

How It Began: A Brief History of the Standards

At the start of the 1970s, juvenile justice in the United States was a fragmented system in need of a unifying vision.

The Institute of Judicial Administration (IJA) convened a planning meeting in October 1971, and assembled six subcommittees to address such areas as diversion from formal court processing, the functioning and structure of a modern juvenile court, corrections, and administration. The planning committee was chaired by Judge Irving R. Kaufman, chief judge of the US Second Circuit Court of Appeals. Specialists in the field prepared and circulated papers for discussion among the subcommittees and planning committee. In turn, the planning committee established four drafting committees: Intervention in the Lives of Children; Court Roles and Procedures; Treatment and Corrections; and Administration. The committees relied significantly on reporters, including law professors and practitioners and professors in behavioral science, urban planning, and architecture.

In February 1973, the ABA became a cosponsor of the initiative, and the project became the IJA-ABA Joint Commission on Juvenile Justice Standards. The IJA continued as secretariat, and Judge Kaufman continued as its chair. Approximately 35 judges, lawyers, and specialists in such fields as law enforcement, corrections, health, and the behavioral sciences served on the commission. The four drafting committees relied on over 100 members to review and comment on the standards as they were developed, aided by more than 30 reporters.

The process of development was lengthy, albeit thoughtful and deliberative, as the late professor Robert E. Shepherd Jr. summarized in *ABA Juvenile Justice Standards: Anchor in the Storm*, *CRIM.*

JUST., Winter 1996, at 39. The various drafting committees and work groups identified critical issues to be resolved by the commission, and after the reporters' manuscripts were approved by the drafting committees, they were ultimately transmitted to the commission after review by project staff with comments on consistency and coherency. The commission reviewed each of the volumes as they were produced, providing time to debate issues ranging from broad principles to minute detail.

In 1975 and 1976, all 23 proposed volumes were published as tentative drafts and circulated to a variety of individuals and organizations, including sections and committees of the ABA, led by the Criminal Justice and Family Law Sections. The coordinator for the Criminal Justice Section was the chair of its juvenile justice committee, Professor Livingston Hall, for whom the Section's juvenile justice award is named.

The standards were also circulated to organizations independent of the ABA, such as the National Council of Juvenile and Family Court Judges, the National District Attorneys Association, the National Association of Social Workers, and countless other organizations and individuals with interests in juvenile justice. They were the subject of journal articles, as well as professional conferences, including a symposium convened by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the National District Attorneys Association. The OJJDP symposium was a comparative analysis of the IJA-ABA draft Juvenile Justice Standards, along with those developed by a task force of the National Advisory Committee on Criminal Justice Standards and Goals, and the National Advisory Committee for Juvenile Justice and Delinquency Prevention. The final report of that project was published in 1979. The standards are accordingly the product of extensive debate and professional discourse—some of it continues to this day.