MONTANA JUDICIAL BRANCH

Youth Court At-A-Glance

January 2023 through December 2023

MONTANA SUPREME COURT
Office of the Court Administrator
301 South Park Ave., STE 328
Helena, Montana 59620
(406) 841-2950

JUVENILE JUSTICE OVERVIEW

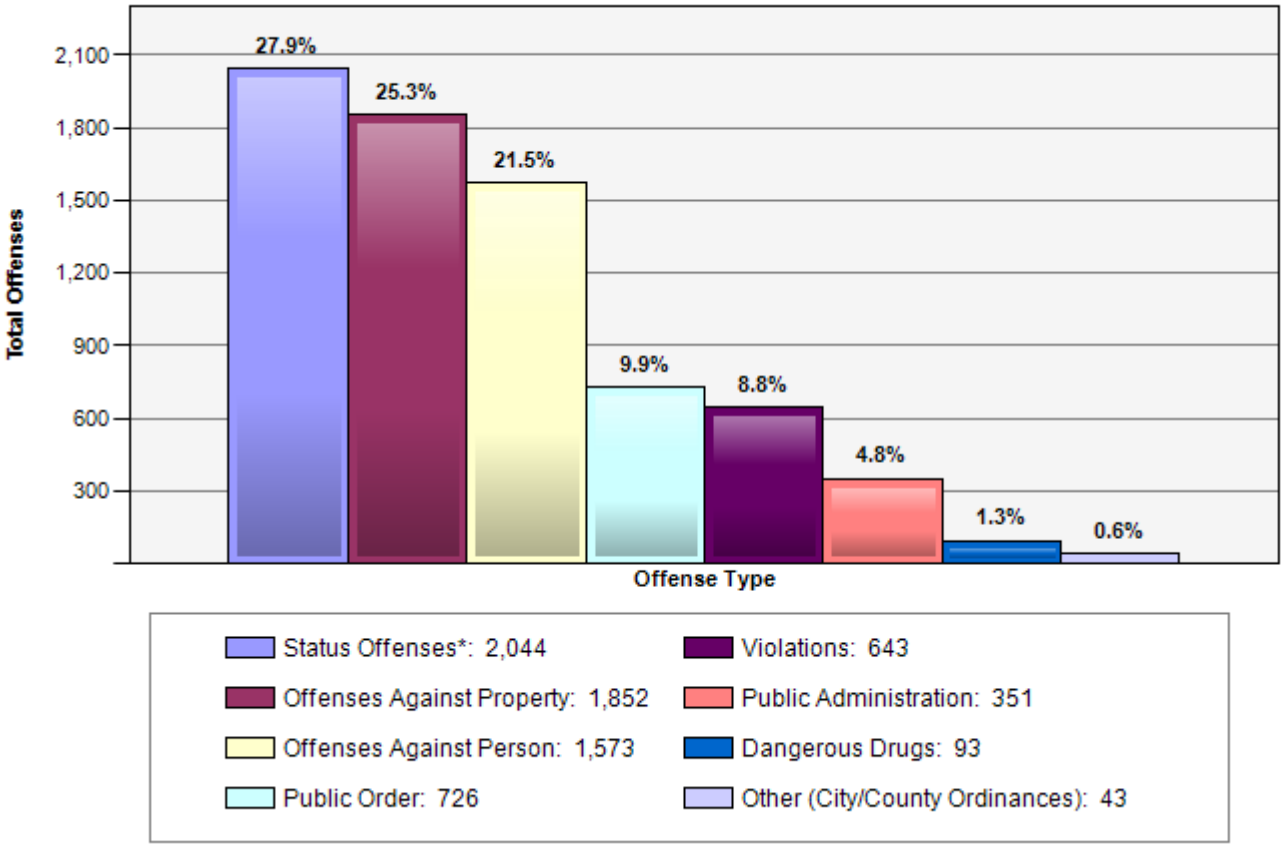
Juveniles usually enter the juvenile justice system through contact with law enforcement, although they may be referred to Juvenile Probation by other agencies as well as parents. Juvenile probation is an integral part of the Youth Court and is overseen by the Youth Court Judge within each of the 22 Judicial Districts. Most referrals to the Youth Court's Juvenile Probation Office are in the form of a ticket accompanied by a report from law enforcement. Juvenile Probation Officers may handle any referral except traffic and fish and game violations, which fall under the jurisdiction of the Justice, Municipal, City, and District Courts.

Youth referred to probation must appear in front of the Juvenile Probation Officer with a parent or guardian to answer to the allegations against them. Most youth will never see the Youth Court Judge and will work solely through the Youth Court Juvenile Probation Officer to resolve the ticket in what is referred to as the informal process. If the referral is forwarded to the County Attorney and a petition is filed on the alleged charges, the youth will appear before the Youth Court Judge in what is referred to as the formal process. Approximately 10% of the youth referred to juvenile probation each year are handled formally.

REFERRALS TO MONTANA'S YOUTH COURTS

Youth Referred to Youth Court:	3,604
Referrals (a youth may have multiple referrals):	5,314
Offenses (a referral may have multiple offenses):	7,325

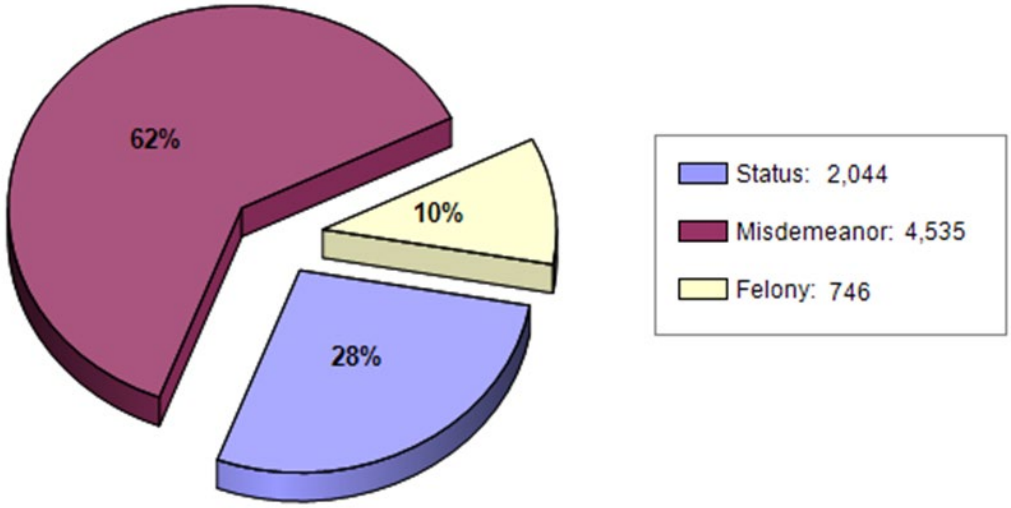
OFFENSE CATEGORIES



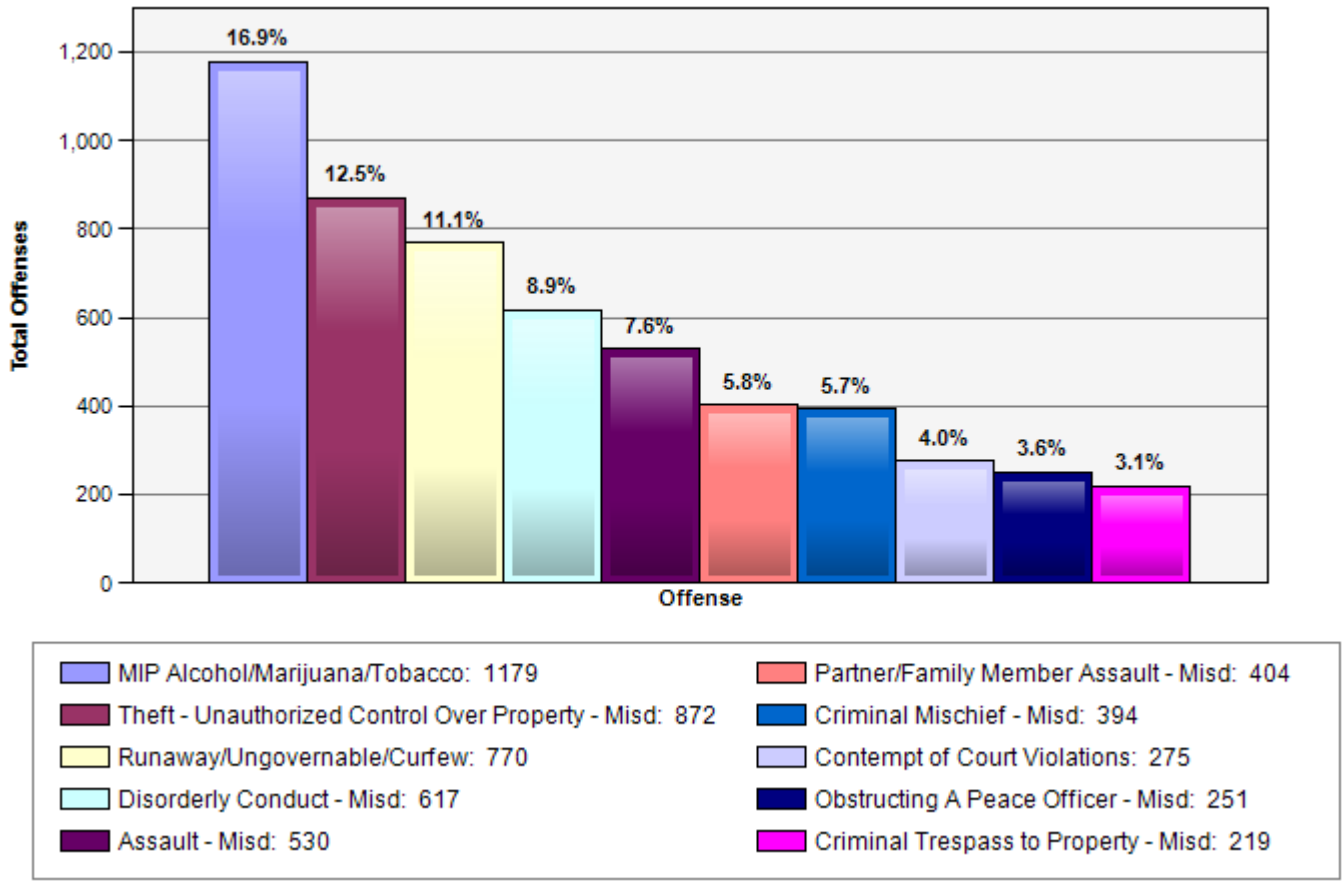
**These are matters that are offenses because of the youth's age and include such things as a minor in possession of alcohol and marijuana, truancy, curfew, or a run-away violation.*

2023 change: Include 45-5-624 Posses Intox Sub & 45-5-637 Tobacco/Nicotine/Vapor Possess offenses in Status category (141 offenses).

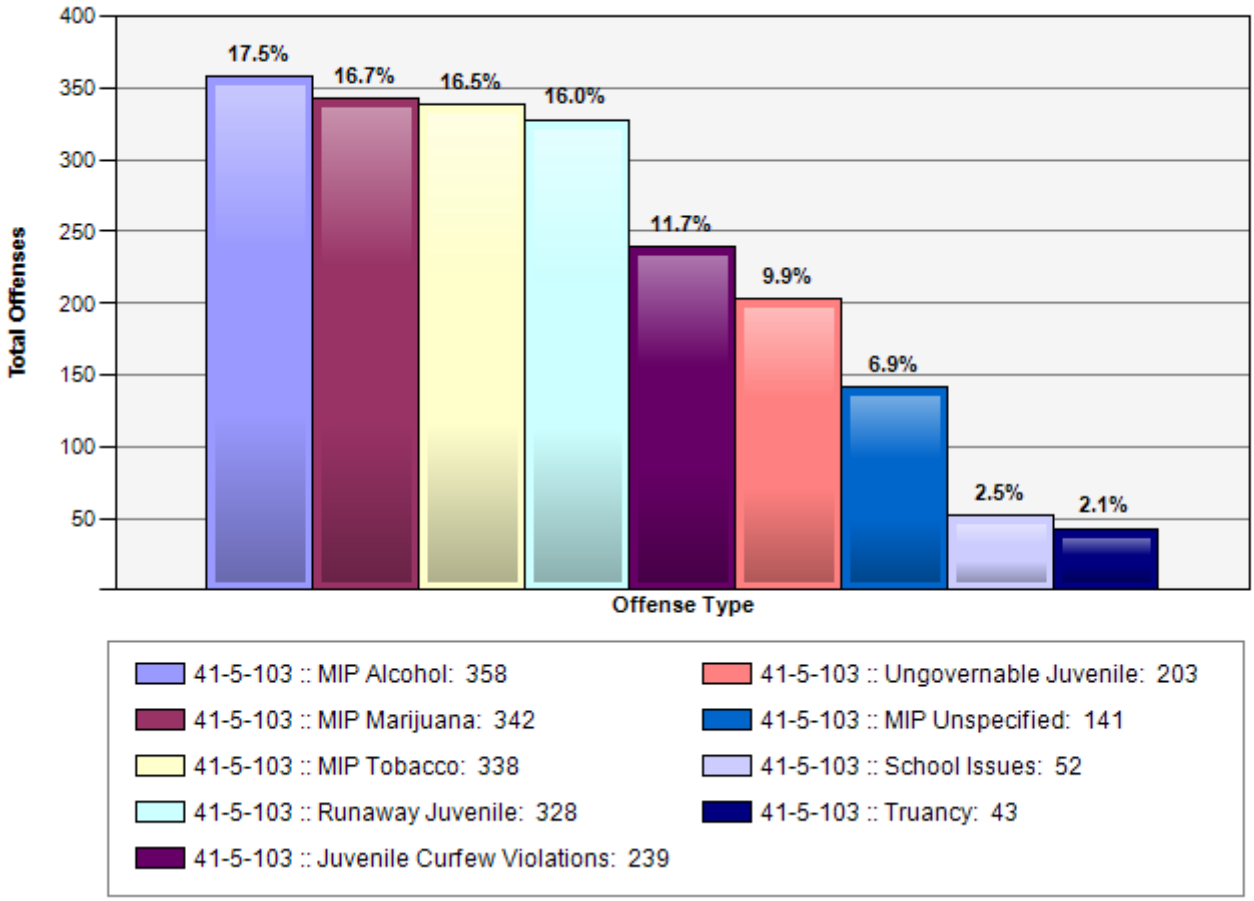
OFFENSE CLASSIFICATIONS



TOP 10 OFFENSES ASSOCIATED WITH REFERRALS TO JUVENILE PROBATION



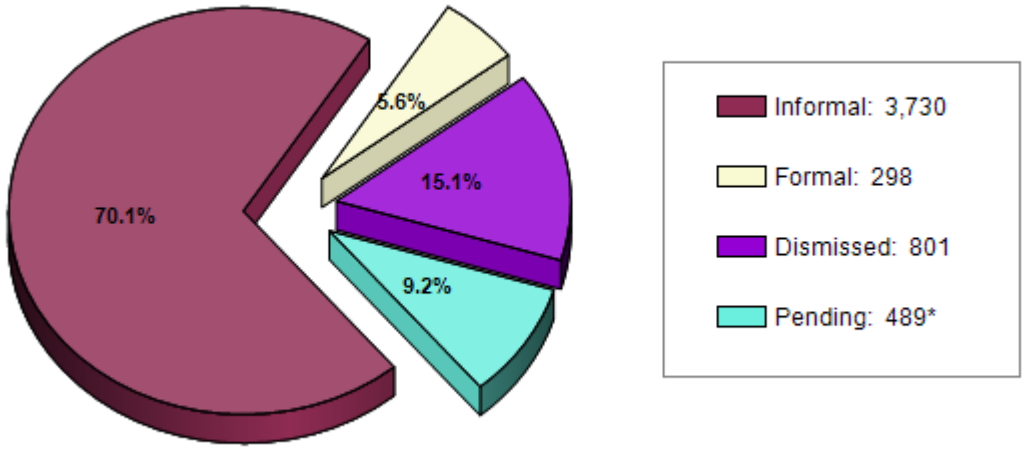
STATUS OFFENSE BREAKDOWN



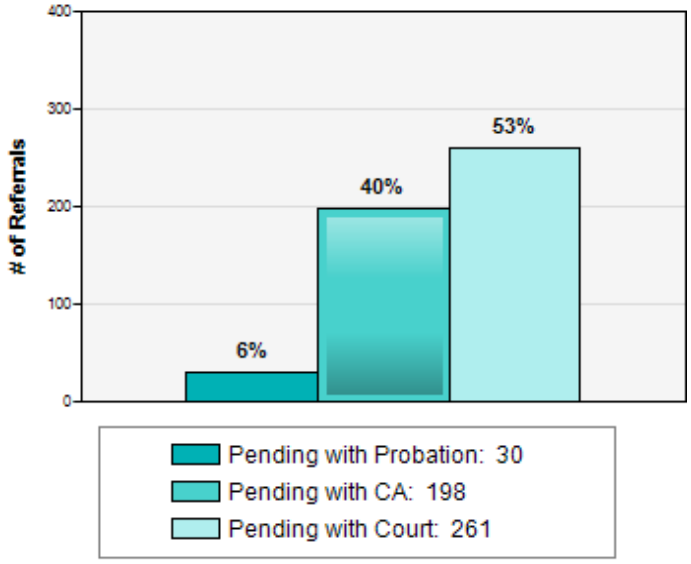
Note: Courts of Limited Jurisdiction also have jurisdiction over MIPs, so this information may not reflect all MIPs cited.

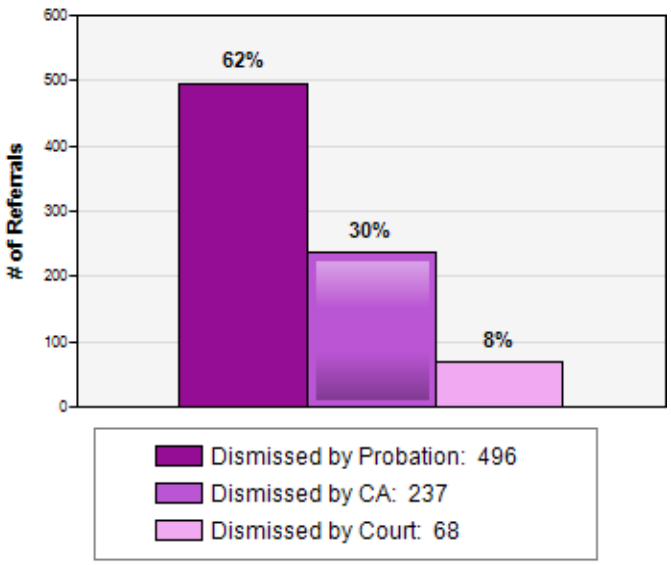
TYPE OF DISPOSITION USED

Informal:	Referral handled by Juvenile Probation Officer
Formal:	Referral in which youth appears before Youth Court Judge
Dismissed:	Referral in which case is dismissed by Juvenile Probation Officer, County Attorney, or Court
Pending:	Referral awaiting action from the County Attorney's Office or the Court, or a ticket has been issued and Juvenile Probation is waiting to see the youth and parent(s), or is awaiting further investigation by law enforcement



** Pending may include "In Progress" intakes, which are not included in other totals.*

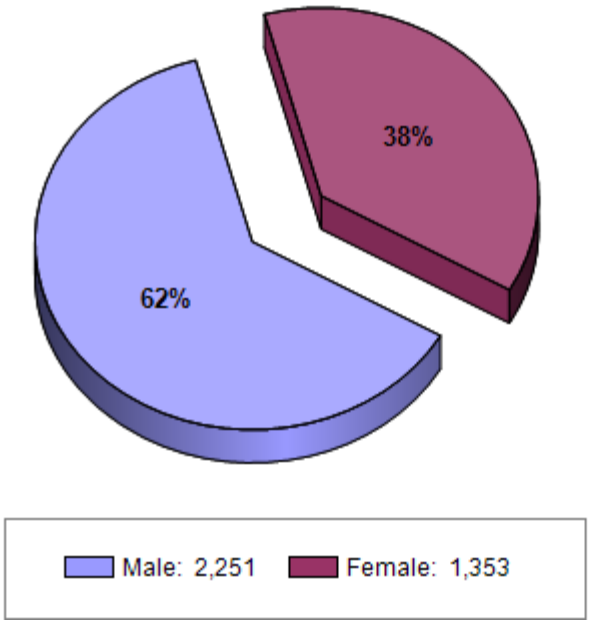




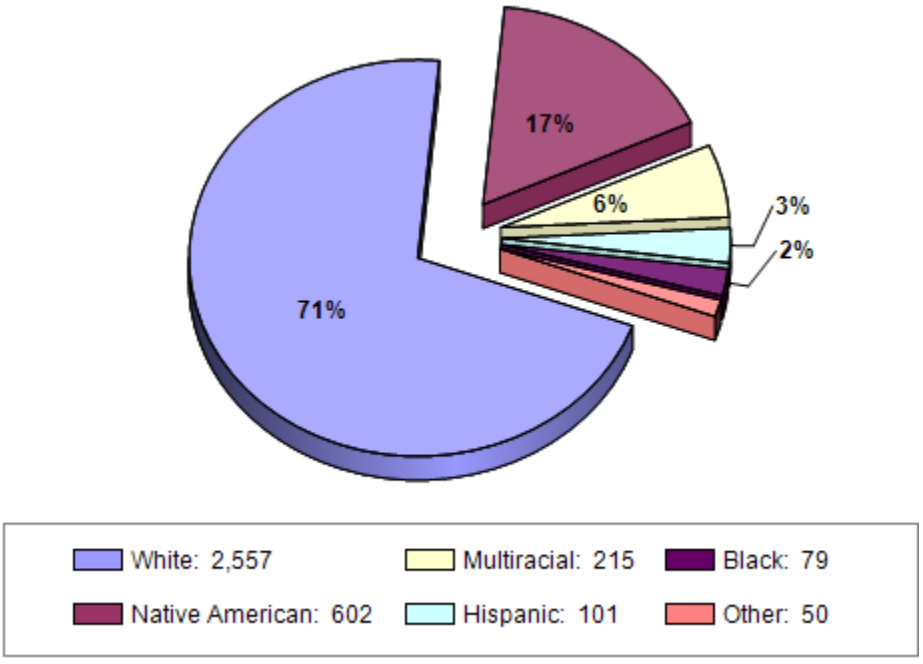
Referral Characteristics

YOUTH DEMOGRAPHICS

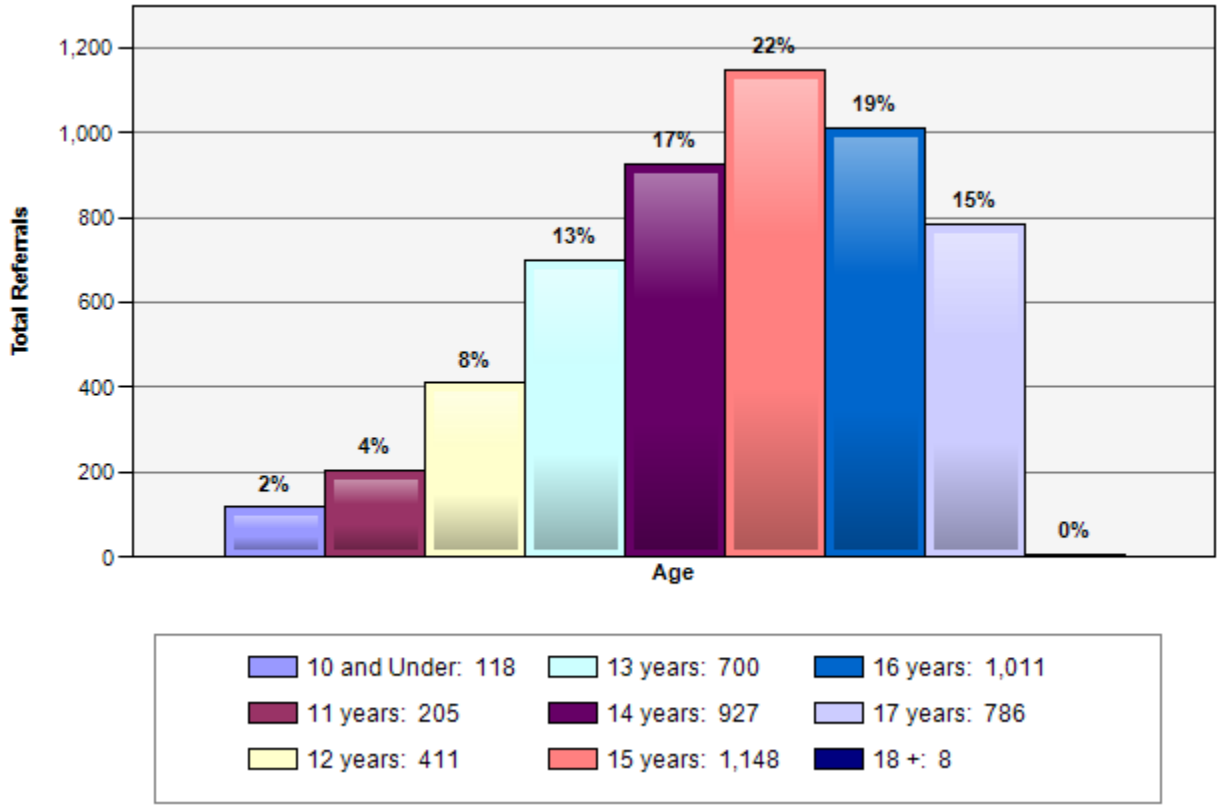
GENDER



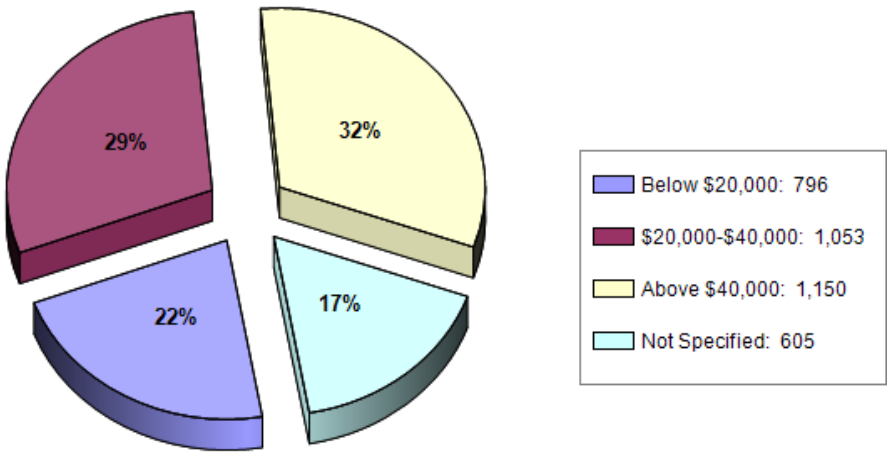
RACE



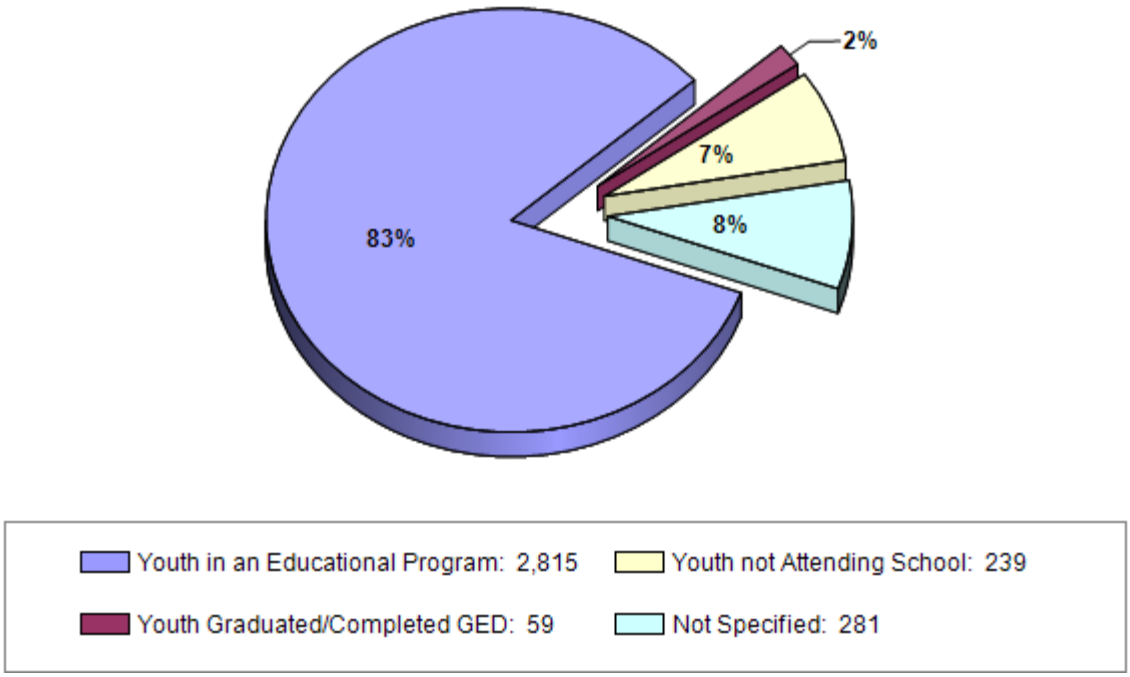
AGE AT TIME OF OFFENSE



FAMILY'S HOUSEHOLD INCOME



SCHOOL PARTICIPATION AT TIME OF REFERRAL



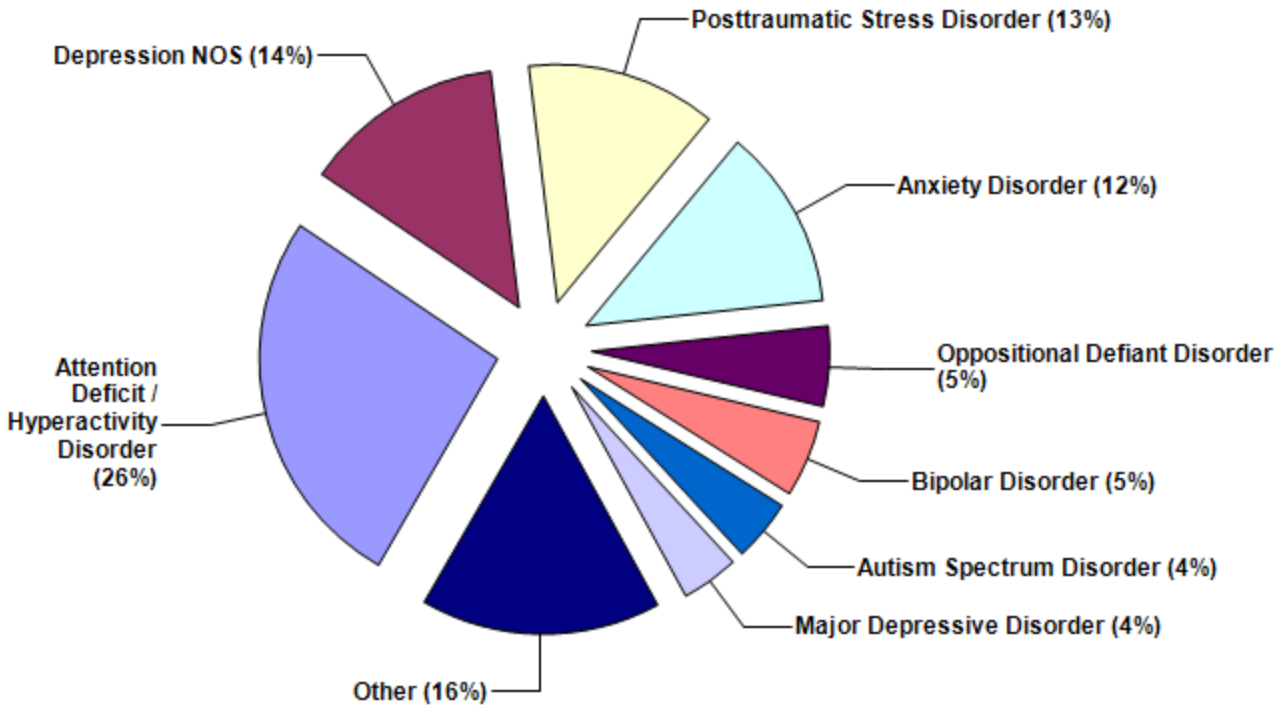
MENTAL HEALTH

TOP 10 MENTAL HEALTH DIAGNOSES

Oftentimes, a juvenile referred to youth court services may already be addressing a mental health matter, or as a result of services provided by youth court a mental health issue is identified.

Out of 3,271 Unduplicated youth, 27%* (875) identified a mental health diagnosis.

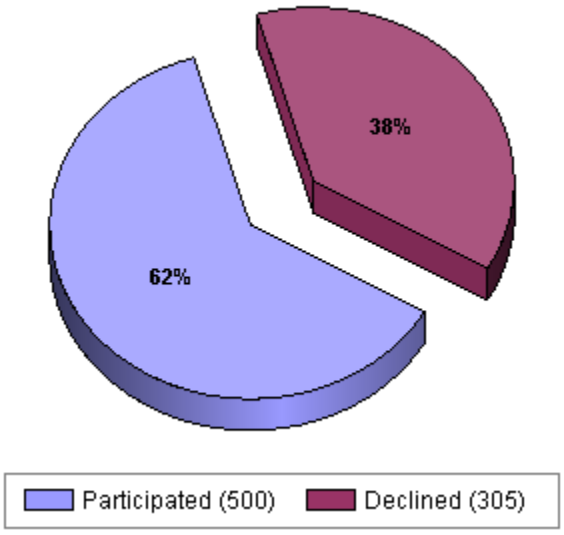
** not all youth are required to provide mental health information so this number may be higher.*



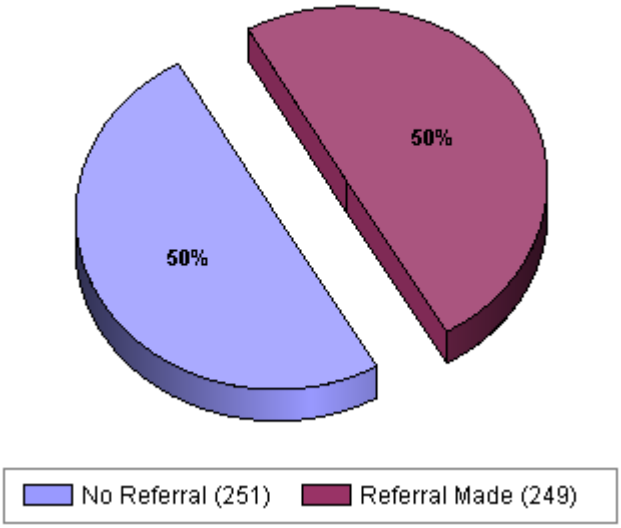
EXPERIENCES & EXPRESSIONS SCREENER (EES)

To engage in case planning that addresses trauma and victimization, the Experiences and Expressions Screener (EES) was implemented in 2021 and must be used when a youth is moderate or high risk to reoffend and placed on informal or formal supervision. The following charts include findings from administration of the EES this reporting period.

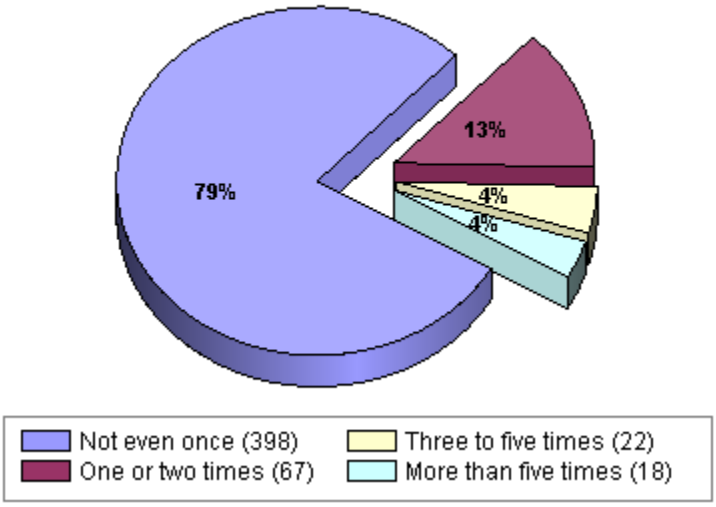
EES Participation



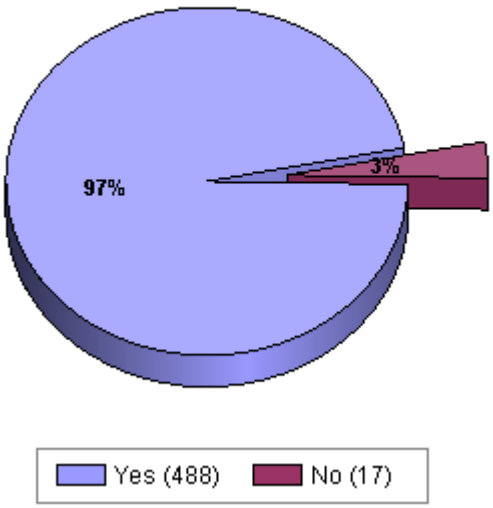
EES Outcomes



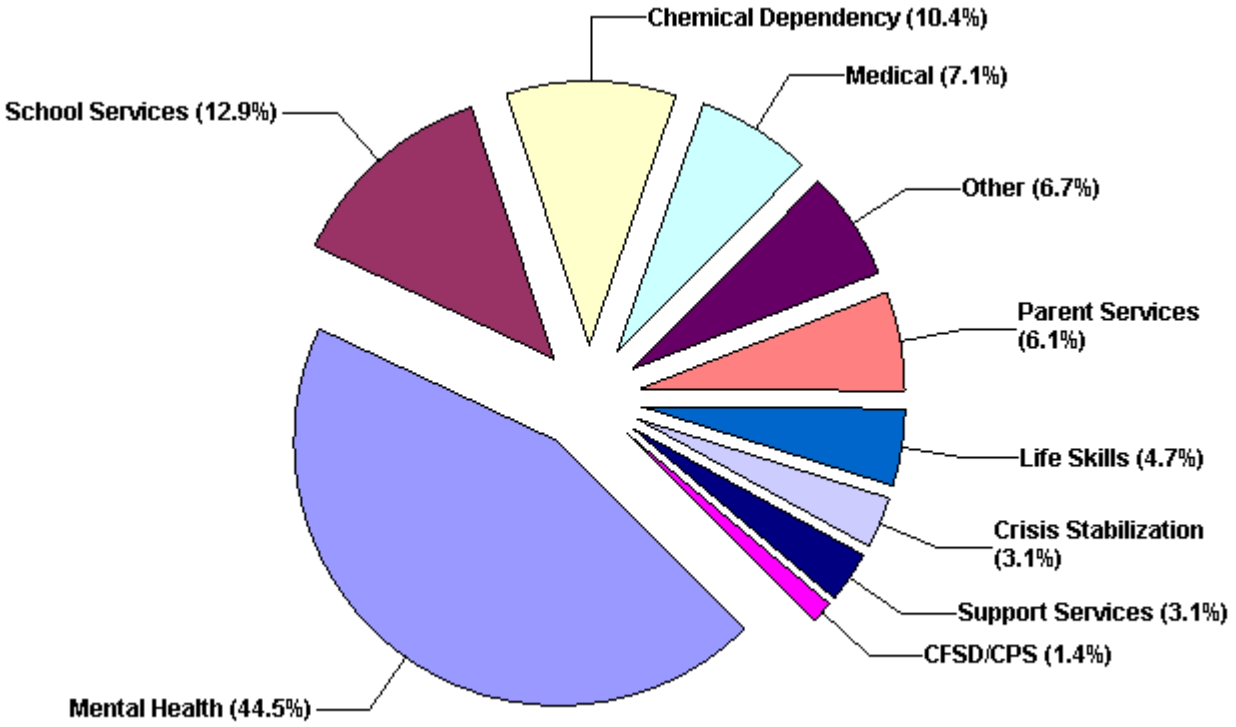
Thoughts of Suicide



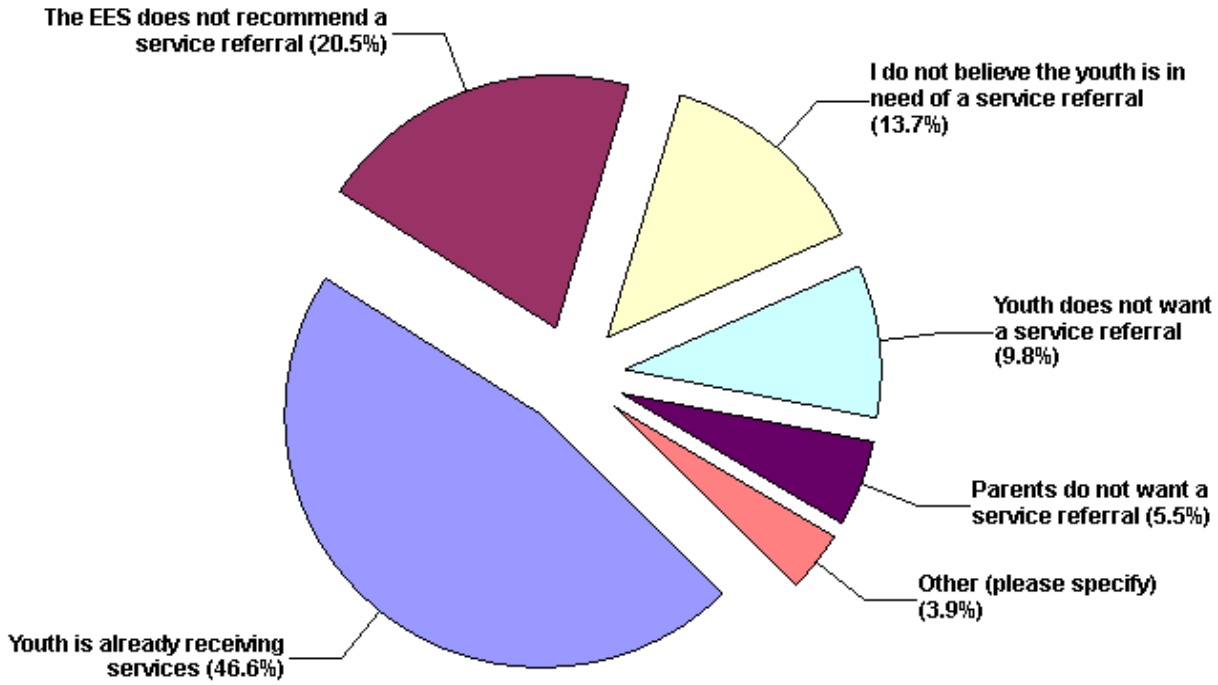
Feel Safe at Home



EES: SERVICES REFERRED TO



EES: REASONS NO REFERRAL



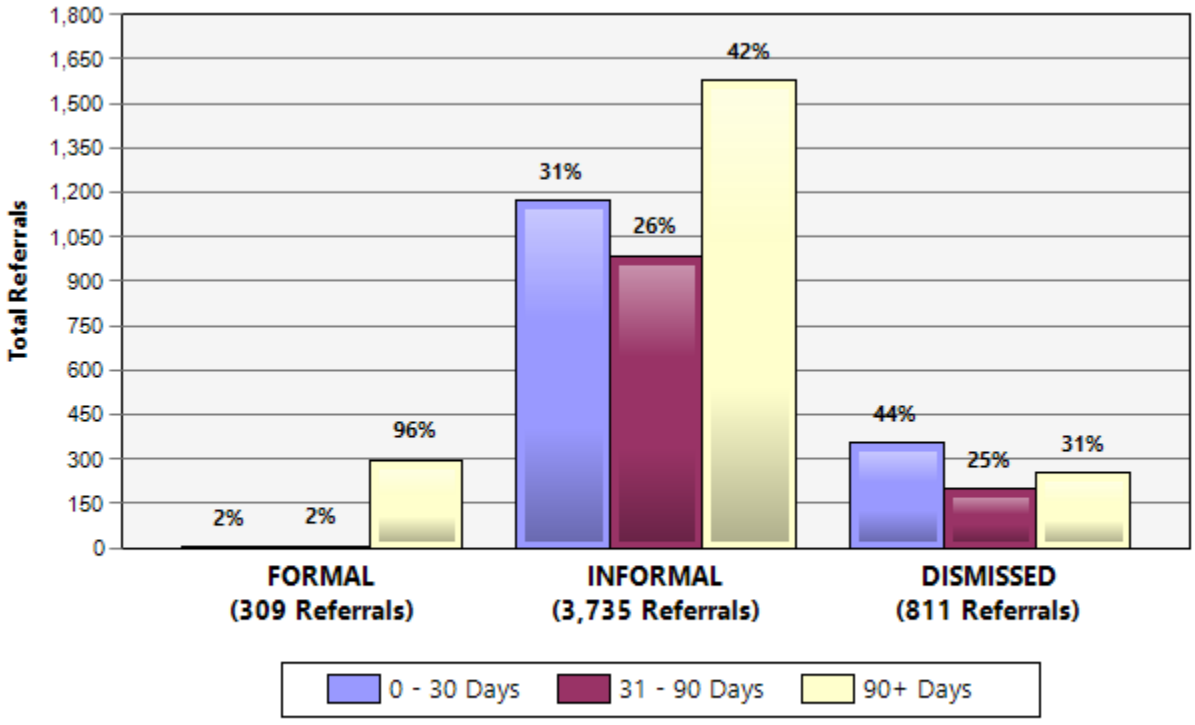
RESTORING JUSTICE TO VICTIMS AND HOLDING OFFENDERS ACCOUNTABLE

AVERAGE LENGTH OF DISPOSITION

Length of Disposition	Number of Referrals	
0-30 days:	1,533	(31.6%)
31-90 days:	1,193	(24.6%)
90+ days:	2,129	(43.9%)

Every referral has a disposition, which is comparable to an adult disposition handed down by a Judge. The above chart includes all referrals except those that are in a *Pending* status because in these cases a disposition end date has yet to be determined.

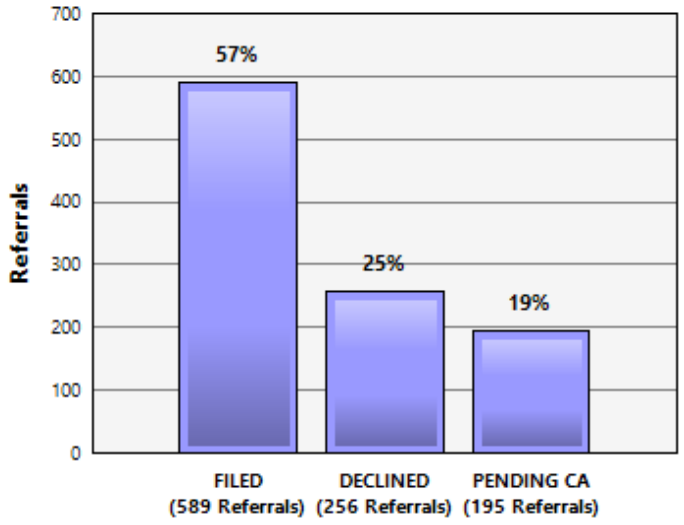
AVERAGE LENGTH OF DISPOSITION - BY TYPE



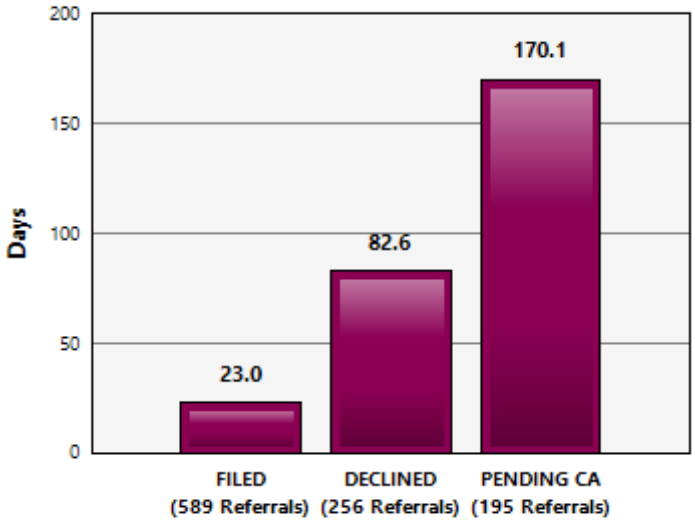
FORMAL REFERRALS TO THE COUNTY ATTORNEY

Referrals made to the County Attorney: 1040

Manner Handled:



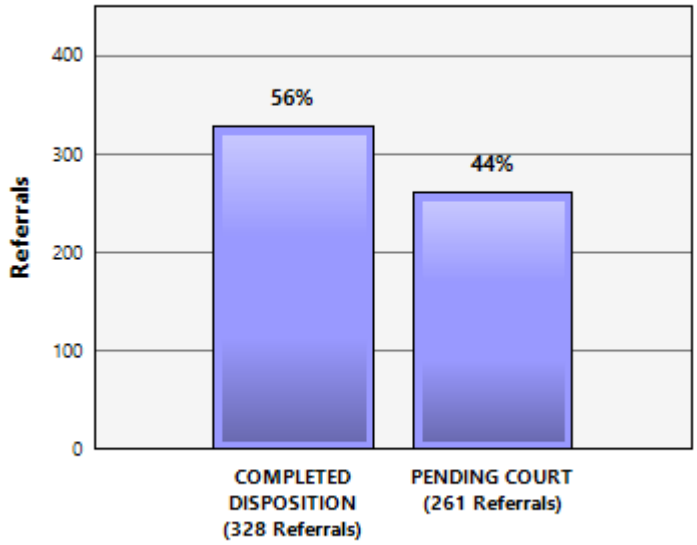
Average Processing Days:



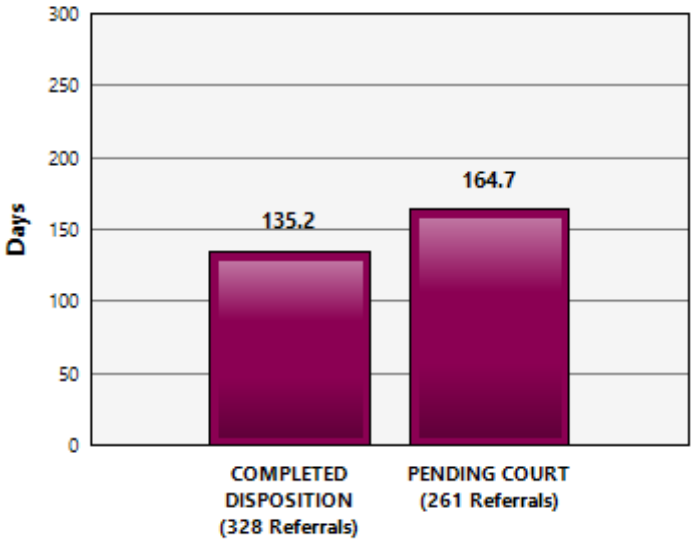
FORMAL REFERRALS TO THE COURT

Petitions filed with Youth Court: 589

Manner Handled:

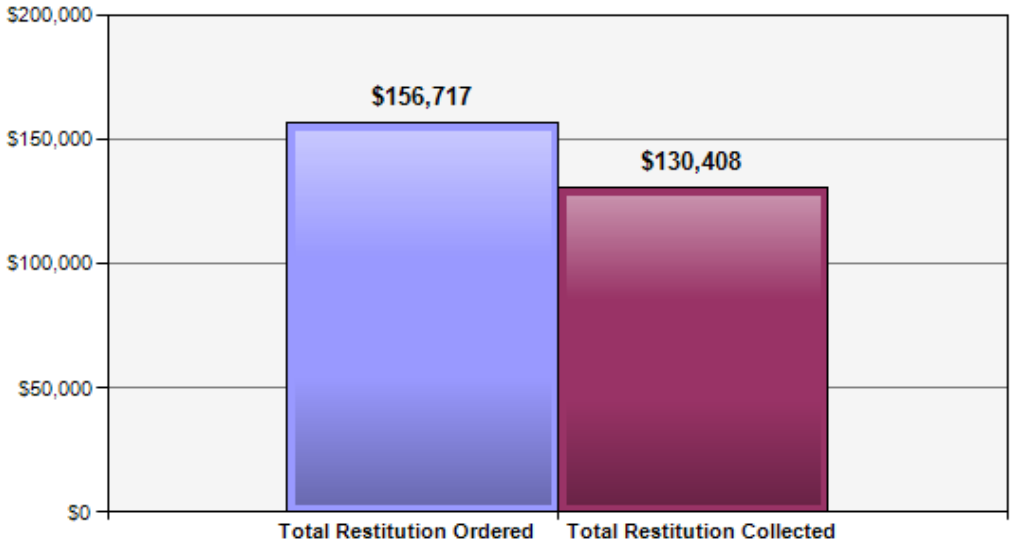


Average Processing Days:



RESTITUTION

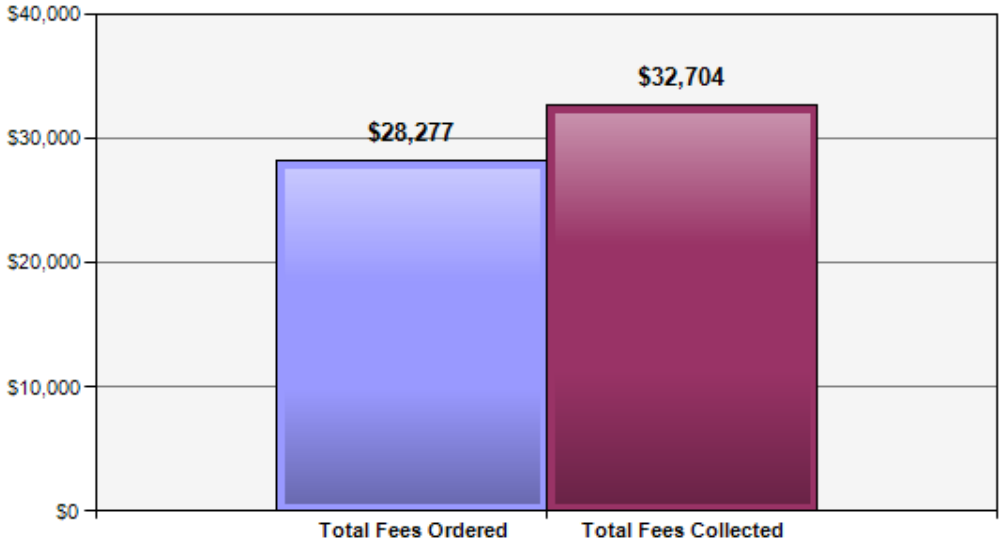
Number of Youth Ordered to Pay Restitution: 276



Restitution collected includes carryover from prior years.

FEES

Number of Youth Ordered to Pay Fees: 652

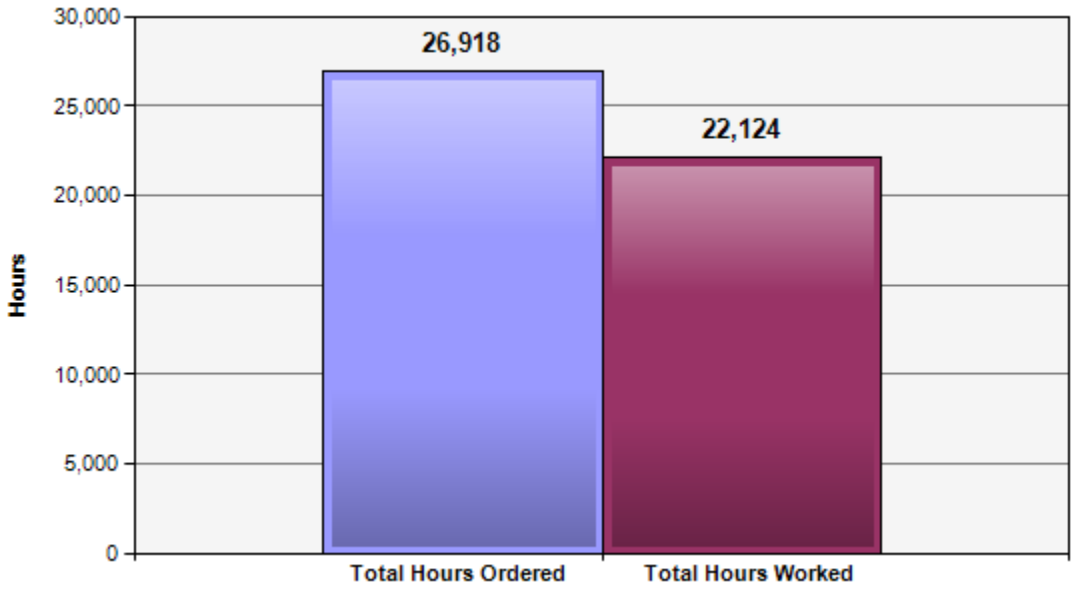


Fees are used to offset cost of drug testing, workers' compensation, and other services.

Effective 10/1/2023 youth court no longer charges or collects fees pursuant to HB500.

COMMUNITY SERVICE HOURS

Number of Youth Ordered to Complete Community Service: 1,293



COMMUNITY SERVICE SWEAT EQUITY HOURS

Many youth are unable to contribute towards their restitution obligation because they have no family support, are not old enough to get a job, or lack the necessary social skills to get and keep a job. The Community Service Sweat Equity program is offered to youth as an opportunity, by utilizing community service, to earn restitution money to repay their victims.

Total Number of Youth that Worked Sweat Equity Hours:	93
Total Sweat Equity Hours Worked:	2,413.37
Total Money Earned to Pay to Victims:	$21,117.75

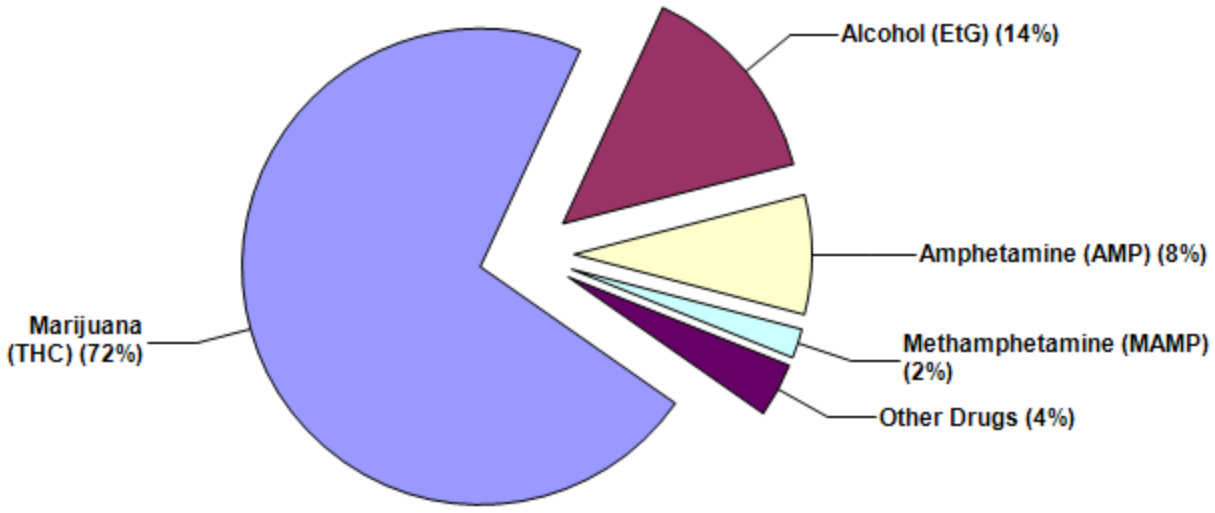
RESISTANCE TO DRUGS

Offenders ordered to submit to drug testing are tested randomly unless there is suspicion to believe the youth has recently been using. Youth in a Drug Treatment Court may be required to test more often as required by the Judge.

Total Number of Youth Drug Tested:	337
Total Number of Tests Administered:	2,037
Total Number of Youth Testing Positive:	223

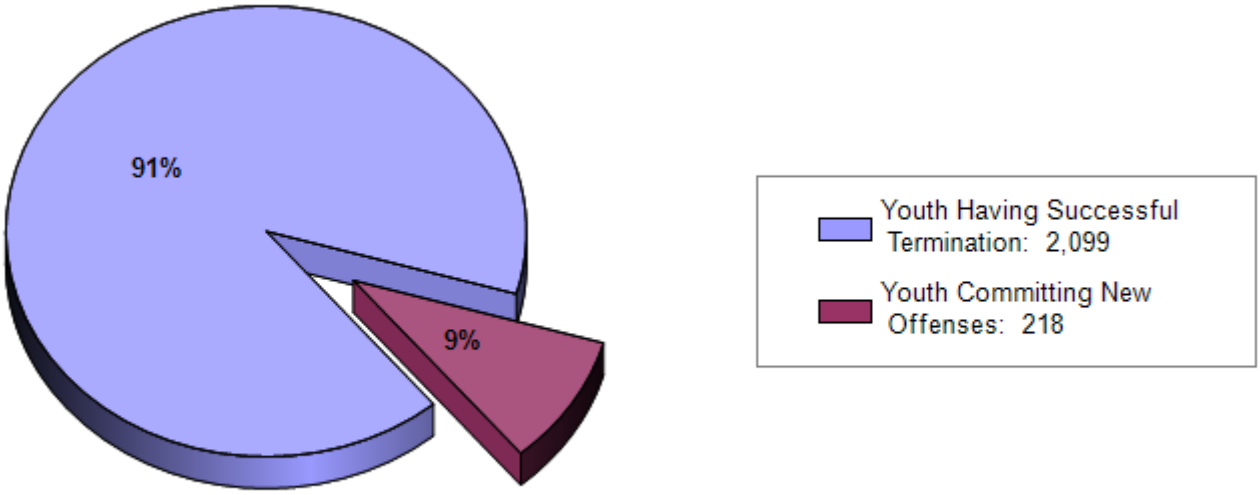
A single youth may have tested positive multiple times.

TOP DRUGS USED



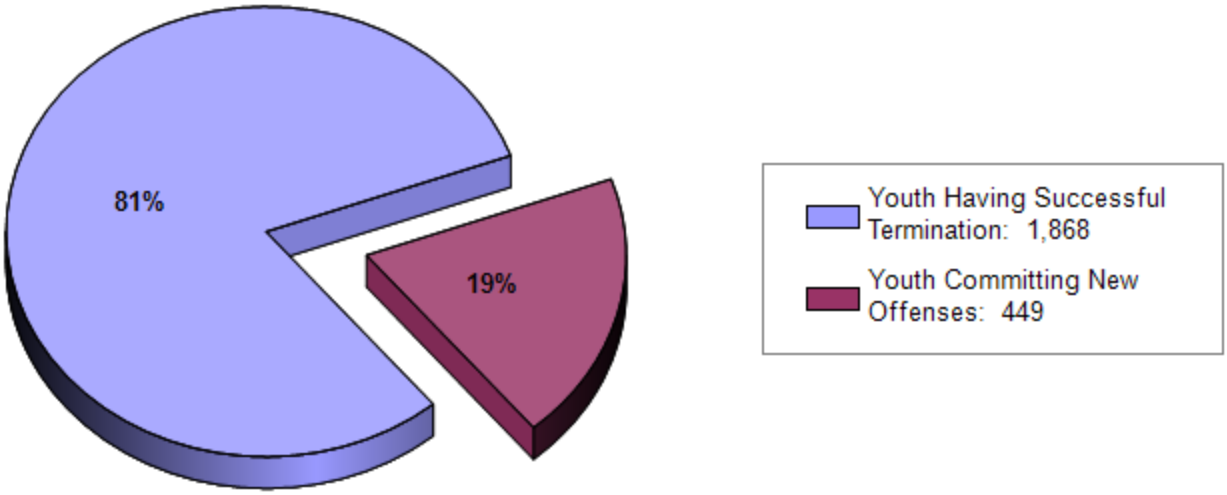
RECIDIVISM WHILE UNDER SUPERVISION
(UNDUPLICATED YOUTH NEW TO THE SYSTEM)

Recidivism on unduplicated youth that had their initial Intake in **2022** and committed a new offense prior to the disposition end date.



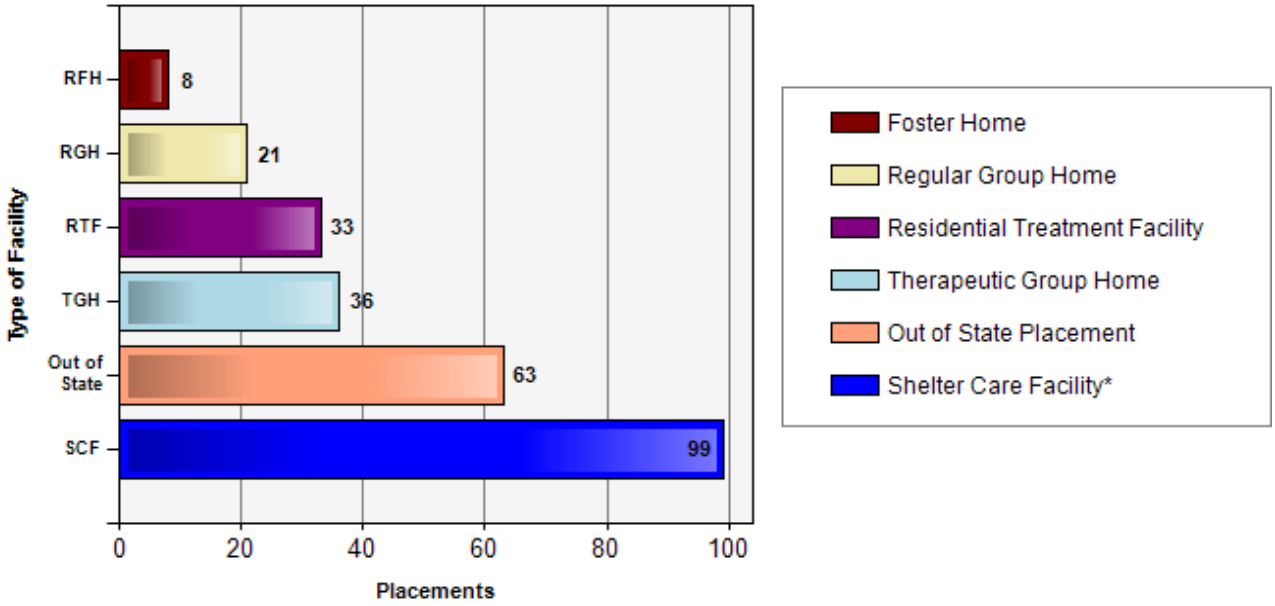
RECIDIVISM WITHIN 1 YR AFTER CASE COMPLETION
(UNDUPLICATED YOUTH NEW TO THE SYSTEM)

Recidivism on unduplicated youth that had their initial Intake in **2022** and committed a new offense within 1 year of the disposition end date.



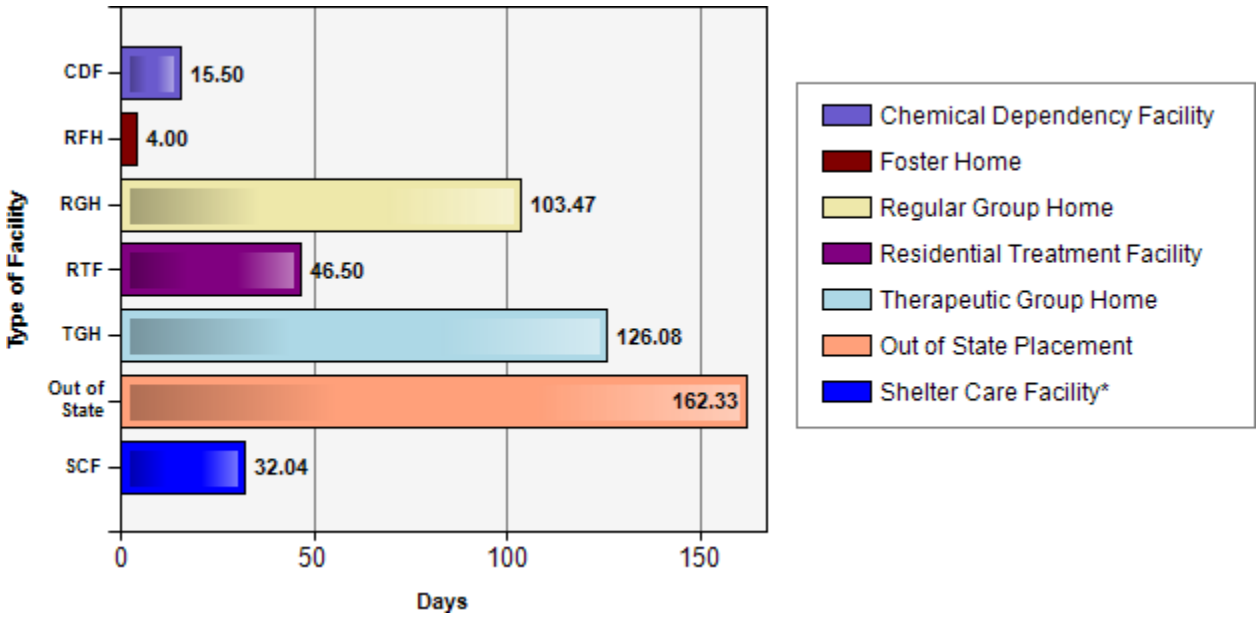
OUT-OF-HOME PLACEMENTS

Out of 4,763 referrals to Youth Court, 191 youth were placed in out-of-home placements for this reporting year. *Please note that a single youth may be placed multiple times and other agencies may have been responsible for the placement during this reporting period.*



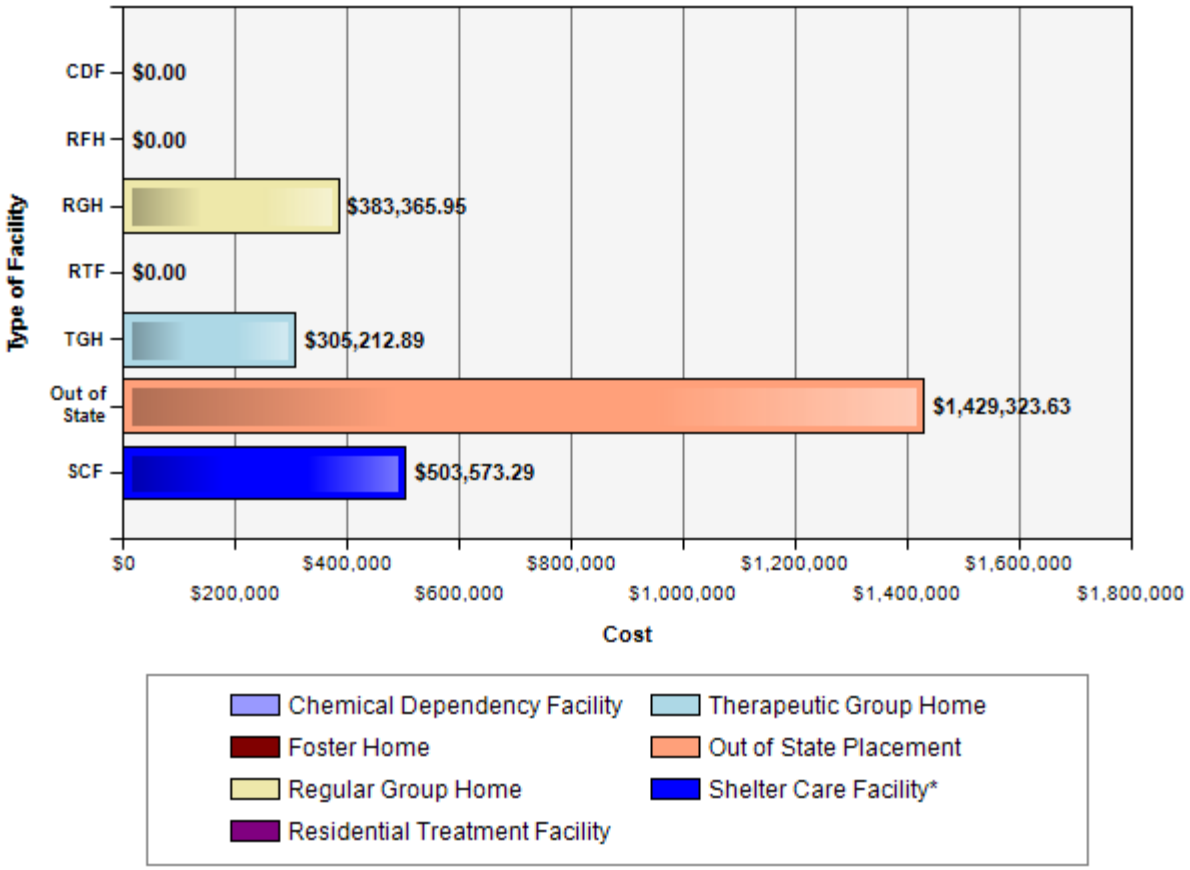
** Shelter care, the most common placement, is a very short-term placement used when Youth Court is assessing the youth and family's situation.*

OUT OF HOME PLACEMENTS – AVG LENGTH OF STAY



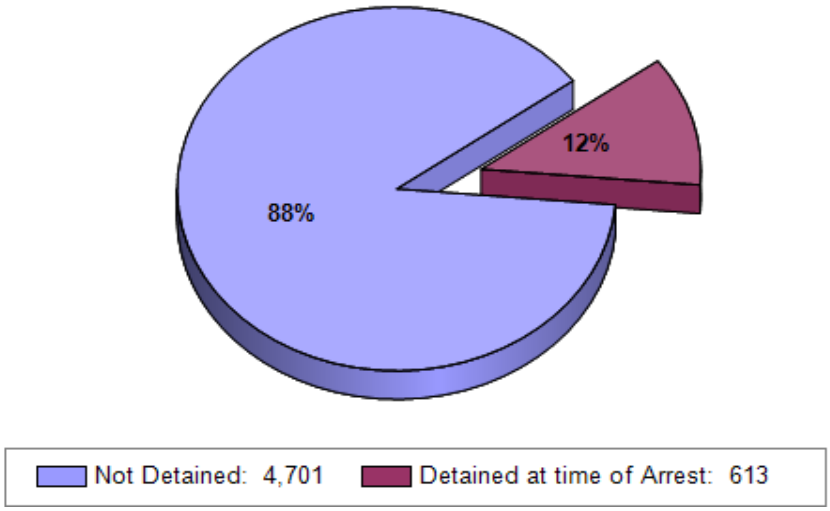
OUT-OF-HOME PLACEMENTS - COST

These are the general fund costs incurred by the Youth Courts of Montana and do not include additional funding sources and cost-shares that may have been made by collaborating agencies (Medicaid, DPHHS, CMHB).



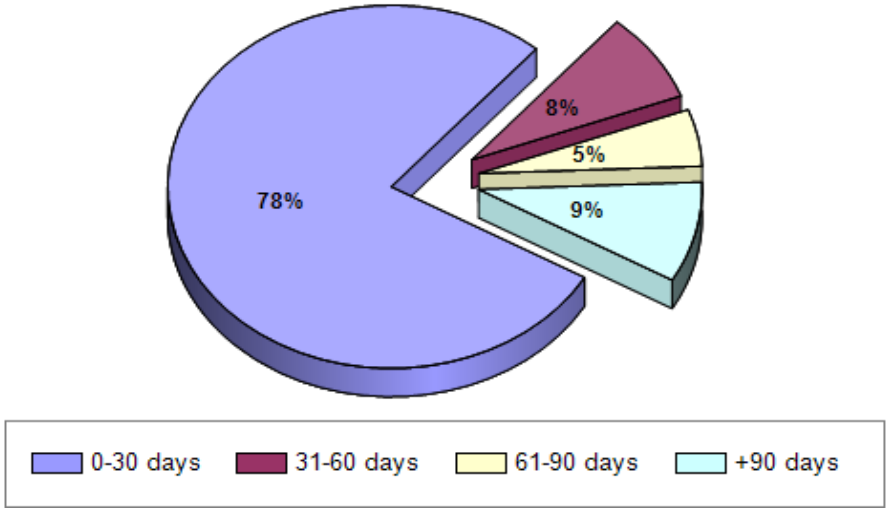
DETENTION

Youth detention facilities, which are physically restricting youth facilities designed to prevent a youth from departing at will are mostly funded and operated by counties. Local law enforcement officers make the decision to detain at the time of arrest. (A youth may be placed in detention more than once.)



DETENTION – LENGTH OF STAY

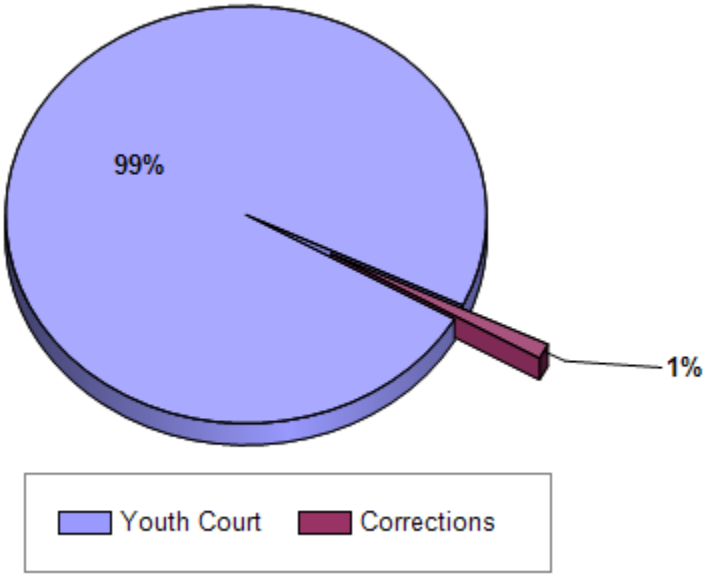
When a youth is taken into custody, a hearing to determine probable cause must be held within 24 hours, excluding weekends and legal holidays. A hearing is not required if the youth is released prior to the time of the required hearing. If the court determines that continued custody of the youth is necessary and the criteria outlined in the Montana Youth Court Act is met, the youth may be placed in a secure detention facility pending an initial appearance before a youth court judge and placement may continue through time of disposition. (A youth may be placed in detention more than once.)



DEPARTMENT OF CORRECTIONS COMMITMENTS

Only a Youth Court judge may sentence a youth to the Department of Corrections. Approximately 1% of all youth referred to juvenile probation are sentenced to the Department of Corrections.

43 were committed to the Department of Corrections for placement in a youth correctional facility in this reporting year.

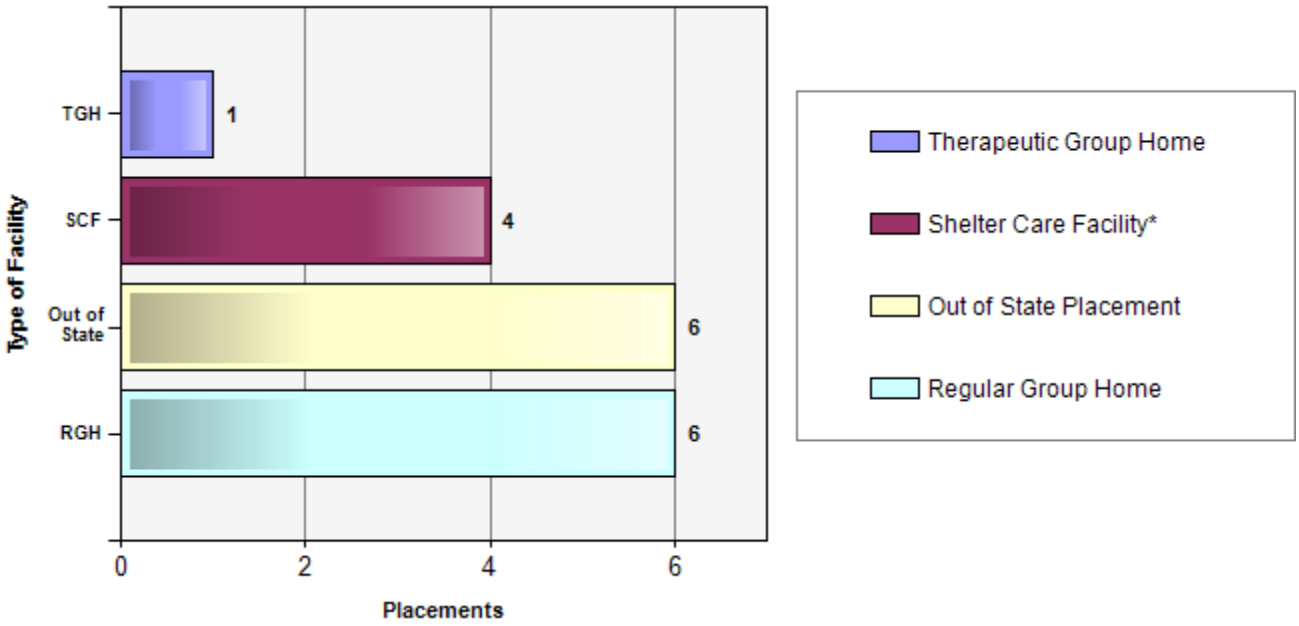


CONDITIONAL RELEASE YOUTH (CR)

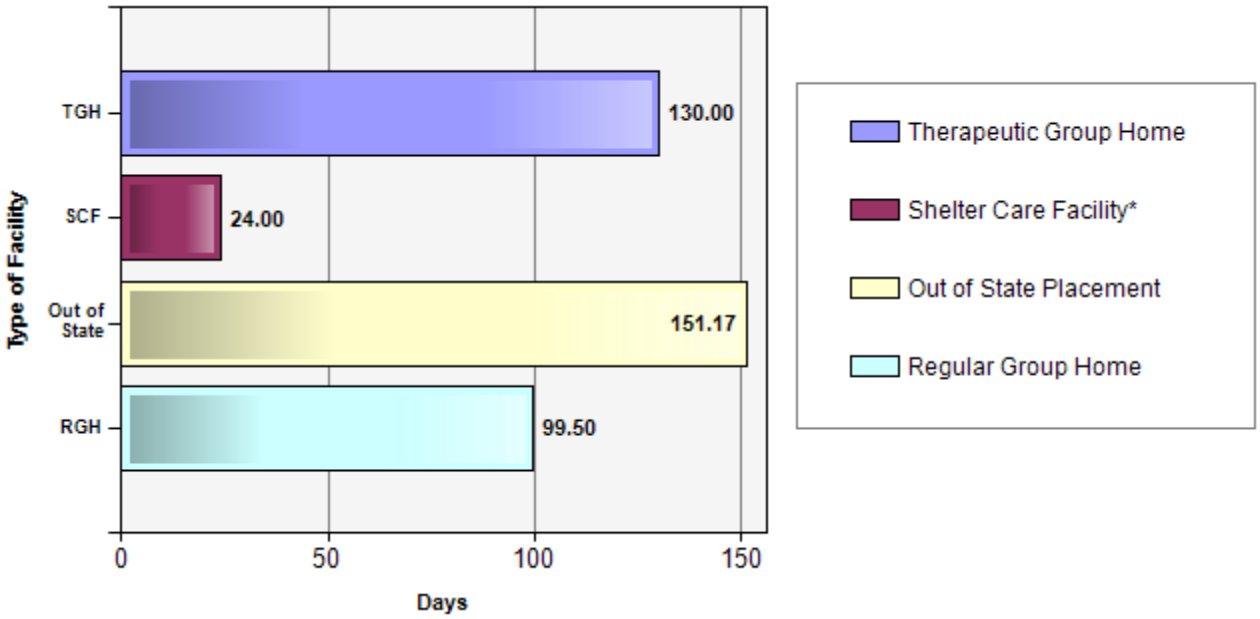
In 2019, Youth Court Service assumed community supervision of youth committed to the MT Department of Corrections upon conditional release from these facilities.

CR YOUTH: OUT OF HOME PLACEMENTS

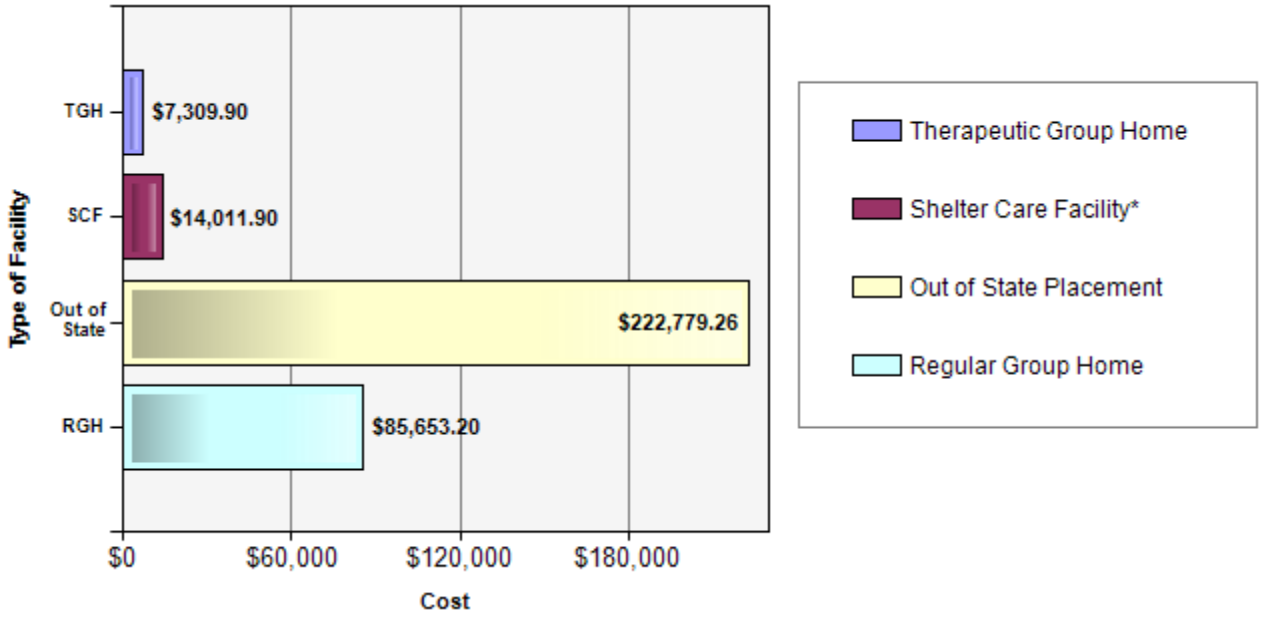
In 2023, Youth Court Services supervised 61 youth on conditional release. Of these youth, 16 were placed in a community placement as part of their conditional release plan. Although many youth on conditional release are discharged back to a family member, due to varying factors, some will require a community based placement. *Please note that a single youth may be placed multiple times.*



CR YOUTH: OUT OF HOME PLACEMENTS – AVG LENGTH OF STAY

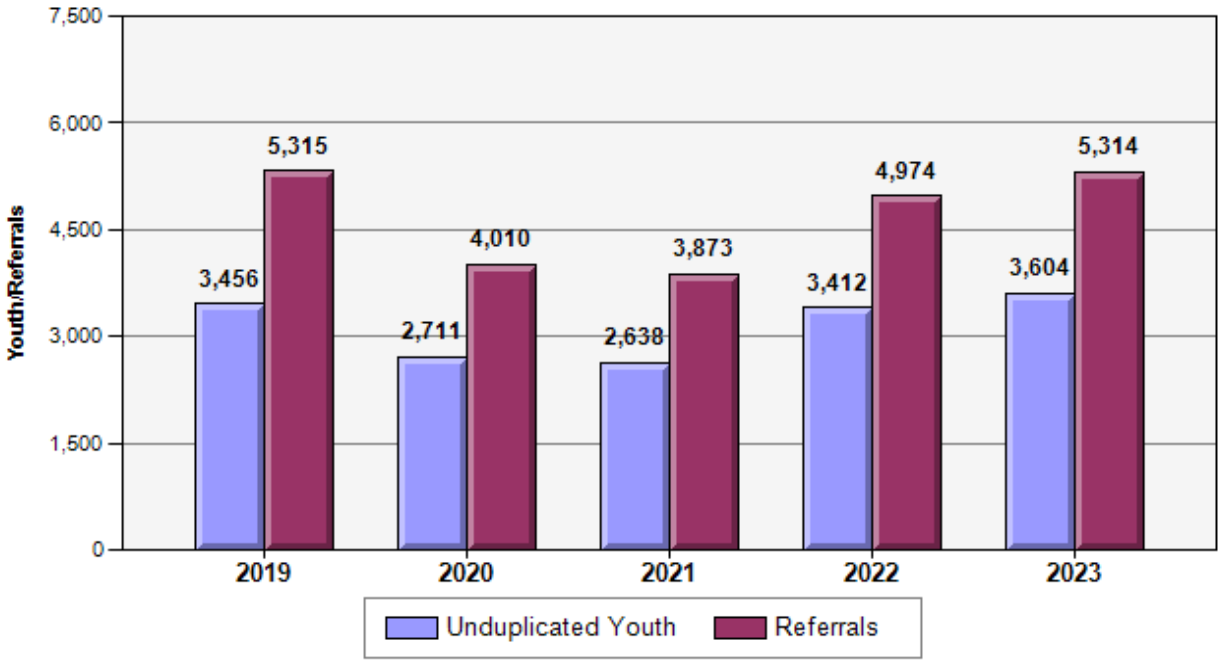


CR YOUTH: OUT OF HOME PLACEMENTS – TOTAL COST



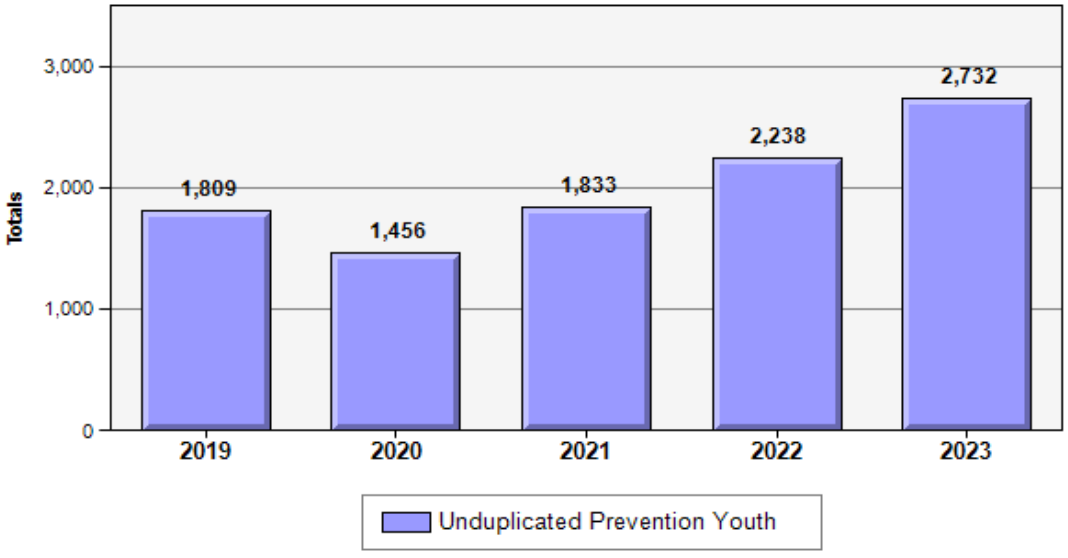
5 YEAR TRENDS

UNDUPLICATED YOUTH AND REFERRALS

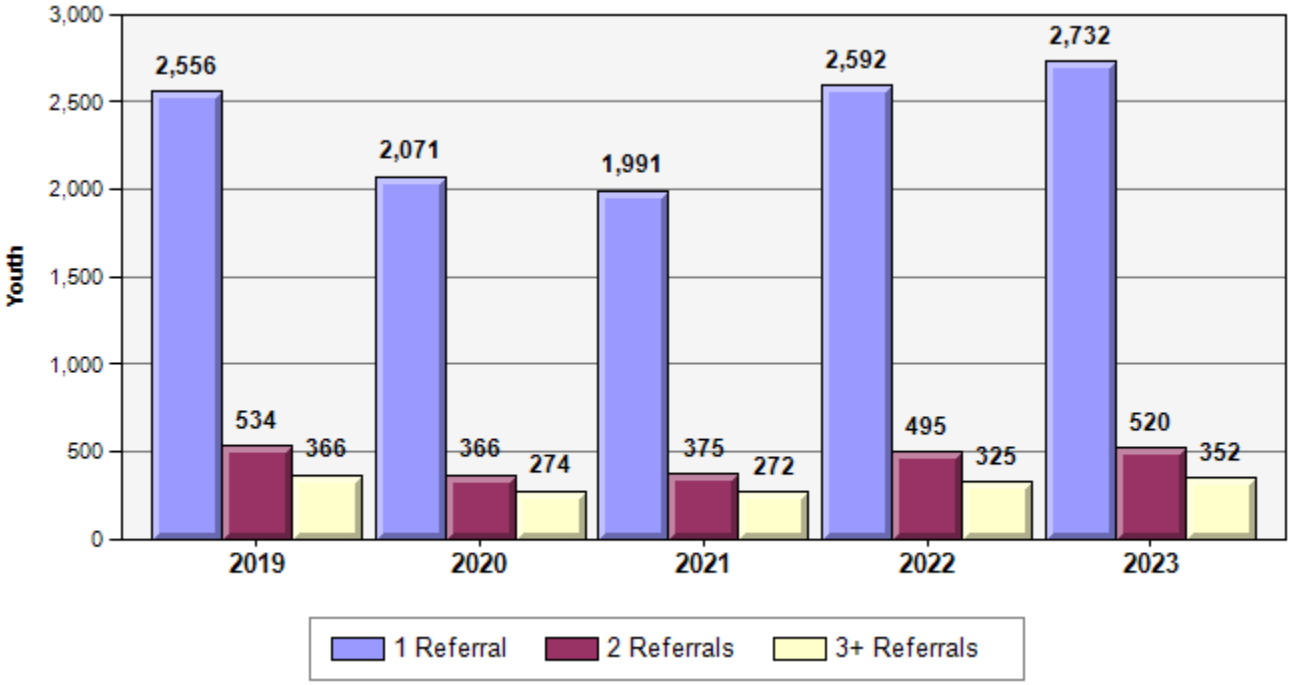


UNDUPLICATED PREVENTION YOUTH

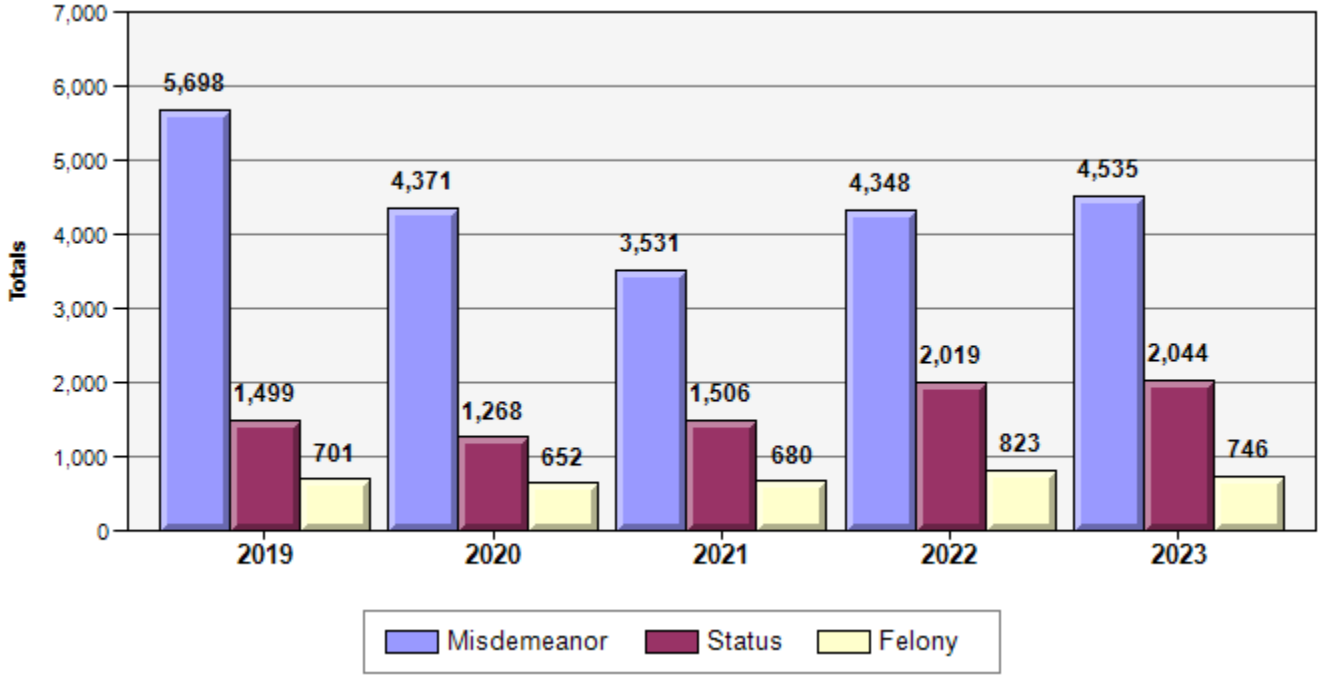
Through the State of Montana ***Juvenile Delinquency Intervention Program (JDIP)***, judicial districts are provided the opportunity to develop prevention programs in which both youth referred to youth court services, as well as at-risk youth who have not come into contact with probation, can access services that promote positive growth and development. This graph identifies those prevention youth.



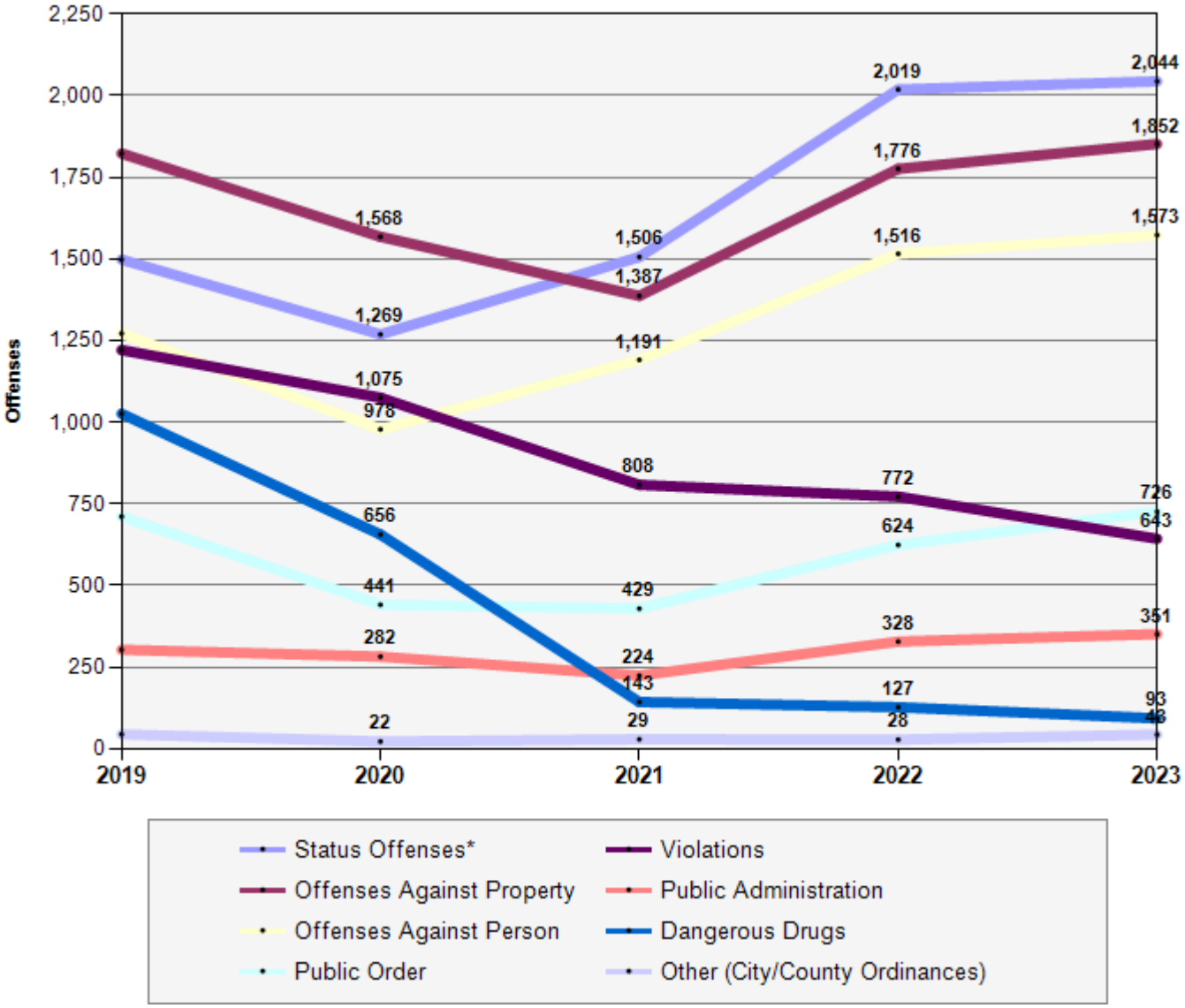
NUMBER OF REFERRALS PER YOUTH



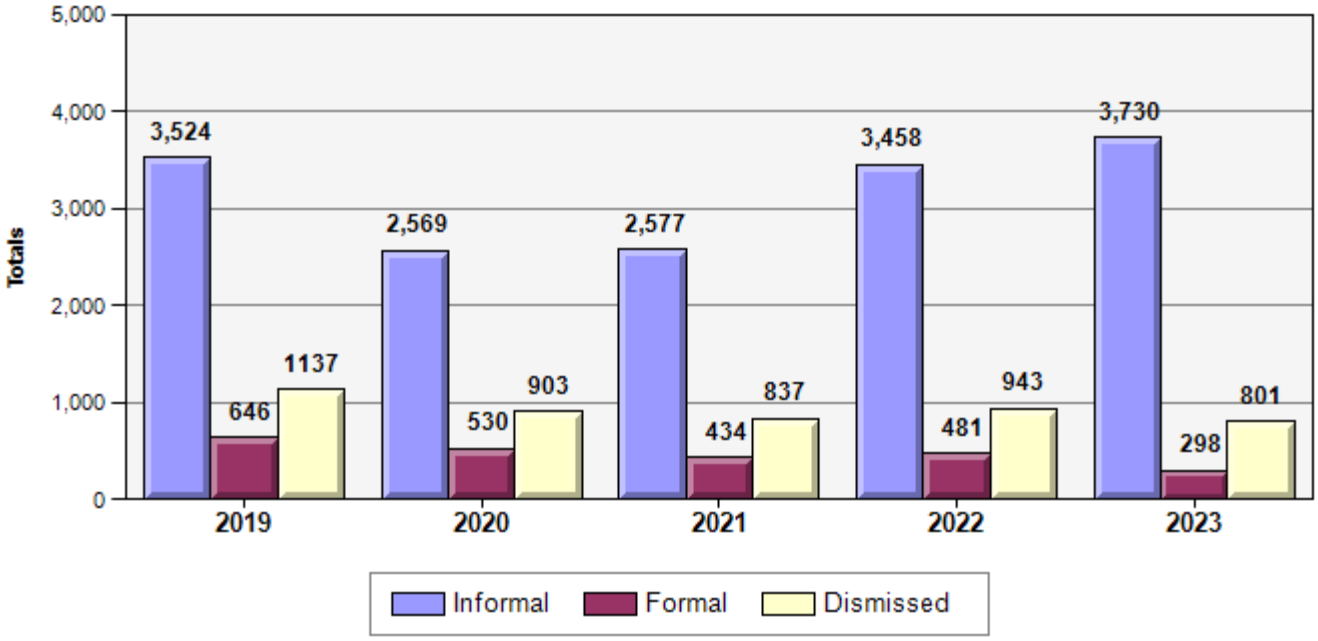
OFFENSE CLASSIFICATIONS



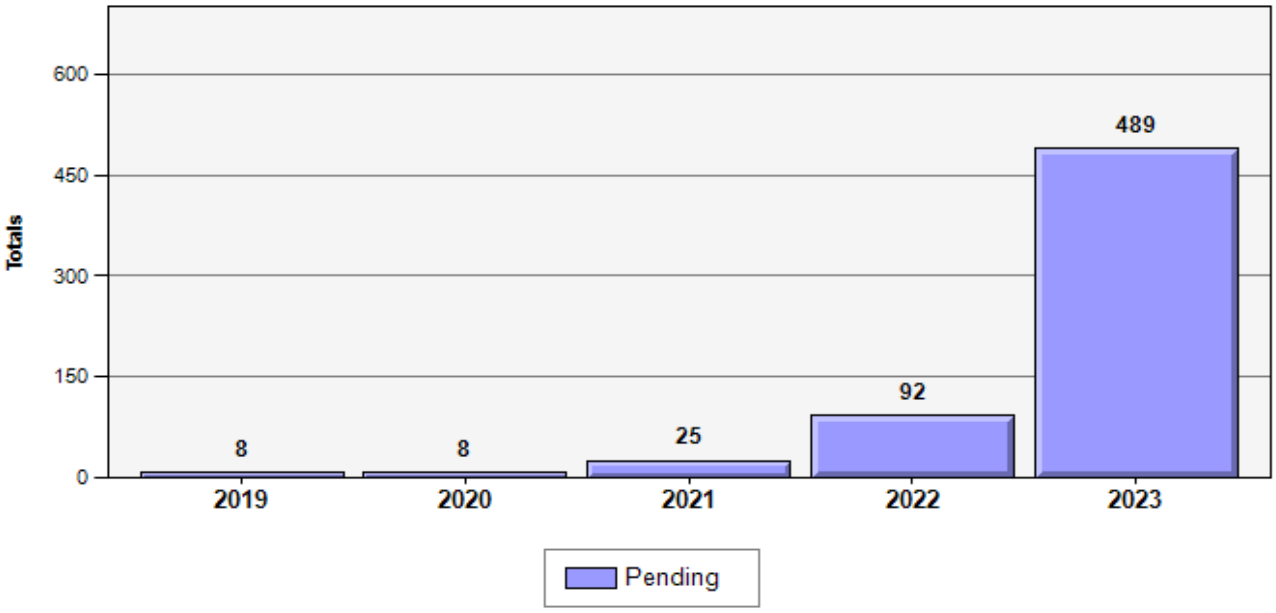
OFFENSE CATEGORIES



TYPE OF DISPOSITION USED



REFERRALS PENDING DISPOSITION



** These are referrals that are awaiting action from the county attorney's office, requires further investigation by law enforcement, or a ticket has been issued and juvenile probation is waiting to see the youth and parent(s).*

YOUTH COURT CONTACTS BY JUDICIAL DISTRICT

DISTRICT #1

Lewis and Clark, Broadwater

District Court Judges: Michael McMahon, Mike Menahan, Kathy Seeley, Chris Abbott

Chief Juvenile Probation Officer:
Leah Lindgren / Contact Number: 447-8228

DISTRICT #2

Silver Bow

District Court Judges: Kurt Krueger, Robert "Bob" Whelan

Chief Juvenile Probation Officer:
Kelly Speer / Contact Number: 497-6375

DISTRICT #3

Deer Lodge, Powell, Granite

District Court Judge: Ray Dayton

Chief Juvenile Probation Officer:
Daniel Blando / Contact Number: 563-4031

DISTRICT #4

Missoula, Mineral

District Court Judges: Leslie Halligan, Dusty Deschamps, Shane Vannatta, Jason Marks, John Larson

Chief Juvenile Probation Officer:
Christine Kowalski / Contact Number: 258-4735

DISTRICT #5

Beaverhead, Jefferson, Madison

District Court Judge: Luke Berger

Chief Juvenile Probation Officer:
Sam Stockett / Contact Number: 683-3760

DISTRICT #6

Park, Sweet Grass

District Court Judge: Brenda Gilbert

Chief Juvenile Probation Officer:
Lesa Maher / Contact Number: 222-4162

DISTRICT #7

Dawson, Richland, McCone, Wibaux, Prairie

District Court Judges: Katherine Bidegaray, Olivia Rieger

Chief Juvenile Probation Officer:
Lauren Weiland / Contact Number: 433-3011

DISTRICT #8

Cascade

District Court Judges: Elizabeth Best, John Kutzman, John Parker, David Grubich

Chief Juvenile Probation Officer:
Jason Riphenburg / Contact Number: 454-6880

DISTRICT #9

Glacier, Pondera, Teton, Toole

District Court Judge: Greg Bonilla

Chief Juvenile Probation Officer:
Tasha Stiner / Contact Number: 873-3620

DISTRICT #10

Fergus, Judith Basin, Petroleum

District Court Judge: Heather Perry

Chief Juvenile Probation Officer:
Starr Brown / Contact Number: 538-9242

DISTRICT #11

Flathead

District Court Judges: Robert Allison, Heidi Ulbricht, Dan Wilson, Amy Eddy, Danielle Coffman

Chief Juvenile Probation Officer:
Nick Nyman / Contact Number: 758-5547

DISTRICT #12

Hill, Chouteau, Liberty

District Court Judge: Kaydee Snipes Ruiz

Chief Juvenile Probation Officer:
Kevin Buerkle / Contact Number: 265-5481

DISTRICT #13

Yellowstone

District Court Judges: Jessica Fehr, Donald Harris, Thomas Pardy, Brett Linneweber, Rod Souza, Mary Jane Knisely, Colette Davies, Ashley Harada

Chief Juvenile Probation Officer:
Tara French / Contact Number: 256-2843

DISTRICT #14

Golden Valley, Meagher, Musselshell, Wheatland

District Court Judge: Randal Spaulding

Chief Juvenile Probation Officer:
Tara French / Contact Number: 256-2843

DISTRICT #15

Roosevelt, Sheridan, Daniels

District Court Judge: David Cybulski

Chief Juvenile Probation Officer:
Sheana Rose / Contact Number: 765-3468

DISTRICT #16

Carter, Custer, Fallon, Garfield, Powder River, Rosebud, Treasure

District Court Judges: Michael Hayworth, Nickolas Murnion

Chief Juvenile Probation Officer:
Sarita Fenner / Contact Number: 874-3418

DISTRICT #17

Blaine, Phillips, Valley

District Court Judge: Yvonne Laird

Chief Juvenile Probation Officer:
Tina Mord / Contact Number: 357-2369

DISTRICT #18

Gallatin

District Court Judges: Peter Ohman, Rienne McElyea, John Brown, Andrew Breuner

Chief Juvenile Probation Officer:
Dave Wysoski / Contact Number: 582-2180

DISTRICT #19

Lincoln

District Court Judge: Matthew Cuffe

Chief Juvenile Probation Officer:
Kindra Hageness / Contact Number: 293-9715

DISTRICT #20

Lake, Sanders

District Court Judges: Molly Owen, Deborah Kim Christopher

Chief Juvenile Probation Officer:
Amber Harrness / Contact Number: 883-7264

DISTRICT #21

Ravalli

District Court Judges: Howard Recht, Jennifer Lint

Chief Juvenile Probation Officer:
Clint Arneson / Contact Number: 802-7200

DISTRICT #22

Big Horn, Carbon, Stillwater

District Court Judge: Matthew Wald

Chief Juvenile Probation Officer:
Jaime Fredericks / Contact Number: 665-9785