



The Supreme Court of Ohio
Task Force on Juvenile Diversion
Final Report and Recommendations





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Final Report and Recommendations

June 2025

Sharon L. Kennedy

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Megan E. Shanahan

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Judge David A. Hejmanowski

Letter from the Chair

Imagine, if you will, that a nine year-old child has stolen a candy bar from a local dollar store. The child's parents find out about it, bring the child back to the store to apologize, appropriately punish the child at home, and use the situation to teach the child lessons about responsibility and behavior. Few would suggest that the child should be arrested, brought to court, formally charged, or have a lasting record as a result of the theft.

Now, assume that the child is not nine years old, but twelve. Or, perhaps fifteen. Or that the situation is not the first time the child has stolen the candy bar, but the third. Or that the item stolen is not a candy bar, but a motor vehicle. Or that the child crashes that car and totals it, and the owner of the car is left to try to navigate a cumbersome insurance process. Or that the child leads law enforcement on a high-speed chase while driving the wrong way down an interstate highway, endangering the lives of dozens of other motorists, then violently resists arrest.

Few would suggest that the child in the final fact scenario should not be charged and go through a formal court process. Or that the victim of a serious, felony-level offense should not be provided notice of hearings, an opportunity to be heard, and the chance to request restitution for their loss.

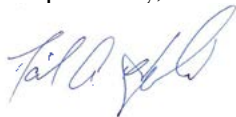
The cases on the extremes always present easier decisions for courts. It's the gradients in the middle that make for hard choices. For Ohio's juvenile courts, which operate under a statutory duty to simultaneously rehabilitate juveniles while also protecting the public and making victims whole, the balancing of those competing duties is a daily challenge.

From the earliest days of juvenile courts, Ohio has been at the forefront of the juvenile court movement, constantly innovating and reevaluating the balance of interests in a rapidly changing society. But even in those early days, the overarching goal of juvenile justice has remained consistent, perhaps succinctly summed up by a three-word phrase I use with my co-workers to describe our ultimate duty – to ‘produce productive adults’. Perhaps more eloquently, the Supreme Court of Pennsylvania put it this way, all the way back in 1905, “The design is not punishment, nor the restraint imprisonment, any more than is the wholesome restraint which a parent exercises over his child... Every statute which is designed to give protection, care, and training to children, as a parental duty, is but a recognition of the duty of the state, as the legitimate guardian and protector of children, where other guardianship fails.”¹

Because we know that formal court involvement increases the likelihood of an eventual bad outcome for the child², because we know that a juvenile record can affect college enrollment, job prospects, military service, and other adult opportunities³, because we know that formal court involvement and continued use of court resources is financially burdensome on taxpayers⁴, and because we know that diversion improves all of these outcomes, the question is not *whether* we should utilize diversion, but how, when, and with what safeguards.

It is for these reasons that Chief Justice Sharon L. Kennedy formed the Task Force on Juvenile Diversion, and precisely because these issues are so important that she personally attended every meeting, dove deep into the research and into reports from other states, and pushed Ohio to ensure that we are giving courts the tools to utilize diversion in a way that will most effectively protect the public, make victims whole, and – to the benefit of future generations – produce productive adults. The Task Force members hope these recommendations will do just that.

Respectfully,



Judge David A. Hejmanowski

1 *Commonwealth v. Fisher*, 213 Pa. 48 (1905).

2 <https://journals.sagepub.com/doi/abs/10.1177/0093854812451089>

3 Richard Mendel, *Why Youth Incarceration Fails: An Update Review of the Evidence* (March 1, 2013), <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/> (accessed May 7, 2025) [<https://perma.cc/CH2M-XRZD>].

4 National Conference of State Legislators, *Diversion in the Juvenile Justice System* (May 23, 2022), <https://www.ncsl.org/civil-and-criminal-justice/diversion-in-the-juvenile-justice-system> (accessed May 7, 2025).

The Supreme Court of Ohio Task Force on Juvenile Diversion

Hon. David A. Hejmanowski, Chair

Delaware County Court of Common Pleas, Probate & Juvenile Division

Senator Nathan H. Manning, Vice Chair

Ohio Senate, District 13

Chief Justice Sharon L. Kennedy

Supreme Court of Ohio

Special Agent Jonathan Lieber

Fraternal Order of Police, Lodge 177

Hon. Cindy Abrams

Ohio House of Representatives, District 29

Elizabeth Miller, Esq.

Ohio Public Defender

Brooke Burns, Esq.

Office of the Ohio Public Defender

Hon. Paul Pfeifer (Ret.)

Ohio Judicial Conference

Hon. Anthony Capizzi (Ret.)

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Juvenile Division*

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Probate & Juvenile Division*

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Wood County Prosecutor

Corey Shrieve

Ohio Department of Youth Services

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Juvenile Division*

Hon. James Shriver

*Clermont County Court of Common Pleas,
Probate & Juvenile Division*

Kim Kehl, M.Ed.

Ohio Department of Children & Youth

Hon. Bradley Smith

*Sandusky County Court of Common Pleas,
Probate & Juvenile Division*

Ken Kober

Fraternal Order of Police, Queen City Lodge 69

Hon. Terre Vandervoort

*Fairfield County Court of Common Pleas,
Probate & Juvenile Division*

Jeff Kretschmar, Ph.D.

Case Western Reserve University

Elizabeth Well, Esq.

Ohio Crime Victim Justice Center

Brett Kyker, Esq.

Cuyahoga County Prosecutor's Office

Supreme Court of Ohio Staff

Christopher Belmarez, Esq.

September Coyne, Esq.

Brian Farrington

Zach Holscher, Esq.

Stephanie Graubner Nelson, Esq.

Kyana Pierson, Esq.



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First Task Force meeting, June 12, 2024.

Introduction

In June 2024, Chief Justice Sharon L. Kennedy announced the formation of the Supreme Court of Ohio's Task Force on Juvenile Diversion. The Task Force was charged with ensuring courts have transparent and effective juvenile diversion programs that serve Ohio's youth, victims, and communities.

Task Force members included juvenile justice system stakeholders, judges, law enforcement officers, prosecutors, public defenders, legislators, law school professors, and juvenile justice experts. They were tasked with analyzing diversion statutes and rules, the interaction of those statutes and rules with the protections afforded to victims under Marsy's Law, and making recommendations, if any, for changes to local court practices, statutes, and court rules. The Task Force convened monthly between June 2024 and March 2025, except for November. Their discussions were informed by results from a survey distributed to local courts inquiring about diversion practices and procedures.

Representatives from Delaware, Fairfield, and Montgomery counties discussed their assessment/intervention centers and how the diversion intake process occurred in their court. The group also learned about the numerous diversion programs funded through grant dollars awarded by the Ohio Department of Youth Services. Members heard presentations about juvenile diversion reform in Pennsylvania and Davidson County (Nashville), Tennessee.

The Task Force also reviewed court procedures for Marsy's Law victim notification, opportunity to participate, and restitution within the context of juvenile diversion. The group examined sample letters courts send to victims notifying them of diversion eligibility, their right to be heard and participate, as well as instructions for seeking restitution.

Pre-Initial Appearance Diversion

The term "juvenile diversion" does not have one prescribed meaning. Rule 9 of the Ohio Rules of Juvenile Procedure, informally known as the 'diversion rule', calls for "formal court action" to be "avoided and other community resources utilized to ameliorate situations brought to the attention of the court."

The Task Force sought to establish a shared understanding of the definition for purposes of its work and consideration. Therefore, it created a working definition for "pre-initial appearance diversion," which is defined as "the redirection of youth to intervention services prior to an initial appearance before a judge or magistrate. This does not apply to any pre-trial or post-adjudication diversion." This specific period of a "juvenile case" is the basis for the group's discussions and the recommendations found in this report.

Summary of Recommendations

The Task Force approved the following recommendations designed to enhance pre-initial appearance diversion practices among local courts in Ohio. Pre-initial appearance diversion is the redirection of youth to intervention services *prior to an initial appearance before a judge or magistrate*. It does not apply to any pre-trial or post-adjudication diversion.

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|-------------------------|---|
| Recommendation 1 | Courts using pre-initial appearance diversion should adopt a local rule outlining their practices and procedures for using pre-initial appearance diversion. |
| Recommendation 2 | <p>Courts using pre-initial appearance diversion should develop written guidelines for eligibility and process.</p> <ul style="list-style-type: none">a. The guidelines should be created in consultation with local criminal justice partners such as law enforcement, prosecutors, public defenders/court-appointed counsel, victim advocates, youth and families with prior juvenile court involvement, behavioral health providers, and community organizations.b. The guidelines should include:<ul style="list-style-type: none">i. Criteria for when pre-initial appearance diversion is appropriate, including the referral process, eligibility criteria, use of evidence-based screening and assessment tools, and the process by which eligibility and assessment will be applied to each individual case.ii. Procedures for adhering to Marsy's Law, including the procedure for notifying the victim, the process by which the victim will have the opportunity to be heard, and the procedure for determining restitution. The local procedure should clarify which entity is making notifications to the victim at each stage of the pre-initial appearance diversion process.iii. Procedures for accessing and sealing pre-initial appearance diversion records. |
| Recommendation 3 | Courts should use data maintained on pre-initial appearance diversion to develop their guidelines. This data should be regularly reviewed and shared with the community partners. |
| Recommendation 4 | Courts should make pre-initial appearance diversion statistics publicly available (e.g., number and types of offenses that have been diverted) in the court's annual report or any other manner as provided by the court. |



August 19, 2024 Task Force meeting.

Recommendation 5

Courts should train staff on Marsy's Law compliance, including procedures for victim notification, handling objections from victims to diversion, and restitution.

Recommendation 6

The Supreme Court should adopt a rule pursuant to Sup.R. 5, requiring courts that engage in pre-initial appearance diversion to adopt a local rule, develop written guidelines as recommended above, and notify the Supreme Court if their diversion program has been terminated.

Recommendation 7

The Supreme Court, in conjunction with the Ohio Department of Youth Services and other appropriate juvenile justice stakeholders, should identify best practices regarding:

- a. Pre-initial appearance diversion interventions.
- b. Evidence-based diversion screening and assessment tools.
- c. Effective use of assessment centers and other diversionary tools.
- d. Data collection in pre-initial appearance diversion programs.



Recommendation 8

The Supreme Court should provide education and resources to courts on pre-initial appearance diversion best practices and Marsy's Law compliance including procedures for victim notification, handling objections from victims, and restitution.

Recommendation 9

The Ohio Department of Youth Services is encouraged to continue funding pre-initial appearance diversion programs and resource and assessment centers in local communities and providing technical assistance on these efforts to courts.

Recommendation 10

The Ohio General Assembly is encouraged to continue providing funding, through the Department of Youth Services, for resource and assessment centers and other pre-initial appearance diversion efforts for local communities.

Adolescent Brain Development & Juvenile Diversion

The juvenile justice system was established in the late 1800s, with the first juvenile court in the United States formed in 1899 in Illinois.¹ This marked a shift in the way young people were treated by the justice system; no longer viewed as miniature adults, but instead as having unique developmental needs and the capacity for behavior change. These new juvenile courts focused on rehabilitation instead of punitive sanctions. The Ohio legislature formally prescribed to this philosophy when it enacted R.C. 2152.01, which declares that the overriding purposes of juvenile delinquency are to care for and protect the mental and physical development of youth, to rehabilitate youth, and to hold youth accountable while protecting the public and restoring victims.

The recognition that young people need to be treated differently than adults has resulted in an extensive body of research on brain development during adolescence and early adulthood.² Studies show that the brain is not fully developed until the age of 25 or 26.³ Namely, the prefrontal cortex, the part of the brain that regulates self-control, risk-taking, and impulsivity, is the last part of the brain to fully mature.

Adolescents often make decisions without understanding the consequences of their actions, driven by their peers and other social influences. This type of behavior can cause a young person to become involved with the juvenile justice system. The National Research Council found that much adolescent involvement in delinquent activity is part of the normal developmental process of identity formation, and most adolescents will mature out of this behavior.⁴

This research supports the use of diversion in juvenile courts. Diversion is an informal alternative that redirects youth from involvement in the juvenile justice system. Youth are still held accountable for their behavior, but there is no formal legal sanction or confinement, both of which increase the risk of subsequent delinquent behavior.⁵ Diversion interventions are designed to reduce stigma, the risk of criminal socialization, and recidivism by providing role models, positive supports, and community service

1 Office of Juvenile Justice & Delinquency Prevention, *Historic Cases in Youth Justice*, <https://ojjdp.ojp.gov/research-statistics/about-crime-data-juvenile-justice-facts/reforms#0-0> (accessed Apr. 22, 2025) [https://perma.cc/Z5YH-T547].

2 National Research Council, *Reforming Juvenile Justice: A Developmental Approach*, (2013), <https://doi.org/10.17226/14685>.

3 *Id.*

4 *Id.*

5 https://justicepolicy.org/wp-content/uploads/2022/02/06-11_rep_dangersofdetention_jj.pdf

alternatives that a young person would not have otherwise received.⁶ Over 30 states have codified laws that provide for an alternative to formal court processing.⁷ In Ohio, this is found in R.C. 2151.35, authorizing a juvenile court to conduct its hearing in an “informal manner.”⁸ Additionally, Rule 9 of the Ohio Rules of Juvenile Procedure calls for formal court action to be avoided and other community resources used when appropriate.⁹

Similar to adolescent brain development, there is much research available supporting the benefits of diversion. A recent report released by The Sentencing Project showed diverted youth had equal or better outcomes on all 19 of the study’s indicators such as likelihood of re-arrest, likelihood of subsequent incarceration, and current school enrollment or employment.¹⁰ “Nationally, youth diversion programs are on average 10 percent more effective in reducing future contact with the criminal legal system compared to conventional prosecution.”¹¹ Statewide outcome data from the Ohio Department of Youth Services’ (ODYS) grant-funded diversion programs for State Fiscal Years 2022-2024 show that over 80% of youth successfully completed diversion and showed no recidivism after one year of its completion. In State Fiscal Year 2024, ODYS funded 67 programs serving approximately 11,000 youth.

ODYS Funded Diversion Programs ¹²	FY 2022	FY 2023	FY 2024
Successful completion	80.7%	84.4%	85.2%
No recidivism after 1 year	85.2%	84.2%	81.7%

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- 6 Office of Juvenile Justice & Delinquency Prevention, Literature Review, *Diversion from Formal Juvenile Court Processing Literature Review*, (2017) https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/media/document/diversion_programs.pdf (accessed Apr. 22, 2025) [<https://perma.cc/6DTX-GM8A>].
- 7 National Conference of State Legislatures, *Adolescent Brain Development & Youth Justice*, <https://www.ncsl.org/civil-and-criminal-justice/adolescent-brain-development-and-youth-justice> (accessed Apr. 22, 2025) [<https://perma.cc/4JTY-NWSW>].
- 8 R.C. 2151.35(A)(1)
- 9 Juv.R. 9(A)
- 10 The Sentencing Project, *Protect & Redirect: America’s Growing Movement to Divert Youth Out of the Justice System*, <https://www.sentencingproject.org/app/uploads/2024/03/Protect-and-Redirect-Americas-Growing-Movement-to-Divert-Youth-Out-of-the-Justice-System.pdf> (accessed Apr. 22, 2025) [<https://perma.cc/SZ4G-Q7XD>].
- 11 Sam McCann, Vera Institute, *Diversion Programs Are a Smart, Sustainable Investment in Public Safety*, <https://www.vera.org/news/diversion-programs-are-a-smart-sustainable-investment-in-public-safety> (accessed Apr. 22, 2025) [<https://perma.cc/JJ8P-LA5U>].
- 12 ODYS uses Subsidy grant and Competitive Reasoned & Equitable Community & Local Alternatives (RECLAIM) funds to support local juvenile court diversion programs, including pre-initial appearance diversion.

Pre-initial appearance diversion programs seek to target the root cause of delinquent behavior, like food and housing insecurity, joblessness, lack of educational resources, and unmet mental health needs. They recognize that addressing these unmet needs, behavior changes, and positive youth development is more effective when done in the young person's community, not in detention. For most young people, pre-initial appearance diversion is a more effective and developmentally appropriate approach to rehabilitation than formal court involvement.

Successful pre-initial appearance diversion programs should “engage families and the community, include restorative practices, address youth identified needs, center youth voice, and set youth up for success with achievable and realistic goals.”¹³ They should also offer restitution programs that provide an opportunity for the young person to perform community service and repair the harm done to the victim and the community.

In addition to the benefits realized by youth, pre-initial appearance diversion programs also offer significant cost savings when compared to detention. By diverting youth from formal court proceedings, diversion programs eliminate costs associated with court processing, including legal fees, judge time, and probation officer supervision. They also decrease the likelihood of future arrests and court appearances, leading to long-term cost savings related to detention and other justice system interventions. For example, a study of Michigan's Adolescent Diversion Project found a direct savings of \$5,000 per youth for those placed in diversion rather than on probation.¹⁴ The National Conference of State Legislatures approximates that it costs \$588.00 a day to detain a youth compared to \$75.00 per day for a youth to be diverted.¹⁵



13 National Center for State Courts, et al., *Implementation Labs Evaluation Quicksheet: Juvenile Diversion*, https://www.ncsc.org/_data/assets/pdf_file/0017/74510/Juvenile-Diversion-Quicksheet-Final.pdf (accessed Apr. 22, 2025) [<https://perma.cc/U7FA-D4BP>].

14 Office of Juvenile Justice and Delinquency Prevention, *Model Programs I-Guides: Research Guided Pre-Implementation Resources For Communities*, <https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/mpg-iguides/topics/diversion-programs/ProcureFunding.html> (accessed May 7, 2025) [<https://perma.cc/CPY6-BLSE>].

15 Danielle Rousseau, *Juvenile Diversion: Can these Programs be Improved?* (Feb. 28, 2023), <https://sites.bu.edu/daniellerousseau/2023/02/28/juvenile-diversion-can-these-programs-be-improved/> (accessed May 7, 2025) [<https://perma.cc/8TPA-MGXM>].



Marsy's Law

In 2017, Ohio voters approved a “Marsy’s Law” constitutional amendment guaranteeing rights to victims of criminal offenses and delinquent acts. A *delinquent act* is defined as a violation of any law of this state or the United States or any ordinance of the state’s political subdivision that would be an offense if committed by an adult that is not disposed of by the juvenile traffic violations bureau or is not a minor misdemeanor juvenile traffic offense.¹⁶ These rights are found in Article I, Section 10a of the Ohio Constitution and guarantee victims such protections as the right to be informed of their rights, be treated with fairness and respect for their safety, dignity, and privacy, and to receive information about the status of their case. Victims also have the right to full and timely restitution.

Marsy’s Law rights were codified in 2023 in Ohio Revised Code Chapter 2930, and outline procedures for juvenile justice entities to follow to ensure victims’ rights are protected from the time law enforcement makes its initial contact with the victim through the completion of the delinquent juvenile’s disposition.¹⁷ In the context of pre-initial appearance diversion, the court is required to provide notice to the victim if “pre-trial diversion” is granted or if a complaint is amended or dismissed when this occurs prior to the involvement of the prosecutor.¹⁸ Similarly, Rule 9 of the Ohio Rules of Juvenile Procedure requires the court to notify the prosecutor and victim of the offense if formal court action is avoided.

The Task Force’s examination of local courts’ pre-initial appearance diversion and Marsy’s Law processes highlighted that these processes were a product of local practice. How a case was referred for pre-initial appearance diversion and whether the prosecutor’s office was involved varied by county; therefore, the duty to notify victims did not fall squarely on one entity. The Task Force reviewed example victim notification letters and other materials submitted by local courts. This information, along with the local court survey results, informed the group’s recommendations for written procedures and increased training to ensure that court staff are knowledgeable about their responsibilities under Marsy’s Law.

16 R.C. 2930.01(O)

17 2022 Sub.H.B. No. 343 and 2023 Sub.S.B. No. 16

18 R.C. 2930.06(A)(2)

Survey to Judges on Pre-Initial Appearance Diversion

Juvenile court judges were surveyed about their court's pre-initial appearance diversion practices and policies for the Task Force members to gain a better understanding of how courts manage their programs. A final report of the survey results can be found in Appendix A.

A total of 90 of the 112 juvenile court judges, representing 78 counties, responded to the survey, equating to approximately an 80% response rate of judges and an 89% response rate of counties. An overwhelming majority of responding counties indicated that they use pre-initial appearance diversion. For those not using this type of diversion, multiple respondents answered that diversion may occur at the initial appearance.

The survey inquired about local court practices such as eligibility criteria, interventions used, written policies, and Marsy's Law compliance. The survey results indicate that courts are employing a generally similar approach to pre-initial appearance diversion. In some counties, the prosecutor's office decides to divert based on its defined criteria. In most, the court is the decision-maker, and many courts use a matrix or other screening tool to see if pre-initial appearance is appropriate. The Ohio Youth Assessment System (OYAS) Diversion Tool is commonly used.

Below is a summary of the responses.

- 74% never use pre-initial appearance diversion for felony offenses of violence.
- 93% always or frequently use pre-initial appearance diversion for status offenses.
- 96% use screening, assessment, and counseling interventions.
- 79% of those with written guidelines were developed in collaboration with juvenile justice partners.
- 64% have a different person administering diversion than the person making the decision to divert.
- 84% track pre-initial appearance diversion outcomes.

When asked who decides to divert a youth prior to filing a complaint, responses included court personnel, judicial officers, the prosecutor's office, law enforcement, and the school.



Diversion Decision Maker	Number	Percent
Court personnel	40	59.7%
Judicial officer	13	19.4%
Other	20	29.9%
Court does not divert prior to initial appearance	19	28.4%

Note: Percentages will not sum to 100% because responders could select multiple items.

Survey Respondent Comments

Our Assessment and Referral Center has assessment specialists who can decide on diversion, as well as schools, law enforcement, and parents. Parents or guardians may file unruly requests and/or seek services before their children or wards end up with official charges or engage in more severe delinquent conduct.

All cases filter through the prosecutor's office, so they determine what cases process pre-initial appearance diversion and what cases move formally to court.

Court personnel meet daily to triage newly filed cases. The judge reviews all diversion decisions at least quarterly to make certain that all offenses referred to diversion were compliant with policy.

We utilize a matrix and if there are questions, a team from family services and probation services make the decision – we include our matrix when we send info.

The survey also asked who decides to divert upon receipt of the complaint during the court's intake process. Responses were similar to the question above.

Diversion Decision-Maker	Number	Percent
Court personnel	47	70.1%
Judicial officer	24	35.8%
Other	20	29.9%
Court does not divert prior to initial appearance	10	14.9%

Note: Percentages will not sum to 100% because responders could select multiple items.

Survey Respondent Comments
Chief Probation Officer typically handles this based upon informal pre-approved categories of eligible offenses.
The prosecutor's office and Director of Court Services work together to determine eligibility.
We use set criteria developed by the Court, and the referral occurs as a matter of course.
Typically, it's the judicial officer, but our probation officers have input.
Chief Probation Officer in conjunction with the prosecutor's office recommendation.

The survey inquired about other information, including innovative programming, that the respondent wanted to share with the Task Force. Below is a sample of the responses.

- Diversion is a valuable tool for keeping low-risk and younger children out of the court system.
- Our diversion programs have several different components, including community courts, school-based diversion, Youth Court, and more traditional diversion where the youth appear and work with court staff to get referrals for services they must complete in order to get the legal benefit of the program.
- We have found that getting the parents engaged early on and providing referrals to community resources so that the family can get the support they need as soon as possible is key to avoiding unnecessary court involvement.
- We rely on our Family Resource Center to work with local schools to address truancy and behavioral concerns before they become actionable or reportable offenses. We have recently implemented community service programming to help avoid anti-social behaviors which might lead to diversion or court involvement. We also work with a local foundation to provide equestrian therapy before or after youth involvement with the court.

Findings & Recommendations

Recommendation 1

Courts using pre-initial appearance diversion should adopt a local rule outlining their practices and procedures for using pre-initial appearance diversion.

Local court rules are designed to complement the Rules of Practice & Procedure in Ohio Courts. They outline specific procedures and instructions for those practicing in the jurisdiction or before the court. Local rules also apply to special proceedings, programs, and services offered by the court. They provide guidance and efficiency for court proceedings, ensuring consistency and fairness in the administration of justice.

Courts using pre-initial appearance diversion should adopt a local rule outlining the procedures for using pre-initial appearance diversion. A local rule informs the public and other justice partners about how the court is using pre-initial appearance diversion and provides transparent assurance to the public that the program procedures are being followed.

Recommendation 2

Courts using pre-initial appearance diversion should develop written guidelines for eligibility and process.

- a. *The guidelines should be created in consultation with local criminal justice partners such as law enforcement, prosecutors, public defenders/court-appointed counsel, victim advocates, youth and families with prior juvenile court involvement, behavioral health providers, and community organizations.*
- b. *The guidelines should include:*
 - i. *Criteria for when pre-initial appearance diversion is appropriate, including the referral process, eligibility criteria, use of evidence-based screening and assessment tools, and the process by which eligibility and assessment will be applied to each individual case.*
 - ii. *Procedures for adhering to Marsy's Law, including the procedure for notifying the victim, the process by which the victim will have the opportunity to be heard, and the procedure for determining restitution. The local procedure should clarify which entity is making notifications to the victim at each stage of the pre-initial diversion process.*
 - iii. *Procedures for accessing and sealing pre-initial appearance diversion records.*

The Task Force recommends that courts develop written guidelines outlining the procedures for pre-initial appearance diversion. Written guidelines aim to increase adherence to court procedures and promote fairness and transparency on how pre-initial appearance diversion interventions are utilized.

Results from the Task Force’s survey to juvenile courts indicate that 49% of respondents have written criteria for pre-initial appearance diversion practices.¹⁹ Moreover, approximately 35% of the judges reported having written procedures for notifying victims and their opportunity to participate when a young person is diverted prior to an initial appearance.²⁰ Written guidelines help ensure pre-initial appearance diversion eligibility criteria are consistently followed, proper screening tools are used to identify necessary interventions, Marsy’s Law requirements are being followed, and records are properly sealed.

A court’s pre-initial appearance diversion guidelines should be created in consultation with local juvenile justice partners. There are many stakeholders involved in the process – law enforcement, prosecutor’s office, and defense counsel, to name a few. To best perform their duties, these partners need to be informed about how the court’s process works. These partners play a key role in the process. Where practicable, stakeholders would have the opportunity to provide feedback on the court’s guidelines; however, at a minimum, they should be made aware.

Courts should also strive to seek the input of youth and families with experience in their juvenile justice system. These perspectives are invaluable as their insights help to ensure that the procedures are effective. Involving people with lived experience can build trust and strengthen relationships between the court, justice system partners, and community providers.

Recommendation 3

Courts should use data maintained on pre-initial appearance diversion to develop their guidelines. This data should be regularly reviewed and shared with the community partners.

Data collection is a key component of any program evaluation. Efforts to collect and analyze juvenile diversion data have collectively increased in recent years. States such as Florida, Georgia, Iowa, and Kansas have gone so far as to create data dashboards to track their juvenile diversion results.²¹

Data is essential for courts to make *objective* and *informed* decisions about how pre-initial appearance diversion is used in their county. Data allows courts to evaluate the effectiveness of their practices to determine whether young people are completing their interventions and their rate of recidivism following diversion. It identifies gaps in services,

19 Survey of Judges on Pre-Initial Appearance Diversion: Final Report, Page 7

20 Survey of Judges on Pre-Initial Appearance Diversion: Final Report, Page 18

21 The Sentencing Project, *Protect and Redirect: America’s Growing Movement to Divert Youth Out of the Justice System – The Sentencing Project*, <https://www.sentencingproject.org/reports/protect-and-redirect-americas-growing-movement-to-divert-youth-out-of-the-justice-system/> (accessed Apr. 22, 2025) [https://perma.cc/ZM7E-CUR8].

potential barriers to success, and areas in need of improvement. Data should also be examined to ensure that practices do not have unintended consequences and result in “net-widening” to youth who do not need to become justice-involved.²²

As courts create their written guidelines, data should inform the structure of the program, eligibility criteria, and interventions offered. Roughly 84% of the survey respondents reported that they track outcomes for their participants. Several courts collected data as a requirement of their RECLAIM Grant funding awarded by ODYS. Outcome data that is collected varies, but typically, courts track whether a young person successfully completes diversion. Some courts reported that they track recidivism data – whether a new delinquency offense was committed – within the 12 months following completion of pre-initial appearance diversion.

Data can be collected from the court’s case management system, screening or assessment instruments, and partner agencies such as law enforcement, schools, and the prosecutor’s office.²³ Courts with existing pre-initial appearance diversion practices should examine their data as they review and update their written procedures. Periodic reviews of this data are also encouraged so that courts can evaluate and improve their practices.

Data should be shared with juvenile justice system partners to review and examine the court’s pre-initial appearance data. This allows stakeholders and community providers to celebrate successes, identify opportunities where pre-initial appearance can be expanded, and brainstorm solutions for areas in need of improvement.

Recommendation 4

Courts should make pre-initial appearance diversion statistics publicly available (e.g., number and types of offenses that have been diverted) in the court’s annual report or any other manner as provided by the court.

Juvenile courts are required by R.C. 2151.18 to prepare an annual report containing the number and types of cases and dispositions of those cases and “any other data pertaining to the work of the court that the juvenile judge directs.” The Task Force recommends that courts publish pre-initial appearance diversion statistics in their annual report. For example, Fairfield County Court of Common Pleas, Probate & Juvenile Division’s annual report contains current and historical diversion data on the number of youth referred to diversion, successful and unsuccessful completion, and level of offense.²⁴

²² *Id.*

²³ Courts can consult the National Center for State Courts’ *Implementation Labs Evaluation Quicksheet: Juvenile Diversion* for a resource on evaluating their pre-initial appearance diversion practices. [Juvenile-Diversion-Quicksheet-Final.pdf](#)

²⁴ Fairfield County Court of Common Pleas, Probate & Juvenile Division, *2023 Annual Report*, <https://www.fairfieldcountyprobate.com/pdf/2023-Annual-Report.pdf> (accessed Apr. 22, 2025) [].

Coshocton County Court of Common Pleas, Probate & Juvenile Division includes demographic information for its diverted youth and a breakdown of whether diversion was successful or unsuccessful in its annual report.²⁵ Courts may also report pre-initial appearance diversion statistics in other ways, such as sharing information on their websites, in community forums, or local newspaper articles.

Recommendation 5

Courts should train staff on Marsy's Law compliance, including procedures for victim notification, handling objections from victims to diversion, and restitution.

The Task Force's survey of juvenile court judges inquired about Marsy's Law. Judges were asked to describe the court's process for notifying victims when a young person is diverted prior to an initial court appearance. Several courts send letters to victims notifying them that a young person is eligible for diversion. Other courts make phone calls or send emails to victims. The survey found that victims are given the opportunity to respond and are informed of their right to restitution. Notification often occurs immediately upon receipt of the case referral for diversion, and 84% of the survey respondents allow victims to object or otherwise provide input concerning the decision to divert a youth.



As courts develop their written guidelines for pre-initial appearance diversion and memorialize their Marsy's Law procedures, courts should train their staff on their processes for victim notification, participation, objections, and restitution. The Supreme Court has educational resources available to juvenile courts, such as the online course "Marsy's Law Implementation for Juvenile Courts" and the publication *Understanding Marsy's Law: Judicial Guide to Protecting the Rights of Crime Victims*, which can be used to assist with the training.

²⁵ Coshocton County Court of Common Pleas Probate & Juvenile Division, Annual Report 2023, <https://www.coshoctoncounty.net/probate/wp-content/uploads/sites/18/2024/04/2023-Annual-Court-Report.pdf> (accessed Apr. 22, 2025) [<https://perma.cc/4336-ABYP>].

Recommendation 6

The Supreme Court should adopt a rule pursuant to Sup.R. 5, requiring courts that engage in pre-initial appearance diversion to adopt a local rule, develop written guidelines as recommended above, and notify the Supreme Court if their diversion program has been terminated.

Rule 5 of the Rules of Superintendence for the Courts of Ohio outlines the authority for courts to adopt local rules of practice that promote the expeditious disposition of cases.²⁶ The Task Force recommends that the Supreme Court adopt an amendment to Sup.R. 5 that requires courts using pre-initial appearance diversion to adopt a local rule and develop written guidelines as outlined in Recommendation 2. The rule should also include a provision that courts notify the Supreme Court if they terminate their program.

The Advisory Committee on Children & Families should draft the proposed rule amendment. One of the charges of the Advisory Committee's Subcommittee on Juvenile Justice is to improve the standards, practices, and effectiveness of courts handling juvenile delinquency cases. This multi-disciplinary group is well-positioned to develop this rule amendment on behalf of the Advisory Committee and to shepherd it through the rule amendment process.

Recommendation 7

The Supreme Court, in conjunction with the Ohio Department of Youth Services and other appropriate juvenile justice stakeholders, should identify best practices regarding:

- a. Pre-initial appearance diversion interventions.*
- b. Evidence-based diversion screening and assessment tools.*
- c. Effective use of assessment centers and other diversionary tools.*
- d. Data collection in pre-initial appearance diversion programs.*

The Task Force recommends that the Supreme Court partner with ODYS and other appropriate juvenile justice stakeholders to identify best practices for courts using pre-initial appearance diversion. As mentioned above, the Subcommittee on Juvenile Justice to the Advisory Committee on Children & Families, is a multi-disciplinary stakeholder group focused on improving the juvenile justice system. Since its creation in 2015, the Subcommittee has worked to develop educational resources and training, provide support for judges and other juvenile justice professionals, and advance juvenile justice system reform through policy and procedure recommendations.

²⁶ Sup.R. 5(A)(1)

The Subcommittee can leverage its existing relationship with ODYS and other system partners to identify and share best practices around various types of interventions that may be appropriate for pre-initial appearance diversion. Additionally, they can pinpoint evidence-based screening and assessment tools that court intake or diversion staff can use for determining risk, identifying appropriate services, and assessing what referrals are necessary for justice-involved young people.

The Task Force recommends that best practices for using assessment centers and other diversion interventions be identified. Currently, there are 17 assessment resource centers in Ohio, with five more centers in development. These centers function as a barrier to formal system involvement and seek to “address the holistic needs of youth and families, reduce reliance on secure detention, and prevent future or further justice or child welfare involvement.”²⁷ (*See page 19 for Ohio Resource-Assessment Center Map.*)

Assessment resource centers typically offer intake services to help determine appropriate services and interventions for the young person. Many centers offer life skills programming, pro-social activities, mediation, and mentoring. The Marion County Family Resource Center offers programs such as Boy’s Council, Girls Circle, and Parent Project. It also provides crisis intervention services and linkage to community service providers. In State Fiscal Year 2023, over 5,800 young people were served in ODYS-funded assessment resource centers.²⁸ ODYS reports over 80% success rates, collectively, in both successful completions and outcomes achieved.²⁹

The Subcommittee and ODYS can capitalize on the successes of the existing assessment resource centers and work to expand their utilization and data collection practices that demonstrate their effectiveness.

Recommendation 8

The Supreme Court should provide education and resources to courts on pre-initial appearance diversion best practices and Marsy’s Law compliance, including procedures for victim notification, handling objections from victims, and restitution.

The Task Force recommends education and resources on pre-initial appearance diversion best practices and Marsy’s Law requirements, with particular emphasis on victim notification, victim objections, and restitution. The Supreme Court’s Judicial College provides educational offerings for judicial officers and court personnel. The Judicial College also collaborates with the Ohio Association of Juvenile Court Judges and the Ohio Association of Magistrates to develop education for their biannual conferences.

27 Ohio Department of Youth Services, *2024 Ohio Assessment Center Highlights*

28 Ohio Department of Youth Services Presentation to the Task Force, September 23, 2024

29 Courts differ in how they measure outcomes achieved.

Ohio Resource-Assessment Center Map



● Current Counties with Resource-Assessment Centers (17)

● Onboarding Resource-Assessment Centers (5)

The Judicial College should conduct training on pre-initial appearance diversion and Marsy's Law for judicial officers and other appropriate juvenile court staff, such as diversion officers, probation officers, clerks, and court administrators.

The Supreme Court, through the Subcommittee on Juvenile Justice to the Advisory Committee on Children & Families, should review its existing publications and make necessary changes based upon the Task Force's recommendations for both pre-initial appearance diversion and Marsy's Law.

Recommendation 9

The Ohio Department of Youth Services (ODYS) is encouraged to continue funding pre-initial appearance diversion programs and resource and assessment centers in local communities and providing technical assistance on these efforts to courts.

The Ohio Department of Youth Services is encouraged to continue funding and providing technical assistance for pre-initial appearance diversion programs and resource and assessment centers. The establishment of new community resource and assessment centers across Ohio represents a significant fiscal strategy initiated by ODYS, with over \$4.5 million in Competitive RECLAIM funding strategically allocated to local juvenile courts for their development. RECLAIM is a funding initiative aimed at encouraging local courts to develop community-based programs and initiatives that divert youth from ODYS facilities.³⁰

This investment in community-based service locations has yielded a streamlined single point of contact, demonstrably aimed at preventing deeper system involvement for youth and their families. Following the initial development phase, the financial support for these vital centers often transitions to the standard RECLAIM Subsidy Grant funding mechanism. This broader funding stream, which supports over 700 programs statewide and addresses over 80,000 program admissions annually across Ohio's 88 counties, leverages the infrastructure of these local resource and assessment centers.

By housing a diverse array of cost-effective interventions, including pre-initial appearance diversion, counseling, and restorative practices, these centers offer a fiscally responsible approach to addressing juvenile justice needs within community settings. Therefore, the sustained funding of these community resource and assessment centers is critical.

The initial investment through Competitive RECLAIM, coupled with the ongoing support of standard RECLAIM Subsidy Grants, enables the continued operation of a cost-effective, community-based network. This network provides essential services that aim to reduce more expensive system involvement, ultimately representing a prudent and impactful allocation of resources within Ohio's juvenile justice system.

30 Ohio Department of Youth Services, RECLAIM, <https://dys.ohio.gov/courts-and-community/reclaim> (accessed April 24, 2025).

ODYS awarded \$4.8 million to local juvenile courts for State Fiscal Year 2025 (SFY 25) for resource and assessment center initiatives using a combination of RECLAIM Subsidy grant, Competitive RECLAIM, and Year End Evidence Based Funding.

SFY 25 ODYS Funded Resource & Assessment Centers	
Allen	ACCESS Center
Ashtabula	Family Resource Center
Auglaize	NextGen Resource Center
Champaign	Community Resource Center
Clermont	Community Resource Center
Clinton	Resource Center
Coshocton	Community Resource Center
Cuyahoga	Community Based Intervention Center
Delaware	Assessment Center
Fairfield	Resource Center
Greene	Assessment Center
Hamilton	Assessment Center
Jackson	S.O.R.T.
Licking	Assessment & Resource Center
Logan	The Reach Community Resource Center
Lorain	Assessment Center
Marion	Family Resource Center
Ottawa	Juvenile Assessment Center
Paulding	Juvenile Court Resource Center
Shelby	The Link

Recommendation 10

The Ohio General Assembly is encouraged to continue providing funding, through the Department of Youth Services (ODYS), for resource and assessment centers and other pre-initial appearance diversion efforts for local communities.

The Task Force encourages the Ohio General Assembly to continue allocating funding to ODYS for the continuation and expansion of resource and assessment centers and pre-initial appearance diversion efforts. As evidenced above, these programs and centers have had significant, measurable successes to allow youth to avoid formal court involvement by being diverted to community-based initiatives.

Conclusion

Much research is available on the benefits of diverting young people from formal court involvement, not only for the young person being diverted but for the community as a whole. The data demonstrate that diversion increases the likelihood of future academic success, keeps the young person connected to the community, and decreases future justice system involvement. Because the teenage brain is still evolving, adolescents are especially susceptible to risk-taking behavior, reward sensitivity, and the need for peer acceptance.

The adolescent brain's susceptibility to behavior change also uniquely positions juvenile courts at the pre-initial appearance stage to make the biggest impact. For many, this stage occurs at a delicate cross-section of adolescence and adulthood. The decision whether to divert could have lasting impacts that persist far beyond the jurisdiction of Ohio's juvenile courts. We know this because the data shows that young people who are formally involved with the juvenile justice system and those who spend time in detention are far more likely to engage in further delinquent or criminal behavior and enter young adulthood at a distinct disadvantage.

The Task Force examined local court practices and determined that most juvenile courts in Ohio are already using pre-initial appearance diversion, and based on the statewide data from ODYS, are realizing successful outcomes. The Task Force made several recommendations aimed at providing uniformity and additional transparency in how juvenile courts administer pre-initial appearance diversion, with a particular emphasis on complying with victim rights protections found in Marsy's Law statutes. The recommendations also seek to build upon successful practices by encouraging the expansion of resource and assessment centers statewide through continued support by the ODYS and the Ohio General Assembly.

The Task Force applauds the work juvenile courts are doing to redirect young people away from traditional formal processing and provide them with opportunities to correct their behaviors with the help of their families and their community, rather than through the juvenile justice system.



Appendix: Final Report on Survey to Judges on Pre-Initial Appearance Diversion

The Supreme Court of Ohio’s Task Force on Juvenile Diversion developed a survey of Ohio’s juvenile court judges to gain a better understanding of how pre-initial appearance diversion is managed across the state. Contained in this report are analyses of the survey results.

On September 17, 2024, a link to the survey (using Survey Monkey) was sent via email to all 112 juvenile court judges. A reminder message was sent via email on September 24, 2024, to all judges who had not yet responded to the survey. Additional reminders were sent via email on October 3, 2024. At the Task Force’s meeting on October 23, 2024, the overall status of the responses to the survey was reviewed by the Task Force and staff were directed to close the survey and prepare a report on the results. A copy of the online survey instrument can be found in Appendix A.

A total of 90 of the 112 juvenile court judges responded to the survey, producing an overall response rate of 80.4%. Those 90 judges represented 78 counties, producing a county-level response rate of 88.6%. *See Table 1.*

Table 1. Response Rates

Status	Judges		Counties	
	Number	% of Total	Number	% of Total
Responded	90	80.4%	78	88.6%
Did Not Respond	22	19.6%	10	11.4%
Total	112	100.0%	88	100.0%

Question 1: Does your court use pre-initial appearance diversion?

Question 1 asked judges whether their court uses pre-initial appearance diversion, which was defined in an introductory paragraph in the survey as “the redirection of a youth to intervention services prior to an initial appearance before a judge or magistrate. This does not apply to any pre-trial or post-adjudication diversion.” Of the 78 counties whose judges responded to the survey, a total of 66 counties (84.6%) were identified as using pre-initial appearance diversion. *See Table 2.*

Table 2. Use of Pre-Initial Appearance Diversion

Response	Counties	% of Total
Yes	66	84.6%
No	12	15.4%
Total	78	100.0%

Question 2: Why does your court not use pre-initial appearance diversion?

Judges who answered Question 1 by indicating that their court does not use pre-initial appearance diversion were asked in Question 2 to explain why their court does not use it. The judges in 11 counties provided the responses shown in Table 3. Those judges were then directed to Question 24, the final survey question asking for general feedback on juvenile diversion. Responses to Question 24 are detailed later in this report. Judges answering yes to Question 1 were directed to Question 3.

Table 3. Explanation of Why Pre-Initial Appearance Diversion is Not Used

ID	Response
1	All complaints/reports go thru the prosecutor's office. The prosecutor files charges. The Court only has access to review cases for potential diversion at the initial hearing.
2	Although it is best practices, by having the charge filed we can notify prosecutor and any victim the matter was sent to diversion and they may object, if successful sealed and expunged
3	Never determined to be needed
4	The Court hears all cases filed by the prosecutor. In limited circumstances the Juvenile will be placed on community control sanctions for a brief period and if they successfully complete, the charge is dismissed.
5	The minor cases are informally pared down by the prosecutor's office and the charging agency. If formal charges are filed, a court appearance is expected.
6	The pre-initial appearance diversion has never been established in our rural and small-staffed county
7	The prosecutor's office would need to cooperate, and we've never had an effective prosecutor's office.
8	we are a small county and I believe that other than school truancy case which are diverted that the judge or magistrate should decide upon hearing the case if it should be diverted rather than doing it on day of filing.
9	we do it at initial appearance
10	We do not have the staffing to perform.
11	When they come in for an initial, we offer diversion programs then such as Drug Court; working with them on school attendance; etc.

Question 3: For each of the following types of cases, how frequently does your court consider pre-initial appearance diversion? As used in this question, “offense of violence” is defined in R.C. 2901.01.

Question 3 sought information on the frequency with which different types of cases were subject to potential pre-initial appearance diversion. A total of 73 judges responded to this question. *See Table 4.*

Table 4. Frequency of Use of Pre-Initial Appearance Diversion by Case Type

Case Type	N	NUMBER OF JUDGES				
		Always	Often	Sometimes	Rarely	Never
Delinquency (felony offense of violence)	72	0	1	5	13	53
Delinquency (non-violent felony)	72	4	2	15	20	31
Delinquency (misdemeanor offense of violence)	73	6	10	17	18	22
Delinquency (non-violent misdemeanor)	73	27	31	11	2	2
Traffic	73	2	15	13	8	35
Status offense (e.g., curfew, tobacco, truancy)	73	42	26	4	0	1

Case Type	N	PERCENT OF JUDGES				
		Always	Often	Sometimes	Rarely	Never
Delinquency (felony offense of violence)	72	0.0%	1.4%	6.9%	18.1%	73.6%
Delinquency (non-violent felony)	72	5.6%	2.8%	20.8%	27.8%	43.1%
Delinquency (misdemeanor offense of violence)	73	8.2%	13.7%	23.3%	24.7%	30.1%
Delinquency (non-violent misdemeanor)	73	37.0%	42.5%	15.1%	2.7%	2.7%
Traffic	73	2.7%	20.5%	17.8%	11.0%	47.9%
Status offense (e.g., curfew, tobacco, truancy)	73	57.5%	35.6%	5.5%	0.0%	1.4%

Question 4: Does your court employ criteria that would render a youth ineligible for pre-initial appearance diversion (e.g., age or offense type or level)?

Question 4 asked responders if their court employs criteria rendering a youth ineligible for pre-initial appearance diversion. Of the 73 judges who responded to this question, a total of 67 (91.8%) answered yes. *See Table 5.*

Table 5. Employment of Criteria Rendering a Youth Ineligible for Pre-Initial Appearance Diversion

Response	Responders	% of Total
Yes	67	91.8%
No	6	8.2%
Total	73	100.0%

Question 4 also asked responders: “If yes, please describe the criteria, including where they are used as guidance allowing for judicial discretion.” A total of 62 judges provided descriptions of their criteria (the full text of which can be found in Appendix B.) The judges’ responses indicate a structured yet varied approach to diversion eligibility, with a strong emphasis on protecting community safety, addressing severe offenses formally, and limiting diversion opportunities for repeat offenders. A summary of their responses is shown below:

1. Type and Severity of Offense
 - Felony Offenses: Almost all judges exclude felony charges from diversion, especially violent felonies.
 - Violent Crimes: Offenses involving violence, such as assault or domestic violence, are often ineligible.
 - Sex Offenses: Many judges specifically exclude cases involving sexual offenses.
 - Weapon Involvement: Crimes involving firearms or other weapons frequently disqualify youth from diversion.
2. Repeat Offenses and Prior Court Involvement
 - Prior Diversion or Court History: Youth who have previously participated in diversion or have a prior record with the court are generally ineligible.
 - Multiple Offenses: Repeat offenders are less likely to be diverted, particularly if they have had prior unsuccessful diversions.
3. Specific Categories of Offenses
 - Traffic Offenses: Some judges exclude traffic offenses, including OVI and drug-related traffic violations.
 - Substantial Restitution: Cases requiring significant restitution, commonly above \$500, are typically directed to formal processing.
4. Victim and Community Safety Considerations
 - Harm to Victims: Offenses resulting in physical harm or where victims are involved may disqualify a case from diversion.
 - Community Safety: Youth who pose a community safety risk, including those involved in severe substance abuse or with a history of school threats, are often processed formally.
5. Additional Criteria
 - Age of the Offender: Some judges consider the youth’s age, with certain age thresholds applied for specific offenses.
 - Parental Supervision: Lack of adequate parental or custodial supervision is occasionally cited as a reason for ineligibility.
 - Jurisdictional Factors: Residency requirements may affect eligibility, with some judges only allowing diversion for local residents.

Question 5: What types of pre-initial appearance diversion interventions are used in your court? Select all that apply.

Question 5 asked the judges to identify the types of diversion interventions they use. Responders were permitted to select from a list of six types of interventions, with an option to specify other types of interventions. A total of 73 judges responded to this question. The most frequently cited intervention, used by 70 of the 73 responders (95.9%), was “screening, assessment, and counseling.” *See Table 6.*

Table 6. Use of Different Types of Diversion Interventions

Intervention	Responders	% of Responders
Screening, assessment, and counseling	70	95.9%
Community-based programs	65	89.0%
Apology letter	60	82.2%
Community service	59	80.8%
Restitution	55	75.3%
Restorative justice interventions	42	57.5%
Other (please specify)	18	24.7%

The 18 judges selecting “Other” provided descriptions of those other types of interventions. *See Table 7.*

Table 7. Other Intervention Types

ID	Other Intervention Types
1	3rd millennium classes, first time offender group, Stop Shoplifting group, Repeat Offender group
2	Driving class sponsored by Court and police/sheriff’s offices
3	drug screening
4	Life skills program uniquely developed by Morrow County Probation Dept
5	Mental health case management, CPSU alternative response with services, functional family therapy, MRSS (emergency response from mental health agency), wrap around services
6	Offender specific programs.
7	on-line courses
8	Online education programs
9	Pro-social activities; virtual lab
10	Referral to community resources. Referral and connections to mental health and substance abuse providers. Referrals to alternative education programs.
11	services relevant to the act the juvenile committed and/or based on information from initial screenings.
12	Supervision, drug testing/counseling, mental health testing/counseling.
13	Tour of Detention Center

14	Truancy intervention by Truancy Intervention Specialists working directly with and in site specific schools.
15	Truancy TEMP program-incentive based behavior modification program
16	Various court program services
17	We have a diversion officer who uses his discretion, but typically it is weekly reporting, court costs, and a period of good behavior.
18	We utilize the above checked as part of our Diversionary Resource Center. (SORT)

Question 6: Outside of funding provided by the Ohio Department of Youth Services, please identify additional funding sources for your court's pre-initial appearance diversion practices.

Question 6 asked for information concerning the source of funding used by courts to operate their pre-initial appearance diversion practices outside of funding provided by the Ohio Department of Youth Services. A total of 38 judges responded to this question. See Table 8.

Table 8. Funding Sources Outside of the Ohio Department of Youth Services

ID	Funding Sources
1	ADAMHS funding for treatment services, family and children services funding for wrap coordinator, IV E court funds
2	All of Fairfield Counties Diversion Services are funded through monies received from the Ohio Department of Youth Services
3	Board of Mental Health and Addiction Services
4	Budgetary line item
5	contracted community partner services and court funds for educational support, credit recovery, counseling services, parenting education, driver intervention assistance, etc.
6	County
7	County budget for diversion officer salary.
8	County Commissioners' General Budget.
9	County General Fund
10	County General Fund
11	county general fund
12	County general fund and special project funds from court costs.
13	County general fund dollars.
14	County general fund. Diversion fees.
15	County General Funds and Court Special Funds
16	Cuyahoga County
17	DYS and court funded.
18	Funds through the Summit County Department for Job and Family Services (TANF)
19	General Fund

ID	Funding Sources
20	General fund
21	General Funding.
22	General funds from the County budget.
23	I am unaware of any non-DYS funding besides our general fund budget. It is quite possible that we do receive and use various community-based grants, but I do not have that information off-hand.
24	JDAI grant fund, Ohio RISE (MSY funds), FCFC, court resources
25	Local General Fund
26	local government, DYS Grant for truancy diversion
27	Local resources
28	Most of our programs are funded by the general fund awarded our county commissioners. We receive limited funds from DYS for diversion programs.
29	ODJFS and private funding
30	Our general budget
31	Our Job and Family Services - as preventative services through an MOU
32	Special Project fees
33	TANF County General Fund
34	TANF through ODJFS
35	The county's general fund
36	The diversion programming is also financed by the county's general fund.
37	Traffic related grant funding
38	We do everything through Reclaim

Question 7: Is there written criteria for your pre-initial appearance diversion practices? If yes, please send a copy of the criteria to juvenilediversion@sc.ohio.gov.

A total of 73 judges responded to Question 7, which asked if they have written criteria for their pre-initial appearance diversion practices. A total of 37 judges (50.7%) indicated that they do have written criteria. *See Table 9.* Responders were asked to email a copy of their written criteria to Supreme Court staff. Eleven judges provided their written criteria, which have been compiled in the separate *Supplemental Materials* document.

Table 9. Written Criteria

Response	Responders	% of Total
Yes	37	50.7%
No	36	49.3%
Total	73	100.0%

Question 8: Was your court's written criteria for your pre-initial appearance diversion practices developed in collaboration with law enforcement, the prosecutor's office, the public defender, or victim advocates?

Responders answering yes to Question 7—indicating that they have written criteria—were directed to Question 8, asking them whether the written criteria were developed in collaboration with law enforcement, the prosecutor's office, the public defender, or victim advocates. A total of 29 of the 37 judges who indicated in Question 7 that they have written criteria (78.4%) said that they did indeed develop their written criteria in collaboration with third party justice partners. *See Table 10.*

Table 10. Development of Written Criteria with Third Parties

Response	Responders	% of Total
Yes	29	78.4%
No	8	21.6%
Total	37	100.0%

Question 8 further asked the responders to describe how their written criteria were developed. A total of 25 of the 29 responders provided a description. Their responses are shown in Table 11.

Table 11. Description of Development of Written Criteria with Third Parties

ID	Written Criteria Development
1	A conjoined meeting was held amongst officials to come to a fair and reasonable agreement on the terms and conditions of the contract.
2	All programs are created with a multidisciplinary approach. We usually start with an initial meeting and go from there. Our multidisciplinary team always includes law enforcement, prosecution, public defender, CPSU, ADAMHS, FCFC, school system and sometimes medical (hospital)
3	collaboration from Prosecutor, Victim witness, magistrates, Judges , Law enforcement, Court staff
4	Developed internally, but with feedback from the prosecutor's office.
5	Diversion Programming was discussed in monthly JDAI meetings with relevant parties, including the prosecutor's office, public defender's office, and law enforcement.
6	held stakeholders meeting
7	In 1998 a group of stakeholders was assembled and participated in the On Task initiative through ODYS and developed the delinquency diversion program as a result of that initiative.
8	law enforcement and prosecutor's office
9	Meetings w/ judges, magistrates, intake magistrate, probation officers, prosecutor (chief and assistant prosecutors), ODYS, another county that had a formal Assessment and Diversion Center.
10	Ongoing review of policies, procedures and practices with administrative team, judicial officers and juvenile focused Asst. Prosecutors.

ID Written Criteria Development

11	Our Court has historically worked with the Prosecutor's office to develop criteria to identify youth to diversion. In addition, through our JDAI Executive team we have collaborated with other system partners when developing criteria and routinely review same if and when any concerns come up. We also have worked directly to assuage defenders concerns about youth's rights when diverted.
12	Our initial criteria was developed by a subcommittee of our JDAI work group; it has been modified by the Court thereafter with less formal conversations with the prosecutor and law enforcement.
13	Over many years with adjustments along the way. Considering JDAI core practice and use of OYAS
14	Prosecutor's office
15	Prosecutor's Office
16	Quarterly meetings have been taking place since the initial meeting where criteria was developed to determine which cases are appropriate for Diversion. A Detention Screening Instrument was also created to exclude youth charged with certain delinquency offenses from being detained and processed through our detention center. In addition to the individuals noted above, a representative from Violence Free Futures, the Mental Health and Recovery Board of Greene, Madison and Clark Counties, an educator and member of the community participate quarterly in these meetings to review criteria.
17	The Court developed the policy/criteria in collaboration with the prosecutor and victim advocate as to what would be appropriate for diversion.
18	The Court initially developed the protocol after discussions with our partners.
19	The court worked with our prosecutor's office to develop diversion process.
20	The diversion program began in October 1981. The initial criteria was developed many years ago by prior administration. Law enforcement and prosecutors are aware of the revised policy today and consulted when questions arise about the details of an incident and whether to accept into diversion.
21	The prosecutor's office.
22	The written criteria were formed several years before I was elected, with input and agreement from the prosecutor's office. Since Marsy's Law, we have modified the same agreement/guidance that was created before to include procedures for following the requirements of notifying victims.
23	There were meetings with prosecutor and law enforcement representatives to develop the criteria
24	Through intake department which includes court staff and prosecutor; motion and court order after appearance if official filing and further investigation
25	With the prosecutor and law enforcement.

Question 9: Are your court's written criteria for your pre-initial appearance diversion practices publicly available?

Judges who answered yes to Question 7—indicating that they have written criteria—were also asked if their written criteria were publicly available. Eighteen of the 37 judges (48.6%) indicated that their written criteria were indeed publicly available. *See Table 12.*

Table 12. Written Criteria Public Availability

Response	Responders	% of Total
Yes	18	48.6%
No	19	51.4%
Total	37	100.0%

Question 9 also asked the responders to describe how the written criteria are made available to the public. Fourteen judges provided the descriptions shown in Table 13.

Table 13. Manner in Which Written Criteria are Made Publicly Available

ID	Manner in Which Written Criteria are Made Publicly Available
1	As a handout, if requested. Just revised it so determining linking it to the webpage.
2	by request
3	General criteria for diversion eligibility can be found on the Court's website.
4	I would guess that it would be a public record request. Again, the criteria are not written in stone and there can be overrides, etc.
5	Information has been released to media, is available to victims through prosecutor's victim advocate program and is available upon public record request.
6	on request
7	Part of Local Rules of Procedure available on County/Juvenile website.
8	Records request as outlined in the DYS Grant and as outlined in a brochure the Court has developed itself.
9	SharePoint and brochures
10	There is a program description on our website.
11	They are available by asking for them but not published on the website, we will send them by email or hard copy depending on the request.
12	To law enforcement and the prosecutor and to others upon public records request.
13	Upon request
14	website

Question 10: When pre-initial appearance diversion occurs pre-filing and there is no court involvement, who makes the decision to divert? Select all that apply.

Question 10 asked the judges to identify the role of the person who makes the decision to divert when the diversion occurs prior to the filing of a complaint and where there is no court involvement. Responders were permitted to select one or more options. A total of 66 judges responded to this question. Nearly half of the 66 responders (48.5%) indicated that the prosecutor's office was a decision maker. *See Table 13.* Responders were also able to specify other roles who make the decisions. Sixteen judges provided a response. *See Table 14.*

Table 13. Diversion Decision Maker
(Pre-Filing of a Complaint; No Court Involvement)

Diversion Decision Maker	Responders	% of Responders
Law enforcement agency	13	19.7%
Prosecutor's office	32	48.5%
Not applicable (our court does not divert in this manner)	19	28.8%
Other (please specify the general role, not the actual individual)	31	47.0%

Note: Percentages will not sum to 100% because responders could select multiple items.

Table 14. Other Diversion Decision Makers
(Pre-Filing of a Complaint; No Court Involvement)

ID	Decision Maker (Pre-Filing of a Complaint)
1	All cases filter through are prosecutors office. So they determine what cases process pre-initial appearance diversion and which cases move formally to court
2	Cases are normally diverted pursuant to diversion policy by a Court Intake Officer. Judicial Officers also have the authority to divert a case originally filed formally to diversion.
3	Chief of Probation, in conjunction with the Prosecutor's Office recommendation
4	Chief Probation Officer
5	Chief Probation Officer with the support and authority given by the Judge as to the expectations of diversion.
6	Court personnel meet daily to triage newly filed cases. Judge reviews all diversion decisions at least quarterly to make certain that all offenses referred to diversion were compliant with policy.
7	Intake Officer. Diversion Supervisor, Prosecutor, Law Enforcement and Judge are consulted at times
8	Law Enforcement, Prosecutor and Diversion Director
9	Prosecutor
10	Prosecutor's office
11	Prosecutor's Office
12	School District
13	Schools Prosecutor
14	The Judicial officer relies upon the recommendation of court personnel
15	We use set criteria developed by the Court and the referral occurs as a matter of course.
16	We utilize a matrix and if there are questions a team from family services and probation services make the decision - we will include our matrix when we send info

Question 11: When your court receives a referral by a third party for pre-initial appearance diversion, who makes the referral? Select all that apply.

Question 11 asked the responders to identify the role of the person in a third party position who makes referrals to the court for pre-initial appearance diversion. Responders were permitted to select one or more options. A total of 67 judges responded, and schools were most frequently identified as a source of referrals (with 41.8% of judges making that selection). *See Table 15.*

Table 15. Third Parties Referring Cases for Diversion

Referring Entity	Responders	% of Responders
Schools	28	41.8%
Law enforcement agency	24	35.8%
Parents	20	29.9%
Not applicable (our court does not divert in this manner)	30	44.8%
Other (please specify general agency name)	16	23.9%

Note: Percentages will not sum to 100% because responders could select multiple items.

Question 11 further asked responders selecting “Other” to specify the entity making such referrals. Thirteen of the judges provided a response. *See Table 16.*

Table 16. Other Third Parties Referring Cases for Diversion

ID	Other Third Party Referral Entity
1	Again, our Assessment and Referral Center has assessment specialists who can decide on diversion, as well as schools and law enforcement and parents who can avail themselves of our ARC. Parents or Guardians may file unruly requests and/or seek services before their children or wards end up with official charges or engaged in more severe delinquent conduct.
2	All Diversion cases/referrals have a complaint sent by the prosecutor’s office.
3	Community members and Neighbors of the juvenile
4	Local Law Enforcement and Parents will take their recommendations to the Prosecutor
5	Prosecutor
6	Prosecutor is notified by Court Intake of all cases being considered for diversion and makes recommendations regarding diversion.
7	Prosecutor’s office
8	Prosecutor’s Office
9	prosecutor’s office
10	Prosecutor’s Office
11	prosecutor’s office
12	The prosecutor’s office
13	We removed the referrals from parents because there were too many and we did not have the resources to keep up. JFS also will make referrals as will the prosecutor.

Question 12: When pre-initial appearance diversion occurs pre-filing (informal court involvement), who makes the decision to divert? Select all that apply.

Question 12 asked the responders to identify the role of the person making the decision to divert when the diversion occurs pre-filing but where there was informal court involvement. *See Table 17.*

Table 17. Diversion Decision Maker
(Pre-Filing of a Complaint; Informal Court Involvement)

Diversion Decision Maker (Pre-Filing)	Responders	% of Responders
Court personnel	40	59.7%
Judicial officer	13	19.4%
Not applicable (our court does not divert in this manner)	19	28.4%
Other (please specify the general role, not the actual individual)	20	29.9%

Note: Percentages will not sum to 100% because responders could select multiple items.

Question 12 also asked the responders selecting “Other” to specify those roles. *See Table 18.*

Table 18. Other Diversion Decision Makers
(Pre-Filing of a Complaint; Informal Court Involvement)

ID	Other Diversion Decision Maker (Pre-Filing; Informal Court Involvement)
1	Again, our Assessment and Referral Center has assessment specialists who can decide on diversion, as well as schools and law enforcement and parents who can avail themselves of our ARC. Parents or Guardians may file unruly requests and/or seek services before their children or wards end up with official charges or engaged in more severe delinquent conduct.
2	All cases filter through are prosecutors office. So they determine what cases process pre-initial appearance diversion and which cases move formally to court
3	Cases are normally diverted pursuant to diversion policy by a Court Intake Officer. Judicial Officers also have the authority to divert a case originally filed formally to diversion.
4	Chief of Probation, in conjunction with the Prosecutor’s Office recommendation
5	Chief Probation Officer
6	Chief Probation Officer with the support and authority given by the Judge as to the expectations of diversion.
7	Court personnel meet daily to triage newly filed cases. Judge reviews all diversion decisions at least quarterly to make certain that all offenses referred to diversion were compliant with policy.
8	Intake Officer. Diversion Supervisor, Prosecutor, Law Enforcement and Judge are consulted at times
9	Law Enforcement, Prosecutor and Diversion Director
10	Prosecutor
11	Prosecutor’s office
12	Prosecutor’s Office

ID	Other Diversion Decision Maker (Pre-Filing; Informal Court Involvement)
13	School District
14	Schools Prosecutor
15	The Judicial officer relies upon the recommendation of court personnel
16	We use set criteria developed by the Court and the referral occurs as a matter of course.
17	We utilize a matrix and if there are questions a team from family services and probation services make the decision - we will include our matrix when we send info

Question 13: When pre-initial appearance diversion occurs during the intake process upon receipt of the complaint, who makes the decision to divert? Select all that apply.

Question 13 asked the responders to identify the role of the person making the decision to divert when the diversion occurs during the intake process upon receipt of the complaint. A total of 67 judges responded. Court personnel were identified most frequently as the decision maker (70.1%) of responders. *See Table 19.*

Table 19. Diversion Decision Maker (Complaint Intake Process)

Diversion Decision Maker (Intake Process)	Responders	% of Responders
Court personnel	47	70.1%
Judicial officer	24	35.8%
Not applicable (our court does not divert in this manner)	10	14.9%
Other (please specify the general role, not the actual individual)	20	29.9%

Note: Percentages will not sum to 100% because responders could select multiple items.

Question 13 also asked the responders selecting “Other” to specify those roles. Nineteen judges provided a response. *See Table 20.*

Table 20. Other Diversion Decision Maker (Complaint Intake Process)

ID	Other Diversion Decision Maker (Complaint Intake Process)
1	Again we use a matrix to take out individual decision making.
2	All cases filter though are prosecutors office. So they determine what cases process pre-initial appearance diversion and which cases move formally to court
3	And prosecutor
4	Chief PO is sent all complaints by prosecutor. PO screens for priors. (Diversion is offered one time only). If screened in (person eligible for diversion) then diversion officer contacts victim to see if they consent to diversion. Usually victims consent. If they do not, case goes traditional route.
5	Chief Probation Officer
6	Chief Probation Officer typically handles this, based upon informal pre-approved categories of eligible offenses... but any in a “gray area” are reviewed by the Judge.
7	Chief Probation Officer with the support and authority given by the Judge as to the expectations of diversion.
8	Court personnel meet daily to triage newly filed cases. Judge reviews all diversion decisions at least quarterly to make certain that all offenses referred to diversion were compliant with policy.
9	If a complaint is filed, Intake Officer may reach out to the Prosecutor to determine if Diversion would be appropriate.
10	Intake Officer. Probation Supervisor consulted at times.
11	Law Enforcement, Prosecutor and Diversion Director
12	Prosecuting Attorney
13	Prosecutor
14	Prosecutor’s office
15	Prosecutor’s Office
16	The Prosecutor’s Office and the Director of Court Services- They work together to determine eligibility.
17	The prosecutor’s office except with Police initiation diversion, the court personnel makes that decision.
18	Typically it’s the judicial officer, but our probation officers have input.
19	We use set criteria developed by the Court and the referral occurs as a matter of course.

Question 14: Where the court utilizes pre-initial appearance diversion, is the person making the decision to divert different from the person administering the pre-initial appearance diversion program of the court (i.e. the person responsible for overseeing or directing the pre-initial appearance diversion program)?

A total of 63 judges responded to Question 14. Nearly two-thirds (40 responders, or 63.5%) indicated that the person making the decision to divert is different from the person administering the pre-initial appearance diversion program. *See Table 21.*

Table 21. Decision Maker Different from Diversion Administrator

Response	Responders	% of Total
Yes	40	63.5%
No	23	36.5%
Total	63	100.0%

Responders to Question 14 were asked to explain their response. A total of 38 judges provided a response. *See Table 22.*

Table 22. Decision Maker Different from Diversion Administrator, Explanation

ID	Q14 Response	Explanation
1	No	Again we use a matrix to take out individual decision making.
2	No	Diversion staff review all police reports that are sent to the Court and refer eligible cases to diversion programming in lieu of the assistant prosecuting attorney's office. The diversion staff also facilitate the unofficial diversion hearings with the families and refer the youth to services.
3	No	Intake Officer makes the decision following consultation with others as outlined above.
4	No	The Intake/Diversion Officer reviews all charges that may be considered for Diversion and consults with the prosecutor as needed based on the offense type
5	No	The person that administers the program for the Court is also one of the decision makers as it relates to diversion screening.
6	No	Unless a judicial officer becomes involved.
7	No	We do not divert in this fashion
8	No	We only divert for tobacco offenses. Informal complaint is made regarding the use of tobacco and probation screens and makes referral
9	No	We use set criteria developed by the Court and the referral occurs as a matter of course.
10	Yes	A case is diverted to be reviewed upon initial filing. At the review, the court personnel who administer the diversion programs review the cases and accept or deny the case for pre initial appearance diversion.

ID	Q14 Response	Explanation
11	Yes	As Judge, I make the determination to divert. A probation officer administers the programming.
12	Yes	can be both
13	Yes	Chief P.O. or Judge decides those who are diverted in this manner... and a specific diversion probation officer oversees the program.
14	Yes	Chief PO is sent all complaints by prosecutor. PO screens for priors. (Diversion is offered one time only). If screened in (person eligible for diversion) then diversion officer contacts victim to see if they consent to diversion. Usually victims consent. If they do not, case goes traditional route.
15	Yes	Court Intake department diverts case to Diversion Officers in Behavioral Health Services.
16	Yes	Currently in Fairfield County, the decision to divert to pre-trial diversion is either made by the Fairfield County Prosecutor's Office or a Court Judicial Officer. Both entities are only responsible for referring youth to pre-trial diversion and not the direction or oversight of the pre-trial diversion intervention.
17	Yes	Decision to divert is made by the supervisor and person administering program is diversion stall
18	Yes	Different person makes diversion decision versus administering program
19	Yes	Intake Director makes decision. Diversion/mediation staff service the case
20	Yes	It depends. We get diverted cases directly from law enforcement which are seen by our DIV department administrator. The Court may divert cases that are formally file when they are identified by our Clerk's office and then sent to the DIV department for further screening.
21	Yes	One individual is trained to be able to determine which cases meet the diversion criteria. Diversion specialists administer the programming.
22	Yes	Our Director of Court Services recommends diversion and also oversees the program. However, the Court Administrator and Judicial Officer makes the final decision to divert.
23	Yes	Our diversion is conducted at a neutral building outside of court facilities
24	Yes	Our prosecutor determines which cases divert and we have a court employee who runs the program
25	Yes	Prosecutor refers to the Intake Officer, who if agrees, diverts the case to Probation for services.
26	Yes	Prosecutor screens all cases for eligibility or diversion
27	Yes	screeener diversion officer
28	Yes	Sometimes, the person making the decision to divert may be law enforcement or schools then our assessment and/or diversion specialists begin to handle the matter.
29	Yes	The Director of Court Services (Chief) conducts intake interviews where the OYAS is completed. If eligible, the Diversion Officer oversees the program participants.

ID	Q14 Response	Explanation
30	Yes	The Diversion Committee meets monthly to review and to accept cases for diversion. The Committee consists of: Quality Assurance Coordinator, Diversion Officer, Juvenile Probation Officers, Probation Services Supervisor, and Victim Witness representative
31	Yes	The Intake Director reviews all complaints and referrals to the court. It is her responsibility to determine eligibility, once that is established she either submits for formal filing or to the Assessment and Intervention Coordinator.
32	Yes	The Judge decides which cases are referred to diversion. Once the decision is made, the matter is referred to the probation department and diversion program.
33	Yes	The judicial officer decides, and then we have a diversion officer who runs the program.
34	Yes	The prosecutor makes the decision, and the court develop and ensure compliance with plan.
35	Yes	The Prosecutor's office chooses who is divert and then the information is relayed to the diversion officer who then carries out the case.
36	Yes	Two-step process in diversion department
37	Yes	We have a diversion officer who works under the purview of the Chief Probation Officer.
38	Yes	We have an employee, different from the Chief Probation Officer, that manages and oversees diversion.

Question 15: Where required, describe your court's process for notifying victims and their opportunity to be heard pursuant to Marsy's Law when a youth is diverted prior to an initial appearance. Please provide information concerning who makes the notification, when it is made, how it is made, and the process for the victim to be heard.

A total of 63 judges responded to Question 15. The full text of their responses can be found in Appendix C. A summary of their responses is as follows:

1. Notification Methods:

- Letters: Many courts send letters to victims, informing them of the diversion, their rights, and their opportunity to participate. Letters are typically sent by the Chief Probation Officer, Prosecutor's Office, or Diversion Officer.
- Phone Calls: Some courts contact victims by phone to explain the process and gather input.
- Emails and Forms: Email communication and Victim Impact Statement forms are also used, allowing victims to provide written feedback.

2. Timing of Notification:

- Notification often occurs immediately upon receipt of the case referral for diversion.
- In certain cases, notification is sent at the beginning of the diversion process or once a decision on diversion eligibility is made.

3. Involvement of Victim Advocates:

- Victim advocates, either from the court or prosecutor's office, play a significant role in the notification and support process, often assisting victims through their involvement.
- Advocates ensure compliance with Marsy's Law and provide victims with information on how they can participate or express objections.

4. Opportunity for Victim Input:

- Victims are typically given an opportunity to submit statements, restitution claims, or participate in diversion hearings (sometimes via Zoom).
- If victims object to the diversion, the case may revert to traditional processing.

5. Marsy's Law Compliance:

- Many responses highlight adherence to Marsy's Law requirements, ensuring victims are notified of their rights and given the chance to be heard.
- Some courts specifically mention Marsy's Law packets or rights forms as part of their notification process.

6. Limitations on Diversion for Victim Cases:

- Several courts reported that they do not pursue diversion in cases involving victims, focusing diversion on offenses with no direct victim impact, such as truancy or minor infractions.

Question 16: Does your court have written procedures concerning your court's process for notifying victims and their opportunity to be heard pursuant to Marsy's Law when a youth is diverted prior to an initial appearance? If yes, please send a copy of those written procedures to juvenilediversion@sc.ohio.gov.

Question 16 asked responders whether they have written procedures concerning their court's process for making notifications in accordance with Marsy's Law. Slightly less than two-thirds of the 65 responders (42 judges, or 64.6%) answered no. *See Table 23.* Affirmative responders were asked to email to Supreme Court staff their written procedures. Five judges provided documentation, which have been compiled in the separate Supplemental Materials document.

Table 23. Existence of Written Procedures Regarding Marsy's Law Notifications

Response	Responders	% of Total
Yes	23	35.4%
No	42	64.6%
Total	65	100.0%

Question 17: Can a victim object, or otherwise provide input, concerning the decision to divert a youth prior to an initial appearance?

A total of 64 judges responded to Question 17, and the vast majority (54 judges, or 84.4%) said that victims can object or otherwise provide input concerning the decision to divert a youth prior to an initial appearance. *See Table 24.*

Table 24. Victim Opportunities Concerning Diversion Decision

Response	Responders	% of Total
Yes	54	84.4%
No	10	15.6%
Total	64	100.0%

Responders who answered yes to Question 17 were asked to provide information concerning when and how such opportunities are made. A total of 35 judges provided a response. *See Table 25.*

Table 25. Explanation of Victim Opportunities

ID	Explanation
1	A victim can object and will be directed to the Prosecutor's Office if they wish the case to be reviewed for formal filing
2	A victim can object by speaking to staff in the diversion department. Staff would ask for supporting information that would justify bypassing diversion efforts. The victim's input as well as the details in the police report would be used to ultimately decide the diversion decision.
3	A Victim Impact statement is enclosed with a response date requested prior to the diversion hearing.
4	By calling the Diversion department
5	By letter, by phone, in person. Notice is sent approximately 7 days before the diversion hearing is held.
6	By written response, court appearance, or victim advocate or restitution.
7	During the phone call with the Prosecutor's office they are able to express their feelings and concerns as well as ask any questions they may have.
8	If the court receives a victim impact statement or a request from the victim advocate for the victim to appear and make a statement, then the court would review the statement or set a hearing to allow the victim to make a statement on the record. This has never been an issue. Our pre-appearance diversions are limited to truancy and status offenses, and very rare instances of non-violent misdemeanors and traffic cases.
9	If they do not want the case diverted, it is not diverted
10	In the letter we send victims the victims are advised of their right to participate.
11	info will be provided to above email address
12	Pursuant to the letter identified above, the victim may write or call the Diversion Officer to express their objection or provide input.
13	The alleged victim is given a contact name and number to provide input. Although they can object to a case being diverted ultimately it is up to the individual directing the case informally to determine if a case should remain in diversion. If the prosecutor feels strongly about a case they will contact the diversion specialist to ask that a case go formal.
14	The victim can object, the victim's parent can object, the prosecutor's office can object, law enforcement can object.
15	The victim has a voice but not a vote
16	The victim is given contact information for the Victim Services Coordinator.
17	The victim is provided the opportunity to give input and may object to the decision to divert. As previously stated, this communication is handled by the Fairfield County Victim advocate. The input received is considered, but any objection to diversion by the victim is not solely used as a disqualifier for a youth to participate in diversion.
18	The victim is told by letter at the beginning of the process if they have any objections or other input.

ID	Explanation
19	The victim may reach out to Probation with their concerns.
20	They are notified how they can make their wishes known as part of the initial letter they are sent. They may object, but their objection is taken into consideration with the other circumstances surrounding the case in the final determination whether to divert or not.
21	They can be heard when the victim's assistant asks for consent. In some cases, they provide a victim impact statement.
22	They can communicate this to the Prosecutor's Office and/or victim's advocate
23	they can indicate to the prosecuting attorney their feelings or if they want to be heard.
24	They can provide input when the diversion officer reaches out to them when they are determining if the case should be diverted.
25	They have this opportunity when they are notified by the prosecutors office or victims assistance
26	They would tell victim witness/prosecutor and then a hearing would be set.
27	Through the Prosecutors Office the victim can provide impact via that Office's Victim/Witness Coordinator.
28	Through the prosecutor's office.
29	Through the prosecutor's office/Victim's Advocate office and in a victim's impact statement.
30	Through Victim Witness Office (under the Prosecutor's Office)
31	Upon receipt of notification of diversion process. However, as noted above, very few offenses with an identified victim will end up referred to diversion.
32	Victim provided impact statement, opportunity to present information at hearings directly to the court
33	When there is a traditional victim (as we admittedly do not notify the "Walmarts" of the world, ie. shoplifting from a big box store) the Chief P.O. reaches out to them personally, explains the diversion process, discusses their opportunity to be involved, any restitution, etc... and if the victim is not on board, we typically do not offer this form of diversion and bring the juvenile in through the traditional appearance process. If they are on board, we offer various levels of involvement to them, such as attending the intake meeting with the juvenile, or input as to where the juvenile will do their community service, etc.
34	We do not divert when there is a victim involved
35	We generally do not divert cases in which there is a clearly defined victim, but if we do the Diversion Officer sends the Marsy's Law packet to the victim and they are given an opportunity to be heard.

Question 18: Can a non-victim object, or otherwise provide input, concerning the decision to divert a youth prior to an initial appearance?

A total of 65 judges responded to Question 18, and the majority of responders (53.8%) said that non-victims are not accorded the opportunity to object or otherwise provide input concerning the decision to divert. *See Table 26.*

Table 26. Non-Victim Opportunities

Response	Responders	% of Total
Yes	30	46.2%
No	35	53.8%
Total	65	100.0%

Responders to Question 18 were also asked to provide information concerning how and when such participation is facilitated. Twenty-five judges provided a response. *See Table 27.*

Table 27. Explanation of Non-Victim Opportunities

ID	Q18 Response	Explanation
1	No	Not specifically, but Probation will reach out to the schools, counselors, etc. to development the best programming for the youth.
2	No	Of course, parents, school staff, prosecutors and court staff could have input.
3	Yes	Court staff can provide input as to diversion
4	Yes	Defense Counsel and Prosecutor have ability to recommend for or against diversion.
5	Yes	If a case involves law enforcement-resisting, OOB, or otherwise, we send them the Marsy's law letter so they can provide feedback to the Court on the charge.
6	Yes	If a parent would like to have formal charges filed so that the child would be on probation we refer them to the prosecutor to determine whether to file a complaint. We do not make that determination
7	Yes	If the prosecutor or law enforcement agency has an objection, that can make their opinion known. We have never had any objections.
8	Yes	Law enforcement and parents, at any stage.
9	Yes	Law enforcement, prosecutor. That said, their objection is not a bar to diversion, rather it initiates discussion about whether the diversion criteria need to be modified.
10	Yes	Only the parent or guardian, if the victim is a minor.
11	Yes	Police or schools may sometimes call the court to provide input on the decision to divert cases prior to an initial appearance.
12	Yes	Prosecutor
13	Yes	Prosecutor has input.
14	Yes	Prosecutor may object to a case going to DIV.

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ID	Q18 Response	Explanation
15	Yes	Prosecutors office is also notified of diversion referrals.
16	Yes	Schools, parents and other community members are welcome to provide input.
17	Yes	see above
18	Yes	The assistant prosecuting attorney's (APA) office can object and provide input concerning a diversion decision.
19	Yes	The parent, juvenile, prosecutor, law enforcement, judge and prior diversion officer. Intake officer emails prosecutor for input. Law enforcement is asked when submitting a complaint/referral about diversion or formal hearing. Parent asked at time of contact whether diversion is acceptable, also true for juvenile. Prior Diversion officer asked if previously involved.
20	Yes	the prosecuting attorney
21	Yes	The prosecuting attorney can object.
22	Yes	There is nothing stopping anyone from contacting the prosecutor's office and expressing their concerns
23	Yes	We make contact with law enforcement as well and they can provide input.
24	Yes	Yes, so long as they are a legal custodian.
25	Yes	Yes, we specifically will not divert a juvenile in this manner in most cases, if the prosecutor or law enforcement object and ask us not to. They are aware of our typical approach and know we will consider their input if offered... but also assume no objection to standard practice if we hear nothing from them.

Question 19: Does your court use an assessment or screening tool to assist in the pre-initial appearance diversion decision?

A total of 67 judges responded to Question 19. Slightly more than half (53.7%) indicated that they do use an assessment or screening tool. *See Table 28.*

Table 28. Use of Assessment or Screening Tool

Response	Responders	% of Total
Yes	36	53.7%
No	31	46.3%
Total	67	100.0%

Question 19 also asked the responders to explain their response and, if applicable, describe the tool, who created it, and who administers it. A total of 26 judges provided a response. *See Table 29.*

Table 29. Explanation of Use of Assessment or Screening Tool

ID	Q19 Response	Explanation
1	No	Not in deciding if a youth is diverted but once they are diverted there is tools used as part of that program
2	No	our screening tool is used after diversion is assigned or before they come in for an initial
3	Yes	ACE, JIFF, OYAS and in some instances, a CANS and mental health assessment
4	Yes	Applicable to some diversion programs.
5	Yes	Currently the evidence-based tool utilized to assist in the decision to utilize pre-trial diversion is the OYAS Diversion Screening Tool as developed by the University of Cincinnati Corrections Institute.
6	Yes	Is this child high-risk offender? Has this child been placed on diversion in the past? If yes to either of these questions, the child does not get diverted.
7	Yes	Matrix, created by jurists, probation, diversion services.
8	Yes	Not in every instance depending on the potential charge. Tools are used on a case by case basis.
9	Yes	Not initially. Once admitted, the following tools are utilized to determine needed services: OYAS, CANS, ACEs
10	Yes	Ohio Youth Assessment Survey - Diversion Tool.
11	Yes	OYAS
12	Yes	OYAS
13	Yes	OYAS It is used during the intake process.
14	Yes	OYAS diversion screener
15	Yes	OYAS diversion screener, MAYSI and ACES
16	Yes	OYAS Diversion tool
17	Yes	OYAS Diversion Tool

ID	Q19 Response	Explanation
18	Yes	OYAS Diversion Tool upon initial contact by Diversion Officer to determine level of risk and needs. Others utilized as Diversion Officer or Clinical Coordinator deems appropriate.
19	Yes	OYAS diversion tool. Administered by the diversion officer when they meet with the youth/custodian. MAYSI-Massachusetts Youth Screening Instrument. A behavioral health screening tool designed specifically for juvenile justice. This is again administered by the diversion officer at their initial meeting with the youth/custodian.
20	Yes	OYAS risk assessment screener
21	Yes	OYAS, GAIN, MASIY-diversion, psycho-social assessment
22	Yes	The current tool looks at the type of offense, whether the child has a prior diversion history and if so, the length of time that has passed since the last diversion contract was entered into.
23	Yes	The gains; risk assessment; Carey Guides and others
24	Yes	This tool was previously discussed.
25	Yes	Traditional diversion does not use a tool; however, certain specialty diversion programs require specific screenings for eligibility.
26	Yes	We have several assessment tools.

Question 20: Does your court track pre-initial appearance diversion outcomes, including, for example, successful completion or recidivism?

Questions 20, 21, and 22 involved understanding how courts are tracking pre-initial appearance diversion outcomes. A total of 67 judges responded to Question 20, and 56 of them (83.6%) indicated that they do track such outcomes. *See Table 30.* Those 56 judges were directed to respond to Question 21. The 11 judges answering no were directed to respond to Question 22.

Table 30. Tracking Diversion Outcomes

Response	Responders	% of Total
Yes	56	83.6%
No	11	16.4%
Total	67	100.0%

Question 21: Describe the outcomes you track and how you use that information.

A total of 49 of 56 judges who responded yes to Question 20 provided responses to Question 21. *See Table 31.*

Table 31. Description of Diversion Outcome Tracking

ID	Description of Outcome Tracking
1	Again, we keep data on “recidivism”, i.e., if the juvenile who is diverted is arrested or otherwise alleged to have committed a new delinquency. We also keep data on the juvenile and family’s follow through with the diversion recommendations.
2	Based on no adjudications within a year is how we track outcomes through OYAS . Info used for funding for stats and also to determine diversity inclusion etc.
3	Compliance, successful completion, use of community based services, goals, objectives
4	Court contracts with Case Western Reserve University to perform recidivism studies regarding outcomes of diverted cases and cases formally charged.
5	Court tracks one year post release from diversion
6	DYS lookback period, as well as monitoring for any additional referrals upon successful completion of the requirements for the Diversion. The court uses this information to report statistics to DHS and community partners to assist in developing new programs
7	Engagement, successful completion, recidivism and further filings.
8	fair/spotty
9	Fairfield County Juvenile Court is strongly invested in the active use of data and utilizing that to make data-driven and informed decisions for Court programming. Currently, for diversion, we are looking at outcomes in the following areas: 12-month recidivism for youth that exit the intervention and the number of successful and unsuccessful completions. We use this information to determine the overall success of diversion both in the immediate and the long-term, but we also disaggregate this data by demographic information as we look to ensure that we are equitably serving our youth. This information is made available quarterly and annually for the Court’s quality assurance retreat and we utilize that information to determine where adjustments need to be made in our intervention strategies.
10	I believe it is kept for RECLAIM purposes.
11	I believe it is kept for RECLAIM purposes.
12	ODYS requires data to be tracked for funded programs. it is only compiled and submitted as required.
13	outcomes are measured through OYAS screening and program modifications occur as needed
14	Program Success
15	Recidivism
16	Recidivism rate. We use it to see if the diversion program is effective. We noticed prior to diversion program that a certain population of cases/kids would appear only once and would never have another case. Our objective in creating diversion is to target that population and keep them completely out of the system. I think our last review shows 65% effective with no recidivism so we are pretty good at identifying those cases, but we could be better.

ID	Description of Outcome Tracking
17	Recidivism rates are tracked to determine what individual services appear to be the most effective.
18	success in completing school and programs of the court
19	Successful and a case is never filed. Unsuccessful and a case is filed. Recidivism is also tracked.
20	Successful completion and recidivism rate.
21	successful completion or unsuccessful completion does the youth return for formal complaints
22	Successful completions compared to unsuccessful completions. The services that are used and all that data is given to Reclaim.
23	successful vs. unsuccessful completion is used to track our performance
24	Successful vs. Unsuccessful diversions and recidivism
25	Successful/unsuccessful terminations; Recidivism through CourtView for a period of one year after completion of diversion.
26	The Court tracks data concerning participants' successful outcomes, failures and recidivism
27	The outcomes are tracked through the OYAS Excel spreadsheet. We track if they are successful or not in the program at the time they complete the program. (complete obligations or pick up new charges/ non-complaint) We also track if they receive any new delinquent charges within 12 months from their program completion date.
28	The outcomes required of ODYS grant funding are the outcomes tracked by the Court.
29	Through Juvenile Justice Information System.
30	Track the formal filing of charges within 90 days of successful completion of diversion
31	We are using ODYS definition of recidivism to track whether the recommended services have been successful.
32	We generally track success based upon no further complaints being filed within the next year after completion of diversion.
33	we have found our intake services divert many offenses and assist family to receive services. CourtView
34	we keep a dashboard that includes all of the statistics relating to diversion
35	We look at recidivism for one year after successful completion of the diversion program.
36	We track for RECLAIM grant purposes.
37	We track if they have acquired a new delinquency adjudication within one year of completing diversion. This information is used to determine if modifications need to be made to our diversion program with programming, services, eligibility criteria, etc.
38	We track if they successfully complete the program.
39	We track our number of diversion cases and how many are successful/unsuccessful.
40	We track recidivism mainly to determine where to go with repeat offenders
41	We track recidivism within one year of completion of the diversion program, completion of the program (incomplete diversion leads to the charge being referred to the official docket), and the diverted charge remains in the court's case management system under the diversion/unofficial screens so that judicial officers can determine the appropriate referrals to make if a child comes back into the system.

ID	Description of Outcome Tracking
42	We track successful and unsuccessful closed cases. This is generally done through CourtView as well as a running list within the Prosecutor's office.
43	We track successful and unsuccessful results. We utilize the information to determine the effectiveness of diversion.
44	We track successful completions and recidivism within one year. We use the information to determine if we are being effective in our diversion program.
45	We track successful, neutral, and unsuccessful. We use this information to refine our diversion process and track the success of the pre-initial appearance diversion program is and to improve the program and services. We track one year post-termination outcomes to track recidivism rates and long-term program impacts.
46	We track to see if the child comes back into the system. Because we are only speaking of tobacco offenses we normally will not see the youth again on the same issue. They usually have moved on to something more serious
47	We track whether in one year of completion of diversion the youth gets another charge.
48	We use the DYS Tracking forms, reports provided by Diversion Officers and collateral information from service providers to track compliance with program requirements and success. Tracking helps us know if the diversion track is the best fit for the youth. Collateral information from the service providers enables us to determine the efficacy of the programs in dealing with the risks and needs of the youth.
49	we use the information to see what cases are better diverted and what ones should have a formal filing

Question 22: What are your court’s barriers to tracking pre-initial appearance diversion outcomes?

Of the 11 judges answering no to Question 20—indicating that they do not track diversion outcomes—ten provided a description of the barriers they are encountering to doing so. *See Table 32.*

Table 32. Description of Barriers to Tracking Diversion Outcomes

ID Barriers to Tracking Diversion Outcomes	
1	Logistics and case tracking abilities
2	Most of the diversion is handled by the prosecutor. If diversion is successful, the court is not involved or notified.
3	New Diversion Program set to begin this calendar year. That program will involve tracking of data.
4	Software. CMS is terrible. Henschen.
5	we are working on improving our tracking. I think we are doing a good job at tracking the data. It is a matter of merging it I guess or pulling the data to answer the questions we have. We are in the process right now of trying drill down on what questions we want the answers to and then how to pull that data from our records. The court management system that we use is not the most helpful so far. Henschen.
6	We do not utilize pre-initial appearance diversion
7	We generally only use pre-initial appearance diversion for truancy and status offense cases. I have allowed a handful of pre-initial appearance diversions in non-violent misdemeanors, but the numbers are so low that the diversion probation officer can keep track of the outcomes individually.
8	We just started this process and are beginning to track outcomes for not only diversion but all other court supervision cases as well. Our barriers have been mostly due to our old case management system. We have created a new system and are in the process of tracking all cases, pulling data/trends/etc.
9	We track all youth no matter if they are pre-initial appearance or post. We just do not separate them when compiling the data. We can though, we just haven’t
10	While we do not technically track them, our county is very small, and we are aware because Probation officer assigned to youth continues to follow the youth’s progress or lack of progress.

Question 23: What other information about pre-initial appearance diversion in your court—including innovative programming—would you like the Task Force on Juvenile Diversion to be aware of?

A total of 25 judges provided a response to Question 23, which sought information concerning innovative programming that the courts have developed to implement pre-initial appearance diversion. *See Table 33.*

Table 33. Other Information and Innovative Programming

ID	Other Information and Innovative Programming
1	Auto theft diversion programs
2	CrossFit.
3	Diversion is a valuable tool for keeping low risk and younger children out of the court system.
4	Diversion is critical to the success of juvenile courts and should be encouraged in appropriate situations.
5	girls circle, boy counsel started mentoring program but then Covid hit and haven't resumed.
6	How to handle fees and costs. Especially for pro se unruly filings.
7	I think this survey about covered everything. (And it took considerably longer than the 10 minutes SurveyMonkey said it would and that doesn't even take into account the amount of time that I would have to spend to gather our written policies and send them.)
8	Lake County Juvenile Court is beginning a new Diversion Program. We will be diverting more cases including drug related, repeat offenders, and violent offenses. Also, the Diversion Program will be utilizing OYAS Risk Diversion Tool. Lastly, Diversion Program will utilize the Court's new Transitions Program and Counseling to promote growth in the juvenile.
9	Our Court employs a Clinical Coordinator who can provide screenings and assessments to assist in the determination of appropriate referrals to agencies and programs. We use a team approach with diversion focused on a community solution to deal with presenting problems of the youth.
10	Our diversion programs have several different components including community courts (where the youth attend court in their own neighborhoods), school-based diversion (where the meetings are held at the school for a restorative-justice-ish approach), Youth Court (where a jury of their peers hear the case and collaborates on a resolution), and more traditional diversion where the youth appear and work with court staff to get referrals for services they must complete in order to get the legal benefit of the program.
11	Our truancy diversion often involves meeting in the courtroom with a group of several parents along with school administrators, Care Team members and JFS personnel.
12	Programs specifically developed for behavioral concerns such as interracial sex abuse or offenses
13	The Court has recently established a Community Resource Center in conjunction with ODYS. This Center is geared to prevent a child's formal involvement in the justice or child welfare system in order to avoid both pre-initial appearance diversion and formal in court proceedings.

ID Other Information and Innovative Programming

-
- 14 The data indicates that diversion can be an effective and successful tool to deal with youth and families involved in the juvenile justice system to assist the youth and family from going further into the justice system, especially youth of color.
-
- 15 This (pre-initial appearance diversion) is largely a part of the prosecutor's office except that the Court has the diversion staff.
-
- 16 We are currently starting to "revamp" our Diversion program by adding more resources and potentially changing criteria for whom and what are eligible. We have a new resource center in town that we are going to be teaming up with called Generations of Love. This program holds Art and Music Therapy and teaches individuals basic life skills such as table etiquette, giving back to the community, cooking, cleaning, and many others.
-
- 17 We are doing fine. Let us continue to use our discretion, and please do not impose new rules.
-
- 18 We have 6 diversion programs that service specific populations: 10 & Under Program (serves youth ages 10 & Under charged with misdemeanors and felonies); Disproportionate Minority Contact Diversion Program (serves first time African American misdemeanor and status offenders); Screening Brief Intervention Referral to Treatment (serves first time misdemeanor drug and alcohol offenders); Education Unit (serves youth and adults charged with Truancy related offenses); Sexually Oriented Diversion Approach Program (serves youth charged with misdemeanor and felony sexual offenses); Traditional Diversion (serves low risk misdemeanor and status offenders that do not qualify for the specialty diversion programs).
-
- 19 We have found that getting the parents engaged early on and provided referrals to community resources so that the family can get the support they need as soon as possible is key to avoiding unnecessary court involvement.
-
- 20 We have had great success with our diversion program.
-
- 21 We have recently started allowing this form of diversion, even when restitution is an issue, based upon receiving a grant from DYS for juveniles to earn restitution funds through community service... when this was previously not offered, based upon the long delays in restitution being collected. This has been well-received by the juveniles and their families, as well as victims, law enforcement, and the prosecutor.
-
- 22 We rely on our Family Resource Center to work with local schools to address truancy and behavioral concerns before they become actionable or reportable offenses. We have recently implemented community service programming to help avoid anti-social behaviors which might lead to diversion or court-involvement. We also work with a local foundation to provide equestrian therapy before and after youth involvement with the Court.
-
- 23 We saw a need for some basic skills such as planning for a meal, budgeting, how to shop for that meal, how to change a tire, how to do laundry. Over a period of several weeks our probation department specifically leads this programming with a graduation at the end. Other counties have visited to observe our program.
-
- 24 We successfully use online courses through court solutions online when working with youth. We have two diversion staff dedicated to truancy and at-risk truancy.
-
- 25 We utilize non-court diversionary programs in addition to court ones.
-

Question 24: What additional information about diversion (of any type) would you like the Task Force on Juvenile Diversion to be aware of?

Question 24 was directed to all responders, including those who indicated in response to Question 1 that they do not conduct pre-initial appearance diversion. A total of 28 judges provided a response. *See Table 34.*

Table 34. Concluding Feedback

ID	Does Pre-Initial Appearance Diversion	Response
1	No	leave the decision in the hands of local judges
2	No	none, it has been highly successful for us with only 10% recidivism rate
3	No	Our court is handling a significant portion of our traffic and delinquency case load through diversion.
4	No	Remember that the resources and needs of rural counties are different than urban and sub
5	No	We have had a lot of success with our diversion program. It is not 100 percent, but many of the juveniles who work the diversion program are never back in our court again
6	No	We offer diversion in almost every case we have such as traffic, delinquencies, etc. but after the initial appearance
7	No	We place youth, post adjudication, in diversion programming for low level offenses and design their programming based on their best interests and what they need.
8	Yes	Complying with Marsy's Law notifications to victims has been challenging as we rarely receive information on victims' names or contact information who are not in the household.
9	Yes	Diversion is a major part of the court. It is not a closed or secret docket, and we welcome input and participation by the community. It is not new in this court, and in fact we are running the same programs that were created over the last decade in past administrations.
10	Yes	Diversion programs can be effective for low level offenders as every juvenile does not need to go through formal Court involvement. However, they need to be held accountable to a victim or community for their actions through various diversion programs, i.e.: community service, restitution, etc.
11	Yes	Diversion should be limited to non-violent offenses
12	Yes	Every city should have one.
13	Yes	Excited to know the Task Force is working to create more Diversion focused programs.

ID	Does Pre-Initial Appearance Diversion	Response
14	Yes	I am not a fan of diversion programs where the court is making the determination as to whether a complaint should be filed or accepted. I do not think that diversion should be considered if there is a victim. I only think diversion makes sense in status offense cases.
15	Yes	I have high hopes for the upcoming changes and for giving the youth the proper tools to help them better themselves.
16	Yes	I would really like a set pathway statewide.
17	Yes	It is an essential part of our programming. It has a positive impact on most juveniles. We like to have discretion on which cases/kids are appropriate.
18	Yes	My diversion programs have been very effective, and victims seemed content with the process. I would like to be able to continue the programs as they were created.
19	Yes	Truancy cases continue to be frustrating because custodians do not always appear for meetings despite being given many opportunities and finding meaningful ways to creatively work with youth with truancy issues is challenging. Some school districts have given up and do not file ANY cases with our Diversion Specialist.
20	Yes	Trying to obtain information from the prosecutor's office in a timely manner can be a challenge, making sure we have the right cases for diversion. Having Victim Witness on the Diversion Committee is helpful.
21	Yes	We also use a wide variety of post initial appearance diversion activities, with similar victim involvement and consent of the prosecutor, with much success.
22	Yes	We are a small county and believe that our current process is adequately addressing the needs of the youth, the community, and the concerns of alleged victims to ensure that youth who appear in court are only doing so when it is necessary and in the best interests of those involved.
23	Yes	We do a satisfaction survey to juveniles and parents. We get 10 -12% back.
24	Yes	We focus on individualized programming for each referral accepted into diversion. The Court operates a virtual lab to assist with truant and expelled youth. Tutors are available to assist as needed. We offer evening reporting groups for youth where they can receive assistance with schoolwork and engage in activities. Schools will refer to this program. Pro-Social activities such as Art, Trampoline, Art Museum, Bowling, Dance Lessons, Archery, Motorcycle riding, movies and other fun activities are utilized. We also have a Food Pantry for our youth and families.

ID	Does Pre-Initial Appearance Diversion	Response
25	Yes	We have issues with enforcing our restitution cases in diversion, especially in the cases involving younger youth who are not eligible to work or participate in the community service work programs.
26	Yes	We would like you to be aware that more funding would be appreciated as we run on a shoestring. Our county funding source does not find diversion to be worthy of funding.
27	Yes	What matters are being diverted, i.e. specifics as to charges. Further, we divert out traffic cases 1st offense moving violations that are never filed with an agreement between prosecutor, police agencies and court.
28	Yes	You have to have some “set” policies, but you also have to allow some flexibility/discretion for the individual juvenile and/or the type of delinquent act.





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