges, four prosecuting attorneys, four defense attorneys, two court clerks, and two chief probation officers. Thirteen hearings were observed and ten case files were reviewed. Hearings and case files were not randomly selected.

There was almost universal acclaim for the importance of parental involvement by the participants in this project. A number of participants noted a strong link between parental involvement and the progress of court involved youth. Others observed that there is probably a direct link between parental lack of support/interest and out-of-home juvenile placement decisions. This link seems related to practical considerations, because if parents will not or cannot provide transportation for the juvenile to attend counseling and other mandated appointments, probation might not work. If the parents are not involved, the youth won’t do what they need to do. Several participants noted that parents are needed to ensure that youth participate in the programs they are ordered to attend.

The following findings are only an initial exploration of juvenile court activity regarding parental involvement, rather than a controlled assessment of these activities. As in all sites, the judges knew that someone who was interested in parental involvement issues was observing them. Case files were selected because they contained information relevant to parental involvement issues. Consequently, these findings might be considered an overestimation of actual parental involvement practices.

**Getting Parents to Court**

A parent usually appeared in the juvenile proceedings that were observed for this project. At least one parent/guardian attended 12 of the 13 observed hearings. For 4 of the hearings, both the mother and father were present. For 6 of the hearings, only the mother was present. At one hearing, only the father was present. A grandmother/guardian attended one of the hearings, and one hearing was conducted with no parent present. In the case where no parent attended, the youth told the judge that his mother did not want to be there. He also told the judge that he did not want her to be there and he did not want to return to her home. In the cases where there was only one parent present, the other parent’s absence was never discussed.
All interviewed participants indicated that they thought it was important to make efforts to ensure that parents attend hearings. The prosecuting attorneys reported that they had the statutory responsibility to ensure that notice was given to parents of juveniles. Court clerks send notices to parents, including non-custodial parents. In one of the studied courts, the clerks reported that they relied completely on the county attorney to collect the names and addresses of both parents. In the other court, the clerk directly obtained names and addresses from the juvenile and parent at the intake. That clerk stated that he didn’t pressure the mother to provide the father’s address if she was reluctant to do so, especially if he was a completely uninvolved/absent father.

Probation officers reported that they work somewhat aggressively to obtain contact information on non-custodial parents. If a parent’s name or address is missing from the petition, they do ask the child/mother for the information. One of the probation officers reported that she routinely made phone calls to try to find a non-custodial parents, but that she only did more than that if the court was desperate for a placement and the judge directed them to find the absent parent.

State law requires non-custodial parents and absent fathers to be served by summons if they live in the county, and by certified mail if they live outside the county and their address is known.

A judge was observed asking a mother whether she had received notice of the hearing. Judges were also observed scheduling next hearings around the parent’s availability. One judge reported that she set specific times for each case so that the parents know exactly when to be there and also so that they have more privacy (only one family is in the courtroom at a time).

Judges reported that they inquire at the first hearing if the whereabouts of non-custodial parents are known, but not after that. Clerks and judges reported that they sometimes took aggressive steps to get a parent into court, including issuing orders to appear or bench warrants. Most judges settle for one parent present and will not proceed if there is no parent. However, if a parent refuses to attend, the judges typically appoint an attorney as guardian ad litem for the juvenile, and then proceed.

Neither of the courts keeps statistics on parental attendance at hearings, but most estimate that in most cases at least one parent is present. Our observations of twelve of the thirteen cases having a parent present supports those estimations.

In summary, state law requires notice to parents, including non-custodial parents, but if the addresses of non-custodial parents are not easily obtained aggressive action is only taken if placement concerns for the youth exist. More aggressive action is taken to ensure that at least one parent is present. Many judges appear quite sensitive to trying to make it possible for a parent to attend hearings. If parents refuse to appear, bench warrants have been issued, but it is more likely that cases will proceed with an attorney as guardian ad litem appointed.
to stand in lieu of a parent. In most cases, at least one parent is present for juvenile proceedings.

**Understanding the Parent/Child Relationship**

Probation services in both courts take on the responsibility to gather information directed towards understanding the relationship between the juvenile and his parents. This information is submitted to the court and to each attorney. Every juvenile/parent is required to participate in a lengthy (up to two hours) structured interview that includes a number of questions regarding the parent-child relationship. These interviews usually take place at the juvenile’s home. The youth and his parent are interviewed together and separately and are asked questions about their parent relationship, the relationship between the child and his/her brothers and sisters, and the relationship between the parents. Additionally, questions are asked about communication, discipline practices, how the child responds to parental rules, what the parent does when rules are broken, how the child responds to the parent’s actions, and about drug and alcohol use in the family. This information is made available to the judge and the attorneys.

Most judges prefer to rely on the information from probation services about the parent-child relationship, rather than directly question the parents in the courtroom about such matters.

However, two judges take a more active role. One judge directly questions the parents to learn if the home environment is structured enough to be suitable for a troubled youth. Another judge asks the parents more detailed questions, including what activities they are involved in with their child, if they know who their child’s friends are and where they go together, whether their child has a job and how he or she spends the paycheck. Additionally, this judge inquires about whether and how often the family eats meals together. The judge also asks the parents what concerns they have for their child and what they see as their child’s strengths.

Our review of case files included many examples of critical parent-child information. In one case, parental inability to adequately support and supervise, despite good intentions, was noted as a contributing factor to the youth’s delinquency. In another case, a parent’s inability to adequately supervise a difficult youth was noted. Lack of parental involvement was noted as a key factor in one case. In still another, parental divorce and non-involvement of the non-custodial father were noted. In another, a mother’s undermining of all treatment programs was noted. Finally, in yet another case, the youth had absconded, and the record noted that his father may be hiding him.

In summary, the courts appear to be viewing many delinquent actions of youth in the context of the youth’s relationships with their families. Fairly detailed information about these relationships is routinely gathered by the probation officers and is made available to the judge and the attorneys.
Involving Parents in the Courtroom

There was a fair amount of variability among the judges as to how actively they involved parents during hearings. Parents often sat with their child, but occasionally sat behind them. Most of the judges directly addressed the parents and actively tried to ensure that the parents understood the proceedings. In one case where the mother had an interpreter, the judge asked the mother if she understood what was being translated, asked the mother several questions about the youth’s behavior and the possibility of using an electronic monitor, and explained the results of an evaluation to the mother. In another case, the judge asked the mother if it was acceptable to her that her child was entering a plea and asked her how her child was doing at home and in school. The judge also told the juvenile that it was important to follow his mother’s rules. Similarly, another judge talked directly to a father and asked him if he understood all the charges and whether he had any questions. This father had a severe stutter and the judge was very supportive and patient with him. Several judges questioned the parents and asked them if they had any questions. However, in a couple of instances, the judge interacted briefly, or not at all, with the parent.

Judges seemed to most actively involve parents during adjudicatory hearings, except when the child had an attorney who appeared to be explaining things to the parent and child. They seemed to want to ensure that the child had parental input regarding important legal decisions. The judges asked parents whether they understood the charges, whether they had questions about the child’s plea, and whether they agreed with it. On two occasions the judge instructed the youth to discuss the plea with their parent/guardian in the courtroom before proceeding. In another instance, the judge directed the youth to talk to his parent before waiving his right to an attorney.

The judges also included parents in seeking their opinions about dispositional issues. They asked parents if they agreed with the Department of Health and Human Services case plan, how they felt about the juvenile being placed on probation and if they felt comfortable with him/her going home with them. In one case a father raised concerns about his son missing too much school (if he entered an inpatient rather than an outpatient drug treatment program). The judge told the father that he would consider those concerns when making his decision.

Finally, the judges sometimes directly supported the parent’s authority over the child. They told the juveniles to listen to their parent or obey the curfew set by their parent. One judge told the juvenile that his grandmother/guardian called the police when he ran away, and that the judge trusted that she would call again if he ran away once again.

The above observations of the judges were consistent with their assessments of whether and how they involved parents. One judge thought it was important to fully inform the parent of the nature of the proceedings, their rights, what is going on, and the purpose of the court. Another judge asks parents if they have additional information they would like to share. If the father is not there, the judge asks the mother if she knows the father’s whereabouts. The judge tries to involve hostile parents by letting them decide curfews, etc. The judge asks questions of the parent especially when home detention is involved. Another judge does not
usually ask parents direct questions, but relies on the written information provided by probation and the Department of Health and Human Services. However, if the child in some way places blame on their parents during a court hearing, then the judge will let the parents respond.

In several cases we observed, juveniles did not have defense attorneys. The defense attorneys that were there were quite variable in their communication with the parents. Several attorneys took great care in explaining what would be happening in the hearing and what the youth’s options were (before the hearing) and reviewing what had happened after the hearing. There was generally little or no conversation during the hearings. In two cases the attorneys left the hearing so quickly after it was over (to rush to another courtroom, perhaps?) that they did not explain anything to the parent or the juvenile. In one of these cases the mother went to the probation officer to understand what had just happened in the hearing (whether a Christmas pass had been recommended or ordered). Prosecuting attorneys rarely interacted with the parents.

In summary, most judges and most defense attorneys involved parents in the courtroom to some extent. At the minimum, judges asked parents some key questions about what was going on with their child, particularly if the youth was living at home with them. Virtually all the judges asked the parents if they had any questions. Some judges were quite active in questioning the parents about their child and their home life. In contrast, one judge spoke very little with the parents. Typically defense attorneys actively explained the process to parents, but a minority of the defense attorneys did not seem very helpful to parents.

Making Parents a Part of the Dispositional Process

Formal court orders never required anything from the parents except for family counseling (that presumably would involve the parents) and child support payments to offset the costs of detention, foster care or treatment.

Dispositions often included referrals to services, but the services, were more likely to be directed towards the whole family rather than the parents specifically. For example, a juvenile might be ordered to a drug treatment program that had a family therapy component. Several reviewed cases had recommendations for family counseling. A few did have recommendations for parent counseling. In one case a mother was expected to participate in her child’s treatment program, but had a “no contact order” in effect that allowed contact only in the therapeutic situation. In one case a judge considered a neglect petition based on a parent’s failure to supervise a child, but there was not sufficient evidence to support the petition.

Improving Parenting Skills

There were no formal parenting education programs associated with either court or in either jurisdiction. Some judges occasionally recommend parenting classes or parent counseling,
but they do not order it. Judges sometimes recommend that a parent utilize probation services, but again, they do not order it.

**Barriers to Parental Participation**

According to several judges, the greatest barrier they see to parental participation is not believing themselves to have statutory authority to directly order parents to participate. Parents often do not work with probation services because they are not ordered to do so. However, several judges did not think that ordering parents to services would be effective. One judge believes that parents should be fully informed, treated with respect, and offered services. He thinks that parents usually participate under these conditions. Other judges reported that some parents are so disinterested that it is unlikely they would participate even with orders to do so. One judge suggested that some working parents have difficulty attending hearings during the day.

A court clerk said that the three most common reasons for parental non-appearance were work conflicts, transportation difficulties, and that the parent did not receive notice of the hearing.

A number of participants observed that the probation officers have unrealistically high caseloads and thus are often unable to be very helpful to families.

Finally, the defense attorneys suggested that occasionally parental involvement has been detrimental to a youth’s interest. Parents are asked to report their child’s wrongdoings to the probation officer, and that report could serve as the basis to revoke probation (the probation officer’s report is viewed as truth, with no opportunity for the defense attorney to offer contrary evidence).

**Recommendations for Improvement of Parental Involvement**

There were several suggestions made by participants that might make it more likely that parents would participate in their child’s court proceedings and court ordered services.

- All professionals should consistently and clearly inform parents about the importance of their involvement to their child’s success. Probation officers, in particular, should take (and have) the time to establish rapport and trust with the parents. In order to meet this goal, several participants suggested that probation services need more resources.

- Juvenile night court could make it easier for working parents to attend hearings.

- Volunteers could aid in parental involvement. For example, the Court Appointed Special Advocate (CASA) program was utilized in one jurisdiction with a few delinquency cases. This program assigns a trained and supervised volunteer to work closely with the
youth/family. Depending on the efficacy of such volunteer aid, the concept could be expanded to more jurisdictions and youth.

- Prosecutors should file neglect petitions if parents are not participating in a child’s services.

- Protocols should be developed for consolidating diffuse responsibility for involving both custodial and non-custodial parents. Participants assumed that other professionals in the system were taking care of finding and involving parents. For example, in one court the clerk relied on the prosecuting attorney to obtain the name and address of the non-custodial parent. The attorney seemed to be relying on the police officer. The probation officer admitted that only on rare occasions (placement emergencies or when court-directed) did she have the time to do more than make a few telephone calls. Thus, although there was a general consensus that involvement of the non-custodial parent was important, and notice to the non-custodial parent is statutorily required, there was not a clear protocol for how the non-custodial parent would be identified, located, and encouraged to participate.

- Providing Family Group Conferencing in delinquency and status offender cases can help avoid youth being placed in foster homes or group homes. Such placements are far more likely if parents are not viewed as willing and able resources to help their child meet the requirements of their probation. Family Group Conferencing provides the opportunity for the youth’s extended family to come together and make decisions to address the needs of the youth and community safety, while keeping the youth within his or her extended family.

- Courts need to develop or help organize parenting education systems. Parents appear to be occasionally referred to these kinds of programs, but there was a general vagueness about who was providing it and what the mechanisms were to assist parents in connecting with it. If such services are in place, parents can be encouraged to attend classes on initial contact with probation. Probation services can follow up on parental attendance to ensure that real barriers are not preventing parents from participating. Thus, even if parents are not ordered to participate, there can be many more efforts made to offer parents useful and accessible services that will help them keep their children at home.
CHAPTER 7
SITE REPORT FROM TWO JUVENILE COURTS IN A NORTHEAST STATE

David Blake
Simon Singer, Ph.D.

The following findings were made by a multi-modal assessment of two Northeastern Juvenile Courts, in one urban and one rural county. An upper-level sociology graduate student collected the data, including interviews of key participants in the court system, observations of juvenile hearings, and review of juvenile court records. Interviews were conducted with three judges, two prosecuting attorneys, four defense attorneys, two court clerks, two chief probation officers, and two family counselors. Thirty-four hearings were observed and nearly two-hundred case files were reviewed. Case files were selected by a person from the probation office in each county.

It is clear from the interviews that court personnel see the importance of parental involvement and responsibility. Furthermore, the interviews and the probation reports indicate the importance of parental support in determining whether a child will be placed on probation or kept in detention. The parent’s wishes in these cases is often given great deference by judges. And while many cases indicate a lack of parental participation, this lack is not always intentional or avoidable. Low-level jobs with few benefits may force parents to skip court appearances in favor of maintaining jobs. The following findings are from an initial exploration of the concerns that need to be addressed by all parties involved in juvenile hearings.

Getting Parents to Court

It was common practice for custodial mothers of adolescents to be present for proceedings. In twenty-six cases, the mother was present. Fathers, however, were only present for eight cases, and only one case involved a father being present during the court proceeding without the mother. In no case did the judge ask about the absent fathers’ whereabouts. In two cases, grandparents were also present for the hearing.

In both courts, the clerk and probation offices gather information on both custodial and non-custodial parents. Notices are then sent to both parents, when possible (i.e., when the court has the non-custodial parent’s address). This is done, even when neither parent is the custodial parent (such as when the youth is in foster care). In both counties, there is a discussion with the custodial parent about the whereabouts of the other parent. In one county, they ask the child if they have an address or number for the non-custodial parent. Probation meets with parents from the beginning and attempts to explain the whole process, encouraging the parents to attend all case-related events.

The County Attorney’s office represents the parents in status offender cases. As one judge noted: “We make this available to the parents, giving them a voice in the process. Giving them a sense of role in the process.” It becomes the role of the County Attorney to “make parents aware of the seriousness of their child’s alleged actions and the consequences of
those actions,” and then press upon them the importance of being present for hearings. One judge attempts to schedule hearings around the work schedule of the parents, in an attempt to get them to attend. If parents do not attend hearings, he requests that the child’s attorney contact the parent(s), encourage them to be there for the next court date, in addition to the regular notices sent by the clerk’s office.

As mentioned earlier, information on fathers is gathered by the clerk and the probation office, when the information is known. Before the first court date, a custodial parent is asked for an address and/or number of a non-custodial parent. If they do not know, or will not give that information, the youth is asked whether they have that information. According to one probation supervisor, the mother’s word is taken at face value. If she says she does not know where the father lives, it is left at that. If the information is obtained, notices of court dates are sent to both parents.

In the situation where the father is incarcerated, someone will contact the parent in jail. This is especially true for status offense cases where the court may be looking for family members willing to house the child. Also, if the parent lives out of state, they are informed that they will be allowed into the court to speak, regardless of the feelings of the other parent.

While the court does make an effort to notify parents to attend court proceedings, and encourages them to participate, even if they are the non-custodial parent, there is no process in place to mandate such attendance. In questioning the court clerks about any unusual steps taken to secure parental attendance, or any sanctions imposed for non-attendance, neither clerk could recall any such case. It basically came down to a simple issue: both clerks and the three judges interviewed noted that there was no authority for the courts to secure parental presence, other than with regard to restitution cases. The limitations of the law prohibit the ability of the courts to secure the presence of the parents at court hearings.

Parents have been known to give a number of reasons for not being present at court hearings. Missing work is an issue for some parents. Others have reported illness. Some have stated that “they could care less about the kid.” Finally, substance abuse has been offered as a reason for a parent being unable to attend court. A child’s attorney noted that it is mandatory for the custodial parent to be present for court proceedings, but that provisions allow for excuses. However, he will not proceed without a parent being present.

During court observations there were cases where parents were not present at court. In each instance, the case was either immediately adjourned until the following week, or it was followed through until it reached a point where a parent needed to be present. For example, in one case the judge listened to the deposition of a counselor from a facility where an adolescent was placed. She described the progress that the adolescent had made. When it came time to discuss the possible release of the adolescent from the facility, the judge ended the hearing, and rescheduled it in order to make sure that the mother was present for this part of the hearing. This was due to the fact that they were to determine whether the adolescent should return home to the mother.
Probation agreed that, in the case of a state offender, a proceeding will be postponed until a parent is present. They noted, however, that with a juvenile delinquency case, they will call the parent, if they are absent from the court, and explain what happened. This would indicate that some judges do continue with cases in the absence of a parent.

Of the cases that appeared before the rural court, no adolescent appeared without a parent. There were two instances where a defense attorney was present, once with a representative of the adolescent’s school, but no child and parent. In both cases, the case was adjourned until the following week. In the urban county, there were three cases where the parent was not present at the time of the hearing. The adolescent was there, due to the fact that they were presently incarcerated. In all three cases, the judge adjourned the scheduled disposition until the following week.

In summary, while mothers are often present for juvenile cases, fathers are usually absent. This is despite the attempt by the court to locate and notify fathers of court dates. The County Attorney represents the parent in status offender cases. Finally, while many judges are reluctant to proceed with cases in the absence of parents, there is no way to legally compel parental attendance/participation.

**Understanding the Parent/Child Relationship**

From interviewing the County Attorney in both courts, it was clear that they receive the majority of their information directly from probation officers. This is because their relationship with the adolescent and parent is often adversarial. The County Attorney from the urban county noted that they are precluded from speaking with parents in juvenile delinquency cases. And since they represent the parents in status offender cases, their relationship with the adolescent then becomes adversarial. For this reason, their information comes from two sources. The first is probation reporting back to them about the adolescents coming before them. Have the adolescents been attentive to scheduled appointments? Are parents cooperative with probation? Probation officers provide them with information on the progress of the juvenile, and their opinions of how to proceed.

A second source for understanding the parent/child relationship is the court proceeding itself. The urban County Attorney noted that as a case proceeds through several dispositions, she gets a sense of the relationship between the parent and child, and whether it is improving.

The juvenile attorneys also experience limited contact with parents. They do not always get an accurate picture from the parents, since they represent the child, sometimes at the expense of the parent. As one of these attorneys from the urban court noted, “you often meet the parent before you meet the kid, and you can see the problem coming at you.”

Probation has the greatest contact with the child and family. Part of the responsibility of the probation officer is to prepare a case history on each child. Much of this information is a family history.
In preparing the case files, an important component for gathering data is home visitation. Both probation directors spoke to the importance of interviewing the child and family in the home. It is here that you see the conditions of the home environment. A discussion of expectations of parents for their children in the home is undertaken. Probation officers are looking for information on the relationship between the child and step-parents and step-siblings, and the relationship between the child and non-custodial parent. According to one Probation Director, probation checks in on the parent/child relationship often, as they perceive the parent/child relationship to change. This continuing dialogue with the family can be found in the probation reports.

In reviewing the probation reports there are certain components that can be found in each report. These reports include family history, prior contacts with the court, educational history, and medical and psychological evaluations.

Many of the adolescents are involved in excessive truancy and delinquent activity at school. Files indicate how involved or uninvolved parents are in responding to complaints by the school when a child is involved with delinquent behavior. Excessive truancy by a student, and parental failure to respond to this truancy, has been sufficient reason for some probation officers to suggest to the court that an adolescent may need a more structured environment (such as placement in a facility).

Prior experience with the courts, both for parents and for the child, is also documented. Cases where the parent(s) is frequently filing status offense petitions (or for related violations) against a child, often end up with runaway situations. Case histories can become an important part of understanding those types of parent-child relationships.

Finally, the family history is an important part of the file in understanding the parent/child relationship. As mentioned earlier, knowing the family structure (two-biological parents, single parent family, step-parent/siblings) is important. Is the father present in the home, and if he is not, is he active in the child’s life? How do the adolescent and parent (custodial and non-custodial, biological and step) get along? This section may document a parent’s brush with the law, or issues of substance abuse or mental illness, which might better explain an adolescent’s personal issues. This section is often extensive and insightful into the family life.

In summary, much of the information on the parent/child relationship comes from two sources: courtroom observations and probation reports. These reports include information from home visitations done by probation, psychological reports of counselors, school files, and a written family history compiled by probation.

**Involving Parents in the Courtroom**

The role of the parent in the courtroom, during hearings, is limited in all types of cases. It is more limited, however, if the case is a juvenile delinquency case. In status offender cases,
the County Attorney represents the parent. This is perceived as giving the parents a voice in the process. Parents sit at the petitioner’s table with the County Attorney. In juvenile delinquency cases, parents sit in the back with all other observers of the court hearing. Despite this difference in placement, there is not much difference between the two types of cases in terms of a role for parents. Parents in juvenile delinquency cases may have less of a role in influencing a judge’s decision, according to one judge, but that is often because the law mandates certain sanctions for certain behaviors. Despite the limited role, parents are made to feel that they are important in the proceedings. An example of this was the use of an interpreter in the courtroom. One judge asked if an interpreter was needed. When it was determined that one was needed, the judge then instructed the interpreter to translate immediately, in order that the two parents would be able to follow along as the case was heard.

During the hearing, there is limited interaction between the parents and court personnel. Only the judge had contact with many of the parents. Part of this limited interaction is due to the relationship between parents and certain attorneys. As mentioned earlier, in juvenile delinquency cases, the County Attorney is precluded from speaking with the parents. And in status offender cases, often the parent is in opposition to the advocacy of the child’s attorney, who may be recommending the return home of an adolescent, instead of a placement, when a parent wishes placement.

While there is little interaction in the courtroom between parents and lawyers, there is a great deal of interaction that occurs between attorneys and parents in the waiting room.

It was the judge who had the greatest interaction with the parents during court proceedings. In all cases but one, it was the judge who initiated a discussion with them. This interaction was brief, and for the purpose of fact-finding. There is certain information that judges look for from parents. Behavior at home was an important issue for all of the judges. Are the parents able to control their child’s behavior, and do they wish to take them home, are key questions. Probation records indicate that probation officers usually support a parent’s wish for their child (placement or probation), and judges typically respond to those recommendations. The child’s behavior and parental wishes also are seen as a way to “get a little feel for their (parents) parenting ability” according to one judge.

One judge was faced with two cases of a child having run away. Not being present for the disposition, the judge asked the parents on two separate occasions in the proceeding as to whether they knew where their child was at that time. An update on recent behavior was asked for, and when a parent was too general in his response, a request for more specifics was given by the judge. One mother was asked about the child’s school attendance, in light of his excessive truancy. Finally, a father was asked about his ability to provide for his daughter, if she were to be released from the facility where she was presently detained. He was also asked about his ability to ensure that she attended school. There were several parents, in each court, who had no contact with the judge during the proceedings. When the judge did ask the parents for their input, they (the judges) were open to allowing the parents to say as much as they wished. While most were short with responses, one mother involved
in a status offender case did speak for several minutes. Only one case involved a parent raising his hand and asking a question.

In summary, status offender cases provide greater opportunity for parental participation. There is greater interaction between the County Attorney and parents in these cases. Judges did question parents about their children’s behavior, and provided opportunity for most parents to respond and ask questions.

Making Parents a Part of the Dispositional Process

It has already been noted that the courts (especially judges) feel that they are limited in their jurisdiction to mandate parental participation and parental responsibility in juvenile cases. For this reason, it was difficult to find many formal court orders requiring participation by parents. The following information is based on the reading and recording of roughly 180 probation reports.

First, in each case that resulted in probation, “a parent or other persons legally responsible for the care of the probationer” was expected to: cooperate with the Probation Officer; notify the Probation Officer of any change of address; permit the Probation Officer to visit the probationer at their home or elsewhere; and obtain permission of the Court before allowing the probationer to leave the jurisdiction of the Court. The cases that do speak of court ordered parental action reflect family situations where the parent or parents are perceived as negatively influencing or even hurting the child.

In one formal court order, the parents were ordered to cooperate with one another in raising the child. In the same court, a mother was ordered to attend parenting classes and ensure that the adolescent attend counseling. Records do indicate that three parents were ordered to attend the EPIC program (see below), and one parent to attend a Tough Love class. Finally, a father, who was accused by his daughter of hitting her, was ordered to refrain from corporal punishment. The court ordered him to refrain from such punishment, and to attend parental counseling.

What is found in a number of the cases studied was encouragement of parents to participate in family counseling or parental educational programs by probation personnel. Parents are noted in some of these files to have refused to attend such counseling. There never appears to be any indication that there were repercussions for such refusals.

Lastly, parents were warned in two instances to stay on top of filing reports on their child’s probation progress.

Improving Parenting Skills

As mentioned above, parenting education is rarely mandated, but is often encouraged by court personnel. This is especially true for probation officers. Many files do include notes
indicating encouragement of parenting education classes or family counseling. As one child’s attorney noted, in speaking of many parents he has met, the “parental skill is lacking, not the love.” How then do the courts attempt to improve parenting skills?

While most orders do not include parental mandates, the status offender diversion program in the urban county does. That program involves a contract with both the child and the parent. The parent agrees to spend quality time with the child and provide assistance to the department of probation. Failure to do so can be grounds for dismissing the child from the program.

The urban court also runs a program called EPIC. EPIC is a six-week program, and runs two hours, one time a week. It covers issues pertaining to parents, and they (the parents) can select topics to discuss. There are thirteen topics. The program explores communication, parenting skills, rules and regulations, self-destructive tendencies of children, such as eating disorders, drug use, running away, and suicidal behavior. This free program is open for six to ten persons at a time, with sixty to seventy people being helped each year (see below for reasons given for why they may not have more people attend). The program offers alternatives to harmful parenting styles (such as suggesting alternatives to corporal punishment).

The Multisystemic Therapy program is a primary source of parental education and counseling for families in the rural court. The reason for promoting the Multisystemic Therapy program is that the counselors go into the home of the family for many of their sessions. The program is run by Catholic Charities of Buffalo, and funded through the County of Niagara. The program looks to assess for strengths and weaknesses in familial areas. The program is an intensive two to four month program that is time-based on family need. The intervention is tailored to the family. A case is not closed until the parent(s) have a plan in place for change.

**Barriers to Parental Participation**

Our research uncovered several barriers that prevent better parental participation in the juvenile court process. The first involves issues of information. Parents are not always aware of their potential role in the courtroom. Likewise, the courts often lack the information that they need to help the child and the parent. Having that information may, for example, open up doors to other family members willing to accept custody of a child, rather than having to place the child.

A second obstacle to parental participation involves the parent’s job. Parents often give their jobs as the reason for failure to attend court or counseling. Many of the parents of adolescents involved in the court system are working in low-income jobs. Issues of job security and few benefits (such as time-off) become important. Connected to this is the issue of health care. Many of these jobs do not include healthcare. Therefore, counseling is not paid for by some insurers. Many families cannot afford the opportunity to attend counseling.
Transportation becomes an issue for some. This is not simply for parents trying to get to court, but more so for the adolescent who is scheduled to meet with a probation officer, but is unable to get there. Parents work and cannot get off to drive the adolescent there. They may also be afraid to have the child take public transportation.

Next, several persons interviewed, including judges and probation officers, noted that some parents simply experience parenting deficits which impede their ability to participate. Parents who were teenagers at the time of their child’s birth, and parents who themselves failed to navigate the educational system, may be at a disadvantage in helping their child to navigate it. This may have some relationship to future behavioral and social problems.

A final point is perceived parental apathy and a tendency to just ‘give up’ on the child. Parents are, at times, in the court system because they want to give responsibility for their children to the county. This affects the willingness of parents to continue accepting any responsibility or participating in their child’s probation efforts.

In summary, six points stand out as barriers to greater parental involvement. These include information, and the barriers that may prevent parents from receiving and/or understanding information given by the courts, as well as the courts receiving all important information from parents; issues surrounding the jobs of parents, and their inability to get off from work for court, or have benefits in their jobs provide healthcare (including counseling) for children and transportation; parental deficits that hinder good parenting; and finally apathy on the part of parents.

Recommendations for Improvement of Parental Involvement

• There is a need for greater application of parental responsibility. Several court personnel mentioned this as a concern. This is especially important in light of the state’s passage of new status offender laws, making a child eligible for such jurisdiction until they are 18 (up from 16). The judges and other court personnel are recommending that we need stronger parental responsibility laws, in order that the courts can be better aided in the supervision of adolescents in the court system.

• One way that this might be done is to strengthen the responsibility of the parent in the probation process. The passage of parental responsibility legislation could help achieve this, if parents are coming to the court for assistance, such as in status offender cases, shouldn’t they be expected to take a role in responding to the problem? However, the probation departments in both counties are about to be asked to take on even more responsibility with a higher status offender age eligibility. Supervisory responsibility will need to come from somewhere.

• It is recommended that attention be directed toward recognizing the need to begin working with parents and children at an earlier age, exploring ways to address problems at the earliest possible opportunity. In interviewing the supervisor of juvenile probation for rural court, she noted that they are seeing greater numbers of children of a younger
age coming through the probation department. To deal with this concern, the various agencies that work with parents and children (e.g., schools, courts, child welfare) are going to have to work together, even more so than they already do.

- Legislation should be explored that would allow for greater information access among various agencies that work with parents and children. Presently, parents are asked to sign waivers that allow for one agency to share information with another. However, this is obviously not enough, as expressed by probation and the judges. Directors of various agencies could develop a plan to allow them to protect the rights of clients while at the same time affording the access they need to important information available to them.

- The issue of financial support for increased parental strengthening needs to be acknowledged and addressed. Too many parents miss court hearings, probation, and/or counseling appointments due to job responsibilities. The judge in our rural court noted that he tries to schedule individual hearings around a parent’s work schedule. The Multisystemic Therapy program likewise goes into homes when parents are available, and the EPIC program is scheduled in the evening partly to ensure that parents are home from work. However, more could be done. For example, more evening or Saturday opportunities for parental participation.

- The American Bar Association and other organizations should push state and federal agencies to allocate grant monies to fund pilot projects that support greater parental involvement -- such as home supervision, domestic violence counseling, and use of electronic monitoring as an alternative to incarceration of delinquent youth.
CHAPTER 8
SITE REPORT OF TWO JUVENILE COURTS IN A SOUTHEAST STATE

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The following findings were made by a multi-modal assessment of two juvenile courts in a southeastern state, one in an urban county and the other non-urban. A sociology graduate student collected the data, including interviews of key participants in the court system, observations of court hearings, and a review of juvenile court records. Interviews were conducted with four judges, two prosecuting attorneys, two defense attorneys, two county directors of the Department of Juvenile Justice, and two chief probation officers. Twenty-two hearings were observed and twelve case files were reviewed. Judges granted permission for their courts to be used in this study and were therefore aware that a researcher was present and studying parental involvement. Case files were not randomly selected.

Without exception, participants viewed parental involvement in juvenile cases as essential. However, opinions were split with regard to the perceived causes of current low levels of parental involvement in juvenile cases. About half of the participants felt that it was the fault of the juvenile justice system that more parents were not involved in cases. The other half felt that it was lack of parental involvement in a juvenile’s life that resulted in the juvenile’s arrest and that such parents could not be counted on as part of the solution.

Judges were more likely to involve parents of juveniles who had committed status offenses than more serious crimes. Three of the four judges observed in the courtroom formally made parents a party to each of their orders. The results of this study should be considered preliminary and exploratory, not definitive, because of the small sample size, the judges’ awareness of our research interests and presence in the courtroom, and the non-random selection of case files.

Getting Parents to Court

In the twenty-two court cases that were observed for this project, there was only one case where a juvenile appeared in court without a parent. In this isolated case, the juvenile was accompanied by a court-appointed guardian. In the remaining cases, the majority of juveniles were accompanied by one parent, almost always the mother. There were five cases where both the mother and father were present. However, two of these fathers were non-custodial and appeared only after being subpoenaed by the judge. There were two cases where the juvenile was accompanied by a parent and a court-appointed guardian. In one of these cases, the crime was against a family member and representation by a guardian was deemed necessary due to the possible conflict of interest on the part of the parent. In the second case, the juvenile was living in foster care and not in the custody of that parent who attended the hearing.
There is a statute in this state requiring a parent to be present with their child in juvenile court. Though this seems to be effective in obtaining the presence of the custodial parent in most cases, efforts to get non-custodial parents to participate varied from judge to judge and from county to county. When asked about how they assure the presence of non-custodial parents in court, these were the responses of the four judges interviewed:

“It is very hard and I must rely on the Department of Juvenile Justice.”

“As a judge I don’t take any extra steps.”

“I subpoena daddies. At various times I have made it a standing requirement that fathers be sought out, but I haven’t been able to keep the momentum going for two reasons. First, high turnover in solicitors, and second, I’m one of now five judges in this county, so very little of what I require has any impact because I’m now only twenty percent of the speaking authority in my home circuit. But it ought to be required by state statute. We need a statute that specifically states that every absent father be subpoenaed and present in court. I can try to get the Department of Juvenile Justice to get the those parents in, but they just usually won’t do it. I’ve learned how powerless I am.”

“When I am hearing a juvenile case, if I don’t see both parents present I ask for an explanation and I think this is reasonable. I require the presence of both parents at subsequent hearings. It might be where one of the parents was at work, and this excuse might be reasonable because of the financial burden. Often times it is a non-custodial parent who I think needs to be involved. I do subpoena, and I have in rare instances issued a bench warrant after a parent fails to appear after being served.”

During the course of the in-court observations, there was only one judge who subpoenaed absent non-custodial parents. This judge stood down two cases while deputies left the courtroom to subpoena two non-custodial fathers who were expected to appear in court later that day.

Understanding the Parent/Child Relationship

**Probation Officers.** There is a standard statewide Department of Juvenile Justice client assessment intake form. This form is completed by the probation officer, who questions the parent when a child is arrested. The questions on the form that inquire about family relations are as follows:

- Name and address of legal custodian
- Name, address, phone number, marital status, date of birth, health status, employer and income, employer’s phone number, and criminal record of the juvenile’s natural mother, natural father, step-parent, and significant adult
- Name, relationship, date of birth, school/occupation of members of the household and significant peers
• Home environment: house, apartment, trailer, rent, own, living conditions, placement history
• Home discipline
• Parent/child relationship

Beyond these standard intake questions, probation staff reported asking open-ended questions of parents regarding the relationship with their child (e.g., “Describe your relationship with your son.”).

One chief probation officer reported being very interested in how many hours per day parents spend with their children. According to this probation officer, not only does this information help the Department ofJuvenile Justice better understand family dynamics, but it also informs them about the level of supervision the child receives. This probation officer described a common scenario in which the parent of a juvenile works the night shift and rarely sees his or her children. This is especially important information in single parent families, because juveniles may be left unsupervised throughout the night.

A Department of Juvenile Justice county director reported that questions about the parent/child relationship are important because they are “searching for links to what caused the crime.” One of the chief probation officers reported that his main focus in asking about the parent/child relationship was to help determine whether or not the child has a confidant at home:

“... I want to see if the juveniles have someone to talk to. Most of them do not have a good relationship with their parents, and we want to get them into a program where they can open up and speak about their problems.”

Each Department of Juvenile Justice representative interviewed stressed the importance of gaining an understanding of the parent/child relationship upon intake and indicated that this was a standard procedure.

**Defense Attorneys.** Although, there were no interview questions specifically asking the defense attorneys about their efforts to understand the parent/child relationship, both attorneys interviewed did mention this relationship during their interviews. Both attorneys felt that problematic parent/child relationships can negatively influence the defense of a juvenile. One defense attorney described the difficult situation that sometimes arises when a parent wants his or her child to be committed to a corrections facility. Since the defense attorney is working for the juvenile and not the parent, it is his or her job to try to keep the juvenile out of the facility. It severely weakens the defense if the parents are not willing to take their juvenile back into the home and work with him or her on correcting the behavior problem:

“Often times there is a conflict because the parent may feel the child is defiant and may need to be sent off and have some consequences. The attorney has to be mindful of their client, the juvenile, and can’t always involve the parent in the way that they would like to because of these duties.”
An example like this was observed in the courtroom during this project. The judge openly stated that he did not want to commit the juvenile to the Department of Juvenile Justice or send him home with his mother, but the youth’s father did not want custody of him. Though the defense had convinced the judge not to commit the juvenile, there appeared to be no other good option until a grandmother was found to take custody of the child.

One defense attorney spontaneously offered that he tries to influence the communication between the parent and child:

“I’ve tried to encourage the parents and children to start working through their differences because a lot of times the family situation causes the problems the child is in to start with. Any time family counseling is recommended, I push for it with the family…Defense attorneys can meet with the parent and child at the same time. This gives you an opportunity to view their family situation.”

Both defense attorneys mentioned that parents frequently weaken their defense because they are often the witness against the child. For instance, both attorneys discussed probation violations where the parents are required to report violations to the probation office or face contempt charges. One defense attorney stated that there are times that he separates the parent and child so that the child can tell his or her own story about alleged violations. Often a parent will speak for a child, impeding the attorney/client communication. This same attorney also separates the parent and child when he needs to ask “embarrassing” questions of the child. In these cases, he always advises the child to share the information with his or her parent eventually, because the subject is likely to arise in court.

Prosecutors. Neither of the prosecutors specifically discussed attempts to understand the parent/child relationship in cases they prosecuted, but both of them did view the dysfunction in families and the irresponsibility of parents as being the cause of juvenile delinquency.

Involving Parents in the Courtroom

It was customary for the prosecutors, when introducing a case to the court, to announce the presence of all family members who were in attendance. In all but four of the twenty-two cases, the judge spoke with the parent. Generally, parents were only encouraged to participate at the end of the proceedings. Before a judge announced the orders, he or she would ask a parent if they had anything to say. In about half of the cases a judge would ask one or two clarifying questions of the parent, for instance, “How is his behavior at home?”, or “Why is your daughter missing her probation appointments?” However, most of the judges focused their questioning on the juvenile, probation officers, school representatives, and the attorneys.

The role and treatment of parents in the courtroom varied by county, judge, and case specifics. For example, in one county, parents were seated with their children and the defense attorney in front of the judge. However, their physical proximity to the judge
appeared to have little effect on parental exchange with the judge, since in this county, there was far less parental involvement during hearings. Though the parents were more visible to the judges, the judges asked far fewer questions of them. In the second county, parents were seated in the front row, behind the child and the defender. In this county, however, the judges were much more likely to involve the parents by asking them questions or speaking to them directly. Usually when a judge in this county addressed a parent, it was to ask questions clarifying the situation surrounding the child’s arrest or to better understand a child’s home or school experience. Typically, the last thing a judge did before he or she announced the orders was to ask the parents if they would like to address the court.

Judges also differed in their involvement of parents. There was one judge in particular with a dramatically different approach. This judge typically asked one or two questions of the juvenile and professionals involved with the case and focused questioning on the parents. This judge wanted both parents present at every court date, whether or not they were custodial parents. It was standard scene in this judge’s courtroom for the parents to be standing throughout the entire hearing due to many questions asked of them that the judge asked very few questions of the juveniles but forcefully questioned the parents in each of the four cases that were observed. The parents stood in the front row, usually for the duration of the hearing, answered questions, and were lectured to regarding their role in their child’s life and problems. This judge’s orders were almost exclusively directed at the parents.

Parental involvement also varied by case in that judges were more likely to involve parents of juveniles who had committed status offenses, especially truancy, than if there was a criminal charge. Not only was this obvious in the courtroom, but it was also stated by several judges and attorneys during the interviews that this was common practice. As stated by one judge:

“It depends on the nature of the offense in terms of parental participation. There is more court-ordered parental participation for status offenses than for criminal offenses. …. Parents have to come to court because of compulsory school attendance laws - they are subject to court orders. They are not subject to court orders for criminal offenses unless a probationary program involves parents - then the parent agrees to be placed under the court order.”

In two instances, a parent asked a question of a judge. In one case, a mother asked the judge if her son could attend an alternative school. In the second case, the mother called out to the judge and asked to be able to speak at the close of a hearing. The judge had not offered her the opportunity to speak during the hearing. He immediately granted her the floor to speak and put her under oath. Some people sat back down, others stood in the aisle to listen, and others continued to leave the courtroom. The mother questioned the judge’s order and had important information that made one of the judge’s orders impossible to carry out. (The judge had ordered her son to attend school, however, her son had been expelled from the county school system and was not allowed to return to school.) Since she was made a party to her son’s probation order requiring school attendance, had the mother not brought this to the attention of the court, she could have been arrested for contempt of court.
Two other mothers raised their hands at the end of hearings in order to make statements to the judge because they had not been given the opportunity to speak earlier.

Interaction between parents and the attorneys was not observed in 21 of 22 cases. The one time parent/attorney interaction was observed, the defense attorney whispered a few words to a parent during a hearing.

**Making Parents a Part of the Dispositional Process**

Three of the four judges observed in the courtroom formally made parents a party to each of their orders. The most common orders for parents were attached to probation orders for the juvenile. In these cases, judges typically ordered parents to report their child’s behavior to the Department of Juvenile Justice if the child broke the probation order. For instance, if a child was ordered to abide by a curfew, and if he broke his curfew, the parent could be held in contempt of court and sent to jail if he or she failed to inform the probation officer.

Two of the four judges ordered parents to attend family counseling with their children, and one of the judges made frequent referrals to parenting skills classes. One judge was unique in orders to parents. This judge’s orders specified amounts of time and days that non-custodial parents were to spend with their juveniles. This judge also ordered parents to attend literacy classes and drug rehabilitation, and frequently ordered parents to end all romantic involvement with girlfriends or boyfriends while their children were in trouble. Parents’ live-in girlfriends or boyfriends were ordered out of the house so that parents would focus on “keeping their child out of prison” instead of focusing on their own personal lives.

When asked about what steps they took to involve parents in the court cases, the judges responded in these ways:

“We can’t change in court what happened in the past, so what you do in court is you give adults the tools with which to participate with their kids. I require family counseling. And sadly that is all we can do.”

“When I do find fathers that are local, I order visitation. I’m forcing fathers to be fathers and I think that we need a bunch of statutes on that, too. … visitation is treated as a right in our statutes not a responsibility.”

“I listen to the recommendations of the Department of Juvenile Justice and actually order parents to participate in certain programs or aspects of the child’s treatment. One juvenile was in on use of marijuana and his evaluation indicated that his father used marijuana, too. I ordered the father to comply with drug treatment and random drug testing … The big thing is that you try to get a common agreement on what the goal and rehabilitation of a child should be and also to get them (the parents) to agree on what is the best way to achieve that goal (drug treatments, counseling, etc.). At the conclusion of the hearing you’ve gotten the parent to buy into the process - they agree on the goal and the best means to achieve the goal.”
One county Department of Juvenile Justice office reported that, a few years ago, their probation officers felt powerless to require parental participation in probation plans. The administrative judge then added a phrase to the probation orders in that county that states:

“The probation officer is authorized to instruct the parents or guardians to participate in, and cooperate with, any service or program deemed to be in the best interest of the juvenile. Failure to comply with the terms of this order or instruction of the probation officer may subject the above-named respondent, parents or guardians to penalties for contempt of court.”

Improving Parenting Skills

One of the two counties surveyed had parenting skills classes. This county also had a mental health program that places a family counselor in the home to observe everyday interactions between family members and point out positive behavioral changes to both the parent and juvenile as situations arise. Otherwise, referrals were made to behavioral and mental health agencies for family counseling. In cases where parents felt they could not control their child, a combination of Department of Juvenile Justice commitment and foster care were ordered.

Barriers to Parental Participation

Judges, Department of Juvenile Justice county directors, and chief probation officers were asked what barriers they foresaw in increasing parental involvement. Responses may be grouped into two categories: institutional barriers and individual barriers. Examples of institutional barriers ranged from a lack of legislation requiring judges to include non-custodial parents in the juvenile court process and a lack of funds, to the need for a holistic approach and the difficulty of high caseloads. Individual barriers typically pointed to shortcomings of the parents themselves. The judges responded to the question in the following ways:

“I don’t know of any barriers except those imposed by people themselves.”

“Socioeconomic, historic, age-old reasons, broken homes, and abusive families. You can’t fix that they have no respect. It may be impossible to change.”

“Money. But more than that, the entire paradigm that this state uses to address juvenile issues is seriously flawed because it fails to address the whole family. So we really need to change the entire way we look at these kids. It is a broken piecemeal system. It does nothing to hold parents accountable for how their child got that way; it does nothing to help parents. We don’t do anything to guide parents in the rearing of their children. Our entire society doesn’t see where a parent should be held responsible for the problems that their child is having: the General Assembly, the judiciary, and Department of Juvenile Justice. Without those directives, no one will take the initiative … Our system
was set up to get a child through the adjudicatory process as quickly as possible and what has resulted in this race to complete the case is that inadequate time exists to investigate what the needs of the family are, especially when a child sits in detention for 30 days and the solicitor and defender work together to drop charges: he’s been sitting there for 30 days and no one in the system has investigated his problems; he has missed 30 days of school, mom gets a 30 day vacation; he comes in here and is ready to plead guilty, and the Department of Juvenile Justice has done nothing but the initial intake to see what the problems are.”

“Economic, where there are two working parents and the need for their income often times prevents full participation and divorced families where there is often times great geographical or emotional barriers between the parent inhibits participation. A lesser but significant barrier is internal disagreements between parents on how the child should be raised. This often pushes one parent outside in making decisions … (there is) an entrenched attitude. We are now very accustomed to single parent families and we are all too happy to deal with a single parent. Often times all it takes is an invitation and the non-custodial parent will participate fully. But we don’t make an effort, and they may know nothing about it.”

The lack of parental involvement was viewed by half of the interviewees as primarily a parenting issue; the other half viewed the lack of parental involvement as an institutional
issue. Those viewing the lack of involvement as a parenting issue made statements like “… we truly give them opportunities … we could not add anymore …” or “… I don’t see how we can increase (parental participation). We’ve got the court order where you can threaten someone with sanctions, but if they do not want to participate, they are not going to give 100 percent” or, “Other than getting them (the parents) here, I don’t know what else we can or should do.” It was the general sentiment of this group that parental involvement is important. However, they felt that the initiative must come from the parent. The implication of their statements is that they feel the system works well, and that it is up to the parent whether or not they want to become involved and help their child.

These interviewees did not offer many suggestions for improving parental involvement. For example, one judge stated that parental participation “… cannot be accomplished by ordering parents to be parents.” By contrast, another judge stated “I’m forcing fathers to be fathers and I think that we need a bunch of statutes about that, too.”

**Recommendations for Improvement of Parental Involvement**

- Approximately half of juvenile justice professionals interviewed saw major institutional flaws hindering their efforts to cultivate better parental involvement. One judge suggested the following legislative change:

  “What I would propose is that if you don’t have the Department of Juvenile Justice do it, you would have to multiply your staff at the Department of Social Services, or train Department of Juvenile Justice workers in family systems. We need legislation directed toward family court judges that would require them to address the entire family system. We have a statute that says that we can bring in a parent, but it is not a requirement - it should be changed to say that a parent should be a party to the Department of Juvenile Justice action, it should not be left to the discretion of the court.”

- A defense attorney suggested some changes that could be made at the local levels of the juvenile justice system:

  “One specific thing would be for a social worker to be funded and work through he public defenders office to be able to provide more information regarding the family history, provide better recommendations specifically geared for the family and their needs and to be able to link these families with services before they ever get to court for their final disposition, or even before they see the judge for their arraignment to get services before hand. The investigative services that we have through our offices are very limited. We have one investigator for 4 full-time and 4 part-time attorneys and we have to rely on … in my specific case I rely on a volunteer to do this social work before getting to court, but even that agency’s assistance is limited and could disappear any day. Ideally we should have more of an opportunity to meet with the parents and the child early on and be more familiar with the child as well as the family and their relative strengths and weaknesses. Also, it would be helpful to have information that is provided in the initial Department of Juvenile Justice intake process, typically they incorporate
this in their summary that you may get the day before, but it would be helpful to have this information before you get to the courtroom. It is difficult to even get information regarding the child’s specific charges, police reports, petitions, and probation orders from the solicitors office. And if I didn’t request it, they would not be providing it. In the ideal world all juvenile defense attorneys should have that information before they even advise a client.”

“There is a really huge need for community programs to work with the families here, but without the money for these programs, more kids are going to be locked up and incarcerated. We have family preservation from mental health, which is ideal because they are in the home at least 3 times a week, every week, and involve the whole family and it really works. Once a month doesn’t really get through to them.”

These three quotes illustrate different areas that are perceived as requiring improvement to help the juvenile justice system better involve parents and to better help juveniles: state law, the juvenile court system, the Department of Juvenile Justice, and the community-level programs. The interviewees who viewed the inclusion of parents in the juvenile justice process as necessary to truly improve outcomes for juveniles also saw the juvenile justice system as having the potential for being a proactive and preventative institution instead of simply a punitive one.

**Recommendations**

During the course of this research, we were struck by the fact that with rare exception, the juveniles who appeared in court were members of impoverished socioeconomic situations. And beyond that, those who wielded the power to help them and their families, or to incarcerate them, in some cases for up to seven years, were members of privileged socioeconomic situations - which gave them little understanding of the influences, chaos, and navigational complexities faced by the juveniles each day in making decisions. This class difference permeated every interaction between the juveniles (and their families) and the judges. In watching court proceedings, at times this interaction struck us as the collision of two different worlds.

- There needs to be a clear institutional commitment to the inclusion of families in the juvenile justice process. Proactive intervention and family inclusion need to become standard priorities for the juvenile courts.

- Improvements are needed in the assessment of families who have contact with juvenile court. Due to fiscal constraints, which result in undertrained and overwhelmed probation officers, a thorough assessment of a family’s situations is not possible. To be able to more accurately assess family strengths, weaknesses, and needs, case loads for probation officers should be significantly reduced. In addition, probation officers may significantly benefit from training and/or assistance from social workers who can provide a family systems view.
• A third concern, has to do with the defense of juveniles. The public defenders interviewed had very little time to meet with their clients before the court date. It was common to see the defenders whispering to a child during court, scribbling down notes to record what the child were saying. One defender reported regularly being denied more time to talk with her client by a judge, even though she knew little about the child’s case. A suggestion was made by a defender for there to be an investigative social worker at the public defender’s office to assist them in gathering information before a court date, including home visits and family interviews. She stated that she has to seek out files from the prosecutor’s office, police reports, and the Department of Juvenile Justice reports herself, with unreasonably short notice to defend a juvenile. She also said that she has colleagues who do not take these measures. They simply meet the juvenile the morning of the court date, ask them how they want to plea, and proceed from there, with little ability to understand and advise juveniles.

• Furthermore, the lack of representation for parents during the juvenile’s court hearings is a significant concern. Parents are subject to court orders (e.g., ordered to end personal relationship), interrogated by judges, and even jailed, all without representation, when they enter the courtroom for their child’s hearing. Although juveniles are appointed a public defender, parents are rarely represented by counsel. Many parents are not aware of their need for representation, even if they are able to afford it. They enter the court with the belief that it is their child who will be subject to the rulings for breaking the law, not themselves.

• Finally, there is a great need for community services and initiatives that help prevent a family’s involvement with the juvenile justice system as well as comprehensive support services that are available to families once a child comes into contact with the system.
CHAPTER 9
STATE LEGISLATION ON PARENTAL INVOLVEMENT

For too long, little has been known about the ways in which this country’s juvenile courts involve the parents of juveniles in trouble with the law. There has been some legislative interest in the issue of sanctions against parents for the criminal behavior of their minor children. However, there has been far less attention to how the law and the courts can promote positive parental participation that will help to keep their children out of further trouble with the law.

In recent years, a number of articles have been written about state legislative approaches to hold parents legally accountable for the offenses of their minor children. Appendix II includes a bibliography of parental involvement/accountability literature. The media have also called attention to the issue of parental “criminal” responsibility. Parents can be prosecuted, in almost every state, for the traditional offense of “contributing to the delinquency of a minor.” In virtually all states, parents can be held civilly liable -- up to a certain dollar limit -- for the damage or harm caused by their children. Many states have special laws to authorize judges to order parents of delinquent children into treatment, counseling, or even “parental responsibility” programs, while other states have transformed their “Children in Need of Services” (CHINS) legislation into “Families in Need of Services” (FINS) laws that take a more holistic view of parent-child relationship problems.

More recently, curfew ordinances have authorized judges to order that parents pay fines or receive counseling after a child’s curfew violation, and some states have enacted broader “criminal parental responsibility” laws for use in extreme cases of parental failures to supervise and control their children. According to the National Conference of State Legislatures, during 1997 and 1998 alone, at least 15 states passed or amended parental responsibility laws. In April 1999, President Clinton at a White House conference called for legislation that would hold parents criminally responsible if they recklessly failed to keep firearms out of the reach of a child.

Legislation in each state (including the District of Columbia) provides four main ways through which parents may be held accountable by the courts for the actions of their children. First, statutes compel involvement of parents, both procedurally and substantively,
in juvenile court proceedings. Second, some statutes provide criminal penalties against parents for either the acts of their minor or for ways in which the parent’s behavior contributed to the wrongful acts of the minor. Third, every state has laws that permit parents to be held responsible, through the imposition of penalties, for failing to send their minor child to school. Depending on the state, these penalties can be imposed by the juvenile court, the criminal court, or through a civil court proceeding. Finally, all states provide for some type of civil parental liability for the torts of a minor. Thus, parents can be held accountable for the acts of minors not only in juvenile court, but also through criminal and civil court proceedings.

This statutory survey, completed in July 2000, provides an overview of the methods that state legislation provides to both involve parents in the judicial proceedings of minors and to hold them accountable for their own actions and the actions of their child. The cited statutes represent the most recent version available, via electronic database, as of July 31, 2000. This does not include statutes enacted in 2001, nor does it necessarily include every new statute enacted during 2000 (especially in the latter part of that year) or special 1999 legislative sessions. See Appendix III for a state-by-state overview of State Parental Involvement Accountability Statutes.

Laws on Parental Involvement in Juvenile Courts

Parents (as well as legal guardians and custodians) are involved in the juvenile court process in two main ways. First, courts utilize statutes designed to involve parents procedurally in the court system. Second, courts involve parents through authority to hold them accountable for the actions of their dependent minor children through the substantive case disposition process. Though state laws share some basic similarities in their treatment of parents, the level of statutory involvement varies widely throughout the states.

Purpose Clauses

The theoretical framework under which parents are held accountable is typically presented in the purpose or legislative intent sections of juvenile codes. Many states have a form of basic sentence stating, in some manner, that parents are responsible for their child’s conduct and should be involved in the rehabilitative process. See, e.g., Wyo. Stat. Ann. § 14-6-201 (“To provide treatment, training, and rehabilitation that emphasizes the accountability and responsibility of both the parent and child for the child’s conduct.”).

Some states give a much more detailed account of the level of accountability required of parents:

Parents, custodians, and guardians are deemed by the state to be responsible for providing their children with sufficient support, guidance, and supervision to deter their participation in delinquent acts… [T]he ability of parents, custodians, and guardians to fulfill those responsibilities can be greatly impaired by economic, social, behavioral, emotional, and related problems. It is therefore the policy of the Legislature that it is the state's responsibility to ensure that factors impeding the ability of caretakers to fulfill their responsibilities are identified through the delinquency intake process and that
appropriate recommendations to address those problems are considered in any judicial or nonjudicial proceeding. 

Fla. Stat. Ann. § 984.02. See also, Idaho Code §20-501 (emphasizing that the goal of counseling should be to understand the family’s role in juvenile offending); 705 ILL. COMP. Stat. 405/5-110 (stating that certain behaviors of parents, guardians, and legal custodians should be deterred in order to develop competency of the minor and promote accountability by the minor for his or her actions).

A few states dedicate a section of their juvenile code specifically to the duties and expectations of parents. For example, Colorado has a “Parental Accountability” statute which states that “families play a significant role in the cause and cure of delinquent behavior of children” and mandates significant cooperation and participation by parents in the assessment and treatment planning for their children. See, Colo. Rev. Stat. §19-2-113. The section also details some of the possible programs that parents can be obligated to attend, including participation in parental responsibility training, performance of public service, and financial liability for cost of care given to the juvenile. See also, Idaho Parent Responsibility Act, Idaho Code §32-1301; 42 Pa. Cons. Stat. Ann. § 6310 (the only Pennsylvania statute that speaks to parental accountability and involvement).

Court Procedures
States are virtually unanimous in having general procedures for releasing or detaining children in custody and in notifying parents of court proceedings. When a child is taken into custody, the parent or guardian must be notified and most laws include procedures for releasing the juvenile to an adult caregiver. See, e.g., N.M. Stat. Ann. § 32A-2-10. In Kansas, intake officers may place conditions upon the release of the juvenile to a parent, including participation by the parent in counseling or mediation or requiring the parent and child to sign a behavioral contract. See, Kan. Stat. Ann. § 75-7023.

In all states, the parent or person with custody of the child must attend court proceedings with the child. See, e.g., Nev. Rev. Stat. § 62.140. Some states also provide that if the person summoned is not the parent of the child, then the parent must also be summoned. See, e.g., Va. Code Ann. § 16.1-263. Even where the biological or adoptive parent is not required to appear in court, some states require that they be notified of the pendency of the proceedings. See, e.g., Me. Rev. Stat. Ann. tit. 15 § 3304; Neb. Rev. Stat. § 43-3101 (requiring reasonable efforts by the court to notify non-custodial parents). But see, 705 Ill. Comp. Stat. 405/5-525 (notice not required for a parent who does not reside with child, who does not pay regular child support, or who has not communicated with child on a regular basis); Wis. Stat. § 938.27 (notice not required for a father of a child who was conceived as a result of sexual assault). In addition to guardians, some courts can order the attendance of any other person with whom the child resides. See, D.C. Code Ann. § 16-2325.1.

While the majority of states require only that parents be notified of the time, date, and place of hearing and their required attendance, see, e.g., Wash. Rev. Code § 13.40.050, a few states also require notice that parents might be held financially liable for the care of the juvenile or for restitution. See, Cal. Welf. & Inst. § 656. Most notably, North Carolina
also requires notice that if the allegations are found true at the adjudication hearing there will be a dispositional hearing at which the rights of the parent or guardian may be substantially affected – including the possibility of requiring the parent’s participation in treatment, or that the parent undergo evaluation and treatment, or that the parent could be ordered to pay for treatment of the juvenile or for the juvenile’s out-of-home services. The notice further states in bold type:

TO THE PARENT(S), GUARDIAN(S), OR CUSTODIAN(S): YOUR FAILURE TO APPEAR IN COURT FOR A SCHEDULED HEARING OR TO COMPLY WITH AN ORDER OF THE COURT MAY RESULT IN A FINDING OF CRIMINAL CONTEMPT. A PERSON HELD IN CRIMINAL CONTEMPT MAY BE SUBJECT TO IMPRISONMENT OF UP TO 30 DAYS, A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS ($500) OR BOTH.

N.C. GEN. STAT. § 7B-1805 (emphasis in original).

Some juvenile courts are not prevented from proceeding with a case in the absence of a parent or guardian. See, Mich. Comp. Laws § 712A.6a. But see, Vt. Stat. Ann. tit. 33 § 5521 (hearing on a petition shall not take place without at least one parent or guardian of the child present). However, parents can be strongly penalized for not attending, with the most common punishment being contempt. See, e.g., Minn. Stat. § 260B.163. See also, Wyo. Stat. Ann. § 14-6-215 (bench warrant can be issued to compel attendance); Tex. Fam. Code Ann. § 51.115 (punishable by fine between $100 and $1000).

Courts differ as to the treatment of parents at the actual hearing. A handful of states require the judge to verbally inform parents of their rights and obligations under the law. See, Ky. Rev. Stat. Ann. § 610.060. It also appears that some states, in some situations, may provide parents as well as children the right to counsel (which includes appointing counsel for those financially unable to obtain representation independently). See, e.g., Cal. Wel. & Inst. § 634; Or. Rev. Stat. § 419C.285 (giving parents the right to counsel at the disposition stage of proceedings); Fla. Stat. Ann. § 984.08 (giving court discretion in deciding whether to appoint counsel for parents of status offenders).

Few states provide specific statutory accommodations for parents with language barriers. In Wisconsin, the court may appoint an interpreter for the parent of a juvenile, if the court determines that the parent’s impairment (inability to understand English or a hearing impairment) is serious enough to prohibit him or her from communicating with the child’s attorney. See, Wis. Stat. Ann. § 885.37.

Disposition Process

Approximately six states specifically allow parents some form of right to present evidence, or to testify on behalf of themselves or the child, prior to the entry of the court’s dispositional order. See, MINN. STAT. § 260B.163. Kansas allows parents to use a court-appointed attorney to contest an order entered against them. See, KAN. STAT. ANN. § 38-1663. Indiana provides the most noteworthy procedures for involving parents positively in pre-disposition decisions. The Indiana code provides that the court shall try to enter a dispositional order that provides services close to the parent’s home, interferes least with family autonomy, imposes the least restraint on child and parent, and provides a reasonable opportunity for participation by the child’s parent, guardian, or custodian. See, IND. CODE § 31-37-18-6.

The widest variation among states appears in the extent of parental accountability and mandated parental participation authorized by statute. Some states apply the same penalties to parents of juvenile offenders and status offenders, while others differentiate between the applicable penalties. See, e.g., KAN. STAT. ANN. § 38-1606 (differentiating between the financial obligations of parents for the two types of cases). These penalties are difficult to quantitatively compare and evaluate due to the discretionary language employed by most statutes. Even in the enumeration of possible dispositions against parents, there appears to be room for creativity and discretion on the part of the judge.

The following is a survey of enumerated parental penalties imposed by statute.

1. General orders of parental participation
About fifteen states give the court discretion in ordering participation by the parent in services ordered for the juvenile, or in some other manner that controls the conduct of the parent. See, e.g., MD. CODE ANN. CTS. & JUD. PROC. § 3-820; ARIZ. REV. STAT. ANN. § 8-243. The court can also obligate the parent or guardian to assist and support the court in implementing the court’s orders. See, COLO. REV. STAT. § 19-2-113. Several states also provide for parental involvement in the formation of a case plan for the juvenile which can include actions to be taken by the parent as well as the child. See, FLA. STAT. ANN. § 984.12 (requiring that the case plan meeting for a family in need of services be at a time convenient for parent and child).

2. Community Service
Even absent some direct culpability on the part of the parent for the child’s behavior, a few states specifically provide for the parent to perform community service with the child. See, e.g., ARK. CODE ANN. § 9-27-330. Two states limit the number of hours the child and parent can be ordered to perform. TEX. FAM. CODE ANN. § 54.044 (500 hours); ARK. CODE ANN. § 9-27-330 (160 hours). Texas waives the requirement if the parent or guardian made a good faith effort to prevent the child from engaging in delinquent conduct. See, id.

3. Counseling and Treatment
Approximately 20% of the states explicitly authorize courts to order parents to attend counseling or other forms of treatment. See, e.g., KAN. STAT. ANN. § 38-1563. We have
identified four states in which the court can order the parent to submit to a mental or physical examination. See, e.g., ARK. CODE ANN. § 9-27-331.

4. Parenting Classes
The Colorado code provides a definition of parenting classes that a judge can order a parent to attend. The Colorado parental responsibility training program includes, but is not limited to, programs concerning: physical, social and emotional child growth and development; skill development for parents in teaching responsibility; prevention of drug abuse; and aspects of interpersonal and family relationships. See, COLO. REV. STAT. § 19-2-304. However, few other states specifically allow the court to order parents of offenders to attend some sort of parental responsibility or skills program. See, e.g., FLA. STAT. ANN. § 984.204.

5. Restitution and Fines
Approximately twenty states provide methods by which parents can be required to pay restitution for damage caused by the minor that resulted in the court proceedings. See, e.g., OKLA. STAT. ANN. tit. 10 § 7303-5.3. Some states cap liability at the amount specified for parental civil tort liability. See, IDAHO CODE § 20-520. Others further limit this liability by conditioning it on the parent’s ability to pay, see, CAL. WEL. & INST. § 730.7, or by allowing a defense if the parent made a good faith effort to prevent the juvenile from engaging in delinquent behavior, see, CONN. GEN. STAT. § 46b-140. A small number of states provide for performance of community service as an alternative to monetary reimbursement. See, e.g., FLA. STAT. ANN. § 984.231; OKLA. STAT. ANN. tit. 10 § 7303-5.3 (providing a process whereby the child can be ordered to perform community service at minimum wage to earn the amount of restitution the parents are ordered to pay). In one state, parents or guardians can be ordered to perform services directly for the victim. See, COLO. REV. STAT. § 19-2-919.

Two states, Alabama and Arkansas, allow parents to be fined when the juvenile commits an offense. ALA. CODE § 12-15-71 (up to $250); ARK. CODE ANN. § 9-27-330 (up to $500). Beyond these two statutes, parents are generally only fined through contempt citations or as persons jointly and severally liable for fines assessed against their minor child.

Three states provide specific fine and restitution procedures for parents of juvenile graffiti offenders. In Texas, the court may order the parent or guardian to pay a $5.00 graffiti eradication fee. TEX. FAM. CODE ANN. § 54.0461. In Nevada, parents are liable for any fines assessed against the child and may be required to complete community service if financially unable to pay the fine. NEV. REV. STAT. § 206.330. In lieu of fines, parents in Oregon can be required to complete a parent effectiveness program. OR. REV. STAT. § 419C.461. Upon completion of the program, the court will dismiss any monetary penalties previously imposed on the parent. Id.

6. Penalties when parents’ behavior contributed to the misconduct of the child
Over 20% of states provide separate penalties for parents whose explicit failure to exercise control over their juvenile was a proximate cause of the acts on which a finding of delinquency or status offense is based. See, WYO. STAT. ANN. § 14-6-244. Generally speaking, the court can require a parent or guardian to participate in remedial programs, see.
N.J. STAT. ANN. § 2A:4A-43, or issue an order controlling the conduct of the parent or guardian, see, OKLA. STAT. ANN. tit. 10 § 7303-5.3. Courts can utilize many of the same penalties imposed on parents whose behavior was not a proximate cause of the child’s delinquent behavior. See, e.g., TENN. CODE ANN. § 37-1-174 (community service); TEX. FAM. CODE ANN. §54.022 (parenting classes); N.J. STAT. ANN. § 2A:4A-43 (restitution); OR. REV. STAT. § 419C.575 (drug abuse treatment). Some penalties, however, are markedly higher when the court finds the parent to be a contributing cause of the minor’s behavior. See, e.g., ARIZ. REV. STAT. ANN. § 8-234 (up to $1,000 fine or up to 30 days imprisonment); TEX. FAM. CODE ANN. § 54.022 (failure to attend a hearing under section is class C misdemeanor); TEX. FAM. CODE ANN. § 54.041 (court can enjoin all contact between parent and child).

In at least one state, an act of juvenile delinquency is processed as a dependency proceeding if the alleged delinquent child is under 12 years old. See, MINN. STAT. ANN. § 260C.007. Though there is no specific statutory language on point, it appears that statutes allowing prosecution against a parent for criminal failure to supervise (see later, “Criminal Liability”) could provide a tool for prosecutors, child welfare agencies, and juvenile court judges to also convert a delinquency case into a dependency proceeding.

7. Positive participation
While most juvenile court case dispositions permit the imposition of penalties on parents for the acts of their children, some states allow for more positive, proactive participation by parents via the dispositional process. For example, two states provide job protection to parents who must miss work in fulfilling their obligations to the court. See, N.C. GEN. STAT. § 7B-2705 (“No employer may discharge, demote, or deny a promotion or other benefit to any employee because the employee complies with the provisions of the juvenile code…”); NEV. REV. STAT. § 62.900 (giving parents a civil remedy against an employer who terminates or threatens to terminate their employment as a consequence of their appearance in court). Two states provide economic assistance to parents. S.C. CODE ANN. § 20-7-7805 (Court can order economic assistance such as food stamps for the parents of juvenile offenders.); FLA. STAT. ANN. § 984.11 (Court can order services to families with status offenders that include homemaker or parent aide services, parent training, or housekeeper services). Finally, almost every state with an alternative disposition program requires that parents consent to the program before allowing the juvenile to participate. See, e.g., MICH. COMP. LAWS § 722.823 (requiring that parent, guardian, or custodian also agree to work with the youth services agency); ARIZ. REV. STAT. ANN. § 8-321 (requiring that parent and child sign a contract in which the parent ensures the juvenile’s participation in court-ordered programs). Although these programs may actively involve parents in the decision-making process, most also impose financial obligations on the parent for the cost of such participation. See, id.

8. Penalties for non-compliance with dispositional orders
Contempt of court is the most common penalty for violation of a juvenile court order or interference with a court order. See, e.g., W. VA. CODE § 49-7-18. Contempt sanctions can also be used as a way to force parents to attend treatment, counseling or education programs. See, ARIZ. REV. STAT. ANN. § 8-243. However, parents in at least one state are entitled by
statute to fair and adequate warning of the consequences of a violation of an order prior to the imposition of sanctions. See, CONN. GEN. STAT. § 46b-149. Without a concurrent charge of contempt, Florida judges can levy fines against parents who do not utilize social service programs. See, FLA. STAT. ANN. § 984.22.

**Financial Obligations**

In addition to financial liability for tort damages and restitution, parents and guardians can be obligated to pay costs incurred by the state in connection with the juvenile offender. However, all states preface this imposition of financial liability on the parents’ ability to pay. See, e.g., 705 ILL. COMP. STAT. § 405/6-9. Some courts use a standardized method to calculate indigency, see, CAL. WELF. & INST. § 903.45, while others require a parent or other responsible individual to submit a financial statement by which the court will determine the proper level of reimbursement, see, N.H. REV. STAT. ANN. § 169-B:40. The Oklahoma code provides that if a parent previously found indigent is subsequently found able to pay, the court can order retroactive installment payments. See, OKLA. STAT. ANN. tit. 10 § 7303-7.6. A few states will consider the parent’s opportunity to correct the offensive conduct before imposing financial liability. See, ARK. CODE ANN. § 9-27-332.

The majority of states mandate that financially able parents reimburse the court for costs associated with juvenile proceedings. About half the states specify that parents must reimburse the court for the legal fees of the child. See, e.g., KY. REV. STAT. ANN. § 610.060 (legal fees only); see also WYO. STAT. ANN. § 14-6-235 (miscellaneous court costs as well). In nearly two-thirds of the states, the court can order a parent to pay for the care and maintenance of a child placed in out-of-home care. See, e.g., 705 ILL. COMP. STAT. 405/5-710; see also CAL. WELF. & INST. § 903.4 (declaring that the purpose of its financial responsibility statute is to substantially increase income to the state and counties through court-ordered parental reimbursement for the support of juveniles who are in out-of-home placement). About 30% of states also mandate that parents pay for certain ancillary services provided to juveniles who are not in the custody of the state. See, e.g., NEV. REV. STAT. § 62.810; see also, NEV. REV. STAT. § 392.268 (requiring a parent or guardian to pay increased transportation costs if the child must be sent to a different school due to the juvenile offense committed). A minority of states give parents the opportunity to be heard prior to the court order imposing financial responsibility. See, e.g., MICH. COMP. LAWS § 712A.18; MONT. CODE ANN. § 41-5-1202 (giving parents the additional right to subpoena and question the person who prepared the financial report).

In the majority of states, juvenile court orders of reimbursement and child support are enforceable via contempt proceedings, see, e.g., NEV. REV. STAT. § 62.820, or by wage garnishment or other methods of civil judgment, see, e.g., MICH. COMP. LAWS § 712A.18b. Wyoming employs the most stringent policy: the court may order the obligated parent to obtain full time employment and may require that person to complete community service until full-time employment is obtained. See, WYO. STAT. ANN. § 14-2-236.

**Probation**

States have a wide variety of methods to involve parents in the probation process. Some states require the parent to assume further financial responsibility, either by imposing a
monthly supervision fee, see, e.g., OKLA. STAT. ANN. tit. 10 § 7303-5.3, or by requiring the parent to post a security bond for the child placed on probation, see, e.g., WASH. REV. CODE § 13.40.054.

Some states have statutory procedures that involve parents throughout the probation process. For example, Alabama requires that the court explain the terms of probation to the parent and child, including the penalties which may apply to both for failure to comply with those terms. See, ALA. CODE § 12-15-11.1. Ohio provides that the parent of a child placed on probation must receive written notice not only of the terms of the probation, but also notice that the child’s house and vehicle could also be searched. See, OHIO REV. CODE. ANN. § 2151.411. In Washington, parents who post a probation bond on behalf of their child can report violations of the juvenile and ask for modifications of the probation terms. See, WASH. REV. CODE § 13.40.054. Iowa can require the parent to participate in educational or treatment programs as part of the probation plan. See, IOWA CODE § 232.52. More generally, courts in about 20% of states can order the parent to cooperate with and assist the juvenile in complying with the terms of probation. See, e.g., N.C. GEN. STAT. § 7B-2703.

Parents can be punished for failure to comply with the terms of juvenile probation. Some states impose a fine, see, e.g., Or. REV. STAT. § 419C.570 (up to $1,000 fine), or contempt charge, see, e.g., IOWA CODE § 232.52, or even the possibility of imprisonment, see, ALA. CODE § 12-15-11.1. Idaho also provides for a possible $1,000 fine, but allows the court to order parenting classes or counseling in lieu of payment. See, IDAHO CODE § 20-522. However, in Alabama, probation requirements do not apply to parents who initiated the proceedings by filing against the child. See, ALA. CODE § 12-15-11.1. Finally, Oregon courts cannot revoke a juvenile’s probation solely because of the parent’s failure to comply with a court order. See, OR. REV. STAT. § 419C.570.

Some Notable Statutory Programs and A Few Conspicuous Statutory Gaps
State parental responsibility laws exist on a wide continuum. While the states mentioned above provide specific procedures for including parents in the court process and holding them liable for the acts of their child, other states are most notable for the lack of attention paid to parents within their statutes. For example, the Nebraska code requires no participation or accountability of parents other than their physical presence at court proceedings. Utah also requires little of parents other than financial reimbursement of legal fees.

Hawaii involves parents in a slightly different manner. While parents are only responsible for restitution and maintenance of a child placed outside the home, the juvenile code permits parents to voluntarily apply to the court to obtain appropriate services regarding issues or problems involving the child which are not being successfully resolved within the family. See, HAW. REV. STAT. § 571-31.3. By emphasizing parental participation before a petition is instituted against a child, Hawaii appears to utilize a more proactive, as opposed to defensive or penalizing, role for parents. States such as Florida that can designate families of juvenile status offenders as “families in need of services” also emphasize a more holistic approach to parental involvement. See, e.g., FLA. STAT. ANN. § 984.04.
A handful of state statutes provide for various types of early intervention programs that involve parents in deterring delinquent and status offense conduct. For example, California has several prevention type programs that involve parents in an integral manner. For example, the “At-Risk Youth Early Intervention Program” is designed to assess and serve families with children with chronic behavioral problems. The parent can refer the child directly to the program, where the staff will work with both parent and child to develop a plan to address behavioral problems. In addition to the requirements placed on the child, the plan can require parents, as a condition of further participation in the program, to engage in counseling or parenting classes. See, Cal. Welf. & Inst. § 601.5.

Parental Criminal Liability

Contributing to the Delinquency of a Minor
More than two-thirds of states have explicit statutory provisions for holding adults, in some manner, criminally liable for the delinquent conduct of children. Typically the statutes prohibit acts that cause, encourage, or contribute to a child's delinquency. See, e.g., Va. Code Ann. § 18.2-371. In most cases these violations are misdemeanors. See id. Notably, a few states require the offender to financially contribute to the future support or welfare of the juvenile. See, e.g., Mass. Gen. Laws Ann. ch 119 § 63. In addition to contributing to the delinquency of a minor (CDM), a few states have statutes prohibiting the use of a child in the commission of a felony, which carries a greater penalty. See, e.g., Wis. Stat. Ann. § 928.36.

Although statutes prohibiting contributing to the delinquency of a minor do apply to parents, approximately one quarter of the states have specific provisions within their CDM laws, or a separate statute, applying to parents. In general, these statutes prohibit a parent from neglecting, failing to support, or failing to control their child such that the child becomes delinquent or commits a status offense. See, e.g., Miss. Code Ann. § 97-5-39. For instance, in Louisiana, a parent may be found guilty of criminal negligence if his or her child is a member of a gang, convicted of a felony, a drug user or distributor, has access to firearms, or commits status offenses. See, La. Rev. Stat. Ann. § 14:92.2. See also, Or. Rev. Stat. § 163.577 (describing the offense of failure to supervise a child and authorizing punishment as a Class A violation). The parent may escape liability if he or she informs law enforcement officials of the child's involvement in the activities, and a parent may be fined, sentenced to jail time, or required to complete community service. See, La. Rev. Stat. Ann. § 14:92.2. In addition to this distinct statute, Oklahoma law prohibits a parent from neglecting or failing to comply with an order of probation after the child has been adjudicated delinquent. See, Okla. Stat. tit. 21 § 858.2. A few other states prohibit contributing to a minor’s violation of a court order. See, e.g., Mich. Comp. Laws. Ann. § 722.151.

In a small minority of states, the child need not be adjudicated delinquent for an adult to be prosecuted for contributing to the delinquency of a minor. See, e.g., Wis. Stat. Ann. § 948.40. A few provide for criminal sanctions for adults who interfere with juvenile court orders. See, e.g., Mo. Rev. Stat. § 211.421.
Criminal Liability for Unsafe Storage of Firearms

Approximately one-quarter of states have statutes imposing liability on adults for unsafe storage of their firearms. Generally, an adult owner of a firearm is criminally liable if a loaded firearm is stored negligently – i.e., in a way that he or she knows or reasonably should know that a minor (or child under a specified age) will be able to access the firearm. See, e.g., FLA. STAT. ANN. § 790.174; VA. CODE ANN. § 18.2-56.2. A violation occurs if the child gains access, displays, or discharges the firearm. See, e.g., N.C. GEN. STAT. § 14-215.1. In most cases the person is guilty of a misdemeanor. See, e.g., id. Notably, in Texas a greater penalty is placed on the adult if the child caused injury with the weapon, see, TEx. PENAL CODE ANN. § 46.13, and Massachusetts provides a greater penalty based on the type of firearm and whether the minor had access without unforeseeable trespass. See, MASS. GEN. LAWS ANN. ch. 140 § 131L. In a few states, it is an affirmative defense that the child gained access to the firearm by unlawful entry. See, e.g., TEx. PENAL CODE ANN. § 46.13.

Criminal Liability for Child's Possession of Firearms

In addition to criminal liability for storage of firearms, parents in almost one-third of the states are liable for their child's possession of a firearm, or for providing a child with a firearm. See, e.g., DEL. CODE ANN. tit. 11 § 603. Limitations on liability are provided in some states. In a handful, liability is limited to situations in which the parent was aware that the child was violent, or that there was a risk the child might commit an offense. See, e.g., OKLA. STAT. ANN. tit. 21, § 1273. The majority of states provide an exception if the child is accompanied by his or her parent or a person authorized by the parent. See, e.g., MONT. CODE ANN. § 45-8-344. Notably, parents in Mississippi are only liable if a child is carrying a concealed weapon. See, MISS. CODE ANN. § 97-37-15.

Beyond liability for a minor's possession of a firearm, a handful of states include specific provisions for parental liability for a minor's possession or use of a firearm on school property or at school-sponsored events. See e.g., MICH. COMP. LAWS ANN. § 750.235a. Of note, Oklahoma provides for an administrative penalty on the parent, including a fine or community service, that is not recorded on the parent's criminal record. See, OKLA. STAT. tit. 21 § 858. In addition, Maine prohibits adults from furnishing firearms to children under sixteen years old, but provides a defense if the person was the child’s parent. See, ME. REV. STAT. ANN. tit. 17-A § 554.

Miscellaneous Criminal Liability Statutes

Similar to laws on contributing to the delinquency of a minor are provisions holding parents liable for other petty or status offenses of their children. For instance, in a number of states it is unlawful for parents to allow their children to violate bicycle laws. See, e.g., 75 PA. CONS. STAT. ANN. § 3503. Another five jurisdictions hold parents criminally liable for curfew offenses by their child, see, e.g., OR. REV. STAT. § 419C.680. Finally, at least two states prohibit a parent from permitting an unauthorized minor to drive. See, R.I. GEN. LAWS § 31-11-19.
Parental Responsibility for Failure to Abide by Compulsory Education Laws

Every state provides for parental responsibility to ensure a child’s compulsory school attendance. Generally, compulsory attendance laws provide the ages between which a child must attend school and the penalty a parent may face for a violation of the section. See, e.g., MINN. STAT. §§ 120A.22, 120A.34. In some states, failure to send a child to school is considered a violation and subject to a fine, see, e.g., MASS. GEN. LAWS ch. 76, § 2. In about half of the states it is considered a misdemeanor and punishable by fine or time in jail. See, e.g., 105 ILL. COMP. STAT. 5/26-10. Additionally, in most cases the parent must have been given notice that the child was not in attendance and be given an opportunity to comply with compulsory attendance laws before prosecution. See, e.g., 105 ILL. COMP. STAT. 5/26-7, 5/26-8. Fines may range from $5.00, see, e.g., DEL. CODE ANN. tit.14, § 2709, up to $1,000. See, e.g., VT. STAT. ANN. tit. 16, § 1127. Notably, in North Carolina, ten or more absences of a child are considered to make a prima facie case that the parent is responsible for the child's truancy. See, N.C. GEN. STAT. § 115C-378.

Additionally, one-quarter of states have separate provisions prohibiting any person from aiding, abetting or inducing a child to become truant; generally, noncompliance is a misdemeanor punished by jail time or a fine. See, e.g., LA. REV. STAT. ANN. § 221.1. See also, VA. CODE ANN. § 22.1-279.3

Beyond criminal or civil penalties, a few states provide for services or other programs to aid families in reducing truancy. One of the more comprehensive statutory provisions comes from Texas, in which a school-community guidance center program was established. See, TEX. EDUC. CODE ANN. § 37.054. The program is a multidisciplinary effort between school, law enforcement authorities, and parents. See, TEX. EDUC. CODE ANN. § 37.051. Parents may be required to participate in meetings with the child and school officials to develop a plan to confront truancy. See, TEX. EDUC. CODE ANN. § 37.055. The school district may also obtain a court order for the parent's compliance with a plan. See, id.

Parental Tort Liability

Every state has at least one form of general parental tort liability under which a parent can be held civilly liable for the damage or harm caused by a minor child. Although these statutes are similar in many ways, they also have striking differences. In addition, many states have tort liability statutes for specific conduct of a minor, including: theft, motor vehicle damage, and actions involving weapons. A minority of states also hold parents liable for other miscellaneous actions of their children.

General Parental Tort Liability

As mentioned above, all states have some form of parental tort liability. Although in many ways these statutes are similar, their differences will also be discussed. Several states have statutes articulating the legislative intent behind making parents liable for torts of their minor children. For example, West Virginia finds that with repeated acts of vandalism committed by children living with their parents, "there arises or should arise out of such a
relationship, a responsibility to recompense persons injured." The statute further provides that, "It is the intent of the legislature to make parents responsible for the torts of their minor children by reason of the parent-child relationship..." See, W. VA. CODE § 55-7A-1. Additionally, the New Jersey Code includes legislative findings indicating that, "parents should have some responsibility for the conduct of their children... There should be some legal deterrent to juvenile acts of vandalism and to parental neglect of child supervision." See N.J. REV. STAT. § 2A:53A-14.

The majority of states impose liability on parents whose children are minors, generally those under eighteen years old. See, e.g., N.J. REV. STAT. 2A:53A-15. Two-thirds of states impose liability for personal injury as well as property damage. See, e.g., PA. CONS. STAT. ANN. § 5502. Moreover, about one-third of states require parents to contribute to court costs above the stated limit on liability. See, e.g., ALA. CODE § 6-5-380. Further, almost all states cap parental liability; the low being $800.00 in Maine, see, ME. REV. STAT. ANN. tit. 14 § 304, and high in Texas and California at $25,000.00. See, TEX. FAM. CODE ANN. § 41.002, CAL. CIV. CODE § 1714.1. The cap in most states ranges between $2,000.00 and $5,000.00. See, e.g., MICH. COMP. LAWS ANN. § 600.2913. Noteworthy, Kansas' caps on tort liability do not apply if a minor's acts were a result of parental neglect. See, KAN. STAT. ANN. § 38-120.

Some states present significant differences in how they address parental tort liability. For instance, four states do not explicitly cap the amount a parent may be held liable for personal injury or property damage; of those, New Hampshire's statute permits the imposition of an uncapped fine rather than actual liability for the victim's loss, see, N.H. REV. STAT. ANN. § 592-A:16, and the other three states impose actual liability, but no limit. See, N.J. STAT. ANN. § 2A:53A-15.

Additionally, four states explicitly provide for parental financial inability to pay damages to a victim either by relieving the parent of liability or providing another option. In Missouri, for example, either the child or the parent may work for the injured party in lieu of payment, if the child, parent, and victim agree. See, MO. REV. STAT. § 537.045.

Some states impose additional limits on parental liability. For example, the majority of the states explicitly limit parental liability to parents who have custody or whose children are living with them. See, e.g., DEL. CODE ANN. tit. 10 § 3922. Further, in two states the parent is not held liable unless he or she knew of the child's propensity to commit a tortious act and/or did not make reasonable efforts to control the behavior. See, TENN. CODE ANN. § 37-10-103, TEX. FAM. CODE ANN. § 41.001.

Further limits on parental liability include: Kentucky, in which the parent is only liable if he or she was joined in the original action, See, KY. REV. STAT. ANN. § 405.025, and Utah, in which liability is waived if the parent tried to intervene or report the child's conduct to law enforcement. See, UTAH CODE ANN. § 78-1-20.
**Parental Liability for Shoplifting**

Approximately one-third of states include a separate statute imposing liability for a minor's theft. Most of these statutes apply to retail theft, see, e.g., NEV. REV. STAT. 597.870; however, a few jurisdictions include other theft-related offenses. See, e.g., N.C. GEN. STAT. § 1-538.2.

Although most states impose a limit on parental liability for shoplifting, most apply an extra penalty either explicitly, see, WASH. REV. CODE § 4.24.230, or implicitly by the few states which allow treble damages, see, TENN. CODE ANN. § 39-14-144, or extra damages. See, e.g., MONT. CODE ANN. § 27-1-718. Additionally, most states include parental liability for court costs beyond the shoplifting-related penalty. See, e.g., N.D. CENT. CODE § 51-21-05.

In two states the child need not be found guilty of shoplifting in order for the parent to be held liable. See, WASH. REV. CODE § 4.24.230; 720 ILL. COMP. STAT. 5/16A-7. A few states impose liability only if the parent knew of the child's theft or propensity to commit thefts and failed to intervene or aided in some way. See, e.g., N.C. GEN. STAT. § 1-538.2.

Only one state explicitly allows parents who are unable to pay shoplifting penalties to complete community service in lieu of the monetary penalty. See, OHIO REV. CODE ANN. § 3109.09.

**Parental Liability for Motor Vehicle Related Torts**

Almost one-half of the states have a separate statute imposing parental liability for a minor's tortious conduct while driving a motor vehicle. Generally, these statutes require a parent or other responsible person to sign a minor's application for a driver's license, which in turn imposes liability on that person. See, e.g., FLA. STAT. ANN. § 322.09. Additionally, in most states, the liable adult may request in writing the revocation of the minor's license, thus releasing the adult of liability. See, id. Further, a handful of states release parents from liability if the child shows proof of financial responsibility. See, e.g., IDAHO CODE § 49-310.

Several states only impose separate parental liability for tortious conduct of unlicensed drivers. See, e.g., ARIZ. REV. STAT. ANN. § 28-3163. In three states, liability is only imposed on the adult owner of a vehicle who allows a minor to borrow the vehicle. See, e.g., IOWA CODE ANN. § 321-493. Only one state, Idaho, imposes liability on parents for the fines or penalties imposed for driving infractions of a minor. See, IDAHO CODE § 49-310.

**Parental Liability for Weapons Storage or Possession**

A handful of states impose tort liability either on a parent or adult for a child's access to, or tortious conduct with, a firearm. Of those, only two provide a limit on the amount a parent may be ordered to pay. See, CAL. CIV. CODE § 1714.3, N.C. GEN. STAT. § 1-538.3.
In North Carolina, the parent may only be held liable if the child possessed or committed a tortious act with the firearm or other weapon on school property. See, id. Additionally, in North Carolina, liability is only imposed if the parent knew of the child's propensity to commit such an act and made no reasonable effort to prevent the act. See, id. Noteworthy, in Oklahoma a prior adjudication of delinquency is evidence that the parent knew of the child’s propensity to commit a violent act. See, OKLA. STAT. ANN. tit. 21 § 1273. Hawaii imposes absolute liability on the owner of a firearm whose discharge by a child was the proximate cause of personal injury or property damage. See, HAW. REV. STAT. § 663-9.5.

**Miscellaneous Parental Liability**

Several states provide parental tort liability statutes for specific conduct of their minor children. For instance, both Kentucky and Vermont hold parents liable for damage to textbooks caused by their minor children. See, e.g., VT. STAT. ANN. tit. 16 § 556. Other states hold parents liable for a minor's tortious conduct with fireworks, see, IDAHO CODE § 39-2611; damage to school property, see, MONT. CODE ANN. § 20-5-201; bias crimes, see, N.J. STAT. ANN. § 2A:53A-21; for a dog’s injury to another person, see, MASS. GEN. LAWS ANN. ch. 140 § 155; while operating a boat, see, ALASKA STAT. ANN. § 05.25.040; while in a hotel, see, MONT. CODE ANN. § 70-6-514; or for cruelty or torture to animals, see, S.D. CODIFIED LAWS § 40-1-32.
APPENDIX I
CONTACT INFORMATION FOR COURT-RELATED PARENTAL EDUCATION AND SUPPORT PROGRAMS

Parent Project, Inc. Program

Ralph Fry  
Chief Executive Officer  
2848 Longhorn Street  
Ontario, California 91761  
(909) 930-1901  
(800) 372-8886  
(909) 923-7372 fax

Parents in Charge Program

Don Hillier  
President  
Daybreak Dynamics, Inc.  
1701 S. Peoria  
Tulsa, Oklahoma 74120  
(918) 592-1622  
(918) 592-3442 fax

Families Forward Program

Alice Sweeney-Herd  
Operations Administrator  
Harris County Juvenile Probation  
3540 West Dallas  
Houston, Texas 77019  
(713) 512-4121  
(713) 512-4189 fax

Parenting Solutions Program

Sarah Beers and/or Dianne Kramer  
Management Analyst II  
Clark County Department of Family and Youth Services Parenting Project  
3827 S. Maryland Parkway, Suite 200  
Las Vegas, Nevada 89119  
(702) 455-5295  
(702) 455-8699 fax
CHOICE Parenting Skills Program
James Windell
Clinical Psychologist
Oakland County Circuit Court – Family Division
CHOICE (Court Help On Increasing Control and Effectiveness)
1200 N. Telegraph Road
Pontiac, Michigan 48341
(248) 858-0086
(248) 858-1126 fax

Safer Parenting Program
Solange Ribeiro, CRC, ALC
Sole proprietor
3 Office Park Circle, Suite 102
Birmingham, Alabama 35204
(205) 243-7162
(205) 879-7429 fax

Focus on Parents Support Group
Cheryl M. Starky
Juvenile Probation Officer III
Maricopa County Juvenile Probation Department
Community Services Division
3125 W. Durango
Phoenix, Arizona 85009
(602) 506-4358
(602) 506-4197 fax

Empowering Parents of Teens Program
Mickie Berry
Probation Officer/Parenting Facilitator
1810 South Lewis
Mesa, Arizona 85210
(602) 506-8865
(602) 506-2162 fax
Impact Family Counseling Agency

George Casey
Executive Director
Impact Family Counseling Agency
631 Beacon Parkway West, Suite 112
Birmingham, Alabama 35209
(205) 916-0123
(205) 916-0878 fax

Video Education to Inform Parents

Dallas Coleman
Chief Casework Services
Oakland County Circuit Court – Family Division
1200 N. Telegraph Road
Pontiac, Michigan 48341
(248) 858-0217
(248) 858-1693 fax

Parental Involvement in a Juvenile Review Board

Kathleen Rieth
Director of Juvenile Court Services
10th Judicial District/Johnson County Court Services
1255 East 119th Street
Olathe, Kansas 66061
(913) 324-6900
(913) 782-3297 fax

Community Volunteers as Auxiliary Probation Officers

Denise M. Hinson
Administrator Volunteer Services Bureau
Juvenile Court of Memphis and Shelby County
616 Adams Avenue
Memphis, Tennessee 38105
(901) 405-8863
(901) 405-8839 fax
Multisystemic Therapy Services

Marshall Swenson, MSW, MBA
Manager of Program Development
Multisystemic Therapy Services
268 W. Coleman Blvd. Suite 2-E
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(843) 856-8226, ext. 14
(843) 856-8227 fax
APPENDIX II
BIBLIOGRAPHY OF PARENTAL INVOLVEMENT/ACCOUNTABILITY LITERATURE

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APPENDIX III
STATE PARENTAL INVOLVEMENT/ACCOUNTABILITY STATUTES

The following is not a comprehensive listing of all possibly relevant state statutes. For example, those statutes that uniformly appear to require parents to appear in court have been omitted. This Appendix is meant to give an overview of state statutes regarding parental responsibility, as well as to highlight some of the more unusual or innovative statutes.

Alabama

I. Civil Liability

a. Property damage

§6-5-380 Liability of parents or guardians for malicious acts of minors
- Liable for actual damages sustained up to $1,000 plus court costs for any willful or malicious destruction of property by minor.
- Applies to parents, guardians, or other person having care or control of minor under 18 with whom minor lives.

b. Shoplifting

§6-5-271 Shoplifting
- Parent or legal guardian of minor under 19 liable for
  - full retail value of merchandise if not recovered at its full retail price
  - expenses for recovery of merchandise in amount of $200
  - reasonable court costs and attorney fees not to exceed $1000
- Parents only liable for up to 3 offenses in each calendar year with maximum liability of $750 for each offense.
- Foster parents not liable.
- Only parents or guardians with whom child lives are liable.
- Section includes not paying for meal in restaurant.

II. Criminal Sanctions

a. Bicycles and motorcycles

§32-5A-283 Bicycles
- Unlawful for parent or legal guardian to allow child under 16 to operate or be a passenger on a bike in violation of bike laws.

§32-5A-245 Equipment
- No parent or guardian shall knowingly permit or allow juvenile to operate or ride on motor cycle without wearing protective helmet or without wearing shoes.

b. Contributing to delinquency of a minor

§12-15-13 Contributing to delinquency of a minor
- Unlawful for parent, guardian, or other person to willfully aid, encourage, or cause child to become or remain delinquent or in need of supervision.
- Failure of parent or custodian to cause child to attend school is guilty under this section.
- Conviction = misdemeanor, up to $500 fine and/or up to 12 months hard labor.

c. Disregarding order of juvenile court

§12-15-14 Disregarding court order
Any person who disregards court order under juvenile proceedings section [§12-15-1 et seq] guilty of misdemeanor. Liable for up to $500 fine and/or up to 5 months hard labor.

III. Juvenile Court

a. Purpose
§12-15-1.1 Purpose
- Includes “integration of parental accountability and participation in treatment and counseling programs”

b. Dispositions
§12-15-71 Possible dispositions
- Court can make any order as court deems in best interests of child, including drug screens, up to $250 in fines, restitution against parent, guardian, or child.

c. Financial obligations
§12-15-9 Parents, etc to pay for support
- When legal custody vested in someone other than parents, court may order parent or other legally obligated person to pay reasonable sum to cover all or part of costs of support.
- Failure to obey order is civil contempt.
§12-15-11 Court costs
- Court can order financially able parents or persons legally obligated to care for and support child to pay court costs.
- Failure to pay is civil contempt.

d. Probation
§12-15-11.1 Probation responsibilities of parents
- When child declared delinquent and granted probation, court may order parents or legal guardians to assist court in ensuring child complies with terms of his or her probation.
- Prior to probation, court shall explain to parents and child terms of probation, including responsibility and penalties which may be imposed on both parties for failure to comply with terms of the probation.
- Parent who fails to assist child in complying with terms of probation may be held in criminal contempt, fined up to $300, and/or up to 30 days imprisonment.
- Not apply to parents, etc who initiated juvenile proceedings by filing against child.

IV. Compulsory School Attendance

§16-28-2.2 Establishment of program to inform parents of responsibilities
- School boards shall establish educational programs to inform parents of their education-related responsibilities to their children. Programs will inform parents of
  - criminal liability
  - necessity for parent to monitor and supervise school work and education of child
  - explanation of responsibilities of parents in relation to the school system
  - techniques and suggestion to enable parents to best supervise the school work and educational activities of child
- Programs can be in form of weekend meetings, one to one conferences, neighborhood meetings, etc.

§16-28-12 Lists responsibilities of parent, etc
- Any parent, guardian, or person having control of custody liable for not sending child to school or failing to compel child to properly conduct himself as a pupil.
- Adult guilty of misdemeanor
- Up to $100 fine
- Or up to 90 days hard labor
- Parents must sign written attendance policy of school at beginning of each year.

§16-28-13 Defenses available to parent, guardian, etc
- Parent unable to provide necessary books and clothes in order to attend school.
- Parent made a bona fide effort to control child, but unable to do so.

Alaska

I. Civil Liability
   a. Motor vehicles
      §28.15.071 Application of minors
      - any negligence or willful misconduct of person under 18 imputed to person signing
        drivers license application – joint and several liability for damage, unless minor has
        submitted proof of financial responsibility or person signing application requests that
        license be cancelled
   b. Watercraft
      §05.25.040 Owner’s civil liability
      - owner of watercraft liable for injury or damage caused by negligent operation of
        watercraft, as long as watercraft being used with owner’s express or implied consent.
        Knowledge and consent presumed if being operated by child of owner.
   c. Tort damages - property
      §34.50.020 liability for destruction of property by minor
      - up to $10,000 and court costs from either or both parents or legal guardian of minor who
        intentionally destroys property.
      - State agency or foster parents not liable
      - Parents not liable if child is a runaway or missing

II. Criminal Sanctions
   a. Contributing to delinquency
      §11.51.130 Contributing to delinquency of a minor
      - class A misdemeanor

III. Juvenile Court
   a. General Procedures
      §47.12.010 Purpose
      - Includes “require parental or guardian participation in juvenile justice process, create an
        expectation that parents will be held responsible for the conduct and needs of their
        children”
      §47.12.050 Notice of involvement to parent or guardian
      - Each parent of minor, foster parent of minor, and guardian of minor entitled to notice of
        proceedings
      - Court may subpoena parent or guardian
      - Presence of minor’s parent or guardian is preferred
   b. Financial obligations
      §47.12.120 Judgements and orders
• Court can order minor and parent to make suitable restitution (not apply if minor was missing or a runaway)  
§47.12.230 Support of minor  
• Court can order financially able parent to pay for care and maintenance of minor  
• If parent willfully fails or refuses to pay sum fixed by court, parent may be proceeded against as provided by law in cases of family desertion and nonsupport  
c. Parental Participation  
§47.12.155 Parental or guardian accountability and participation  
• Parent or guardian must attend juvenile court hearing unless excused for good cause  
• Court may order parent or guardian of delinquent minor to  
  - personally participate in treatment reasonably available in parent or guardian’s location as specified by plan in court order  
  - notify department if minor violates a term or condition of the court order  
  - comply with any other conditions set out in court order  
• Court shall order parent or guardian to use any available insurance to cover treatment or to pay for treatment if coverage unavailable, if financially able  

IV. Compulsory education  
§14.30.020 Violations  
• A person who knowingly fails to comply with section is guilty of a violation. Each five days of unlawful absence is a violation  

Arizona  
I. Civil Liability  
a. Motor vehicles  
§28-3163 Unlicensed minor, liability  
• an owner who knowingly permits unlicensed minor to drive a vehicle jointly and severally liable with the minor for damages caused by negligence or willful misconduct of minor driving the vehicle  
b. Tort damages  
§12-661 Liability for willful or malicious conduct  
• Property damage or personal injury, including theft and shoplifting, imputed to the parent or legal guardian having custody and control of minor, whether or not parent or guardian could have anticipated the misconduct.  
• Joint and several liability  
• Up to $10,000 for each tort  
II. Criminal Sanctions  
a. Weapons  
§13-3111 minors prohibited from possessing or carrying firearms  
• If parent or guardian knew or should have known of minor’s unlawful conduct (ie, carrying weapon without being accompanied by parent or guardian or instructor, etc) and made no effort to prohibit it, parent or guardian is jointly and severally responsible for any fine imposed pursuant to the section or for any civil damages resulting from unlawful use of firearm by child  
• Class 6 felony
Section applies only to counties with populations of more than 500,000 persons. Counties with smaller populations may adopt similar ordinance.

b. Contributing to delinquency

§13-3613 contributing to delinquency

• class 1 misdemeanor

III. Juvenile Court

a. Financial obligations

§8-221 Counsel

• Court can order parents to contribute to cost of legal counsel for child

§8-341 Restitution

• Court can order custodial parent to pay restitution. Court need not consider the financial ability of parent to pay restitution before making order. Restitution can include lost wages, personal injury, property damage, pain and suffering, but cannot exceed amount in §12-661

§8-241 Fees on Disposition

• Juvenile court can order parent to pay a fee of not less than $40 a month for supervision of juvenile, unless parents financially unable to pay that amount

§8-243 Liability of parents to pay expenses

• Parent or guardian or person who has custody of child can be ordered to contribute to cost of care and support for juvenile delinquent in out of home placement

§8-245 Physical and mental care

• Court can order parent, guardian, or custodian to provide treatment for child in hospital or otherwise

b. Parental Participation

§8-234 Disposition

• Court can issue an order directing, restraining or controlling the conduct of the parent or legal guardian of child who is judged delinquent

• Court can order parent or guardian to pay cost of counseling, treatment, or education program

• If court finds that parent or guardian has failed to exercise reasonable care or supervision of child, court can
  - impose up to $1000 fine
  - order jail for up to 30 days
  - order that parents perform community service with child

• In lieu of above penalties, court can order parent or guardian to participate in diversion program, requiring parent to participate in community service program or to attend and complete counseling, education, or treatment. Failure to complete diversion program can subject parent to above listed penalties.

• Before being incarcerated, parent has right to counsel (court will appoint if not financially able to obtain counsel)

• Court can use contempt to enforce any treatment, counseling, education, or other restraining or protective order against a parent or guardian

§8-263 Order to attend family counseling

• Court can order parents or guardian of a child to attend family counseling programs administered by the court
• Court can order financially able parent, guardian, or person who has custody of child to contribute to cost of services

c. Alternative programs
§8-321 Referrals, Community based alternative programs
• Before sending juvenile case to juvenile court, probation officer meets with juvenile and at least one parent for a personal interview (but probation officer can waive attendance of parent or guardian for good cause)
• Before participating in community-based alternative program, parent must also agree to accept consequences that might be imposed on the parent or guardian
• Program requires parent and juvenile to sign written contract in which parent ensures juvenile’s compliance with contract [decision of the program]
• Parent can be assessed up to $40 for juvenile’s participation in program

IV. Compulsory School Attendance
• Section gives no direct penalties against parents for failure to send child to school. However, section does provide that children can be adjudicated as habitual truants under juvenile court statutes, which might give court leeway to penalize parents for failure to control or supervise child.

Arkansas

I. Civil Liability
a. Tort damages - Property
§9-25-102 Destruction of Property
• Parent liable up to $5000.

b. Motor Vehicles
§27-16-702 Application of minor for driver’s license
• Negligence or willful misconduct of minor under 18 when driving motor vehicle imputed to person who signed license application (required to be a parent or guardian). Person signing joint and severally liable for any damages.

II. Criminal Sanctions
a. Contributing to Delinquency
§5-27-220 Contributing to Delinquency of a Juvenile
• Applies to any acts which, if done, would make such minor a “delinquent juvenile” or “juvenile in need of supervision.”
• Misdemeanor violation
• Penalty – not less than 60 days or more than 1 year imprisonment, and not less than $100 or more than $500. Judge can suspend penalty if suspension of fine if in best interest of juvenile.

Proximately caused delinquency
§5-27-222 Neglect of minor resulting in delinquency
• Applies to parent or person standing in loco parentis to a child under the age of 18 whose gross neglect of parental duty with reference to child proximately results in delinquency of child or who, through gross neglect, fails to correct the delinquency of a child.
• Misdemeanor
• Fine not to exceed $250

b. Weapons
§5-27-206 Parental responsibility for student’s firearm possession
• Parent = parent, stepparent, legal guardian, or person in loco parentis or who has legal custody of student pursuant to a court order and with whom student resides.
• Class B misdemeanor if parent knows that student in illegal possession of firearm on school grounds, at school sponsored event, public park, playground, civic center and fails to report it to school or police officials.

III. Juvenile Courts
  a. Parental participation and penalties

§9-27-323 Diversion agreements
• Parent must consent to implementation of diversion program.
• Juvenile and parent has right to terminate diversion agreement and request formal adjudication.
• Diversion agreement can be terminated when parent declines to further participate.

§9-27-330 Disposition
• Court’s disposition can include (parent includes guardian)
  - order juvenile and parents to perform court-approved volunteer services, designed to contribute to rehab of juvenile or to the ability of the parent to provide proper parental care and supervision, not to exceed 160 hours
  - order parent to attend court-approved parental responsibility training program, if available
    - violation of order can subject parent to contempt
  - If juvenile committed to detention facility, parent can be liable to cost of commitment, detention, or foster care.
    - Taking into account financial ability of parent. If parent is noncustodial, court will consider opportunity parent has had to correct delinquent conduct.

§9-27-331 Disposition limitations
• Court may enter an order for physical or mental examinations of family members if necessary for treatment and rehab of juvenile
• If amount of restitution to be paid exceeds $10,000, parties have right to trial by jury on all issues of liability and damages

§9-27-331 Disposition – Family in need of services
• Court shall consider past efforts by parents to correct conditions which resulted in need for family services.
• Court can order that parent(s), guardians or juvenile attend a court-ordered parental responsibility training program, where available
• Violation subjects them to contempt sanctions
• Order juvenile and parent to perform volunteer work, as above

b. Financial Obligations

§9-27-316 Legal Fees
• Court may order financially able juveniles, parents, guardians, or custodians to pay part or all of juvenile’s legal fees.

§9-27-330 Disposition
• Court’s disposition can include (parent includes guardian):
  - $35.00 court cost to be paid by parent or juvenile
  - restitution to be paid by parent or juvenile
court can consider a host of factors, including ability to pay, rehabilitative effect of restitution, and opportunity noncustodial parent has had to correct delinquent conduct
- fine of not more than $500, to be paid by parent or juvenile

§9-27-332 Disposition – Family in need of services
- Court to consider parent, guardian, custodian’s ability to pay for services and only order payment for those services which the family is financially able to pay. Court shall consider past efforts by parents to correct conditions which resulted in need for family services.
- Order up to $500 fine for excessive unexcused absences (community service requirements can be ordered in lieu of fine)
- Court costs of $35.00 to be paid by juvenile or parent, custodian, guardian.
- Juvenile service fee of $20 day to be paid by parent, custodian, guardian.

§9-27-339 Probation
- Condition of probation explained to parents, custodian, guardian by the probation officer in initial conference following disposition hearing.
- Petition alleging violation of probation also served on parent, guardian, custodian.

V. Compulsory School Attendance
§6-18-222 Penalty for excessive unexcused absences
- Parents, guardians, persons in loco parentis notified when student accumulated excessive unexcused absences (by telephone or by mail).
- Truancy board shall schedule a conference with parents, guardians, in loco parentis to establish plan to eliminate truancy.
- Conference can be conducted in absence of the parents. Parents have to be notified of subsequent plan.
- Whenever student exceeds number of unexcused absences allowed in district policy, district will notify prosecuting authority and community truancy board, and parent, etc. subject to civil penalty not to exceed $500, plus court costs.
- When assessing penalties, court shall be aware of any available programs designed to improve parent-child relationship or parenting skills.
- Court can utilize mandatory attendance at programs and community service in lieu of fines.

California

I. Civil Liability
a. Tort Damages
CC 1714.1: Liability of parents and guardians for willful misconduct of a minor
- Parents joint & severally liable for willful conduct resulting in personal injury, death, or property damage.
  - Not exceed $25,000 per tort.
  - For personal injury, limited to medical expenses

b. Weapons
CC §1714.3 Liability of Parent for injury caused by discharge of gun by minor under 18
- Liability imputed to parents for all civil damages if they permitted child to have gun or left it in an accessible place.
- Limits:
  (a) $30,000 per person injured or killed
  (b) $60,000 total

**c. Theft**

**Penal § 490.5**: Petty theft
- When unemancipated minor’s willful conduct constitutes petty theft, parent is jointly and severally liable for injury, not less than $50 nor more than $500, plus costs. This section is in addition to, and not limited by, any other provisions limiting tort liability of a parent.

**c. Vehicles**

**Veh § 17707**: Minor’s negligence
- Imputed civil liability for person signing minor’s driver’s license application

**d. Bicycles**

**Veh § 21212**: bicycle helmets
- Parents joint & severally liable for fine imposed on a minor for violation of helmet laws.

**II. Criminal Liability**

**a. Contributing to delinquency of a minor**

**Pen § 272**: Causing, encouraging or contributing to Delinquency
- Misdemeanor
- Fine not exceeding $2500 and/or imprisonment not more than one year, or 5 year probation.
- “Parent or legal guardian shall have the duty to exercise reasonable care, supervision, protection, and control over their minor child.”

**WI § 11481**: Prosecution for contributing to delinquency of a minor receiving public aid
- Can prosecute if district attorney determines that a person has committed any act or omitted any performance of any duty which causes, tends to cause or encourages child receiving public assistance to come under Sections 300, 601, 602 [prosecution pursuant to Penal § 272].

**b. Weapons**

**Penal § 12035**: Criminal storage of firearm
- Commits crime in first degree if she keeps loaded firearm within possession and knows that child is likely to gain access to firearm without permission of parent or guardian, and child obtains access to firearm and thereby causes death or great bodily injury to himself or any other person.
- Commits crime in second degree same as first, but includes carries firearm to a public place or in violation of Section 417.
- If parent or guardian violates section and their child is killed or injured, prosecutor will take this into consideration. Intent of legislature that a parent whose child was killed or injured should only be prosecuted if behavior was grossly negligent or egregious circumstances exist.
- If child is killed as a result of violation of this section, parent should not be arrested until at least 7 days after accidental shooting. If child is injured, parent should not be arrested if child in critical medical condition.
• Punishment: up to 1 year in jail and/or up to $1,000.

**Penal §12071**
• Dealer can’t deliver to someone who has violated §12035
• Dealer required to post a sign that one can be prosecuted for leaving firearm where a child can obtain and use it.

**III. Juvenile court**

*a. General Procedures*

**WI §656** Petition and accompanying notice to parents
• Petition must contain notice to “father, mother, spouse, or other person liable for support of minor child” that they can be joint and severally liable for costs under §903 – care, legal services, probation supervision.
• When petition involves truancy, notice states that parents have right to a hearing on the infraction.
• Notifies parents that can be liable to pay restitution.

**WI §662** Warrant of arrest against parent or guardian
• Allows for arrest warrant to be issued against, parent, guardian, person having custody, and person with whom minor currently resides, when that person fails to appear in court.

*b. Parental Participation*

**W & I §727**
• Parent or guardian retaining custody of child can be required to participate in all programs, counseling or education (this includes foster parents).
• Court can direct any and all reasonable orders to parents or guardians including order to appear before county financial officer.

*c. Financial Obligations*

1. **Obligations to Juvenile Court System**

**WI §902 , §903** : all guardians joint and severally liable
• Court can order parents, guardians, or “any other person liable for his support and maintenance” to pay money to subsidize care, etc up to $15 a day. Parents not have to pay for costs of incarceration, medical care. Parents not have to pay if child is detained because of a crime against the parent.

**§903.15**
• Parent, etc shall pay $25 registration fee for appointed counsel, unless financially unable to pay

**§903.2**
• Relatives may be required to pay costs of in-home supervision and electronic surveillance, unless financially unable to pay

**§903.25**
• Parent or guardian liable up to $100 day for cost of care of minor in custody of probation department, in foster care, or children’s home

**§903.4** Process to recover money from parents for support of juveniles
• Legislature declares purpose: to substantially increase income to the state and counties through court-ordered parental reimbursement for the support of juveniles who are in out of home placement
• Notice sent to parents advising them of costs and to seek advice of attorney if needed
• At hearing, court can decrease amount owed based on ability to pay

§903.45 Financial evaluation of parental liability
• County financial evaluation officer makes evaluations of parent’s ability to pay reimbursement
• If parent fails to appear, can be ordered to pay all of costs (notice states this)

§903.5 Voluntary placement
• When parent or other legally responsible person voluntarily places minor in 24 hour out of home care, they are liable for cost of minor’s care when minor receives AFDC, SSI-SSP or county-only funds.

Ed §48600 et seq: adjustment schools
• Financially able parents can be required to pay for maintenance of child at 24 hour adjustment schools

2. Obligations to Victims of Juvenile Crime

W & I § 729.5 Restitution
• Court can impose restitution on parents of minor based on statutory determination of ability to pay
• Parents who fail to appear at hearing can be held joint & severally liable
• Section not apply to foster parents

W & I § 730.7
• Rebuttable presumption that parent or guardian joint & severally liable for restitution of minor, subject to court’s consideration of parent’s ability to pay. Burden on parent to show lack of ability to pay.

IV. Compulsory Education

a. Procedures and Parental Notice

W & I § 661 Truancy
• parent, guardian, foster parent may be required to participate in counseling or education

Ed § 48260.5 Notice to parent/guardian
• that child is truant
• that parent must compel child to attend school or face prosecution
• that the parent has the right to meet with school personnel to discuss problem,
• that alternative educational programs exist
• recommended to parent that they accompany the pupil to school and attend classes with the student for one day

Ed § 48260.6
• If child continues to be truant, district atty or probation officer (if no school attendance review board exists) can request parents to attend a meeting

Ed § 48263 Referral to attendance review board
• If board determines existing community services could help child, the board directs parents and/or pupil to utilize services. Can require parents or child to furnish evidence of participation.
• If board determines community services cannot help OR if parents and/or pupil have failed to respond to previous directives, can refer case to truancy mediation or juvenile court.

Ed § 48263.5 Truancy mediation
• Parents notified of the mediation and reminded they could be prosecuted
W & I §601.3
• Parent or guardian must attend truancy mediation

b. Penalties against Parents
Ed § 48268 Order to parent to deliver child to school for remainder of term
• Court can order the parent or guardian to deliver child to school each day
Ed §48269 Parent’s bond
• Parent can be ordered to post a $200 bond stating that child will regularly attend school and behave orderly, then judge can suspend execution of the judgment as long as condition of bond complied with.
Ed §48291 Criminal complaint against parent
• School can file criminal complaint against parent, guardian, or other person having control or charge of the child for continual and willful violations of school attendance policies.
Ed §48293 Penalties against parents
• 1st conviction: <$100
• 2nd conviction: <$250
• 3rd or subsequent: <$500
• In lieu of fines, court can order parent to attend parenting education or counseling program
• Willful violation or order to pay is punishable by contempt

VI. State Programs with Parental Involvement
a. Repeat Offender Program
WI: Article 18.5, §743 - §749: Repeat Offender Program
• Established to prevent juvenile repeat offenders. Minor evaluated and entered into the program if at least two listed risk factors are met (includes school behavior and performance, family problems, substance abuse, delinquent behavior).
• Without listing specifics for types of family involvement, states as goals teamwork between family and service agencies, empowerment of family to solve some of juvenile’s problems. Specifically lists parenting skills and providing transportation and child care as needed to implement the program.

b. WI §601.5 At-Risk Youth Early Intervention Program
• Designed to assess and serve families with children with chronic behavioral problems (for kids 10 and older at risk).
• Parent can refer child directly to the program.
• Staff works with parent and child to develop plan to address behavioral problems – can require child to obey rules at home, attend school, etc. Plan can also require parents, as condition of further participation in program, to engage in counseling or parenting classes.

c. Family Assessment Intervention and Resource Program
WI §1400 – 1440: establishes program – 3 year program (ends in 2001 unless extended)
• Referred to program with consent of child and parent.
• Shifts focus toward individual and family responsibility.
• Contractual agreement with families to adhere to plan - agreement filed with juvenile court.
Establish procedures to insure individual accountability to fulfill contractual agreement.

Colorado

I. Civil Liability
   a. Torts
      §13-21-107
      • Up to $3500, plus court costs and attorney’s fees
   b. Motor vehicles
      §42-2-108 Application of minors
      • Any negligence or willful misconduct of minor imputed to person who signed affidavit of liability which accompanied minor’s application for license. Joint and several liability.
      • Not liable if minor files proof of financial responsibility or person requests cancellation of license [§42-2-109].
   c. Theft
      §13-21-107.5 Civil damages for loss caused by theft
      • Parent or guardian having custody of minor who commits theft is civilly liable to owner for actual damages plus penalty payable to owner or not less than $100 or more than $250.
      • Not subject to limitations on liability of §13-21-107.

II. Criminal Sanctions
   a. Contributing to delinquency
      §18-6-701
      • class 4 felony
   b. Weapons
      §18-12-108.7 Unlawfully providing or permitting a juvenile to possess a handgun
      • Parent or legal guardian who knows of juvenile violation of section and fails to make reasonable efforts to prevent such violation guilty under this section.
      • Class 4 felony
      • Any parent or guardian who intentionally, knowingly, or recklessly provides a handgun to a juvenile or permits juvenile to possess a handgun even though parent or guardian is aware of a substantial risk that such juvenile will use a handgun to commit a felony offense... guilty under this section.
      • Parent violates section when they allow possession of handgun by juvenile adjudicated delinquent.

III. Juvenile Court
   a. Parental accountability
      §19-2-113 Parental accountability
      • Parent, guardian must attend all proceedings absent good cause
      • For any juvenile adjudicated pursuant to this article, court may specify its expectations for juvenile’s parent, guardian, or legal custodian.
• “Families play a significant role in the cause and cure of delinquent behavior of children…parents cooperate and participate significantly in the assessment and treatment planning for their children.”

• Any treatment plan may include requirements for juvenile’s parent, which can include:
  - parent involvement in sentencing orders
  - participation in parental responsibility training
  - cooperation by parent in treatment plan for juvenile
  - performance of public service by parent
  - cost of care reimbursement by parent
  - supervision of juvenile

• Failure to comply with order is subject to contempt sanctions.

• Court, at its discretion, can exempt parent from participation in juvenile’s treatment.

§19-2-304 Parental responsibility training program

• Training programs must include, but are not limited to, programs concerning:
  - physical, mental, social, and emotional child growth and development
  - skill development for parents in teaching responsibility
  - prevention of drug abuse
  - aspects of interpersonal and family relationships

§19-2-919 Sentencing – requirements imposed on parents

Any sentence imposed may require:

• parent or guardian (along with juvenile) to perform volunteer service in the community
• attend parental responsibility training program
• parent or guardian along with juvenile to perform services for the victim, except that value of services performed by parent or guardian cannot exceed damages cap of §13-21-107
• order parent or guardian to pay restitution in an amount not exceeding §13-21-107, unless parent has made good faith effort to prevent juvenile from engaging in delinquent activity
• juvenile’s parent can be ordered to pay restitution up to $25,000, unless parent has made good faith effort to prevent juvenile from engaging in delinquent activity

b. Financial obligations

§19-2-114 Cost of care

• Juvenile’s parent can be ordered to contribute to cost of care of juvenile in out of home placement, depending on financial ability.
• Parents can be required to submit financial information to the court to determine ability.

IV. Compulsory School Attendance

§22-33-108 Judicial proceedings

• Court can issue order compelling parent to have child attend school or to compel parent to take reasonable steps to assure child’s attendance.
• Court may require parent and/or child to follow treatment plan that addresses problems affecting child’s school attendance.
• If parent refuses or neglects to obey court order, court can hold parent in contempt, impose fine of up to $25 a day or confine parent to jail until order complied with.

Connecticut

I. Civil Liability
a. **Tort damages**

§52-572 Parental Liability for Tort of a Minor
- Parent or guardian jointly & severally liable if minor causes property damage, personal injury, or damages to a motor vehicle after taking it without permission of owner.
- Amount to not exceed $5000.

II. **Criminal Sanctions**

a. **Weapons**

§53a-217a Criminal Storage of a Firearm
- Person guilty when he violates provision of 29-37i and a minor under 16 obtains the firearm and causes the injury or death of himself or any other person.
- Not apply if minor obtains firearm as result of unlawful entry.
- Class D felony

§29-37i Responsibilities re: storage of loaded firearm with respect to minors
- No person shall keep any loaded firearm on any premises under his control if he knows or reasonably should know that a minor is likely to gain access to the firearm without the permission of the parent or guardian (unless firearm is kept in a reasonably secure container).

III. **Juvenile Court**

a. **General Procedures**

§46b-121 Authority of court in juvenile matters
- Families in need of services dealt with by court in civil session
- Delinquency dealt with by juvenile court in criminal session

§46b-121h Goals of Juvenile Justice System
- Goals include “include the juvenile’s family in the case management plan”

§46b-135 Right to counsel and cross-examination
- At commencement of delinquency proceedings, court inform parent or guardian and child of their respective right to counsel, and that counsel will be provided if they can’t afford them.

b. **Parental Participation**

§46b-121 Authority of court in juvenile matters
- In all juvenile matters, court has authority to make and enforce such orders directed to parents, including biological fathers of children born out of wedlock, guardians, custodians, or other adult persons owing some legal duty to a child or youth.

§46b-134 Investigation by probation officer
- Investigation of probation officer includes examination of parentage of child, inquiry into habits and character of parents or guardians

§46b-149 Family with service needs
- If court issues order regulating future conduct of parent or guardian, the parent or guardian shall receive adequate and fair warning of consequences of violation of the order.

§46b-149d Duties of Office of Alternative Sanctions
- Section allows for office to establish parenting education programs for court sanctioned intervention programs.

c. **Financial Obligations**

§46b-121 Authority of court in juvenile matters
• Following adjudication by court, a fee of $200 assessed against parents, guardian, or
custodian of any child or youth whenever the services of the probation staff are needed
§46b-130 Reimbursement for expense of care and maintenance
• Parents of a minor child for whom care or support of any kind has been provided under
the provisions of this chapter shall be liable to reimburse state for care.
§46b-134 Diagnostic examinations
• Court may order financially able parent, guardian, or custodian to pay for the costs of
diagnostic exams of child
§46b-140 Disposition
• If child’s conduct results in property damage or personal injury, and parent or guardian
had knowledge of or condoned conduct of child, court can hold child and/or parent or
guardian responsible for full or partial restitution (not to exceed limits in §52-572).
Restitution based on ability to pay.
§46b-141c Reimbursement of costs of probation supervision
• Court can require parent or guardian to fully or partially reimburse department for costs
of child’s supervision, based on ability to pay.

IV. Compulsory Education
§10-198a Policies and procedures concerning truants
• Hold meeting with parent and school personnel
• Notify parents at beginning of each school year of their obligations
• If parent fails to attend meeting or fails to cooperate in solving truancy problem,
superintendent will file a written complaint with superior court pursuant to §46b-149,
alleging that family is a family with service needs.

District of Columbia

I. Civil Liability
a. Theft
§3-442 Liability and damages
• Parent or guardian liable when juvenile commits fraud, shoplifting, or theft from a
merchant
• Damages:
  • civilly liable for treble the amount of actual damages, and
  • retail value of goods if goods not recovered or
  • loss of value to goods if recovered
  • or minimum $50 in damages, whichever is greater

II. Criminal Sanctions
a. Curfew
§6-2183 Curfew
• Parent or guardian commits an offense if he or she knowingly permits, or by insufficient
control allows, the minor to remain in any public place or on the premises of any
establishment within D.C. during curfew hours.
• Defense if child on errand at direction of parent or guardian
• Accompanied by parent or guardian
• Any adult who violates is guilty of a separate offense for each day during which violation is committed. Each offense punishable by fine up to $500 or community service
• Parents committed under section may be required to participate in parenting classes.

III. Juvenile Court

a. General Procedures

§16-2301 Definitions
• Delinquent = offense other than traffic
• Child in need of supervision = status offense

§16-2306 Service of summons
• Summons and copy of petition sent to parents, advising them of right to counsel (though statute does not establish that judge can appoint counsel for parents if financially unable to secure one)

b. Participation and Penalties

§16-2320 Disposition
• If child found to be delinquent or in need of supervision, court shall have jurisdiction over any natural person who is a parent or caretaker of the child to secure the parent or caretaker’s full cooperation and assistance in the entire rehab process
• Court may order
  - parenting classes
  - family counseling
  - medical, psychiatric, or other treatment
  - probation, including completion of parenting classes or family counseling

§16-2325.1 Participation order
• In any proceeding under section, court may order parent or guardian to participate in rehabilitative process of juvenile, including mandatory attendance at juvenile proceeding, parenting class, counseling, treatment or an education program.
• Court can also order person with whom child resides (other than parent or guardian) to be present at court proceedings or any other court ordered program
• Failure to comply can be civil contempt
• Court shall issue a bench warrant for parent, guardian, or other person with whom child resides for failure to appear at juvenile proceedings or court ordered program

b. Financial Obligations

§16-2325 Support of committed child
• Court may order that parent or other legally obligated person contribute to support of child. Failure to pay is contempt with effect of a civil judgment.

§16-2326 Court costs and expenses
• If court finds parent or other person legally obligated to care for and support child is financially able to pay, court can order them to contribute to costs of
  - physical and mental exams and treatment of child
  - legal fees

IV. Compulsory School Attendance

§31-403 Penalties
• Parent, guardian, or other person who has custody or control of a minor who is absent without valid excuse shall be guilty of misdemeanor
Any person convicted for failure to keep minor in regular attendance may be fined not less than $100 an/or imprisoned for not more than 5 days for each offense.

Court can require offender to perform community service as an alternative to fine or imprisonment.

**Delaware**

**I. Civil Liability**

*a. Property Damage*

10 § 3922 destruction of property by minors
- up to $5000
- from parent or guardians with whom child resides

*b. Motor vehicles*

21 § 6105 Liability of parent, guardian, etc for negligence of minor
- Liability for negligence of minor imputed to persons signing driver’s license application.

21 § 6106 Liability of owner for negligence of minor
- Every owner who causes or knowingly permits a minor to drive a vehicle, or who gives or furnishes a vehicle to minor is jointly and severally liable for any negligence caused by minor.

**II. Criminal Sanctions**

*a. Weapons*

11 § 603 Recklessly endangering in 2nd degree – class A misdemeanor
- Parent, guardian, or other person legally charged with care and custody of a child less than 18
  - knowing, intentionally, or with criminal negligence acts in a manner which contributes to or fails to act to prevent the unlawful possession and/or purchase of firearm by a minor
- Defense if firearm was safely stored

*b. Bicycles*

21 § 4192
- Parent or guardian shall not authorize or knowingly permit violations of bicycle code

**III. Juvenile Court**

*a. Financial Obligations*

10 § 1009 Disposition
- Court can order parents to pay restitution up to $5000, provided that:
  - parents or guardians knew of child’s delinquent nature
  - parents or guardians failed to take reasonable measures to control the child

10 § 1061 Medical exams and payment
- Court can order person legally liable for child’s support to pay costs of medical, psychological, etc. exam and treatment

**IV. Compulsory School Attendance**

14 § 2702 Notice to parents, etc
- After 10 unexcused absences visiting teacher visits student’s home
  - parent or guardian signs contract agreeing that they will make every reasonable effort to send child to school, etc
- After 15, parents notified by certified mail to appear at school for conference
• After 30, case referred for prosecution
14 §2709 Penalties against person having control of child
• $5 for first offense
• Not less than $25 or more than $50 for each subsequent offense in a school year

Florida

I. Civil Liability
a. Property damage
§741.24 Civil action against parent
• Parent of minor under 18, who lives with parent, liable for damages of minor who willfully or maliciously destroys or steals property
• Recovery limited to actual damages and court costs
b. Motor vehicles
§322.09 Application of minors
• Negligence or willful misconduct of any person under age of 18 when driving shall be imputed to person who has signed application of such minor for a permit or license, which person shall be jointly and severally liable with such minor for any damages.
  • Can be released from liability under §322.10, where person who signed application files written request that license be canceled.

II. Criminal Sanctions
a. Weapons
§790.17 Furnishing weapons to minors prohibited
• Furnishing weapon to minor without permission of parent prohibited
• Parent or guardian must maintain possession of firearm
§790.174 Safe storage of firearms required
• Person who stores or leaves on premise under his control a loaded firearm and who reasonably knows that a minor is likely to gain access to firearm without lawful permission of minor’s parents, or without supervision required by law, shall keep firearm in reasonably safe locked box or install a trigger lock on it.
• Violation of provision is second degree misdemeanor
• Minor = under age 16
§790.115 Possessing or discharging weapon on school grounds
• Person who stores or leaves a loaded firearm within reach or easy access of minor who obtains it and commits violation of section is guilty of second degree misdemeanor.
§790.22 Use of BB or air guns
• Children under 16 must be under supervision and in presence of an adult in order to use BB or air guns.
  • Any adult responsible for welfare of child who permits violation of section commits second degree misdemeanor.
• Minor under 18 may not possess a loaded firearm at her house unless she is 16 or supervised by an adult and engaging in hunting or marksmanship activity.
  • Any parent, guardian, or other adult responsible for welfare of child who allows above violation guilty of third degree felony.
• Court may require parent, guardian, or custodian to attend parenting education classes upon minor’s first conviction.
• Upon subsequent convictions, may have to attend more classes or render community service hours together with child.

§784.05 Culpable Negligence
• Whoever, through culpable N, exposes another person to personal injury commits 2nd degree misdemeanor.
• Whoever, through culpable N, inflicts actual personal injury on another commits 1st degree misdemeanor.
• Whoever violates above section by leaving loaded firearm within reach or easy access of minor commits, if the minor (under age 16) obtains the firearm and uses it to inflict injury or death upon himself or any other person, a 3rd degree felony.
• Defense if firearm was in reasonably secure location or if injuries result from sport shooting.

III. Juvenile Court
A. Children and Families in Need of Services
a. Purpose
§984.02 Legislative Intent for juvenile justice system
• Parents, custodians, and guardians are deemed by the state to be responsible for providing their children with sufficient support, guidance, and supervision to deter participation in delinquent acts. State recognizes ability to perform these functions can be impaired by economic, etc factors.
• State has responsibility to ensure that factors impeding caretaker’s abilities are identified through the delinquency intake process and that appropriate recommendations to address those problems are considered in any judicial proceeding.

b. General procedures
§984.03 Definitions
• Child in need of services: persistent runaway, habitual truant, persistently disobeyed reasonable and lawful demands of parents or custodian. In each category, child not in need of services unless attempts to remedy behavior (i.e. by parents or school personnel) have already failed.

§984.04 Families and children in need of services, procedures
• Services designed to emphasize parental responsibility for behavior of children.
• Provide services on increasing continuum of participation by parent and child.

§984.071 Information packets
• School district shall distribute information packets about services available to families and children to parents of truant students.
• Police officers will give info to parents of child who runs away from home.

§984.08 Attorney’s fees
• Court can appoint counsel for parent or guardian if indigent.
• Section sets out exact criteria for determining ability to pay.

§984.11 Services to families in need of services
• Services are by voluntary agreement or as directed by the court pursuant to §984.22 (disposition) and include:
  - homemaker or parent aide services
  - parent training
  - housekeeper services
• Financially able parents may have to contribute to cost of services

§984.12 Case management plan
• Family meets with case staffing committee to develop plan, at a time convenient for child and family.
• Committee will develop a plan for services, which includes assessment of the needs of the parent.
• Parent and child shall accept or reject the plan in writing.
• Parent can convene a meeting of the case staffing committee to discuss plan.

§984.151 Truancy petition
• Student and parent or guardian must attend meeting
• Court can order parent to participate in homemaker or parent aide services
  • “ intensive crisis counseling
  • “ community mental health services
  • “ vocational, job training, or employment services

c. Financial Obligations

§984.14 Shelter placement
• After child has been placed in a shelter pursuant to court order, court can order responsible persons to contribute to support of child, if financially able. These persons include: natural or adoptive parents, guardian of child’s estate, natural father of determined paternity.

§984.18 Mediation
• Parties or legal guardians may be responsible for cost of mediation based on ability to pay

§984.19 Medical, psychiatric, etc examinations and treatment of child
• Parent or guardian is responsible for cost of treatment to child in need of services under this section, even if they did not consent to treatment. Reimbursement based on financial ability.

d. Parental Participation and Penalties

§984.22 Powers of disposition
• If court finds services and treatment have not been utilized by child or family, court can:
  - order parent, guardian, custodian and child to participate in treatment, services, or any other alternative as necessary
  - order parent, guardian, custodian to pay a fee or fine
• When child is found to be in need of services, court has power to order both child and family to render community service in public service program.
• Court shall order child, family, parent, guardian, custodian of a child who is in need of services to participate in family counseling or other alternatives necessary for rehabilitation of child.
• Mandatory participation by family, parent, guardian, and custodian are enforced by contempt.

B. Delinquent Juveniles
Same legislative intent as in §984.02

a. General procedures

§985.207 Taking a child into custody
Person taking child into custody must continue to try to notify parents of situation until child is turned over to probation officer. Thereafter, probation officer must continue to try to reach parents.

§985.21 Intake and case management
- Provides detailed procedures for initial case screening and subsequent report to be completed and filed by probation officer, which includes screening of child’s family for needed services.

b. Parental Participation and Penalties
§985.204 Powers with respect to certain children
- Court may order one or both parents or legal guardians of child adjudicated delinquent or in need of services to attend a course of instruction in parenting skills, to accept counseling, or to receive other assistance.

§985.231 Powers of disposition in delinquency case
- When court orders restitution to be paid, parent and child may also have to pay for reasonable costs of clerk in receiving and dispensing payments.
- Can order parent along with child to participate in community work project as alternative to restitution or as part of rehab program.
- Court can order the parent or guardian to perform community service if court finds parent or guardian did not make a good faith effort to prevent child from engaging in delinquent acts.
- Court may also order parent to pay restitution for damage caused by child
- If juvenile is a sexual offender,
  - parent may be obligated to pay for costs of detention (unless indigent or good faith effort to prevent delinquent acts).
  - court may order parent or guardian to participate in counseling deemed necessary for rehab of child or to enhance their ability to provide child with adequate support, guidance, supervision.
  - court may order them to support child and participate in court-imposed sanctions.
  - court can use contempt powers to enforce sanctions.

§985.304 Community arbitration
- Alternative program for children who commit less serious delinquent acts
- Juvenile probation officer handles complaint, discusses program with parent and child, who must consent to handling case through community arbitration.
- Disposition can include referring family to community counseling.
- Failure to adhere to disposition can result in case going back to juvenile court for formal proceedings.
- Parent can request review of disposition by probation officer.

c. Financial Obligations
§985.203 Right to counsel
- Nonindigent parents must provide legal services for their juvenile, even if child transferred to adult criminal court.

§985.215 Detention
- Natural or adoptive parents or guardians can be ordered to contribute to maintenance of child who has been placed in detention/out of home placement, depending on ability to pay. Fees can be waived if parent was victim of child’s delinquent act or if parent made good faith effort to prevent child from engaging in delinquent act.
VI. Compulsory School Attendance
§232.17 Enforcement of attendance
• Parents required to justify each absence of student.
• If school determines a pattern on nonattendance developing, they will schedule a meeting with parents.
• If school board determines strategies for attendance are appropriate and parent continues to not cooperate, superintendent can seek criminal prosecution for noncompliance with compulsory school attendance.

§232.19 Court procedures and penalties
• In cases of habitual truancy, family can be designated family in need of services.
• Court can require parent and child to perform community service hours together or attend counseling together.
• Penalties for parent or legal guardian:
  - second degree misdemeanor
  - referral to counseling or other needed services
  - participate in parent training classes, attend school with child unless would create undue hardship, perform community service hours at school
  - unlawful to terminate employee solely because he or she is attending school with child pursuant to court order

Georgia

I. Civil Liability
a. Tort damages
§51-2-3 Liability for malicious acts of minor child
• Up to $10,000 plus court costs for property damage or personal injury (personal injury expenses limited to medical expenses)
§51-2-2 Liability for tort of child, etc
• Every person liable for torts committed by his child, whether committed by negligence or voluntarily

II. Criminal Sanctions
a. Contributing to delinquency of a minor
§16-12-1 Contributing to delinquency
• Includes providing weapon to a minor
• Penalty for aiding to delinquency or unruliness of child:
  • 1st or 2nd offense: misdemeanor, up to $1,000 fine and/or up to 1 year imprisonment
  • 3rd and subsequent offense: felony, fine not less than $1000 or more than $5000 and/or imprisonment of not less than 1 year or more than 3 years
• Penalty for providing weapon to minor to aid in felony offense
  • 1st offense: imprisonment of not less than 1 year or more than 5 years
  • 2nd offense: imprisonment of not less than 3 years or more than 20 years

b. Weapons
§16-11-101.1 Furnishing pistol or revolver to person under 18
• Unlawful for parent or legal guardian to permit possession of a pistol or revolver by a minor in violation of §16-11-132 (which sets out exemptions for when a minor can possess a weapon, i.e. for hunting)
• Unlawful for parent or legal guardian to intentionally, knowingly or recklessly furnish or to permit minor to possess pistol or revolver if parent, etc is aware of a substantial risk that minor will use the weapon to commit a felony offense or if parent, etc. fails to make reasonable efforts to prevent commission of offense by minor.
• Felony, up to $5,000 fine and/or imprisonment of not less than 2 years or more than 5 years

c. Motor vehicles
§ 40-6-298 Violation of bicycle laws
• Parent or guardian shall not authorize or permit a child to violate provisions of the bicycle code.
§ 40-5-123 Permitting unauthorized minor to drive
• No person shall cause or knowingly permit his minor child or ward to drive without a license.

d. Hunting
§27-1-41 Unsupervised hunting
• Unlawful to cause or knowingly permit child under 12 to hunt any wildlife with a weapon unless child is under adult supervision.

III. Juvenile Court

a. General procedures
§ 15-11-26 Counsel
• Parent, guardian, custodian entitled to counsel and court will appoint one if person financially unable to employ counsel.
§15-11-62 Contempt powers
• When a parent, guardian, or custodian of child willfully violates order of court, court may:
  - require person to make restitution in amount not to exceed $2500 for any damage or loss caused by child’s wrongful act
  - impose fine up to $1000
  - reimburse state for cost of detention, treatment, or rehab of child
  - require parent, etc to perform community service
  - require parent, etc to enter into contract or plan as part of disposition of any charges against child, so as to provide for supervision and control of child by parent, etc

b. Parental Participation and Penalties
§15-11-36.1 Counseling for parents or guardians
• When court finds child to be delinquent or unruly or to have committed a juvenile traffic offense, court can order child and parent or guardian to attend counseling. Counseling can be provided by, among others, the court or probation officers

c. Financial obligations
§15-11-56 Payment by parents on court order
• Financially able parents or persons legally obligated to care for child can be ordered to pay costs of care and support of child, legal fees, counseling, medical exams, costs of service of summons, etc.
§15-11-56.1 Supervision fees
• Court can order parent or guardian to pay costs of informal or formal supervision.
• Joint and several liability with child for costs of services, if court so orders.

IV. Compulsory School Attendance
§20-2-690.1
• Parent, guardian, or person who has control of child who violates provision guilty of misdemeanor
• Fine of up to $100 and/or imprisonment of up to 30 days
• Each absence is a separate offense

Hawaii

Duties, in general
§577.7 Parents’ control and duties
• Parents or legal guardians shall have control over conduct and education of minor children
• All parents and guardians shall provide, to best of their abilities, for discipline, support, and education of their children

I. Civil Liability
a. Tort damages
§577-3 Natural guardian, liability for torts of child
• Father and mother of unmarried minor child jointly and severally liable in damages for tortious acts committed by their children
§577-3.5 Property damage – parental responsibility
• Parent or legal guardian of minor child jointly and severally liable for graffiti damage caused by the minor to property.
• Court will give consideration to ability of parents to pay for damage (will order minor to perform community service in an amount commensurate with costs which family unable to pay).
b. Motor vehicles
§286-112 Liability of parent or guardian
• Any negligence or misconduct by minor under 18 imputed to person who signed driver’s license application – joint and several liability.
• §286-113: section not limit liability of parents for tort of child in §577
§291C-192 Mopeds
• Any negligence, misconduct, or violation by minor while driving a moped imputed to parent or guardian having custody of minor – joint and several liability.

II. Criminal Sanctions
a. Contributing to delinquency (limited to compensating juvenile for offense)
§709-904.5
• An adult commits offense if person intentionally or knowingly compensates, offers to compensate, or agrees to compensate any juvenile for the commission of any criminal offense.
b. Weapons
§663-9.5 Liability of firearm owners
• Owner of firearm, if discharge proximately caused personal injury or property damage to any person, shall be absolutely liable for such damage.
• Affirmative defense if firearm not in possession of owner and was taken without owner’s permission.
c. Curfews
§577-18 Parental responsibility statutes for curfew violations
• Except in case of necessity, parent or guardian of child under 16 who knowingly and voluntarily allows child to commit curfew violation shall be fined not more than $100 or imprisoned not more than 20 days.
§577-16.5 Sentencing for curfew violation
• Parents may be required to participate in counseling.

III. Juvenile Court
a. Parental Participation and Penalties
§571-31.3
• Parent, guardian, custodian may voluntarily apply to court to obtain appropriate services regarding issues or problems involving the child which are not being successfully resolved within the family.
b. Financial Obligations
§571-31.4
• Parents can be ordered to pay restitution
§5711.51 Support of minor
• Court can order parent to pay medical expenses, support and maintenance of minor placed outside legal custody of parent.

IV. Compulsory School Attendance
§ 302A-1135 Penalty for non attendance.
• Parent, guardian, or custodian must appear before family court judge
• Person found responsible for not using proper diligence to enforce the child's regular attendance at school is guilty of a petty misdemeanor.

Idaho
I. Civil liability
a. Tort damages
§6-210 Recovery for damages for economic loss willfully caused by a minor
• Up to $2,500
• From any person who has legal custody of minor with whom minor lives
• For economic loss willfully caused by minor (not include pain and suffering, emotional distress, wrongful death, but does include medical expenses)
• Recovery from children in foster care is insured by state of Idaho.
b. Motor vehicles
§49-310 Imputed liability
• Person signing drivers license application of minor jointly and severally liable for damage caused by negligence, willful misconduct
• unless driver submits proof of financial responsibility or adult files request to have license revoked (§49-311).
• Person signing application liable civilly for payment of any court penalty imposed for a driving infraction.
c. Fireworks
§39-2611 Liability of parents or guardians
• Parent, guardian, or other person having control or custody of minor shall be liable for damage caused by use of fireworks by the minor.
II. Criminal sanctions

a. Contributing to delinquency

§20-526 Encouraging violations
- Any person who encourages, aids, or causes juvenile to come within purview of section is guilty of a misdemeanor.

III. Juvenile Court

a. Purpose

§20-501 Legislative intent
- Includes policy that parents or legal guardians should participate in counseling and treatment designed to develop positive parenting skills and an understanding of family’s role in the juvenile’s behavior.
- Parents or legal guardians should be held accountable, where appropriate, through monetary reimbursement for supervision and confinement of juvenile, and restitution.
- Probation officers are responsible for assisting juveniles and their families in accessing counseling and treatment; also supervise restitution

b. General procedures

§20-510 Petition
- Petition states that service of petition on parent, legal guardian, or person having custody or control of minor subjects them to provisions of chapter

c. Parental Participation and Penalties

§20-520 Sentencing
- Court can order parents to comply with reasonable conditions, including restrictions on juvenile’s associates, occupation, and activities, and requirements to be observed by the parent, guardian, or custodian.
- Court can order juvenile or parent to pay restitution or to make whole any victim who suffers an economic loss as result of juvenile’s conduct
- Liability cannot exceed §6-210

§20-522 Probation contract
- Court can require parent to sign probationary contract with court containing terms and condition of juvenile’s probation.
- Liable up to $1000 for breach of contract
- In lieu of payment, can order to attend parenting classes or undergo other treatment or counseling

d. Financial obligations

§20-524 Reimbursement of costs
- Parent, guardian, or other person legally responsible for minor can be ordered to pay for cost of support when child placed outside the home.

§20-514 Counsel and legal fees
- Court can appoint counsel for parent and child if financially unable to hire own counsel.
- Parent or other person liable for support of juvenile liable for legal fees of juvenile, unless financially unable to pay for cost of services.

IV. School attendance

§33-205 Denial of school attendance
- School must provide notice to parent and opportunity for hearing before expelling child for habitual truancy or behavioral problems

§33-207 Proceedings against parents or guardians
Whenever probate court determines that parents or guardians have allowed child to become habitual truant or are failing/neglecting/refusing to enroll child in school, proceedings brought against parents in juvenile court.

**V. Parent Responsibility Act §32-1301**

Provides that county or city may by ordinance establish and enforce the offense of failure to supervise a child. Not apply to foster parents. Ordinances may provide that parent or guardian commits offense if the child:

- commits an act bringing it within the juvenile act
- fails to attend school
- violates a curfew law

Defense if parent was a victim, reported the child, or took reasonable steps to prevent behavior.

Penalties:

- restitution up to $2,500 for economic loss
- misdemeanor, fine up to $1,000
- parenting classes and counseling
- contempt for failure to follow orders entered pursuant to prosecution
- not preclude prosecution for offenses under other sections of Code

**Illinois**

**I. Civil Liability**

a. **Tort damages**

740 §115/3 Liability

- Parent or legal guardian of minor who resides with parent is liable for actual damages and legal fees for willful or malicious acts which cause injury to person or property.

740 §115/5 Limitation on Liability

- Up to $2,500 for each tort, plus court and attorney fees.
- Only medical, dental, and hospital expenses recoverable for personal injury.

b. **Shoplifting**

720 §5/16A-7 Civil liability for retail theft

- Parent or guardian (excluding foster parent or other guardian appointed by the state) liable for damages, not to exceed amount allowed by “Parental Responsibility Law.”
- Conviction for theft not prerequisite.
- Liable for actual damages, plus
  - penalty not less than $100 or more than $1000
  - attorney fees and court costs

**II. Criminal Sanctions**

a. **Contributing to delinquency**

720 §640/1 Permission of improper associations

- Any parent, legal guardian, or other person commits improper supervision of a child when he knowingly permits a child in his custody or control to associate with known thieves, burglars, felons, narcotic addicts, or other persons of ill repute, visit a place of prostitution, commit a lewd act, commit an act tending to break the peace or violate a municipal curfew ordinance.

720 §640/2 Penalties
• petty offense - fine not to exceed $25 for first offense, up to $50 for second offense
• third offense = class B misdemeanor

b. Curfew
720 §555/1 Curfew penalties
• Unlawful for parent, legal guardian, or other person to knowingly permit a person in his custody to violate curfew laws
• Petty offense - fined not less than $10 and not more than $500
• in lieu of fine, court may order parent or legal guardian to perform community service, so long as not conflict with regular employment.

III. Juvenile Court
A. Juvenile Delinquents
a. Legislative Intent
705 §405/5-110 Parental Responsibility
• Article recognizes critical role families play in rehabilitation of delinquent juveniles.
• Parents, guardian, legal custodians shall participate in assessment and treatment of juveniles by assisting juvenile to recognize and accept responsibility for his delinquent behavior.
• Court may order parent, guardian or legal custodian to take certain actions or to refrain from certain actions to serve public safety, to develop competency of the minor, and to promote accountability by the minor for his or her actions.
b. General procedures
705 §405/5-525 Service
• Service of petition does not have to be given to parent who does not reside with the minor, who does not pay regular child support, or who has not communicated with minor on a regular basis

c. Parental Participation and Penalties
705 §405/5-501 Detention or shelter care hearing
• Parent, etc may give testimony and be examined before the court in hearing to decide whether to place child in detention.
705 §405/5-301 Intermediate programs – station adjustments
Type of intermediate program – not formal adjudication.
• Parent, guardian, legal custodian must agree in writing to adjustment and be advised of consequences of violation of any term of the agreement.
• Parent, etc provided copy of formal agreement.
• If minor violates agreement, parents, etc notified. Juvenile police officer will consult with parent, etc and decide whether to change agreement or commence formal proceedings.
705 §405/5-310 Community mediation
Possible dispositions include:
• referring family to community counseling
• require parent, etc to undergo substance abuse screening and treatment
d. Financial obligations
705 §405/5-710 Kinds of sentencing orders
• Parents can be made to pay restitution
• If minor committed to department, parent or guardian can be ordered to provide for minor’s needs
705 §405/5-610  Legal Fees
• Fees are charged to parents of minor, to extent they are able to pay
705 §405/5-715  Probation
• Court can order parent, etc to pay the monthly discharge supervision fee
705 §405/6-9  Enforcement of liability of parents and others
• Section provides for contribution by parent or other person liable for support of minor to maintenance of child in custody, legal fees, based on financial ability.

B. Status Offenders – minors requiring authoritative intervention
705 §405/3-12 Shelter care hearing
• Parents notified of their right to attend hearing. If they do not receive adequate notice and child placed in shelter care, parents have right to request rehearing.
705 §405/3-19 Legal Fees
• Parents charged with fees of GAL, to extent they can pay.

IV. Compulsory School Attendance
105 §5/26-7  Notice to custodian
• Truant officer sends notice to custodian stating that child must be present at school
105 §5/26-8  Non-Compliance
• If custodian does not comply with notice and willfully and knowingly permits truant behavior to continue, truant officer will make complaint against person with circuit court.
• If truant behavior continues because child is beyond control of custodian, truancy petition shall be filed against child in juvenile court.
105 §5/26-10  Fine for non-compliance
• Any custodian who knowingly and willfully permits persistent truancy guilty of class C misdemeanor, up to 30 days imprisonment and/or fine of up to $500.

Indiana

I. Civil Liability
a. Tort damages
§ 34-31-4-1  Maximum limit of liability
• Parent liable for up to $5,000 of actual damages to property
§ 34-31-4-2  Criminal gang participation
• Parent of child who actively encourages or knowingly benefits from child’s involvement in criminal gang is liable for actual damages arising from harm to person or property, provided that child is living with parent and parent failed to use reasonable efforts to prevent child’s involvement in gang.

b. Motor vehicles
§ 9-24-9-4
• Person who signs application of minor for driver’s license jointly and severally liable for any injury or damage caused by minor, unless person signing requests that license be cancelled.

II. Criminal Sanctions
a. Contributing to delinquency of a minor
§ 35-46-1-8  Contributing to delinquency of a minor
- Class A misdemeanor to encourage, aid, cause minor to commit act of delinquency
- Class C felony if encourage, etc minor to commit felony

**b. Weapons**

§ 35-47-10-6 Dangerous control of a firearm
- Adult commits offense if he knowingly, intentionally, or recklessly provides a firearm to a child other than those allowed (i.e., supervised hunting, rifle practice)
- Class C felony

§ 35-47-10-7 Dangerous control of a child
- Parent or legal guardian commits offense if he knowingly, intentionally, or recklessly permits the child to possess a firearm while
  (a) aware of substantial risk that child will use firearm to commit a felony
  (b) failing to make reasonable efforts to prevent the use of firearm by the child to commit a felony, or
  (c) when child has been convicted of a crime of violence
- Class C felony

**III. Juvenile Courts**

**a. General procedures**

§ 31-37-10-7 Parties
- Child’s parent, guardian, custodian is a party to the proceedings, though parent not entitled to legal representation for juvenile proceedings [§ 31-32-4-1]

§ 31-37-12-5 Duty to inform child and parents
- Court must inform parent and child of their respective rights
  § 31-37-12-6 Duty to inform parent or guardian of effect of adjudication
  Possible effects of adjudication:
  - parent, etc required to participate in treatment or rehab of child
  - parent, etc held financially responsible for services provide child

**b. Parental Participation and Penalties**

§ 31-37-9-2 Informal adjustment program
- Parents, guardian, or custodian must consent to participation in program
  § 31-37-9-4 Compliance
- Court can order parent, guardian, custodian to participate in program of informal adjustment
- Failure to comply is contempt of court

§ 31-37-15-3 Petition for parental participation
- Applies when child is adjudicated delinquent
- Petition can request that parent, etc:
  - obtain assistance in fulfilling obligations as a parent, etc
  - provide specified care, treatment, or supervision of child
  - work with a person providing care or treatment to child
  - refrain from direct or indirect contact with child
  § 31-37-15-4 Failure to comply with order
- Failure to comply with order for parental participation can result in termination of parent-child relationship

§ 31-37-18-1 Issues for consideration in dispositional hearing
• Necessity, nature, and extent of the participation by a parent, etc in program of rehab or treatment of child
• Financial responsibility of parent, etc for services provided to parent or guardian of the child

§ 31-37-18-6 Dispositional decree – factors
Court should try to enter a dispositional decree that is:
• close to the parent’s home
• least interferes with family autonomy
• imposes least restraint on freedom of child and parent
• provides a reasonable opportunity for participation by the child’s parent, guardian, custodian

§ 31-37-19-24 Order for participation by parent, etc in rehab program of child
• Court can order parent, etc to:
  - obtain assistance in fulfilling obligations as a parent, etc
  - provide specified care, treatment, or supervision of child
  - work with a person providing care or treatment to child
  - participate in program operated by the department of correction

C. Financial obligations

§ 31-37-9-9 Informal adjustment program fee
• Court can order parents to pay for minimal costs of program

§ 31-37-17-3 Financial report
• Probation officer or caseworker collects info and prepares a financial report to assist court in determining person’s financial responsibility for services provided to the child.

§ 31-40-1-3 Obligation of parent or guardian for costs of services
• Parent or guardian of child adjudicated delinquent is financially responsible for any services ordered by court.
• Parent must furnish court with financial information.
  § 31-40-1-5 Obligation of parent or guardian to pay for institutional placement

IV. Compulsory School Attendance

§ 20-8.1-3-37 Penalty
• Knowing violation by a parent is a Class B Misdemeanor.

Iowa

I. Civil Liability

a. Tort damages

§ 613.16 Parental responsibility for actions of children
• Parent who is entitled to legal custody liable for actual damages to person or property caused by unlawful acts of child.
• up to $2000 for any one act, not exceeding $5000 to any one claimant for two or more acts.

b. Motor vehicles

§ 321-493 Liability for damages
• Owner of car, when car driven with his consent, liable for damages done by the driver
  **no liability for person signing minor’s application for driver’s license

II. Criminal Sanctions

a. Contributing to delinquency of a minor
§709A.1 Contributing to delinquency

Unlawful:

• to encourage any child to commit act of delinquency defined in chapter 232.
• to encourage child to violate a law or ordinance.
• for a parent willfully to fail to support the child for whom parent has legal obligation to support.

§709A.2 Penalty

• simple misdemeanor

b. Weapons

§724.22 Criminal Storage

• Unlawful for any person to store or leave a loaded firearm which is not secured by trigger lock or placed in secure location, if person knows or has reason to believe minor under age 14 is likely to gain possession without permission of parents, etc, and the minor subsequently exhibits firearm in public place or uses firearm and causes injury to a person.

• Serious misdemeanor

III. Juvenile Court

a. General procedures

§232.38 Presence of parents at hearings

• Hearings shall not take place without presence of parent or guardian, unless parent or guardian fails to appear after having been given reasonable notice or court has expended reasonable efforts to find and notify parent, etc.
• Court may temporarily excuse presence of parent, etc.
• Counsel for parent, etc has right to participate in hearing or proceeding in absence of parent, etc.

b. Parental Participation and Penalties

§232.52 Disposition

• Parent or guardian may be required to participate in educational or treatment programs as part of probation plan if court determines it to be in best interest of child.
• Parent or guardian who does not participate may be held in contempt.

c. Financial obligations

§232.141 Expenses

• Court may order parent to pay all or part of cost of child care, examination, treatment, legal or other expenses
• Failure to pay is contempt

IV. Compulsory Education

§299.5A Mediation

• If parent, etc refuses to accept school’s attempt to assure child’s attendance, truancy officer will refer matter to county attorney for mediation or prosecution.
• If parties reach agreement in mediation, all parties must sign written agreement.
• If parent, etc refuses to cooperate with signed agreement, matter referred to county attorney for prosecution.
• County requires parent, etc to pay fee to help defray costs of mediation, based on sliding scale.

§299.6 Violations
• Any violation, for a first offense, is a simple misdemeanor
• First offense: up to 10 days imprisonment, or fine of up to $100, or up to 40 hours community service.
• Second violation: serious misdemeanor: up to 20 days imprisonment and/or fine up to $500, or community service.
• Three of more offenses: serious misdemeanor: up to 30 days imprisonment and/or fine up to $1000, or community service.
• Parent has a defense if can show reasonable efforts to get child to attend school.

§299.12 Attendance cooperation meeting
• Parents, etc meet with school officials to try to find cause of child’s nonattendance.
• Purpose of meeting is to refer family to any needed services and develop plan for attendance.
• All parties must sign agreement with future responsibilities of each party listed.
• If parent violates agreement or refuses to participate in meeting, child deemed truant.

Kansas

I. Civil Liability
   a. Tort damages
      §38-120
      • Limited to actual damages not exceeding $5,000, plus court costs.
      • Unless jury finds that act of minor was result of parental neglect, in which event limitation does not apply.
      • Personal injury damages limited to medical expenses.
   b. Motor vehicles
      §8-222 Liability of owner for damage caused by negligence of minors under age 16
      • Joint and several liability
      • Applies when owner knowingly permits minor under 16 to drive car.

II. Criminal Sanctions
   a. Contributing to delinquency
      §21-3612 contributing to a child’s misconduct or deprivation
      • Causing or encouraging child to commit traffic infraction [class A nonperson misdemeanor].
      • Causing or encouraging child to commit a felony [severity level 7, person felony].
      • Causing or encouraging child to violate provisions of child’s probation [class A nonperson misdemeanor].

III. Juvenile Courts
   A. Status Offenders
   a. General procedures
      §38-1505 Right to counsel
      • Parent or custodian has right to be represented by counsel.
      • Court will appoint counsel if parent requests one and is not able to afford it.
   b. Parental Participation and Penalties
      §38-1514 Evaluation of development or needs
      • Court can order physical, psychological, emotional, or parenting skills assessment of any person to whom the court is considering awarding custody of child.
§38-1563 Dispositions
- Court can order parent to attend counseling.
- Parents or guardian may be ordered to pay costs for alcohol and drug evaluation, for costs of child support if child placed in state custody.

B. Juvenile Offenders
a. General Procedures
§38-1606 Right to attorney
- Legal fees of juvenile can be assessed against parent.
- No right of parent to attorney under this section.

§38-1626 Summons
- Summons and copy of complaint served on parent having legal custody, person with whom juvenile residing, and any other person designated by county or district attorney.
- Informs person that person with legal custody may be required to pay legal expenses of juvenile and to pay for support of child.

§75-7023 Juvenile Intake Procedures
- After completion of intake and assessment procedures, intake officer can release child to parent or other legal guardian, on condition that
  - members of family participate in counseling or in mediation
  - referral of family to social services for further assessment and treatment
  - require child and parent, etc to enter into behavioral contract which may provide for regular school attendance
- Parents, guardians access juvenile intake programs on voluntary basis and are responsible for costs of any such program utilized.

b. Parental Participation and Penalties
§38-1663 Sentencing alternatives
Court may order parent of juvenile offender to:
- attend counseling sessions
- participate in mediation
- participate in parenting classes
- Parent has right to request hearing to contest an order against them. Court has to appoint attorney to represent them if they cannot afford one.
- Parent or guardian of child placed under house arrest may have to pay costs of program on a sliding scale
- Court can order parent(s) to pay child support

§38-1668 Duty of parent and others to aid in enforcement of court order
- Parent, guardian, or person with whom juvenile resides may be ordered by court to report probation violations, aid in enforcing conditions of release or other orders of the court.

b. Financial obligations
§38-16,128 Liability of parent or guardian for assistance provided child
- Parent or guardian is liable for any assistance expended on child’s behalf, including costs of probation, aftercare supervision, case management, etc.

IV. Compulsory School Education
§72-1113 Noncompliance
• Parent or person acting as parent sent notice that child not attending school and that continued non-attendance will result in report being made to county attorney.
• County attorney can file petition alleging child in need of care or initiate a criminal prosecution.

**Kentucky**

I. Civil Liability

_a. Tort damages_

§405.025 Parent or guardian may be liable for willful damage to property caused by minor
• Liable for property damage up to $2500, if parent joined as party defendant in original action. Parent cumulative liability under section = $10,000

§405.027 Liability for attorney’s fees and costs.
• “within sound discretion of court” to require parents to pay attorney’s fees and costs. Amount paid ancillary and supplemental to § 405.025

_b. Shoplifting_

§411.095 Liability for stealing or damaging goods of a retailer or wholesaler
• Custodial parents or legal guardians of minor who shoplifts is civilly liable to owner for actual damages, and, if any, for a penalty in the amount of the retail value not to exceed $500, plus an additional penalty of not less than $100 or more than $500. Also liable for court costs.
• Section independent of other sections imposing civil liability on parents.

c. Motor vehicles

§186.590 Imputed negligence to person signing application or allowing him to drive
• Person who signed application jointly and severally liable with the minor for any damages caused by the minor’s negligence.
  • No liability if minor has signed and submitted proof of financial responsibility form
• Every motor vehicle owner who gives or furnishes a vehicle to the minor jointly and severally liable with the minor for damage caused by the negligence of the minor in driving.

d. Textbooks

§157.140 Responsibility for education books not returned
• Pupil and parent or guardian responsible for all books not returned to the teacher.

II. Criminal Liability

_a. Contributing to delinquency offenses_

§530.064 Unlawful transaction with a minor in the first degree
• Person guilty when he knowingly induces, assists, or causes minor to engage in illegal sexual activity, or in illegal controlled substances activity other than marijuana.
• Class C felony if minor is less than 18.
• Class B felony if minor less than 16.
• Class A felony if minor incurs physical injury.

§530.065 Unlawful transaction with a minor in second degree
• Guilty when he knowingly induces, assists, or causes a minor to engage in illegal controlled substance activity involving marijuana, illegal gambling, or any other criminal activity that constitutes a felony.
- Class D felony.

§530.070 Unlawful transaction with minor in third degree
- Guilty when:
  - knowingly induces, assists, or causes a minor to engage in any other criminal activity.
  - knowingly induces, assists, or causes minor to become a habitual truant.
  - persistently and knowingly induces, assists, or causes a minor to disobey a parent or guardian.
  - class A misdemeanor

b. Weapons
§527.110 Unlawfully providing handgun to juvenile
- Class D felony
- Parent or legal guardian guilty if he intentionally, knowingly, or recklessly provides handgun to the juvenile or permits juvenile to possess a handgun knowing that there is substantial risk that the juvenile will use a handgun to commit a felony offense; or, with knowledge that juvenile has been convicted of a crime of violence or has been adjudicated a public offender of an offense which would constitute a crime of violence under §439.3401

III. Juvenile Court
a. General procedures
§610.040 Summons and notice
- Issued to person who has custody or control of child. Parents without custody of child are notified of pendency of proceedings.

§610.060 Formal proceedings
- Judge must explain to child and parent respective rights to counsel. If person exercising custodial control cannot obtain counsel, court may appoint counsel.
- Right against self-incrimination applies to parents, custodian, relative, guardian in relation to charges against the child.
- Court can order a parent to pay for counsel if the court determines that parent has ability to pay for counsel.

§610.100 Investigation – Informal adjustment
- Investigation made by officer of juvenile court which includes looking at school record, reputation, home life, ability of parents to pay for all or part of treatment should it be needed by child.

§610.200 Duties of peace officers
- When juvenile taken into custody, officer must contact custodian of minor immediately and give account of specific charges against child.
- Officer may release child to parent, guardian, etc upon a signed written promise that person will bring child to court.
- If person fails to bring child to court, summons, warrant may be issued against said person (and also against child)

b. Parental participation
§610.160 Participation in Treatment
• Court may order any parent, guardian, or person exercising custodial control or supervision of child to cooperate and actively participate in any court-ordered treatment for the child.
• If the parents fail to cooperate in programs, court can issue summons for parents requiring them to attend hearing to rebut evidence that they have violated court order.
• Court may use powers of contempt in addition to any other remedy provided by law to compel obedience of parents, guardian, or person exercising custodial control.

§630.050 Conference with court-designated worker (applies to status offenders only)
• Before commencing judicial proceedings on the status offense, parties shall meet with court-designated worker to decide whether to refer matter to court, to refer child and family to social service agency (which c-d worker shall make reasonable effort to do before referring matter to court), to enter into a diversionary agreement.

§630.120 Dispositional Hearings (for status offenders)
• Court may order child and family to participate in any programs which are necessary to effectuate change in the child and family.

§635.010 Procedures for juvenile offenders
• Before c-d worker performs intake inquiry, c-d worker notifies child and child’s guardians of right to counsel during prelim intake inquiry as well as during formal conference afterward.
  - that participation in prelim intake or any resulting plan of diversion is voluntary.
• After completion of prelim intake, c-d worker presents results to child and custodian, along with alternative referral programs available.

c. Financial Obligations

§610.170 Court-ordered child support
• Court can require parent or other person exercising custodial control of child, if financially able, to contribute toward support, maintenance, and education of child who is committed or probated.
• Provision does not apply if custodial person was victim of child’s criminal conduct giving rise to the complaint against the child.

§610.180 Financial Penalty when child found delinquent
• Provision applies to a parent or other person exercising custodial control of child.
• In any case where child is adjudicated a public offender, court may find that custodian has failed or neglected to subject him to reasonable parental control, and that such failure is the proximate cause of the acts upon which the adjudication is based. In such cases, court can require parent to issue bond of not more than $500, conditioned upon faithful discharge of conditions of probation.
• If child violates terms of probation or commits second act and court determines parenting to be a proximate cause, court can retain all or part of bond. Part of sum can be applied toward any damage caused by child, and can be retained by court to pay for any future damage caused by minor.
• Section does not apply to foster parents.

§610.360 Court costs
• Costs assessed against child when possible, but may be assessed against child’s parent or legal guardian (but not if parent was complainant against child).

IV. Compulsory Attendance
§159.010 Parent or custodian to send child to school
• Child under 16 wishing to withdraw before graduation must attend a 1 hour counseling session with parent on potential problems of nongraduates.

§159.180 Parents responsible for children’s violations
• Parents and custodians legally responsible for attendance violations of child.
• Before proceedings instituted, written notice of violation served and one day given for termination of violation.
• If violations continue after notice given once, parent immediately punishable.

§159.990 Penalties
• Parent who intentionally fails to comply shall be fined:
  - $100 for first offense
  - $250 for second offense
  - subsequent offenses classified as Class B misdemeanor (but new offense not constituted until previous offense fully adjudicated)
    - Court can suspend fine or remit fine if child begins regular attendance.

I. Civil Liability
  a. Tort damages
  Civil Code § 2318
  • no maximum liability listed

II. Criminal Liability
  a. Contributing to Delinquency
  § 14:92.2 - Improper Supervision of Minor by Parent or Legal Custodian
  • Prohibits criminal parental negligence to allow child to become a gang member, be convicted of a felony, be drug user or distributor, have access to firearms, etc.
  • Parent escapes liability if informs law enforcement officials or other authorities of a child's involvement in above activities. Violator may do community service or counseling with minor instead of penalty.

III. Juvenile Court
  a. General Procedures
  Art. 852 (Children's Code) - Service; Non-Resident Parent
  • Provides for service on a parent who is not a resident of Louisiana.
  b. Adjudication and Disposition
  Art. 896 (Children's Code) - Deferred Dispositional Agreement
  • After adjudicatory hearing, court may suspend further proceedings and place child on supervised or unsupervised probation. Both parent and child must agree to suspension of proceedings.
  Art. 779 (Children's Code) - Dispositional Alternatives
  • Dispositions for family in need of services include requiring the child and parent to participate in counseling and other needed services. Court may also order parent to participate in remedying conditions directly affecting the child and impose conditions related to improving the family relationship.
  c. Financial Obligations
  Art. 899 (Children's Code) - Disposition After Adjudication
• Parent, tutor, guardian or other person financially responsible for the child may be responsible for all or part of the payment of a monthly disposition fee between $10 and $100.

Art. 901.1 (Children's Code) - Probation and Parole Supervision Fees
• Parent responsible to pay the monthly supervision fee of $10 - $100 per month if court suspends sentence and places child and/or parent on supervised parole. Exception for parents who fail to pay due to financial inability.

IV. Compulsory Attendance
§ 221.1 - Prohibition Against Causing Absence from School
• No person may entice, or solicit children away from school to participate in unauthorized demonstrations.

Maine
I. Civil Liability
a. Tort damages
14 § 304
• liability of parent not to exceed $800

II. Criminal Liability
a. Weapons
§ 17-A § 554 - Endangering the Welfare of a Child
• Prohibits furnishing, giving, or offering to give or furnish a child under 16 years old air rifles, gun powder, smokeless powder, or ammunition for firearms. Affirmative defense that the defendant was the parent or adult approved by the parent.

III. Juvenile Court
a. General Procedures
15 § 3304 – Summons
• If summons is only issued to a parent, and the child lives with one parent, then service on that parent is sufficient. If adult who is summoned is not the parent or guardian of the juvenile, then the parent of guardian must also be notified.
15 § 3301 - Preliminary Investigation, Informal Adjustment and Petition Initiation
• Terms of informal adjustment must be agreed to in writing and signed by the juvenile, and the juvenile's parents
• Community relations team to consist of: a facilitator, the caseworker, the victim, the juvenile, the juvenile's parents, a law enforcement officer, and any others.

Maryland
I. Civil Liability
a. Tort damages
27 § 807
• liability for personal injury and property damage limited to $10,000

II. Criminal Liability
a. Contributing to Delinquency
CJ § 3-831 Contributing to Certain Conditions of Child
• Person may be guilty under this section even if child not found delinquent etc.; court may expunge a delinquent adjudication from the child's record and enter it as a finding in adult's case.

b. Weapons

27 § 36K Access to Firearms by Minors
• Person may not store or leave a loaded firearm in location where the person knew or should have known that an unsupervised minor (under 18 years old) would gain access to the firearm. Exception if minor supervised by adult, or access was the result of unlawful entry, among others. Violation is a misdemeanor.

III. Juvenile Court
a. General Procedures
CJ § 3-802 Purpose
• "Hold parents of children found delinquent responsible for the child's behavior and accountable to the victim and community, and for remedying the circumstances that required the court's intervention."

CJ § 3-810 Preliminary Procedures
• Intake officer may initiate informal adjustment if the child, parent, and victim agree.

b. Disposition and Parental Participation
CJ § 3-818 - Study and Examination of Child
• After petition filed, court may order examination of child or parent by physician, psychiatrist, psychologist etc.

CJ § 3-827 - Order Controlling Conduct of Person Before the Court
• Court may make an order controlling the conduct of a person before the court if the court finds that the conduct: is or may be detrimental to the child over whom the court has jurisdiction, will be detrimental to the execution of an order, will assist in rehabilitation, or is necessary to the welfare of the child.

c. Financial Obligations
CJ § 3-820 - Disposition; Costs
• Includes order applicable to parents and participation in services. Parents may be ordered to pay reasonable court costs.

CJ § 3-829 - Judgment of Restitution
• Court may order restitution by parent, child, or both.
  27-811 - Earnings Withholdings Orders
    • Court may order earnings of liable parents withheld in order to pay restitution.

CJ § 3-830 - Parent's Liable for Support After Commitment
• Court may order either or both parents to pay sum in amount to cover the support of the child in whole or in part, after hearing.

IV. Compulsory attendance
ED § 7-301 - Compulsory Attendance
• Prohibits inducing or attempting to induce a child to absent himself from school. Violation is a misdemeanor.

I. Civil Liability
a. Tort damages
231 § 85G Liability for willful act acts of minor children
• Liability for personal injury or property damage can not exceed $5,000
140 § 155 - Liability for Damage Caused by Dog
• Dog owner or parent, if the owner is a child. Liable for damage or injury caused by dog.

II. Criminal Liability
a. Contributing to Delinquency
119 § 63 - Inducing or Abetting Delinquency of Child
• Person who contributes to delinquency may be required to comply with court orders designed for the future welfare of the child in addition to criminal penalty.

b. Weapons
140 § 131L - Weapons Stored or Kept by Owner
• Applies to storage of firearms including large capacity weapons or machine guns.
Penalty for violations varies depending of the type of firearm: 1. not large capacity: penalty = fine between $500 - $5,000, or up to 1 year in jail, or both, 2. large capacity: penalty = fine between $1,000 and $10,000 or jail between 1 - 10 years or both, 3. not large capacity, and child under 18 may have access without unforeseeable trespass: penalty = fine between $1,000 and $10,000, or 1-10 years in jail, or both. 4. large capacity and child under 18 may have access without unforeseeable trespass: penalty = fine between $5,000 and $10,000 or jail between 2 1/2 to 10 years or both.

III. Juvenile Court
a. General Procedures
119 § 55 - Summoning of Parent or Guardian
• Parent living in the state is summoned; if no parent in the state, then guardian summoned if (s)he is a resident; if none, then the person with whom the child resides is summoned.
119 § 39E - Petitions seeking Determination that Child is in Need of Services
• Among others, Parents may apply for petition. Probation officer with the consent of parent may make appropriate referrals for child.
• If parents or child do not cooperate with the referrals and meetings, probation officer may file petition, after which court summons parents.

b. Financial Obligations
119 § 39F - Right to Counsel
• Court may require the parent or guardian to pay (full or part) of the cost of counsel.
119 § 29A - Legal Fees of Minors in Criminal Proceedings; Liability of Parents
• Parents of an unemancipated minor who have custody may be ordered to pay legal fees other than those provided by Mass. Defenders Committee. Limit is $300.

c. Probation
119 § 58 - Adjudication as a Delinquent or Youthful Offender
• Court may find child delinquent or may continue the case without a finding and put the child on probation. At least one parent or guardian must consent if the child is required to work or participate in other activities.

IV. Compulsory Attendance
76 § 4 Inducing Absences
• Whoever induces or attempts to induce a minor to be absent from school, or employs of harbors a minor who is absent. Penalty = Fine up to $200.

Michigan
I. Civil Liability
   a. Tort damages
      § 600.2913
      • Liability for personal injury or property damage not to exceed $2,500

II. Criminal Liability
   a. Contributing to Delinquency
      § 722.151 - Aiding or Abetting Minors to Violate Order of Court
      • Person who aids or abets a child under 17 years old to violate an order of the juvenile court, or who conceals a runaway from court or parents.

   b. Weapons
      §750.235a - Parent of a Minor who Violates This Chapter
      • Parents whose minor who violates the firearms chapter in a weapon-free school zone guilty, if parent knows that the child will violate the chapter or the parent acts to further the violation. Penalty may include community service. It is a complete defense that the parent notifies law enforcement or school administration.

III. Juvenile Court
   a. General Procedures
      § 712A.12 - Examination of Child; Hearing; Summons
      • Person who has custody and control of child to appear. If person summoned is not the parent or guardian, then the parent or guardian or both shall also be notified.

      § 712A.6a - Attendance at Hearings by Parent or Guardian
      • Parent is required to attend each hearing. Failure to attend is grounds for contempt, but will not preclude the occurrence of the hearing.

      §712A.6 - Jurisdiction over Adults
      • Juvenile division shall have jurisdiction over adults incidental to jurisdiction over juveniles, and may make orders affecting adults.

   b. Disposition and Parental Participation
      § 722.823 - Failure to File a Petition; or Petition not Authorized
      • Minor and parents, guardian or custodian must agree to work with services to resolve problem resulting in investigation, if juvenile diverted and investigation discontinued.

      §722.825 - Decision to Divert; Notice to Parent
      • Conference held with the minor and parent, guardian, or custodian. Participation is voluntary. If conference results in agreement to divert, terms are to be put in writing and signed by the minor, law enforcement official, and parent.

   c. Financial Responsibility
      § 712A.18 - Order of Disposition of Juvenile
      • Order for placement outside the home to include provision for reimbursement by the juvenile or the juvenile's parents. Must be given opportunity to be heard.

      § 712A.18b - Failure of Parent or Other Adult to Reimburse
      • If parent is subject to reimbursement order and does not pay, may be proceeded against for contempt and court may assign wages or salary.

Minnesota

I. Civil Liability
   a. Tort damages
      § 540.18
Liability for personal injury or property damage not to exceed $1,000

II. Criminal Liability
a. Contributing to Delinquency
§ 260B.335
• Court may control the offender’s conduct, require the person to participate in services, contribute to restitution, or maintenance. An order under this section may be brought as a criminal action.

b. Weapons
§ 609.378 - Neglect or Endangerment of a Child
• Any person who places child under 14 years old in situation likely to harm the child or cause death because of access to a loaded firearm; greater penalty if substantial harm results.
§ 609.666 - Negligent Storage of Firearms
• No person may store a loaded firearm in location where child (under 18) is likely to gain access. Exception when access to the firearm gained by unlawful entry.

III. Juvenile Court
a. General Procedures
§ 260B.151 - Notice; Summons
• Notice to person having custody or control of the child to appear. Court gives notice to parent, guardian, or spouse of child who was not summoned above.
§ 260B.163 - Hearing
• Parent or Guardian must accompany the child at each hearing. Parent has the right to be heard and present evidence.

§ 260B.175 - Taking a Child Into Custody
• After taking a child into custody, officer must give parent a list of references of local child welfare agencies in a language the parent can read.
§ 260B.101 - Jurisdiction
• Parent or guardian of a child who is subject to juvenile court jurisdiction is also subject to the jurisdiction of the court.

b. Disposition and Parental Participation
§ 260B.198 - Disposition; Delinquent Child
• When child placed in out-of-home services, case plan to be developed with the child, parent, and agency. May include actions to be taken by the parent.

c. Financial Responsibility
§ 260B.331 - Costs of Mental Health Exams or treatment
• Parent will be ordered to reimburse the county for the cost of care for child in out-of-home placement based on total income and resources attributable to the child; includes social security benefits, SSI, veteran's benefits, railroad retirement benefits, and child support.
§ 260B.185 - Children in Custody; Responsibility for Medical Care
• County has the right to reimbursement from the child's family for medical care to the extent that they have the ability to pay.

III. Compulsory Attendance
§ 120A.22 - Violations; Penalties
• Any person who induces or attempts to induce a child to be absent from school, or who harbors or employs a child while school in session is guilty of a misdemeanor.

Mississippi

I. Civil Liability
   a. Shoplifting
§ 97-23-96 - Shoplifting; Civil Remedies
   • Parent whose child is living with them is liable for damages under this section - if it is proven that the parent had knowledge of the minor's intent to shoplift or aided and abetted the minor in the violation. Liable for 3 times the actual damages in the amount of $200 whichever is greater, plus the attorney fees, court costs, and appellate costs. Does not allow punitive damages.

b. General Civil Liability
§ 43-21-151 - Exclusive Original Jurisdiction; Exceptions; Children under 13
   • No child under 13 will be criminally prosecuted for actions, but parent, guardian, or custodian may be civilly liable for the criminal acts.

c. Motor Vehicles
§ 63-1-25 - Misconduct of a Minor; Imputation of Liability
   • Adult who signed minor's driver’s license application is jointly and severally liable for damages caused by negligent or willful misconduct.
§ 63-1-27 - Request for Cancellation of License
   • Person who signed the application may request its cancellation which will release the person from liability.

II. Criminal Liability
   a. Contributing to the Delinquency of a Minor
§ 97-1-6 - Directing or Causing a Minor to Commit a Felony
   • No person may direct or cause a minor to commit a felony. Penalty = fine up to $10,000, or prison up to 20 years, or both.

b. Weapons
§ 97-37-15 - Parent Not to Permit Child to Carry a Concealed Weapon
   • Parent may not allow child to carry a concealed weapon. Violation is a misdemeanor. Exception is the child is in hunter safety class, target shooting, or authorized competition etc.
§ 97-37-17 - Weapons Possession on Educational Property
   • No person may cause, encourage, or aid a minor to possess or carry firearms or dynamite on school property. Violation is a felony. If conduct involves BB guns, air rifles, or air pistols, the violation is a misdemeanor.

III. Juvenile Court
   a. General Procedures
§ 43-21-103 - Purpose
   • "It is the public policy of this state that the parents of each child shall be primarily responsible for the care, education, and welfare of such children..."
§ 43-21-501 - Notice
   • Among others, the court summons the person(s) who has custody or control of the child, and parent or guardian if do not have custody of the child.

b. Disposition and Parental Participation
§ 43-21-405 - Informal Adjustment Conference and Agreement
• Parent and child must sign statement outlining the terms of the informal adjustment. Agreement may be modified with consent of all parties.

c. Financial Responsibility
§ 43-21-619 - Parent's Responsibility to Pay
• Court may order parent to pay, if able, for court ordered medical and other examinations and treatment of the child, reasonable attorney fees, court costs, damages to victim (not to exceed actual loss). May also order participation in counseling.
§ 43-21-615 - Transportation and Treatment Costs
• Court may order parent to contribute to support of child for medical expenses after hearing.

Missouri

I. Civil Liability
a. Tort damages
§ 537.045 - Parent or Guardian Liable for Damages by Minor
• Limited to parent with whom child lives. Parent must have been joined in the original action. Parent or child may work for the injured party in lieu of payment, if all parties agree.
b. Shoplifting
§ 570.087 - Stealing; Civil Liability
• Parents who have physical custody liable for actual damages when child steals from mercantile establishment. Actual damages measured by the full retail value of the merchandise taken plus incidental costs, not to exceed $100.

II. Criminal Liability
a. Contributing to Delinquency
§ 568.050 - Endangering the Welfare of a Child in the Second Degree
• Person who aids or causes a child to violate a law, or parent, guardian or custodian who fails to exercise control over a child such that the child violates a law, is guilty of misdemeanor.
§ 211.421 - Interfering With Orders of Court or Endangering Welfare of a Child
• Any person who encourages, aids or causes child to commit any act that is injurious to the child, or disobeys a court order. Applies only after child is under the jurisdiction of the juvenile court. Violation is contempt of court.

III. Juvenile Court
a. General Procedures
§ 211.101 - Issuance of Summons; Notice
• Summons issued to the person who has custody of the child. If person summoned is not the parent or guardian, then the parent or guardian shall also be notified.
§ 476.753 - Interpreter
• Interpreters allowed for deaf persons including when the person is the parent of a juvenile brought before the court.
b. Financial Responsibility
211.241 - Court Orders to Parents for Support of Children
• Court may order parents to pay support and the costs of collecting the judgment. No property is exempt from execution; all wages and other sums due the parent are subject to garnishment.

§ 211.185 - Judgment of Restitution
• Order for restitution against parent imposed when parent failed to exercise reasonable discipline or authority to prevent loss. Parent given opportunity to be heard.

**Montana**

I. Civil Liability
a. Tort damages

§ 70-6-514 - Liability of Parent or Guardian for Minor's Damage to Public Accommodation
• Parent liable if minor willfully defaces or damages hotel property.

§ 40-6-237 - Destruction of Property by Minor- Liability of Parents
• Limited to parents with whom child living.

b. Shoplifting

§ 27-1-718 - Civil Penalty for Shoplifting
• Parent having custody of minor liable for the retail price of goods stolen from mercantile in the amount of the retail price or $100 whichever is greater, not to exceed $1,000.

c. Textbooks

§ 20-5-201 - Duties and Sanctions (under Duties - Suspension and Expulsion)
• Parent liable for the costs of repair or replacement when student continually and willfully damages school property.

d. Motor Vehicle

§ 61-5-108 - Application of Minors Imputed Liability
• If motor vehicle liability insurance policy is in effect person who signed application is released of liability.

§ 61-5-109 - Release From Liability
• Person who signed the application may make written request for license revocation. Revocation releases the person of liability.

II. Criminal Liability
a. Weapons

§ 45-8-344 - Use of Firearms by Children Under Fourteen Prohibited
• Applies to parent of child under 14 years old. Prohibited from permitting the minor to carry or use any firearms in public, exception if parent or a safety instructor authorized by the parent accompanies minor.

§ 45-8-361 - Possession or Allowing Possession of Weapon in School Building
• Prohibits parent from permitting the minor to possess, carry, or store a weapon in a school building. Penalty = fine up to $500, or up to 6 months in jail, or both.

III. Juvenile Court
a. General Procedures

§ 41-5-1202 - Preliminary Inquiry
• Preliminary multi-disciplinary evaluation may be completed if the juvenile or parents request it, and if both agree to cooperate with the assessment.

§ 41-5-1501 - Consent Decree with Petition
• If court suspends proceedings and orders juvenile under the supervision of the court, terms must be negotiated and agreed upon by all necessary parties.
§ 41-5-1302 - Consent Adjustment Without Petition
- Consent adjustment must be in writing, signed by the juvenile and parents.

b. Disposition and Parental Participation
§ 41-5-1412 - Rights and Obligations- Persons to be Advised - Contempt
- Parents or guardian obligated to assist and support the juvenile court in implementing the court's orders. Parents to be notified of obligation to support and reimburse the state or local government.

§ 41-5-1512 - Disposition for Youth in Need of Services (status offender)
- Dispositional alternatives affecting parents include receiving counseling services, or a medical or psychological evaluation, or to furnish the juvenile with court-ordered services.

c. Financial Responsibility
§ 41-5-1511 - Dispositional Hearing - Contributions by Parents or Guardians for Expenses
- Hearing may include determination of parents' ability to contribute to the cost of adjudication, disposition, care, commitment, and treatment - including costs of health care. Court may examine parent whose ability to contribute is in question.

Nebraska

I. Civil Liability
a. Tort damages
§ 43-801
- No stated maximum liability for property damage; liability for personal injury applies only to medical expenses and cannot exceed $1,000.

II. Juvenile Court
a. General Procedures
25-2403 - Interpreter
- Judge shall appoint an interpreter for any person unable to communicate in English for preparation and trial.
§ 43-253 - Temporary Custody; Release
- If child taken into custody and not best to return to custodial parent, officer to contact the noncustodial parent. If unavailable, then can contact another relative or responsible adult.

§ 43-3101 - Court Proceeding; Notice to Non-Custodial Parent
- Non-custodial parent is defined as an interested person; reasonable attempts shall be made to notify him or her of any court proceeding by or against his or her child or the custodial parent.

§ 43-277 - Juvenile in Custody; Adjudication Hearing; Requirements
- Adjudication hearing not to be held until Juvenile's custodian, person with whom he or she may be living, parent, or guardian appears. If they fail to appear a guardian ad litem must appear.

III. Compulsory Attendance
§ 79-202 - Compulsory Attendance; Nonattendance; School District Duties
- Services included in school district policy: meetings with the school social worker, if available, and the attendance officer to attempt to solve the truancy problem, educational counseling, educational evaluation.
I. Civil Liability
   a. Weapons
      § 41.472
      • Parent jointly and severally liable for property damage or personal injury resulting from misconduct with a firearm if knew the minor was previously adjudicated delinquent, had a propensity toward violence, or had intent to use the firearm for unlawful purposes.
   b. Shoplifting
      § 597.870
      • Parent liable for stolen merchandise or damaged property in the amount of the retail value of the merchandise, and the fair market value of the damaged property, and damages between $100 and $250, court costs and legal fees.
   c. Motor Vehicle
      § 483.300 - Signing and Verification of Application of Minor by Responsible Person
      • Minor's application for driver's license must be signed by parent or responsible adult. Person is jointly and severally liable for damage from negligent or willful misconduct.
   d. Tort damages
      § 41.470 – Imposition of liability for willful misconduct of minor
      • Parents are jointly and severally liable for personal injury or property damage if the parent knew of the minor’s previous adjudication as a delinquent, propensity toward violence, or that the minor had the intent to use a firearm for unlawful purposes. No limit on liability.

II. Criminal Liability
   a. Contributing to Delinquency
      § 193.162 - Additional Penalty; Felony Committed by an Adult with Assistance of Child
      • Imposes additional penalty on adult who commits a felony with the aid of a child.
      § 392.220 - Abetting Truancy...
      • No person may induce or attempt to induce child to be absent from school, or harbor or employ a truant. Violation is a misdemeanor.

III. Juvenile Court
   a. General Procedures
      § 62.043 - Court's Jurisdiction Over Adults
      • Court has jurisdiction over adults, incidental to its jurisdiction over children.
      § 62.044 - Court's Jurisdiction Over Stepparents
      • Court has jurisdiction over stepparent just as it has over natural parents.
      § 62.140 - Issuance of Summons
      • Person having custody of the child is summoned. If that is not the parent, the parent is also notified.
      § 62.085 – Right to Counsel
      • Parent may be represented by an attorney, but one will not be appointed unless required and specified in writing as in the interest of justice.
      § 62.900 - Terminating or Threatening to Terminate Employment of Parent for Appearance at Proceeding
      • Misdemeanor for an employer to terminate or threaten to terminate a parent because of the parent's appearance in court. Section also provides the parent a civil remedy against employer.
b. Financial Responsibility

§ 62.129 - Informal Supervision
- Informal supervision agreement may be entered into with the advice of an attorney or consent of the parent, and may require the child to pay restitution or participate in programs. Parent may be liable for the cost of programs.

§ 392.268 - Reimbursement to School District for the Transportation Costs Incurred to Send Offender to School Other Than School Victim Attends
- If school must send an offender to a different school because unable to attend the school the victim attends, may collect costs from the parent.

§ 206.330 - Placing Graffiti on or Otherwise Defacing Property
- Child may be issued fine or community service for defacing property; parent liable for fines and required to complete the community service if (s)he cannot pay the fine.

§ 62.800 - Expenses Related to Temporary Detention of Child
- When child detained (except by court order in a temporary detention facility), the parent is liable to reimburse county for all expenditures. If parent does not pay, the county has a claim against the parent and may collect 7% interest annually on the judgment.

§ 62.810 - Expenses Related to Ancillary Services Provided to Child
- Parent liable to county for transportation, psychiatric, psychological, and medical services. County may use sliding scale. Judgment may include 7% per annum allowance.

§ 62.820 - Expenses Related to Commitment of Child; Payment by Parent of Child
- Parent liable for out-of-home services; after opportunity for hearing.

§ 62.2183 - Child Required to Provide Restitution for Medical Expenses of Victim and Damage to Property; Responsibilities of Parent or Guardian of Child; Community Service In Lieu of Restitution.
- If child unable to pay court ordered restitution, parent liable to pay. IF neither can pay both may be ordered to complete community service.

§ 62.085 - Attorney; Appointment Fees and Expenses
- Parent required to pay for court appointed attorney unless determined indigent.

§ 62.2295 - Unlawful Act of Cruelty or Torture of Animal
- Parents must pay for psychological services for child adjudicated delinquent because of torture or cruelty to an animal.

IV. Compulsory Attendance

§ 392.147 - Hearing by Advisory Board...
- Parent and child must attend advisory board meeting to determine services. If child and / or parent do not comply with services, reported to law enforcement.

New Hampshire

I. Civil Liability
a. Tort damages

§ 169-B:44 Civil action for compensation
- Allows person injured by minor to file action against parents of minor for personal injury or property damage. No limitation on liability.

II. Criminal Liability
a. Curfew
§ 31:43-e - Penalty; Custodian
- Parent of any minor under the age of 16 may not permit child to be on a public street or place in violation of local curfew ordinances. Violation is a misdemeanor.

§ 31:43-g - Second Offense
- Parents guilty of misdemeanor if child found guilty of second or subsequent offense of curfew.

b. Contributing to the Delinquency of a Minor

§ 169-B:41 - Intentional Contribution to Delinquency
- Parent may not encourage or do any act to contribute to the delinquency of a minor. Violation is a misdemeanor. Court may control future conduct of the person, or with the person’s consent, may enter into a recognizance in a penal sum fixed by the court conditioned on the future welfare of the child.

III. Juvenile Court

a. General Procedures

§ 169-B:1 - Purpose
- Includes purpose to: make the parents aware of the extent, if any, to which they may have contributed to the delinquency and make them accountable for their role in its resolution.

§ 169-B:7 - Issuance of Summons and Notice
- Person having custody or living with the minor is summoned. If the person not the parent or guardian of the minor, then the parent or guardian shall be notified if residence known. If the parent or guardian's residence is not known then some other relative shall be notified.

§ 169-B:42 - Procedure
- If a minor is found delinquent more than once, court may issue a warrant for the parent.

§ 169-D:2 – Definitions - Children in Need of Services
- Child in need of services applies to children under 18 years old who are status offenders or violators of criminal code and found to be in need of care, guidance counseling, rehabilitation, supervision etc.

b. Disposition and Parental Participation

§ 169-B:43 - Court Orders
- If court finds that the parent, guardian, or custodian failed to exercise reasonable diligence in control of the minor causing the delinquency, it may make an order specifying the future conduct to prevent further delinquency and promote welfare of the child.

§ 169-B:13 - Arraignment; Court Referrals; Uncompensated Public Services by Minors
- Court may, at any time after arraignment, dispose of the petition and refer the minor or the minor and family for participation in an approved court intervention program.

§ 169-D:17 - Dispositional Hearing – Child in Need of Services
- Includes ordering the child or parent to accept individual or family counseling, or obtaining physical or mental health treatment.

c. Financial Responsibility

§ 169-B:40 - Liability For Expenses
- State has the right of action against parents or others chargeable by law for the care of the minor. Department to request reimbursement for expenses. Parent or other responsible individual must submit statement (annually) of finances.
New Jersey

I. Civil Liability
   a. Tort Damages
      § 2A:53A-14 - Legislative Findings
      • Malicious acts of vandalism by youths are increasing. Acts are frequently attributable to lack of care, custody and control exercised by the parent. Parents should have some responsibility for the conduct of their children. There should be some legal deterrent to juvenile acts of vandalism and to parental neglect of child supervision.
   b. Bias Crimes
      § 2A:53A-21- Civil Liability for Bias Crimes: Award Reduced by Restitution Awarded
      • Parent liable if named as defendant in action and conduct was a contributing factor. Includes: emotional distress, punitive damages, attorney fees, and costs.

II. Criminal Liability
   a. Weapons
      § 2C:58-15 - Access by Minors to Loaded Firearm; Disorderly Persons Offense
      • Person who has loaded firearm on his premises to which he knows, or should know, a minor is likely to gain access is guilty of a disorderly persons offense if the child gains access.
   b. Curfew
      § 40:48-2.52 - Juvenile Curfew Ordinances; Definitions, Penalties, Exceptions, Standards
      • If both the juvenile and the juvenile's parent violate the ordinance, they will be required to complete community service together.

III. Juvenile Court
   a. General Procedures
      § 34:1-69.10 - Qualified Interpreter for Hearing Impaired Persons
      • Parent of a juvenile who is hearing impaired may have an interpreter appointed through the proceedings and in preparation with counsel.
      § 2A:4A-22 - General Definitions - Juvenile in Need of Services
      • Juvenile-Family crisis cases are distinguished from delinquency in that in family crisis cases the juvenile is considered self-destructive, and the officer acts in loco parentis.
   b. Disposition/Financial Liability
      § 2A:4A-43 - Disposition of Delinquency Cases
      • Among factors that the court must weigh in determining the disposition are: whether the disposition supports the family strengths, responsibility, and unity and the well-being of the juvenile; and whether the disposition provides for reasonable participation by the juvenile's parent or guardian.
      • Court may order the parent or guardian to participate in programs when the court finds that the acts or omissions were significant in the juvenile's commission of a delinquent act, or the acts or omission were significant in contributing toward the ineffectual implementation of a previous court order.
      • Court may order the parent to make restitution to any person or entity who has suffered loss, if the parent failed to exercise reasonable care or control of the child.
      § 2A:4A-86 – Juvenile-Family Crisis Hearing; Disposition
      • Court may order the parent, guardian, juvenile, or other family member to participate in appropriate programs and services.
New Mexico

I. Civil Liability
a. Tort damages
§ 32A-2-27
• Liability for personal injury or property damage not to exceed $4,000 plus court costs

II. Juvenile Court
a. Parental Participation
§ 32A-2-17 - Predisposition Studies; Reports; Examination
• Court may order child or parent to participate in examination by physician or psychologist.
§ 32A-2-28 - Parental Responsibility
• If child adjudicated delinquent the court may order the parents to submit to counseling or other treatment. Court shall order the parent to support the child, if child committed to an institution and the family is able to pay. If a fine is imposed on the child, the parents of the child are not liable for the fine.

b. Financial Responsibility
§ 32A-2-14 - Basic Rights
• Court may order the parents of the child to pay for the attorney, if found able.
§ 32A-1-19 - Court Costs and Expenses
• If child found delinquent or in need of services, the court may order the parents to pay attorney's expenses, G.A.L. expenses, expenses of notice, summons etc. Court may also order parents to contribute to out-of-home placement for the child.
§ 32A-3B-20 - Parental Responsibility for Family in Need of Services
• If child placed with agency or individual other than parent, court may order the parent to pay reasonable costs of support and maintenance.

New York

I. Civil Liability
a. Tort Damages
GEN. OBLIG. § 3-112 - Limited Liability of Parents and Legal Guardians Having Custody of an Infant for Certain Damages Caused by Such Infant
• Applies to parent of a child over 10 years old. Liable to for property damage or false reporting of a bomb. If over $500, parent may have hearing on inability to pay.

II. Criminal Liability
a. Contributing to Delinquency
PEN § 260.10 - Endangering the Welfare of a Child
• Among others, section applies to a parent who fails or refuses to exercise reasonable diligence to control the child from becoming delinquent.

III. Juvenile Court
a. General Procedures
FCA § 12.2 Issuance and Service of Summons
• Court to summon the juvenile and his or her parent or other person legally responsible for care, or if not available, then the person with whom (s)he resides.
FCA 312.2 - Issuance of a Warrant
• Court may issue a warrant for the juvenile, or other person legally responsible for care, or person with whom the juvenile resides, if summons unable to be served, person refused to obey summons, person likely to leave jurisdiction, summons would be ineffectual, or respondent failed to appear.

FCA § 712 - Definitions
• Person in need of supervision is a male under 16 years old or a female under 18 years old who is status offender or violates provision relating to possession of marijuana.

FCA § 773 - Persons Who May Originate Proceedings
• Among others, parent or other person legally responsible for the child may originate proceedings.

b. Disposition and Parental Participation
FCA § 754 - Disposition
• Court may: (1) discharge juvenile without warning, (2) suspend the judgment, (3) suspend the proceeding and place child under § 756 (in own home, with relative, with other private person, with commission of social services), or place the child on probation.

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**North Carolina**

I. Civil Liability

a. Shoplifting
§ 1-538.2 - Civil Liability for Larceny
• Parent or legal guardian having care, custody and control of a minor who commits theft related offenses, liable for value of goods, consequential damages, and reasonable attorney fees. Only liable if knew or should have known of the propensity of the child to commit such an act, had the opportunity to control the child, and made no reasonable effort.

b. Weapons
§ 1-538.3 - Negligent Supervision of a Minor
• Parent civilly liable to educational entity if minor violated sections of statute involving firearms and explosives on school property. Only liable if knew or reasonably should have known of the minor's likelihood to cause such an act, and had the opportunity and ability to control the minor, and made no reasonable effort to restrain, or properly supervise the minor. Limit on liability is $50,000. If false report or hoax, limit is $25,000.

II. Criminal Liability

a. Contributing to Delinquency
§ 14-316.1
• Adjudication of the juvenile is not necessary in order to prosecute a parent or any person under this section.

b. Weapons
§ 14-315.1 - Storage of Firearms to Protect Minors
• Any person residing in the same premises as a minor and possessing a firearm may not store or leave a firearm in a condition that the firearm can be discharged and in a manner that the person knew or should have known that an unsupervised minor would be able to gain access. If child possesses, displays in threatening manner, or causes injury, person guilty of misdemeanor.
§ 14-316 - Permitting Young Children to Use Dangerous Firearms
• Parent may not allow child to have possession of a firearm unless child is accompanied by parent or person in loco parentis. Violation is a misdemeanor.

III. Juvenile Court
a. General Procedures
§ 8B-1 Appointment of Interpreters for Certain Judicial, Legislative, and Administrative Proceedings
• If juvenile's parents are deaf, they are entitled to an interpreter.

§ 7B-1805 - Issuance of Summons - Notice
• Summons to include: notice of the nature and purpose of the hearing, right to counsel and information on how to seek counsel prior to the hearing, notice that if allegation found true at the adjudication there will be a dispositional hearing at which the rights of the juvenile, parent, guardian, or custodian may be substantially affected - including order that may involve the juvenile's custody, impose conditions on the juvenile, order medical or psychological treatment and require parent’s participation, order for parent to undergo psychological or other treatment, order for parent to pay for treatment for self or the juvenile, order to parent to pay support for juvenile for out-of-home services, notice that parent required to attend all hearings - which failure will result in contempt, notice that parent is responsible for bringing juvenile before the court - which failure will result in contempt. Notice also to parent that upon service to the parent the court has jurisdiction over him or her, and failure to appear, bring child, or cooperate with the disposition will result in contempt.
• Notice also to contain, in bold type: TO THE PARENT(S), GUARDIAN(S), OR CUSTODIAN(S): YOUR FAILURE TO APPEAR IN COURT FOR A SCHEDULED HEARING OR TO COMPLY WITH AN ORDER OF THE COURT MAY RESULT IN A FINDING OF CRIMINAL CONTEMPT. A PERSON HELD IN CRIMINAL CONTEMPT MAY BE SUBJECT TO IMPRISONMENT OF UP TO 30 DAYS, A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS ($500) OR BOTH.

§ 7B-2705 - Employment Discrimination Unlawful
• Employer may not discharge, demote, or deny a promotion or other benefit of employment to any employee because the employee complies with the provisions of this article.

b. Disposition and Parental Participation
Article 2700 - Authority Over Parents of Juveniles Adjudicated Delinquent or Undisciplined
§ 7B-2701 - Parental Responsibility Classes
• Court may order parent to attend parental responsibility classes, if available.

§ 7B-2703 - Compliance with Orders of Court
• Court may order the parent, guardian, or custodian to cooperate with and assist the juvenile in complying with terms of probation and other orders, including providing transportation to court-ordered services.

§ 7B-2501 - Dispositional Hearing
• Court may dismiss the case or continue for up to 6 months in order to give the family to meet the needs of the child through adequate home supervision, placement in a specialized school, placement with a relative, or another plan.

§ 7B-1706 - Diversion Plans and Referral
• Counselor may enter into a diversion contract with the juvenile and the parent with consent of both. Contract to state: the conditions by which the juvenile and parents agree to abide and actions each agrees to take, describe the role of the court counselor in relation to the juvenile and parent, indicate that all parties understand and agree that the juvenile's violation of the contract will result in the filing of a petition, and the juvenile's successful completion of the contract shall preclude the filing of a petition. Contract to be signed by all parties.

c. Financial Responsibility

§ 7B-2702 - Medical, Surgical, Psychiatric, or Psychological Evaluation or Treatment of Juvenile or Parent.
• Court may order parents or other responsible parties to pay for the medical surgical, psychological, or psychiatric treatment of juvenile, order the parent to be involved in the treatment, or may order parent to participate in own treatment, and to pay for the cost.

§7B-2704 - Payment of Support or Other Expenses
• Court may order parent to pay support in whole or part, probation, supervision, or residential facility costs, assign private insurance coverage while juvenile in secure detention, training, school, or other out-of-home placement, or pay court appointed attorney fees, if parent able to pay.

IV. Compulsory Attendance

§ 115C-378 Children Required to Attend
• Evidence of notification and 10+ absences without justification is prima facie case that the parent is responsible for the absences.

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**North Dakota**

I. Civil Liability

a. Property damage

§32-03-39 Limitations on parental liability
• Limits liability of parent with whom minor lives to $1000, plus court costs.

b. Shoplifting

§51-21-05 Civil remedy against parent of minor shoplifter
• Parent or guardian with whom child lives liable for retail value of merchandise plus exemplary damages of up to $250, attorney fees, court costs.
• Parent or guardian not liable if court determines that one of principal rationales for the shoplifting was a desire on part of minor to cause his parent or guardian to be liable.

II. Criminal Sanctions

a. Contributing to delinquency of a minor

§14-10-06
• Class A misdemeanor

b. Bicycles

§39.10.1-01 Penalty for violation
• Parent or guardian may not authorize or knowingly permit child to violate any bike laws.

III. Juvenile Courts

a. Parental Participation and Penalties

§27-20-27.1 Orders directed to parents or guardians
• Every parent or guardian has an obligation to participate in any treatment of the child ordered by the court
• Court can hold anyone who willfully fails to participate in contempt

b. Financial Obligations
§27-20-26 Legal fees
• Financially able parents (who are entitled to custody of child) responsible for providing legal counsel for child

§27-20-31.2 Restitution
• Parent can be ordered to pay restitution on behalf of child in amount not exceeding $5,000
• Court will consider parent’s ability to pay before ordering

§27-20-49 Costs and expenses for care of child
• Court can order financially able parents to pay for costs of care, treatment, etc of child

Ohio

I. Civil Liability
a. Tort damages
§ 2307.70 Damages recoverable for vandalism, desecration, or ethnic intimidation
• Parent liable for compensatory damages up to $15,000, plus court costs and legal fees for personal or property damage.

§ 3109.09 Liability of parents for destructive acts or theft by their children
• Up to $10,000 for property damage
• Parent can perform community service in lieu of payment if judgment is in favor of school district, local government, etc.
• Action under this section separate from one under §2307.7 and does not limit compensatory damages brought under that section.

§ 3109.10 Liability of parents for assaults by their children
• Up to $10,000 plus court costs for damages arising from willful and malicious assault by child.
• Action under this section separate from one under §2307.7 and does not limit compensatory damages brought under that section.

b. Motor vehicles
§ 4507.07 Imputed liability
• Negligence of minor driver imputed to person signing application for driver’s license, unless minor files proof of financial responsibility or person signing application request revocation.

II. Criminal Sanctions
a. Contributing to delinquency
§ 2919.24 Contributing to delinquency
• 1st degree misdemeanor (Each day of violation is separate offense).
• Applies to persons contributing to delinquency or unruliness of a child.

b. Weapons
§ 2923.19 Dangerous storage
• 2nd degree misdemeanor to fail to properly secure weapon against use or acquisition by unauthorized or incompetent person.
§ 2923.21 Improperly furnishing firearm to a minor
• 5th degree felony to furnish firearm to a minor other than for hunting, sporting, or educational purposes under supervision and control of an adult.

III. Juvenile Court
a. General procedures
§2151.28 Legal Counsel
• Parent, guardian, custodian must appear at court and are considered parties to the delinquency proceedings.
• All parties are entitled to counsel – court will appoint if financially unable to obtain counsel.
b. Parental Participation and Penalties
§ 2151.359 Control and conduct of parent, guardian, custodian
• Court may make order restraining or otherwise controlling the conduct of any parent, guardian, or custodian if it’s in best interest of child.
c. Financial obligations
§2151.33 Reimbursements
• Court can order parent, guardian, or custodian who is financially able to reimburse court for costs of medical or surgical treatment.
§ 2151.36 Support of child
• Court can order parent, guardian, person charged with child support to pay for care, support, maintenance, and education of a committed child.
d. Probation
§2151.411 Liability of parent – Probation of child
• Applies when parent’s failure or neglect to subject child to proper parental control is a proximate cause of child’s delinquent acts.
• Court can require parent to enter bond of up to $500, conditioned on discharge of child’s probation conditions.
• Upon second violation by child or violation of probation conditions, bond can be forfeited and money applied toward any damages caused by the child.
• Court can order parent to ensure that child complies with conditions of probation.
• Failure to comply with order is contempt.
• Parent of child placed on probation receives written notice of probation conditions and notice that child’s vehicle, house, etc could be searched.

IV. Compulsory School Attendance
§ 3321.13 Procedures for truancy
• Parent notified of need for appearance before superintendent
• If parent does not attend preliminary hearing or has no valid excuse for child’s absences, superintendent informs juvenile court.
§ 3321.19 Actions directed at parents
• Board can require parent, etc to attend educational program designed to encourage parental involvement in compelling child to attend school.
§3321.22 Juvenile court proceedings
• Failure of parent, etc to cause child to attend school in accord with school district attempts results in complaint being filed in juvenile court.
§ 3321.38 Bond
Court can require parent to give $100 bond on condition that child will attend school
§ 3321.99: violation of this subjects parent to fine of not less than $5 and not more than $20

Oklahoma

I. Civil Liability
   a. Motor Vehicle
      47 § 6-107
      • Person who signs minor's driver license application is jointly and severally liable for
        negligent and willful misconduct. Exception exists: if minor deposits proof of financial
        responsibility there is no parental liability.
   b. Tort damages
      23 § 10
      • Liability for personal injury, property damage, or larceny not to exceed $2,500

II. Criminal Liability
   a. Weapons
      21 § 1273 - Allowing Minors to Possess Firearms
      • Unlawful for parent or guardian to permit child to possess designated weapons,
        including a rifle or shotgun, if the parent is aware of a substantial risk that the child will
        use the weapon to commit a criminal offense, or if the child has been adjudicated
        delinquent or convicted as an adult for a criminal offense. Parent both criminally and
        civilly liable.
      21 § 858 - Parent or Guardian Whose Child Commits Crime of Firearm on School Property
      • If child has possession of a firearm on school property, the parent may be fined up to
        $200, or ordered to perform up to 40 hours of community service, or both. This is an
        administrative penalty and will not be recorded on the parent's criminal record.
   b. Contributing to Delinquency
      21 § 856 - Causing, Aiding, Abetting or Encouraging Minor to be Delinquent...
      • Person who causes, aids, abets, or encourages a minor to commit a felony, is guilty of a
        felony. Penalty is the maximum allowed for the felony that the child committed. Person
        who causes, aids, abets, encourages or solicits a child to join a street gang is guilty of a
        felony.
      21 § 856.1 - Causing, Aiding, Abetting or Encouraging Minor to Participate in Drug-Related
      Crimes
      • No person may cause aid, or encourage, a minor to: possess, dispense, distribute...a
        controlled substance, distribute an imitation controlled substance, or conspire to
        participate in any scheme to elude law enforcement, or violate the Uniform Controlled
        Substances Act. Violation is a felony.
      21 § 858.1 - Causing, Aiding, Abetting a Minor to be in Need of Supervision or Deprived
      • No person may cause a minor to be in need of supervision. Violation is a misdemeanor.
      21 § 858.2 - Neglect of a Minor Adjudicated Delinquent, In need of Supervision or Deprived
      • If a minor has been adjudicated delinquent, and the court orders probation and returns
        the child to his home and the parent or adult refuses to give the minor proper parental
        care or comply with an order for care or probation - the person is in violation. Violation
        is a misdemeanor.

III. Juvenile Court
a. Disposition and Parental Participation
10 § 7303-5.3 - Kinds of Disposition Orders
• If child placed outside the home, and a parent or other person living in the home has contributed to the delinquency of the minor, that person may be subject to any treatment plan of the institution in which the child is placed.
• Child and parent may be ordered to pay restitution. If the court orders parents to pay restitution in addition to other dispositional orders, the child shall perform community service for the hours commensurate with minimum wage to earn the amount of restitution the parents or ordered to pay.

b. Probation
10 § 7303-5.3 - Kinds of Disposition Orders
• Court may require the parent to give a security bond with sureties for compliance with the order, or may impose a probation fee of up to $25 per month - if the child or parent is able to pay the fee. Court may issue an order controlling the conduct of a parent or guardian, if that person contributed to the child's delinquency.

c. Financial Obligations
10 § 7303-7.6 - Reimbursement for Care and Maintenance of Child and Other Costs and Expenses
• Court may order the parent to pay: court appointed attorney fees, expert witness fees, sheriff's fees, witness fees, transcripts, and postage. Court may order parent to pay for care and maintenance including, medical care, mental health services, and costs of placement.
• Court may order assignment of medical insurance for child to the Dept. of Juvenile Justice. Court may order reimbursement to the Dept. of Juvenile Justice for services.
• Court may order reimbursement of the law enforcement agency. If parent previously found indigent, parent may subsequently be found able to pay and ordered to pay in installments.

Oregon

I. Civil Liability
a. Tort damages
§30.765 Intentional or reckless tort of minor
• Up to $7,500 to each claimant, for one or more acts
• Applies to parents entitled to legal custody

b. Damage to school property
§339.260 Liability of parent for damage to school property
• Parent or guardian liable for damage to school property by minor, but can be waived depending on ability to pay.

c. Fireworks
§480.158 Parents of minor liable for costs incurred in suppressing fires caused by use of fireworks by a minor
• Applies to parents with legal custody (not foster parents)
• Up to $5,000 to same claimant, for one or more acts.

II. Criminal Sanctions
a. Failure to supervise
§163.577 Failure to supervise a child
• Applies to parent, guardian, or custodian when child: commits delinquent act, has a curfew violation, fails to attend school as required.
• Defense if the person reported the child to authorities or took reasonable steps to try to control the child.
• Court may order person to pay restitution to victim for damages arising from incident that brought child within jurisdiction of juvenile court, up to $2,500.
• First time conviction: warning and suspended sentence (not ordered to pay restitution).
• Second conviction: may suspend sentence and order person to undergo parent effectiveness training.
• Only one suspension of sentence allowed under section.
• Violation of section is punishable by a fine of up to $1,000.

b. Curfew
§419C.680 Curfew, parental responsibility
• No parent, guardian, or custodian shall allow minor to violate curfew laws.

c. Intimidation
§30.190 Civil action for intimidation
• Parents or legal guardian liable for judgment under this section up to $5,000.

III. Juvenile Court
a. General procedures
§ 419C.020 Notice to parents, content
• Upon first appearance of parent or guardian before the court, court verbally informs them of:
  - financial obligations for legal fees, care and maintenance, etc
  - right of parent to appeal a disposition of the court
§419C.303, 306 Summons
• Summons includes notice to parent or other person legally obligated to care for child that might be responsible for costs of care of child, legal fees, etc.
• Requires person who has physical custody of child to appear in person with child.
• Legal parents of child also required to attend, even if they don’t have custody of child.
§419C.285 Parties to delinquency proceeding
• Parents become parties to proceeding at disposition stage.
• At this point, parents have a right to counsel or to have counsel appointed.

b. Parental Participation and Penalties
§419C.461 Disposition for graffiti related offenses
• Parents can be liable for actual damages, not to exceed §30.765
• Court can order parent, guardian, etc to complete a parent effectiveness program
  • Upon completion, court can dismiss penalties imposed on parent
§419C.573 Court may order education or counseling
• Court can order parent or guardian to participate in any educational or counseling programs targeted toward improving parenting skills and ability of parent to supervise the youth, if the court finds
  - that deficiency in parenting skills significantly contributed to the circumstances bringing the youth before the court
  - that participation is in best interest of child
• Court can order participation with youth or separately.
• As an alternative to a contempt proceeding, court can require parent to pay up to $1,000 for a violation of an order under this section.
• Court can not revoke youth’s probation solely because of failure of parent to comply with an order.

419C.575 Court may order drug or alcohol treatment
• If parent’s substance abuse significantly contributed to circumstances bringing youth before court, court can order parent or guardian into treatment and to pay the costs thereof.
• Before doing so, court must hold hearing and parent must be represented by counsel.

C. Financial obligations
§419C.203 Court may require parent, guardian to pay for cost of counsel for child
§419C.590 Authority of court to order support
• after a hearing, court can order parent to contribute toward support of juvenile

D. Probation
§419C.570 Probation contract

Court may:
- order parent or guardian to assist the court in any reasonable manner in providing appropriate education or counseling for the youth.
- require parent or guardian to enter into a contract with juvenile dept in regard to youth’s probation.
• Whenever youth placed on probation, juvenile dept and parent, etc shall develop a plan for supervision of the youth.
• Court may require parent or guardian to pay a specific sum not to exceed $1000 for a violation of the court’s orders under this section.
• Court can not revoke youth’s probation solely because of failure of parent to comply with an order.

IV. Compulsory School Attendance
§339.925 Infraction procedure
• Parent or guardian sent written notice stating that:
  - student must attend school
  - failure to send student to school is Class B infraction
  - citation of up to $100 possible
  - parent required to attend a conference
  - written in native language of parent or guardian

Pennsylvania

I. Civil Liability

a. Shoplifting
42 Pa.C.S.A. §8308
• Civil liability of parents for minor’s retail theft

b. Tort and criminal liability
23 Pa.C.S.A. §5502
• Any parent whose child is found liable or adjudged guilty of a tortious act shall be liable to the person who suffers the injury. Applies to both civil and criminal cases.

23 Pa.C.S.A. §5505 Limits of liability
• $1,000 for injuries suffered by any one person as result of one tortious act or continuous series of tortious acts.
• $2,500 regardless of number of persons who suffer injury as result of one tortious act or continuous series of tortious acts.
• Limitations still applicable when two or more children of same parent commit tortious act.

II. Criminal Sanctions
a. Contributing to delinquency
18 Pa.C.S.A. §6301 Corruption of minors
• Encouraging or aiding minor to commit criminal offense is 1st degree misdemeanor.
• Encouraging or aiding minor to commit truancy is a summary offense.
• Subsequent violation of section is 3rd degree misdemeanor.
b. Bicycles
75 Pa.C.S.A. §3503
• Parent or guardian shall not authorize or knowingly permit child to violate any laws pertaining to operation of bicycles.

III. Juvenile Court
42 Pa.C.S.A. §6310 Parental participation
• Court may order parent, guardian, or custodian to participate in treatment, supervision, rehab of child, including, but not limited to, community service, restitution, counseling, treatment, and education programs.
• Court may order parent, etc to be present with child at any proceeding.
• Failure to comply with any order is contempt. Court can issue bench warrant for failure to appear at a proceeding.
• Intent of legislature that parent, etc should attend the proceeding and participate fully in any program.

IV. Compulsory School Attendance
24 P.S. §13-1333
• Parent, guardian, or person having control or charge of child who fails to comply with school attendance guidelines can be fined up to $300 plus court costs, and/or be ordered to complete a parenting education program.
• If person defaults, can be sentenced up to 5 days in jail.
• Parents, etc entitled to notice of hearing and written notice of violation.
• If provisions of section violated again, parent, etc not entitled to written notice
• Defense if parent, etc can show that they took “every reasonable step” to insure attendance of child at school.
• In lieu of above, court can order parent, etc to perform community service not to exceed 6 months.

Rhode Island
I. Civil Liability
a. Torts
§9-1-3 Liability of parent for tort of minor
• Up to $1,500 for personal injury or property damage.
b. Motor vehicles
§31-10-15 Liability of person signing minor’s application
• Negligence or willful misconduct imputed to person signing application, unless minor files proof of financial responsibility.

II. Criminal Sanctions

a. Contributing to delinquency
§11-9-4 Contributing to delinquency
• Includes, among other things, parents who allow children to associate with disreputable persons, curfew violations, or children to enter into gambling establishments or bars.
• Misdemeanor, up to $500 or up to one year imprisonment.

b. Weapons
§ 11-47-60.1 Safe storage
• Applies to person who leaves or stores loaded firearm on premises and who knows or reasonably should know that a child is likely to gain access without permission of parent or guardian and child gains access and causes injury to himself or others. Fine of up to $1000 and/or up to one year imprisonment

II. Juvenile Court

a. General procedures
§ 14-1-16 Summons of adult in charge of child
• Judge may issue a summons requiring parent, guardian, or custodian to appear in court (language reads as if appearance of adult is not automatically mandatory).
§ 14-1-19 Failure to obey summons
• Willful refusal of parent, etc to appear in court in accordance with summons.
• May be fined up to $100 or imprisoned up to 3 months.

b. Parental Participation and Penalties
§ 14-1-32 Disposition
• Court can order parent and child to pay restitution.
• Court can order parent to undergo counseling.
§ 14-1-32.4 Family counseling for drug or alcohol related offenses

§12-19-33 Restitution – family court
• Parents liable for property damage or personal injury caused by minor, up to $2,000.
• Restitution can be ordered in monetary payments or community service.

c. Financial obligations
§14-1-51 Physical or mental exams
• Court can order financially able parents to pay for costs of exams and treatments of child.

IV. Compulsory School Attendance

§ 16-19-1 Penalties
• Up to $50 fine against person having control of child for each unexcused absence.
• If absences total more than 30 during any school year, person can be imprisoned up to 6 months and/or fined up to $500.
South Carolina

I. Civil Liability
   a. Destruction of state property
      §20-7-8930 Civil liability for injury to state property
      • Parent and guardian liable up to $5,000.
      • Recovery limited to actual damages.
   b. Shoplifting
      §15-75-40
      • Custodial parents or legal guardians who knew or should have known of minor’s
        propensity to steal are civilly liable for the minor who commits shoplifting against the
        property of a store for
        - retail price not to exceed $1500
        - penalty not to exceed 3 times the retail price, or $150. Penalty can not exceed $500
   c. Motor vehicles
      §56-1-110 Imputed liability
      • Negligence of minor imputed to person who signs driver’s license application, unless
        minor protected by liability insurance.

II. Criminal Sanctions
   a. Contributing to delinquency
      § 16-17-490
      • Up to $3,000 and/or 3 years imprisonment
   b. Motor vehicles
      §56-1-490 Unlawful for parent or guardian to permit unauthorized minor to drive
      • Cannot allow unauthorized child to drive or to knowingly allow minor to commit traffic
        violations.

III. Juvenile Court
   a. Parental Participation and Penalties
      §20-7-7805 Adjudication
      • As part of adjudication of juvenile offender, court can order:
        - family counseling (including marital counseling, parenting skills)
        - economic assistance (i.e., food stamps)
        - any other programs
      • Court can require parent or custodian to do or omit to do any acts required or forbidden
        by law
      • Failure to comply is contempt.
   b. Financial obligations
      § 20-7-1350 Penalties for violations by adults
      • Adult who willfully violates, neglects, or refuses to obey or perform a lawful order of
        court may be proceeded against for contempt.
      • Punishment for contempt includes fine up to $1500, public work sentence of up to 300
        hours, imprisonment up to one year, or any combination.

IV. Compulsory School Attendance
   § 59-65-20 Penalty of parent or guardian
   • Fine up to $50 or imprisoned up to 30 days.
• Each day’s absence is a separate offense.
§59-65-60 Procedures upon receipt by court of report of nonattendance
• Court can order parent or guardian to require child to attend school.
• Failure of parent to obey order is contempt, punishable with same limits as above.

South Dakota

I. Civil Liability
  a. Tort damages
• Limited to parent whose child is living with him or her. Does not apply to damages proximately caused through operation of a motor vehicle.
§ 40-1-32 - Liability of Parent or Guardian for Violation by Minor
• (Found under Title - Animals and Livestock; Chapter - Cruelty, Abuse, and Injury to Animals) Parent or guardian civilly liable for any violation under this chapter committed by a minor in their custody.

II. Criminal Liability
  a. Contributing to delinquency
§ 26-9-6 - Actual Abuse, Neglect, or Delinquency Not Required for Conviction
• Not necessary that the child be delinquent in order for conviction for contributing to the delinquency of a minor. Only required to show that the acts of the defendant may have caused or merely encouraged delinquency, etc.

III. Juvenile Court
  a. General Procedures
§ 26-7A-44 - Summons; Unknown Parities - Contents
• Summons directed to child's parent, guardian, or custodian. If parties are unknown then "To Whom It May Concern," is sufficient.
§ 26-7A-118 - Parent or Guardian Required to Appear at Certain Hearings
• At least one custodial parent of a child subject to proceedings must attend any hearing. Court may issue a warrant for the parent, if (s)he fails to appear.
  b. Financial Responsibility
§ 26-7A-98 - Order of Payment Of, or Reimbursement For, Support to Guardian or Conservator or Institution - Reasonable Payment
• Reimbursement order against parent may include support, maintenance, education, and all statutory fees and costs related to the expenses incurred on behalf of the child. Court to determine ability to pay order.
§ 26-7A-99 - Order of Wage Assignment for Support of Child - Discovery of Employment
• If party ordered to pay support or fees and costs is employed for wages, salary or commission, court to order payment out of those wages, salary, or commission. Court may periodically order person to fully disclose place(s) of employment and amount and nature of earnings.
§ 26-7A-31 - Court Appointed Attorney - Compensation
• Parent, guardian, or other custodian may be ordered to pay for the court appointed attorney.
§ 26-7A-32 - Lien Against Property of Parents for Payment of Court Appointed Attorney
• Court may order lien against all parents' property, real or personal, for the payment of a court appointed attorney for parents. If the child is not adjudicated then no lien will be
created except in informal adjustment and suspended imposition cases. Limited to $1,000.

IV. Compulsory Attendance
§ 13-27-18 - Neglect of Duty by Superintendent
• No person may harbor, employ hamper or hinder child from attending school, or attempt to do so. Violation is a misdemeanor.

Tennessee

I. Civil Liability
a. Torts
§37-10-101 Recovery for injury or damage by juvenile
• Parents or guardians liable up to $10,000 for personal injury or property damage (limited to actual damages plus court costs).
§37-10-103 Circumstances under which parent or guardian liable
• Liable when parent or guardian knew, or should have known, of child’s tendency to commit wrongful acts which can be expected to cause injury and where parent or guardian has had an opportunity to control the child but fails to exercise reasonable means to restrain the tortious conduct. Parent or guardian presumed to know of child’s tendency if child has previously been charged and found responsible for such actions.
b. Shoplifting
§39-14-144 Civil liability of adult, parent, or guardian for theft of retail merchandise by minor
• The greater of $100 or an amount 3 times the listed retail price of merchandise taken if merchant not recover the goods, or if the merchandise is returned damaged.
• The greater of $100 or an amount 2 times the listed retail price if merchant recovers goods in same condition as when stolen.
• Section not apply if listed retail price was greater than $500.
c. Motor Vehicles
§55-50-312 Imputed Liability
• Negligence of minor imputed to person signing driver’s license application.

II. Criminal Sanctions
a. Contributing to delinquency
§ 37-1-156
• class A misdemeanor
b. Weapons
§ 39-17-1312 Inaction by parents or guardians, knowing a minor or student illegally possesses a firearm
• Offense committed when parent or legal guardian knows that a minor or student is in illegal possession of a firearm in or upon the premises of a school grounds or in public park and parent fails to report it to appropriate school or law enforcement official.
• Class A misdemeanor
§39-17-1320 Providing handguns to juveniles
• Offense to provide a handgun to a juvenile if person knows or has reason to believe juvenile will be in violation of law (i.e., not under one of the exceptions for supervised hunting or target practice, etc.).
• Offense for parent or guardian to provide a handgun to a juvenile or permit a juvenile to possess a handgun if parent or guardian knows of substantial risk that such juvenile will use a handgun to commit a felony.

c. Curfew
§39-17-1702 Curfew
• Unlawful for parent or guardian to knowingly allow minor to commit curfew violation.
• Section intended to keep neglectful and careless parents up to reasonable community standard of parental responsibility.
• Parental violation is Class C Misdemeanor, with up to a $50 fine (each violation is a separate offense).

d. Motor Vehicles
§55-50-504 Automobiles
• No person shall cause or knowingly permit such person’s child or ward under 18 to drive a motor vehicle when such minor is not authorized.
§55-9-307 Motorcycles
• Any parent or guardian who knowingly permits a minor to operate a motorcycle without the required safety equipment commits a Class C misdemeanor.

e. Bicycles
§55-8-71
• The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child to violate any provisions of the bicycle laws.

III. Juvenile Court

a. General procedures
§37-1-126 Right to counsel
• All parties entitled to counsel, and counsel appointed by court if indigent.
• Financially able parent or legal guardian can be ordered to pay legal fees of child

b. Parental Participation and Penalties
§37-1-174 Order affecting delinquent juvenile’s parent or guardian
Applies when child adjudicated delinquent or unruly and court finds that parent or legal guardian did not take reasonable steps to control the child’s conduct. Court may order parent or legal guardian to:
• participate in child’s treatment or rehab
• seek assistance to provide treatment and rehab for child
• complete community service work individually or jointly with child
• Refusal to comply with order is contempt
• up to $50 fine and/or imprisonment for up to 10 days

c. Financial obligations
§37-1-150, § 37-1-151 Cost and expense for care of child
• Court can order financially able parent or person legally obligated to care for child to pay for costs of care, maintenance, medical costs, court and legal costs, etc of child.
§ 37-1-138 Liability of parent or custodian for expenses of returning juvenile to custody of department of children’s services
• Applies when juvenile temporarily released and does not return at designated time.

IV. Compulsory School Attendance
§ 49-6-3007 Attendance and truancy reports
• Notice sent to parent, etc of child stating that attendance at school required.
• If parent, etc fails to comply, school superintendent reports to court and proceedings instituted against parent.
• Judge may assess fine of up to $50 or up to 5 hours of community service.

Texas

I. Civil Liability
a. Tort damages
Family Code § 41.001
• No limitation on the liability of a parent for the willful and malicious property damage of a minor if the negligent conduct of the minor is reasonably attributable to the negligent failure of the parent to exercise their parental duties.

II. Criminal Liability
a. Weapons
Penal Code § 46.13 - Making a Firearm Accessible to a Child
• Any person who failed to secure the firearm, or left it in a place where the person knew or should have known a child would gain access. If child gains access, violation is a class C misdemeanor. If the child discharges and causes death or bodily injury to self or another it is a class A misdemeanor. Defense that the child was supervised by an adult.

III. Juvenile Court
a. General Procedures
Family Code § 51.01 - Purpose and Interpretation
• "To provide treatment, training, and rehabilitation that emphasizes the accountability and responsibility of both the parent and the child for the child's conduct."
Family Code § 52.031 - First Offender Program
• Parent given notice that the child has been referred to the first offender program, and disposition may included voluntary restitution by the parent or child.

b. Disposition and Parental Participation
Family Code § 54.044 - Community Service
• The court may order the child's parent to perform community service with the child, up to 500 hours total. If the parent or guardian made a good faith effort to prevent the child from engaging in delinquent conduct (or conduct indicating a need for supervision), and that despite the parent's efforts the child continues to engage in that conduct, the court shall waive any requirement for service by the parent.
Family Code § 54.022 - Justice or Municipal Court; Certain Misdemeanors
• If the child's parent is found to have contributed to child's conduct, the court may issue orders controlling behavior including: attending a parenting class or parental responsibility program, attend the child's school classes or functions. Court may order the person to pay up to $100 for the costs of the program, and require proof of attendance.
Family Code § 54.041 - Orders Affecting Parents and Others
• The court may enjoin all contact between the child and the person who is found to be a contributing cause to the child's conduct. The court may order any person living in the same household with the child to participate in counseling or assist in the rehabilitation of the child. May order parent to make full or partial restitution.
• If the parents made a good faith effort to prevent the child's delinquent behavior, but the effort was to no avail, the court shall waive the requirement for restitution.

c. Financial Responsibility
Family Code § 54.06 - Judgments for Support
• If child placed outside home, parent or other responsible person may be ordered to pay support. Court may enforce the order by ordering garnishment of wages etc.
Family Code § 54.0461 - Payment of Graffiti Eradication Fees
• Court may order the child's parent to pay a $5 graffiti eradication fee as a cost of the court. The court may waive the fee if the parent is unable to pay.

IV. Compulsory Attendance
Education Code § 25.093 - Thwarting Compulsory Attendance Law
• Court may fine or send the parent to a parenting class.
Education Code § 37.054 - School-Community Guidance Center
• Child may be referred to a school-community guidance center (a cooperative effort between school personnel and law enforcement to correct factors that adversely affect education § 37.051) Parent must be given notice that child has been referred to the center and must give consent for any educational or other testing.
Education Code § 37.055 - Parental Involvement
• School, student, and parent to develop a plan that outlines the responsibilities of the student and the parent, which may require the parent to attend meetings with the child. Parent must acknowledge that (s)he understands and accepts the responsibilities imposed by the agreement. School district may obtain court order for parental compliance.

Utah

I. Civil Liability
a. Property damage
§78-11-20
• Liability of parent or guardian not to exceed $2,000, but can be waived if parent or guardian made reasonable effort to restrain wrongful conduct or reported it to proper authorities.
• Property damage includes intentional damage, recklessly shooting a missile object at property, tampering with property, graffiti.

b. Motor vehicles
§53-2-211 Liability of person signing application
• Negligence of minor imputed to person signing application
§53-2-212 Owner giving permission and minor liable for damages caused by minor driving a motor vehicle
• Liability is in addition to that of person signing application of minor for driver’s license.

c. Boats
§73-18-18 Liability of owner for injury or damage occasioned by negligent operation of vessel by minor.

d. Shoplifting
§78-11-16 Joint liability of minor and parent or guardian for minor’s shoplifting
• Actual damages plus:
  - penalty in amount of retail merchandise not to exceed $500 plus
  - additional penalty of not less than $50 or more than $500 plus
  - court costs and attorney’s fees
• Not liable if parent or guardian made reasonable effort to restrain wrongful taking and
  did not fail to report it to law enforcement agency or to merchant after learning of the
  theft.

II. Criminal Sanctions
a. Contributing to delinquency of a minor
§76-10-2301
• Class B misdemeanor for encouraging delinquent act (misdemeanor violation of criminal
  law).

b. Weapons
§76-10-509.6 Parent or guardian providing firearm to violent minor
• Class A misdemeanor for first offense; third degree felony for each subsequent offense.

§76-10-509.7 Parent or guardian knowing of minor’s possession of dangerous weapon
• Knowing of possession and failing to make reasonable efforts to remove the firearm is
  class B misdemeanor.

c. Bicycles
§41-6-83 Parents and guardians may not authorize child’s violation of bicycle laws

III. Juvenile Court
a. General Procedures
§ 78-3a-110 Summons
• Person who has physical custody of child obligated to attend, as well as parent or
  guardian.

• Parent or guardian entitled to compulsory process for the attendance of a witness on his
  behalf.

§78-3a-112 Failure to appear
• Failure to appear is contempt of court – possible issuance of a bench warrant.

• Court can also use power of arrest to bring parent or guardian before court.

§78-3a-513 Right to counsel
• Parent, guardian, custodian of minor entitled to counsel or to have counsel appointed.

• Court can order parent to reimburse court for cost of legal counsel.

IV. Compulsory Education
§ 53A-11-103 Duties of board of education in resolving child’s attendance problems
Local school board should make efforts to resolve problem, including:
• written request for parental support in securing regular attendance (stating that
  refusal to respond to notice is a class B misdemeanor).

• at least one meeting with parents.

• If these efforts don’t work, child referred to juvenile court.

§ 53A-11-106 Truancy support center
• Parent must enroll habitual truant in school personally.
• Support center can provide counseling to parents or guardians as well as child.
**Vermont**

I. Civil Liability
   a. Tort damages
      15 §901 Parent’s liability for damages
      • Applies to personal injury or property damage.
      • Parents of minor liable up to $5000.
      • Same limit if two or more minors of same parent commit tort.

   b. Textbooks
      16 §556 Liability for damage to textbooks
      • Parent or guardian liable to school for damage to textbooks.

II. Criminal Sanctions
   a. Contributing to juvenile delinquency
      13 §1301
      • Imprisonment up to 2 years and/or fine of up to $2000.

   b. Bicycles
      23 §1096
      • Any parent or guardian who knowingly permits a child under 16 to violate bicycle laws shall be fined not more than $25.00.

III. Juvenile Court
   a. General Procedures
      33 §5521 Failure to answer summons
      • Hearing on a petition filed in juvenile court shall not take place without at least one parent or guardian of child.

   b. Parental Participation and Penalties
      33 §5528 Disposition of child in need of care or supervision
      • When child found truant or beyond control of parent or guardian, court can order parent or legal guardian to assist in enforcement of the court’s orders to ensure the child’s compliance.

   c. Financial Obligations
      33 §5533 Costs and expenses for care of child
      • Court can order in any disposition that parent of child pay child support when child is placed with someone other than the parent.

IV. Compulsory School Attendance
   16 §1127
   • Truant officer gives notice to person who has control of child that child must attend school regularly.
   • If, after receiving notice, person fails to cause child to attend school, up to $1,000 fine.
   • Truant officer enters complaint against person and state’s attorney begins prosecution against person having control of child.

**Virginia**

I. Civil Liability
   a. Tort damages
      § 8.01-43 - Action Against Parents for Damage to Public Property by Minor
      • Limited to parents who have a minor living with them, or with either of them.
b. Motor Vehicles
§ 8.01-64 - Liability for Negligence of a Minor
• Owner of a motor vehicle may not permit unlicensed driver to drive. Person is jointly
and severally liable with the minor for damages caused by the minor's negligence.

II. Criminal Liability

a. Weapons
§ 18.2-56.2 - Allowing Access to Firearms by Children; Penalty
• No person may leave loaded, unsecured firearm in manner as to endanger life or limb of
any child under 14 years old. Also prohibits allowing a child under 12 years old to use a
firearm except when under the supervision of an adult who has the permission of the
parent. Violation is a misdemeanor.

III. Juvenile Court

a. General Procedures
§ 16.1-263 - Summonses
• If the person summoned is a custodian, not the parent of the child, the parent is also
summoned. Summons and notice not required to parent when the identity of the parent
is not ascertainable or outside the Commonwealth.

b. Disposition and Parental Participation
§ 16.1-278.5 - Children in Need of Supervision
• Dispositions include among others, probation, programs and treatment for the child and
parent, child to participate in public service project, rehabilitation for child and parent if
result of truancy. If the parent does not comply, the court may fine the parent up to $100
per day that (s)he is not in compliance.
§ 16.1-278.8 - Delinquent Juveniles
• Dispositions include: allowing the child to remain in his own home subject to conditions
upon both the juvenile and the parent, and ordering the parent and the juvenile to
participate in services.
§ 16.1-292 - Violation of Court Order by Any Person
• Any person, including the parent of a child, who is not in compliance may be proceeded
against for contempt.

c. Financial Responsibility
§ 16.1-275 - Physical and Mental Examinations and Treatment
• If court orders physical or mental examination for the child, and the parent is unable to
pay, then the state government is liable to expenses.

IV. Compulsory Attendance
§ 22.1-279.3 - Parental Responsibility and Involvement Requirements
• Parent has the duty to assist the school in enforcing the standards of student conduct and
attendance. Parents notified of their responsibility and may be required by school to
attend meeting. If the parent does not appear at the meeting school may proceed against
the parent and have a court order the parent's presence at the meeting and fine up to
$500.

Washington

I. Civil Liability

a. Tort damages
§ 4.24.190 Action against parent for willful injury to person or property by minor
• The parent or parents of any minor child under the age of eighteen years who is living
with them and who willfully or maliciously destroys or defaces property, or who
willfully and maliciously inflicts personal injury on another person, shall be liable to the
owner of such property or to the person injured. Damages cannot exceed $5,000.

b. Shoplifting/Theft
§4.24.230 Liability for conversion of goods
• The parent or legal guardian having the custody of a minor who takes possession of any
retail goods without paying for them shall be liable to the owner or seller for the retail
value of such goods not to exceed $500, plus an additional penalty of not less than $100
nor more than $200, plus all reasonable attorney's fees and court costs expended by the
owner or seller.
• The parent or legal guardian having the custody of a minor who orders and meal and
leaves without paying is subject to liability under this section. Also liable for
nonpayment of a hotel, etc.
• Liability not be imposed upon any governmental entity, private agency, or foster parent
assigned responsibility for the minor child.
• Conviction of juvenile not condition precedent.

II. Juvenile Courts
A. At-risk Youth (Status offenders)
a. General procedures
§13.32A.191 At-risk youth – petition by parent
• Parent files in the interest of the child when:
  - child falls under definition of status offender;
  - parent has right to legal custody of child;
  - court intervention and supervision are necessary to assist the parent in care, custody,
    and control of the child; and
  - alternatives to court intervention have been attempted.
§ 13.32A.192 At-Risk Youth Petition – pre-hearing procedures
• Applies when parent files an at-risk youth petition
• Court shall
  - notify parents of hearing date
  - notify parents of right to be represented by counsel at their own expense
  - notify parents of legal consequences of adjudication as an at-risk youth
  - notify parents of right to present evidence at hearing
• Court can enter an order requiring child to live at home of parent or at an alternative
residential placement center approved by the parent.
§13.32A.194 Court Procedures
• If court approves petition, court shall enter order requiring child to live at home of
parents or at an alternative residential placement center approved by the parent.
• If court denies petition, shall still advise parents that child is required to remain within
the care, custody, and control of his or her parents.

b. Parental Participation and Penalties
§13.32A.196 Dispositional Hearing
• Court can enter an order that will assist parent in maintaining care, control and custody
of child.
• Court can order parent to participate in counseling services or any other services for the child requiring parental participation. Parent shall cooperate with plan and shall take necessary steps to implement the plan.
• Parent financially responsible for costs related to court ordered plan, but this does not affect their eligibility for public assistance
• Parent may request dismissal of at-risk youth proceeding at any time and court shall dismiss action unless contempt action pending in case.

§13.32A.198 Review by Court
• Court can dismiss proceeding at any time if court finds parent not cooperating with plan.

§13.32A.250 Failure to comply with order as civil contempt
• In at-risk youth proceedings, court shall verbally notify parents and child of possibility of finding contempt for failure to comply with terms of order entered by court. Court shall treat parent and child equally for purposes of applying contempt of court processes and penalties.
  • Fine of up to $100 and/or imprisonment for up to 7 days.

§13.32A.210 Foster Home placement – Parental Preferences
• Absent good cause (which would include cases of abuse or neglect), department shall follow wishes of natural parent regarding placement of child. Preferences such as family constellation, ethnicity, and religion shall be given consideration when matching children to foster care. Goal is to maintain parental authority where possible.

c. Financial obligations
§13.16.085 Financial Responsibility for cost of detention
• Court decides ability of parent, guardian, or other person having custody of child to pay or to contribute to the payment of the cost of detention of child.

d. Family Reconciliation Act
Provides, in detail, procedures to be followed for reuniting families of runaways. 13.32A et seq involves parents in deciding whether to transfer child back to family home, or whether to put child into alternative residential placement. Section sets out rights of parents and child regarding alternative placement.

B. Juvenile Offenders (Delinquency)
a. Purpose
§13.40.010 Purpose
• Includes purpose of chapter as “encourage the parents, guardian, or custodian of the juvenile to actively participate in the juvenile justice process.”

b. General Procedures
§13.40.050 Notice of Hearing, procedures, etc
• Notice of detention hearing stating time, place, and purpose of the hearing, stating right to counsel, and requiring attendance shall be given to parent, guardian, or custodian.
• If parent, guardian, or custodian available, court shall consult with them prior to a determination to further detain or release the juvenile.
• In determining whether parent or guardian had reasonable cause not to appear at the hearing, court may consider all factors relevant to the person’s ability to appear as summoned.

c. Parental Participation and Penalties
§13.40.127 Deferred Disposition
• Court shall consult with juvenile’s parent or guardian before deciding to defer disposition of a case.

§13.40.150 Factors to be considered prior to entry of dispositional order
• The court shall consult with respondent’s parent, guardian, or custodian on the appropriateness of dispositional options and afford that person opportunity to speak on behalf of the child.

d. Financial obligations
§13.40.085 Diversion services costs to be paid by parent or guardian
• Court can require parent or legal guardian to pay for costs of administration and operation of diversion services program, based on parent’s ability to pay.

§13.40.145 Payment of fees for legal services
• Upon disposition or after, court may order parent or another person legally obligated to support the child to appear, and court may decide ability of that person to pay or contribute to the costs of legal services provided.

§13.40.220 Costs of support, treatment, and confinement
• Parent or other person legally obligated to care for child can be ordered to pay reasonable sum towards costs of caring for child (whether legal custody of child vested in department or in someone not affiliated with department). Parents served notice of financial responsibility.

e. Probation
§13.40.054 Probation bond or collateral
• If parent signs for bond or posts collateral on behalf of juvenile, they can report violations of the juvenile. Can ask for modifications of terms or revoke bond without penalty to themselves.

III. Compulsory School attendance
§28A.225.020 School’s duties upon failure of child to attend school
• School officials notify parents in writing or by telephone when child misses school after one unexcused absence in a month. Inform parents of consequences of absences.
• After two unexcused absences within a month, schedule a conference with parents to discuss problem (at a time reasonably convenient for all involved).
• Take steps to eliminate child’s absences (plan can be implemented even if parents don’t attend conference, but parents have to be notified of steps being taken).

§28A.225.025 Community Truancy boards
• Duties includes assisting parent and child to obtain supplementary services that might ameliorate the causes for the absences.

§28A.225.030 Petition to juvenile court for violations by a parent or child
• If §28A.225.020 provisions unsuccessful, after 7 unexcused absences in a month or 10 in a year, school district can file a petition against parent, child, or parent and child.
• If school district fails to file petition, parent can file one against child.

§28A.225.035 Petition to juvenile court
• If court refers case to community truancy board, board must meet with parent, child, and school representative and enter into an action plan.
• If unable to reach agreement at meeting, case referred to juvenile court.
  • Court can require attendance of parent, and parent has right to present evidence at hearing.

§28A.225.090 Penalties
• Parent violating above provisions shall be fined not more than $25/day for each day of unexcused absence. Court can order community service in lieu of fine.
• Fine suspended upon compliance.
• Parent’s defense: exercise of reasonable diligence to get child to attend school

West Virginia

I. Civil Liability
   a. Tort damages
      § 55-7A-1 - Declaration of Legislative Intent
      "Legislature finds repeated and widespread acts of vandals... That the majority of those children are living with parent, and that...there arises or should arise out of such relationship, a responsibility to recompense persons injured.... It is the intent of the legislature to make parents responsible for the torts of their minor children by reason of the parent-child relationship, and to impose on the parent or parents for such acts of their children, who live with them and who commit acts of vandalism or willful and malicious injury to person or property."
      § 55-7A-2 - Parental Liability for Willful, Malicious, or Criminal Acts of Children
      • Applies to the custodial parent, meaning: the parent with whom the child resides, or divorced or separated parent who does not have legal custody but who is exercising supervisory control over the child at the time of the act.

II. Criminal Liability
   a. § 49-7-7 - Contributing to the Delinquency or Neglect of a Child
      • No person may contribute to delinquency or truancy. Violation is a misdemeanor. Beyond penalty, court may order person to pay restitution for all or any portion of medical, psychological, or psychiatric treatment of child.

III. Juvenile Court
   a. General Procedures
      § 49-7-18 - Interference with Disposition of Child Punishable as Contempt
      • No person may interfere with child's disposition or order of the court, state dept., or probation. Punished as contempt.
   b. Disposition and Forms of Parental Participation
      § 49-5-3 - Noncustodial Counseling of a Juvenile
      • Before petition filed court may order child and parent into counseling services.
      § 4-5-11a - Status Offenders; Intervention and Services
      • Status offenders may be provided with services (psychological, medical, educational, legal) to develop skills and supports within family and to resolve problems or conflicts within the family.
   c. Financial Responsibility
      § 49-5-13b - Authority of Court to Order Fines
      • If child does not make full restitution, court may order custodial parent to pay, to the extent that the child fails to make full restitution.
      § 49-7-5 - Support of Child Placed in Home or Institution or Under Guardianship
      • Person legally responsible for the support of the child, if able, may be ordered to pay state dept. or institution a reasonable amount.
      § 49-7-6 - Enforcement of Order From Wages

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• Court may order payment of support out of person’s wages, salary, or commission and may require the person to appear before the court from time to time to report on earnings and place of employment.

IV. Compulsory School Attendance
§ 18-8-2 - Offenses; Penalties; Cost of Prosecution
• Person who violates compulsory attendance law may be ordered to pay cost of prosecution and required to attend school with the child.

§ 18-8-7 - Aiding or Abetting Violations of Compulsory Attendance; Penalty
• No person may induce or attempt to induce child to be absent from school, or harbor or employ a child required to attend school. Violation is a misdemeanor.

Wisconsin

I. Civil Liability
a. Tort damages
§ 895.035 - Parental Liability for Acts of Minor Child
• Parent with custody of child (Court to consider which parent had responsibility for caring for and supervising the child at the time the act occurred). Limit does not apply to retail theft.

b. Motor Vehicles
§ 343.15 - Application of Persons Under 18; Liability of Sponsors; Release from Liability
• Person who signed application for license is jointly and severally liable for the damages caused by the willful and negligent misconduct. Upon the request by the adult sponsor, the license is canceled, and the adult is released of liability.

II. Criminal Liability
a. Contributing to the Delinquency of a Child
§ 948.40
• Person may be found guilty even if the child is not adjudicated delinquent. No person responsible for the welfare of a child may, by disregard of the welfare of child, contribute to the child’s delinquency.

§ 948.36 - Use of a Child in a Class A Felony
• No person may solicit, advise, hire, direct, counsel or employ a child under 17 years old to commit a class A felony. Penalty up to 5 years excess of the maximum for the felony the child committed.

b. Weapons
§ 948.55 - Leaving or Storing a Loaded Firearm Within the Reach or Easy Access of a Child
• No person may store a loaded firearm within access of a child under 14. If the child gains access without the permission of a parent and bodily injury occurs as a result of discharge, person guilty of a class A misdemeanor. If child gains access and possesses the firearms in public, but no injury, person is guilty of a class C misdemeanor.
• Exception if firearm in locked container, has trigger lock, stored on person, obtained through illegal entry, etc.

III. Juvenile Court
a. General Procedures
§ 938.21 - Hearing for Juvenile in Custody
• In cases of delinquent and runaway juveniles, the parent must be notified prior to the hearing. In cases of child in need of services or protection, court to give petition to parent or guardian before the hearing begins if (s)he is present at the hearing. If property damage caused by juvenile, parent to be notified of possibility of the juvenile's and parent's identity being disclosed for purposes of civil actions, and possible liability of the parent.

§ 938.27 - Notice, Summons

• If parents share the same residence, notice to one parent effects notice to both. Court must notify parent in writing that they may be required to pay legal costs of juvenile. Court not required to give notice to any father of child who was conceived as a result of sexual assault.

§ 938.245 - Deferred Prosecution

• Prosecution may be deferred by the intake worker if the parent, guardian, or legal custodian give consent. Agreement may provide that all parties participate in counseling, or parent participates in parenting skills class. May also include restitution order for parent and child up to $5,000 for property damage, physical injury (not pain and suffering). Any party may terminate the agreement. If the parent is not in compliance (s)he may be fined up to $1,000. Petition filed if any party not in compliance.

§ 938.32 - Consent Decree

• The juvenile, parents, and person who filed the petition must agree to the consent decree. Court may order terms applicable to the juvenile and parent including order for restitution (parents entitled to be heard). Both parent and child must comply with agreement or court to proceed as if decree had not been filed.

b. Disposition and Parental Participation

§ 938.45 - Orders Applicable to Adults

• If any person over 17 years old contributed to the delinquency, the court may make order the person to contribute to maintenance and care. Does not matter if child not actually found delinquent. Parent may be ordered to comply with other conditions necessary for the child's welfare, i.e. mental health services, anger management counseling, family counseling, parent training, and ordered to pay for services. Parent may also be ordered to make restitution for property damage or personal injury.

§ 301.12 - Cost of Care and Maintenance; Liability

• Parents of child, their property and estates, including homestead, are liable for the cost and maintenance services and supplies provided by an institution. Provides for investigation into person's ability to pay; dept. of corrections may bring action to compel payment.

§ 938.275 - Parent's Contribution to Cost of Custody; Sanctions and Court Ordered Legal Fees

• If child taken into custody, parents may be liable for costs. If child adjudicated delinquent, parents may be liable for post-adjudication services. Parents also liable for sanctions against child for contempt etc., and legal services. Parents may not have to pay legal services if found indigent - pay only the highest amount est. by public defender board.

§ 938.361 - Payment for Alcohol and Other Drug Abuse Services

• Court may order parent or third party payer to pay for substance abuse services.
§ 938.362 - Payment for Certain Special Treatment of Care Services
• Court may order parent or third party payer to pay for medical, psychological, or psychiatric treatment.

IV. Compulsory Attendance
§ 118.15 - Compulsory School Attendance
• In lieu of jail or fine, person may be required to complete community service; court may also order person to enter counseling at own expense, or attend school with the child.

§ 118.16 - School Attendance Enforcement
• School must (1) meet with (or attempt to meet with) the parent or guardian, (2) provide opportunity for educational counseling, (3) evaluate the child for learning problems, (4) conduct social evaluation, before enforcement. The preceding do not apply if the school was unable to complete due to excessive absence by the child.

§ 948.45 - Contributing to Truancy
• No person may contribute to truancy of child under 17 years old. May be found guilty even if the child not found truant. Violation is a class C misdemeanor.

Wyoming

I. Civil Liability
a. Property damage
§ 14-2-203
• Liability not to exceed $2,00 plus court costs – action under section does not preclude recovery against juvenile or parent under other sections.

II. Juvenile Court
a. General Procedures
§ 14-6-201 - Statement of Purpose
• "To provide treatment, training, and rehabilitation that emphasizes the accountability and responsibility of both the parent and child for the child's conduct."

b. Disposition and Parental Participation
§ 14-6-227 - Predisposition Studies and Reports
• Multidisciplinary team to be established to make dispositional recommendations. Among other professionals, the child's parents, or guardian are to be members of the team.

§ 14-6-230 - Orders of Protection; Requirements
• Court may make orders controlling the conduct of child's parent or any party who is encouraging, causing, or contributing to the acts of the minor. Order may include order for support.

c. Financial Responsibility
§ 14-6-229 - Decree Where Child Adjudged Delinquent; Dispositions, Terms and Conditions
• Parents or other legally responsible person may be ordered to pay support. If court does not order the parent to pay support, must state on record why order not made.

§ 14-6-222 - Advising of Right to Counsel Required
• If counsel requested, the court shall require the parents to verify their financial condition in specificity.

§ 14-6-235 - Fees, Costs, Expenses
• Parents, or anyone obligated by law for child's support liable for attorney's fees, including G.A.L., probation fees, jury fees (travel), services, medical, and mental health exams.

§ 14-2-236 - Ordering Payment for Support and Treatment of Child; How Paid; Enforcement

• If child placed in custody, or out-of-home services, parents will have separate hearing on ability to pay. The court may require the person to obtain full-time employment and may require community service until full-time employment is obtained.

d. Probation

§ 14-6-244 - Parental Liability for Failure to Exercise Reasonable Control and Authority

• Parent must exercise parental control and authority over the child as is reasonably necessary to prevent the child from engaging in delinquent acts. The court may order the parent or guardian to make a deposit or bond not to exceed $500 conditioned on the completion of the conditions of probation.