

YAP Case Management System
Preliminary Proposed Measures from Northeastern University Team

I. INTRODUCTION

The following documents provide detailed descriptions of measures that we have identified in three broad areas. These include 1) case management and processing data, 2) measures of zealous legal advocacy and representation, and 3) measures of positive youth development. We developed the following lists through our review of the relevant literature and scholarly research on each area, interviews and focus groups with YAP staff, and observations of the YAP work process. Where appropriate we have included references to research or other materials that have used similar measures.

We recognize that not all the measures detailed in the following sections may be included in the final YAP case management system. We have included detailed information about these measures here to provide some background on the type of data that researchers have used in the past to measure phenomena similar to those of interest in this project.

Case Management and Processing Data (p. 2)

- The status and location of client
- Relevant upcoming dates and court processes
- Dates of attendance and progress in programming (within five domains)
- Relevant contact information and phone numbers

Zealous Advocacy and Representation (p. 3)

Includes both objective and self-reported (from client) measures of effective advocacy

- Early stages of the case
- Pre-trial preparation information
- Motions filed/Affirmative defenses
- Pre-dispositional preparation
- Post-dispositional representation
- Client participation (trusting relationship, communication, time spent with client, efforts to facilitate client decision making)

Positive Youth Development (p. 12)

Includes both objective measures and self-reported measures (from client)

- Nurturing adult relationships and positive peer relations
- Education and employment opportunities
- Engagement in structured activities and civil engagement
- Safety and safe places
- Health and access of services

II. GENERAL CASE AND CONTACT INFORMATION MEASURES

Based on discussion with staff from the Youth Advocacy Project has become clear that if the new information system is going to be as useful as possible to the staff, it needs to have detailed information on the case status, contact information and case processing details for each YAP client. Some of these items are listed below.

Most recent contact information:

- Name address and phone of client
- Name address and phone of client's parents
- Other address of important adults and/or peers in client's life.

Current status of client :

- Name, address and contact person at each program where the client is receiving services
- Dates that client has attended any programs (above)
- Teacher and principal contact information (if client is attending school)
- Date of most recent and upcoming contacts with other YAP staff

Case Processing

- Next court date, and type of court appearance
- Judge and prosecutor assigned to next court appearance
- Due date for any motions to be filed
- Prior court dates
- Concurrent court dates on other charges

In addition, YAP staff recommended that the system generate reminders (e.g. tickler file) for important dates in the client case. This could include

- Notice 30 days before next court case
 - o To file motions or other movements in the case
- Notice one week before next court case
 - o Contact program staff from programs youth is involved in to obtain update on progress
- Reminder two days before next court case

III. POTENTIAL INDICATORS OF EFFECTIVE ADVOCACY

1. Background on measuring effective advocacy

Generally researchers have found it difficult to measure the effectiveness of the legal advocacy provided by an attorney because so much of legal work depends on the individual and unique circumstances of a particular case.¹ This question is compounded when studying juvenile advocacy as juveniles courts vary dramatically depending on location so what may be considered effective advocacy in one courtroom may not be considered effective in another.² In addition, some researchers have questioned whether having an attorney benefits juveniles as a number of studies have found that juveniles represented by counsel were more likely found delinquent or more likely to be detained than juveniles that were unrepresented.³

Protecting Clients' Constitutional and Procedural Rights

Presently there is little empirical research on measuring effective advocacy for juveniles in terms of how attorneys can best protect their clients' constitutional and procedural rights and what actions an effective attorney would take on behalf of a juvenile client in a particular case. There do exist a number of juvenile justice standards produced by professional organizations that can be used for guidance to examine how attorneys should model their advocacy. These standards include the IJA-ABA Joint Commission on Juvenile Justice Standards and National Juvenile Defender Center at the national level.⁴ The states of Georgia and North Carolina as well as Washington, DC have produced similar standards.⁵ These standards are of limited usefulness as they do not specify how to measure legal work or how to determine whether or not a particular activity by the attorney is necessary in a given case.⁶ The American Bar Association, working with the National Juvenile Defense Center and other juvenile justice organizations, has conducted sixteen assessments of different state juvenile justice systems.⁷ These assessments are also of limited use because although they provide general guidelines as

¹ Calhoun, Martin C. (1988). Note and Comment: How to Thread the Needle: Toward a Checklist-Based Standard for Evaluating Ineffective Assistance of Counsel Claims. 77 *Geo. L.J.* 413.

² Feld, Barry C. (1991). Justice by Geography: Urban, Suburban, and Rural Variations in Juvenile Justice Administration article. *J. Crim. L. & Criminology* 82: 156.

³ Clarke, Stevens H. and Koch, Gary G. (1980). Juvenile Court: Therapy or Crime Control, and Do Lawyers Make a Difference? *Law and Society Review*. Vol. 14, No. 2 ; Feld, Barry C. (1989). The Right to Counsel in Juvenile Court: An Empirical Study of When Lawyers Appear and the Difference They Make. *J. Crim. L. & Criminology*. 79: 229.

⁴ Shephard, Robert, ed. (1996). *IJA/ABA Juvenile Justice Standards Annotated*. Chicago, IL: American Bar Association; American Council of Chief Defenders, National Juvenile Defender Center. (2008). "Ten Core Principles for Providing Quality Delinquency Representation Through Indigent Defense Delivery Systems."

⁵ See State of Georgia Performance Standards for Juvenile Defense Representation in Indigent Delinquency and Unruly Cases; Superior Court of the District of Columbia, Family Court. (2004). Attorney Practice Standards for Representing Juveniles Charged with Delinquency or as Persons in Need of Supervision; Family Court Implementation Committee: North Carolina Office of the Public Defender. Role of Defense Counsel in Juvenile Delinquency Proceedings.

⁶ For example, in the Georgia Standards, *Standard 11: Preparation for Adjudicatory Hearing* states that counsel should develop a working theory of the case and determine whether filing motions is appropriate. It does not state how to determine whether an attorney has developed an effective working theory or how to determine when filing pretrial motions is appropriate in a particular case.

⁷ Each of these assessments is available through the NJDC website at <http://www.njdc.info/assessments.php>.

what is considered a minimum level of advocacy in a given state, the guidelines are not sufficiently precise nor they measure advocacy at what could be considered an effective level rather than at a minimal level.⁸

Fostering client participation

A number of empirical studies have examined how a juvenile client differs from the adult client regarding how well the client can understand legal concepts and his competency to make necessary legal decisions.⁹ One component of these studies is providing the legal field with information which can improve juvenile representation by using techniques that take the age and ability of their clients into account. This research focuses on instructing juvenile clients on the law and facilitating participation in their case through building trust, spending sufficient time with juvenile clients, and using careful explanation of legal principles.¹⁰ Research also shows that attorneys representing juveniles should consider whether a cognitive or behavioral disability is hindering the client from understanding the charges or his or her legal choices.¹¹ Focusing on building a trusting attorney/client relationship is particularly important with African American and other minority youth as these groups have been found to be significantly less likely than adults to see talking honestly with attorney and admitting involvement in crime as helpful to them.¹² In addition, defense attorneys who are familiar with the community and interact with community members regularly are not only more culturally competent when interacting with clients, but also are better able to investigate and develop their cases leading to more informative plea discussions and more effective representation at adjudication.¹³

Effectively representing in collateral matters

A national consensus is emerging among juvenile justice professional organizations that high quality juvenile defender programs must be able to represent clients in related collateral matters as needed.¹⁴ Addressing juveniles' related needs such as mental health screenings and

⁸ For example, see American Bar Association, Juvenile Justice Center, and Southern Center for Human Rights. (2001). Georgia: An Assessment of Access to Counsel and Quality of Representation at Delinquency Proceedings. Available at <http://www.njdc.info/pdf/georgia.pdf>.

⁹ Grisso, Thomas. (1997). The Competence of Adolescents as Trial Defendants. 3 *Psychology, Public Policy and Law* 3; Scott, Elizabeth S., Reppucci, N. Dickon, and Woolard, Jennifer L. (1995). Evaluating Adolescent Decision Making in Legal Contexts. *Law and Human Behavior* 19 (3): 221-244; Schmidt, Melinda G., Reppucci, N. Dickon, and Woolard, Jennifer L. (2003). Effectiveness of Participation as a Defendant: The Attorney-Juvenile Client Relationship. *Behavioral Sciences and the Law* 21:175-198.

¹⁰ See Tobey, Anne, Grisso, Thomas and Schwartz, Robert G.. (2000). "Youths' Trial Participation as Seen by Youths and Their Attorneys: An Exploration of Competence-Based Issues." Pp. 225-242 in *Youth on Trial*, edited by Grisso, Thomas and Schwartz, Robert G. Chicago, IL: Univ. of Chicago Press; Schmidt, Melinda G., Reppucci, N. Dickson and Woolard, Jennifer L. (2003); Scott, Elizabeth S., , N. Dickson and Woolard, Jennifer L. (1995).

¹¹ David Osher, et al. (2002). Addressing Invisible Barriers : Improving Outcomes for Youth with Disabilities in the Juvenile Justice System. Office of Juvenile Justice and Delinquency Prevention.

¹² Schmidt, Melinda G., , N. Dickson and Woolard, Jennifer L. (2003).

¹³ Levingston, Kirsten D., Brennan Center for Justice. Taking Public Defense to the Streets. Available at http://brennan.3cdn.net/3e336561b5c87c36e4_a3m6bo95w.pdf.

¹⁴ Puritz, et al. (2002). A Call for Justice: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings. American Bar Association Juvenile Justice

educational issues can be critical to a juvenile's legal defense.¹⁵ Representation by counsel at collateral hearings can be a helpful informational gathering tool as well as work to strengthen the attorney-client relationship.¹⁶

School relation litigation can be especially valuable in advocating for juveniles. Education advocacy on behalf of delinquent juveniles has demonstrated that youth who receive education services demonstrate improved performance in school and fewer disciplinary infractions.¹⁷ In addition, research has suggested that providing education advocacy to youth in the juvenile justice system can be a cost efficient means of reducing the number of juveniles that are placed in detention.¹⁸ By providing education advocacy services as part of a multi-faceted approach to juvenile defense, defenders can help limit the spread of the "schoolhouse to jailhouse pipeline" phenomena where underserved special education students are more likely to be involved in delinquent activity.¹⁹

2. Potential Objective Measures of Advocacy (to be completed by YAP staff)

Protecting Clients' Constitutional and Procedural Rights

A. Early stages of case

- Did attorney enter case before arraignment?²⁰
- If so, was this at magistrate's hearing, police station, or other location?²¹
- Had client allegedly made incriminating statements to police before attorney involvement?
- Was case resolved before arraignment?
- Was client detained prior to arraignment?
- What was client's status after arraignment? (c/c guardian, c/c guardian conditions, posted bail, held on bail, no bail)
 - o If client detained after arraignment, why was client detained? (family could not make bail, could not return home because alleged victim in household, other)
- Did clerk make bail decision? If yes, did attorney later argue bail in front of judge?
- Did attorney file a bail appeal in District Court?
 - o Was a bail appeal also filed in Superior Court?

Center, Juvenile Law Center, and Youth Law Center; IJA/ABA Standards; National Juvenile Defender Center "10 Core Principles."

¹⁵ Butts, Jeffrey A. and Daniel P. Mears. (2001). Reviving Juvenile Justice in a Get-Tough Era. *Youth and Society* 33 (2): 169-198.

¹⁶ Puritz (2002); IJA/ABA Standards.

¹⁷ Laura Enteen. 2008. Education Advocacy for Delinquent Juveniles with Disabilities Yields Human, Financial Benefits. *Youth Law News*. Vol. 224, No.4.

¹⁸ Id.

¹⁹ Comstock-Galagan, Jim and Brownstein, Rhonda. Southern Disability Law Center and Southern Poverty Law Center. Stopping the Schoolhouse to Jailhouse Pipeline by Enforcing Federal Special Education Law. Available at <http://www.splcenter.org/images/dynamic/main/SpecialEducationLaw.pdf>.

²⁰ It is considered crucial that attorneys begin representation in the case as early as possible. Puritz (2002); IJA/ABA Standards.

²¹ Puritz (2002); IJA/ABA Standards.

- o If yes, was bail appeal also filed in Massachusetts Appeals Court?
- o If yes, was bail appeal also filed in Supreme Judicial Court?

B. Pre-trial preparation/ Adjudication

Type of charge

- Was this a youthful offender or a juvenile delinquency charge?
- Does this charge involve the possession, sale, or distribution of drugs ?
- Does this charge involve the possession, sale, or distribution of a weapon?
- Does this charge involve the police stopping a motor vehicle?
- Does the charge involve a crime against someone's property?
- Does the charge involve a crime against someone's person?
- Does the charge involve a crime against public order?

Discovery

- What information did attorney initially receive in discovery? (911 tapes, photos, witness statements, CORI, RMV, police written report)
- Did attorney file a motion for additional discovery?
 - o If yes, was there a hearing on that motion? (allowed, denied, allowed in part)

Investigation

- When did attorney begin investigation on case?²²
- Did attorney visit scene of crime?
- Did attorney conduct interviews of defense witnesses personally?
- Did attorney conduct interviews of state witnesses personally?
- How many interviews did attorney conduct?
- Did attorney refer case to internal investigator?
- Did attorney ask court for funds for external investigator?
 - o If yes, were funds granted?
- What was reason for requesting funds for external investigator?

Constitutional Motions

- Was a Motion to Suppress evidence filed?
 - o If yes, was this a motion to suppress a motor vehicle stop? (allowed, denied, allowed in part)
 - o If yes, was this a motion to suppress evidence from a pat-down search? (allowed, denied, allowed in part)
 - o If yes, was this a motion to suppress evidence obtained as a result of a defective search warrant? (allowed, denied, allowed in part)
 - o If yes, was this a motion to suppress an alleged identification? (allowed, denied, allowed in part)

²² Prompt and early investigation is necessary to preserve evidence that will otherwise be lost. IJA/ABA Standards.

- If yes, was this a motion to suppress alleged statements by client? (allowed, denied, allowed in part)
- Was a Motion to Dismiss filed?
 - If yes, on what grounds? (*need to break down into categories used by YAP attorneys- selective prosecution, void for vagueness, witness has 5th Amendment issue*) (allowed, denied, allowed in part)

Interlocutory appeal

- Was there an interlocutory appeal filed in this case?
 - If yes, on what grounds?

Notice of affirmative defenses

- Was there a notice of affirmative defenses filed in this case? If so, on what grounds?

Contact with ADA and other parties

- How many contacts did defense attorney have with ADA before day of trial?
- How many contacts did defense attorney have with DYS before day of trial? (if client already involved with DYS)
- How many contacts did defense attorney have with Probation officer before day of trial? (if client already on probation)

Change of Plea

- Were charges dropped as a result of plea negotiations?
- What was plea agreement? (PTP, CWOFF, D Probation, Cmtd 18 SS, Cmtd 18, Cmtd 21, YO Probation, HoC SS, HoC, SP) (*need to confirm sentencing options*)
- Did parents agree with juvenile client that change in plea was the best option?

Trial/ adjudication

- Was there a bench trial or a trial by jury?
- How long did the trial last?
- Were Motions in Limine filed?
 - If so, on what grounds? (allowed, denied, allowed in part)
- How many prosecution witnesses were called?
- How many witnesses did the defense attorney subpoena to trial?
- How many defense witnesses were called?
- Did the defense attorney introduce documents into evidence? If yes, what documents?
- Did the client testify on his own behalf?
- What was the court's finding on each charge? (not delinquent, delinquent, youth offender)

C. Pre-disposition preparation/ Disposition

- How many contacts did attorney have with prosecutor about disposition options pre-trial?

- Did defense attorney call witnesses at disposition part of hearing?²³
- Did defense attorney introduce supporting evidence at disposition, such as letters of support from family members, church contacts, or teachers?²⁴
- What did the defense attorney propose at disposition?²⁵
- What was the court's final disposition? (PTP, CWO, D Probation, Cmtd 18 SS, Cmtd 18, Cmtd 21, YO Probation, HoC SS, HoC, SP) (*need to confirm sentencing options*)

*D. Post-disposition representation*²⁶

- Did the attorney himself write an appeal on legal issues?
- Did the attorney refer the case externally for an appeal on legal issues?

If client sentenced to DYS

- Did attorney attend the staffing meeting?
- Did the FCM attend the staffing meeting?
- How many face to face contacts with client did attorney have between dispositional hearing and staffing?
- How many phone contacts with client did attorney have between dispositional hearing and staffing?
- How many contacts did attorney have with client's family between dispositional hearing and staffing?
- Did attorney refer case to FCM between dispositional hearing and staffing?
- Did attorney refer case to psychologist between dispositional hearing and staffing?
- Did attorney discuss case with FCM or psychologist between dispositional hearing and staffing?
- Did attorney attend meeting of Regional Review Team?
- Did the FCM attend meeting of Regional Review Team?
- How many face to face contacts did attorney have with client between staffing and RRT?
- How many phone conversations did attorney have with client between staffing and RRT?
- How many contacts did attorney, FCM, or psychologist have with client's family between staffing and RRT?
- Did attorney refer case to FCM between staffing and RRT?
- Did attorney refer case to psychologist between staffing and RRT?
- Did attorney discuss case with FCM or psychologist between staffing and RRT?

If client sentenced to probation

- How many face to face contacts did attorney have with client after disposition before closing case?

²³ IJA/ABA Standards; Puritz (2002).

²⁴ *Id.*; IJA/ABA Standards

²⁵ Puritz (2002).

²⁶ Attorneys have a duty to continue representing juvenile clients after dispositional hearings in certain situations, including direct appeals, regular reviews of disposition, and challenges to unlawful detention conditions. Puritz (2002).

- How many phone contacts did attorney have with client after disposition before closing case?

If client's sentence involves compliance with conditions but no probation

- How many face to face contacts did attorney have with client after disposition before closing case?
- How many phone contacts did attorney have with client after disposition before closing case
- Did attorney refer case to FCM for compliance related issues?²⁷

Team Communication

- How often did defense attorney meet in person with all members of multi-disciplinary team about case?
- How often did defense attorney talk about the case with the FCM?
- How often did defense attorney talk about the case with the psychologist?
- How often did defense attorney talk about the case with the education lawyer?
- Did the other team members talk about the case with each other without the defense attorney being present?

Fostering Client Participation

A. Building a trusting relationship

- Did client give defense attorney important information about the charge?
- Did attorney find out important information about case from other sources such as police reports or interviews (and not from client)?²⁸
- Did client share personal or potentially embarrassing information about himself or his family (perhaps related to one of 5 domains)?
- Did client's expressed interest in case conflict with what the client's parents wanted in the case at the beginning of the representation?
- Did the client's expressed interest in the case continue to conflict with what the client's parents wanted in the case at the time the case was resolved?
- Did attorney have case from arraignment or was case transferred to them?²⁹

Addressing barriers to communication³⁰

- Did the attorney have difficulty speaking with client because of language differences?
- Did the attorney have difficulty speaking with client because of mental disability?

²⁷ Attorneys must maintain regular contact with juvenile clients post-disposition to ensure that juveniles understand court order and are complying with the court's conditions. DC Family Court Standards.

²⁸ Henning, Kristin. (2005). Loyalty, Paternalism, and Rights: Client Counseling Theory and the Role of Childs Counsel in Delinquency Cases. 81 *Notre Dame L. Rev.* 245.

²⁹ Buss, Emily. (2000). The Role of Lawyers in Promoting Juveniles' Competence as Defenders. Pp. 243-265 in *Youth on Trial*, edited by Thomas Grisso and Robert G. Schwartz. Chicago, IL: Univ. of Chicago Press.

³⁰ DC Family Court Standards.

- Did the attorney have difficulty speaking with client because of physical disability?
- Did the attorney identify any other barrier to communication with client?

B. Amount of time spent developing relationship³¹

- How many face to face contacts did the attorney have with client at the office?³²
- How many times did the attorney meet with the client at detention center if client detained?³³
- How many times did the attorney visit the client at home?
- How many times did attorney speak with the client about his case at court?
- How much time passed between arraignment and next client visit?³⁴
- How many times did attorney talk with client on the phone?
- How many letters did attorney write to client?
- Who initiated attorney/client contact and what was the reason for the contact?
- How many contacts did attorney have with family members?

C. Instructing on the law and facilitating decision-making

- Did attorney identify any cognitive issues that could hinder the client's understanding of the law?
- Did attorney identify any special educational issues that could hinder the client's understanding of the law?
- Did client have questions regarding burden of proof, choice to testify, choice to plead delinquency, or other legal issues?
- Was client able to explain to attorney who has burden of proof in case?
- Was client able to explain to attorney right against self-incrimination?
- Was client able to explain to attorney that it was the client's choice to decide whether to plead delinquent?
- How many times did attorney explain legal rights to client?³⁵
- Did attorney use role-plays to help explain legal issues?³⁶
- Did attorney use parents to help explain legal issues?³⁷
- Did attorney use diagrams to help explain legal issues?³⁸
- Did attorney discuss with a YAP psychologist or FCM on how to better communicate legal issues with this particular client?³⁹
- Did attorney show client important documents in the case?⁴⁰

³¹ Juveniles tend to have higher levels of trust and satisfaction when lawyers spend more time working with them. Tobey, Anne, Thomas Grisso and Robert Schwartz. (2000).

³² *Id.*

³³ Puritz (2002).

³⁴ *Id.*

³⁵ Tobey, Grisso, and Schwartz (2000).

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Buss (2000).

- Did the attorney include client when meeting with significant witnesses?⁴¹
- Did client seem to understand the future consequences of the legal decisions (on scale)?⁴²
- Did client appear able to make the law-related choices he needed to make (on scale)?⁴³
- Had client attended a Know the Law workshop?
- If yes, what did client remember from the workshop?
- Had client known anyone who had attended a Know the Law workshop?
- If yes, what did person tell client about workshop?

Education Law

Case information

- Was case opened as an advisory case or a full case?
- Type of education law case- discipline, special education, out of school, clerk's hearing?

Discipline cases

- Does child go to school in Boston or outside Boston?
- Is child facing suspension or expulsion?
- If suspension, is child facing short term, long term, or indefinite suspension?
- Is student a special education student or a regular education student?
- If a special education student, were the procedures for regular education or for special education students used in this case?
- If the procedures for regular students were used, was the school's decision appealed to the superintendent?
- Did the education lawyer call witnesses?
- Did the education lawyer introduce evidence?
- If yes, were there further negotiations with school after the superintendent's decision that achieved the desired outcome?
- After the superintendent's decision, was there an appeal filed in court?
- If yes, who filed the appeal in court, the student or the school?
- If a special education student, was there a BSEA hearing?
- Did the education lawyer call witnesses?
- Did the education lawyer introduce evidence?
- After the BSEA hearing, was the student identified as having special needs?
- After the BSEA hearing, were there further negotiations that achieved the desired outcome?
- After the BSEA hearing, was there an appeal filed in court?
- Who filed the appeal, the student or the school?

⁴¹ *Id.*

⁴² Schmidt, Repucci, and Woolard (2003).

⁴³ *Id.*

Special education cases

- Was this a special education or a 504 Plan case?
- If special education, was the issue in the case eligibility, placement, or services?
- Was this special education case resolved at the school level?
- If no, was there a BSEA hearing?
- Did the education lawyer call witnesses?
- Did the education lawyer introduce evidence?
- If an eligibility case, was the student identified as having special needs?
- If a placement case, was the student determined eligible for different placement?
- If a services case, was the student determined eligible for the desired services?
- After the BSEA hearing, were there further negotiations with the school that resulted in the desired outcome?
- After the BSEA hearing, was there an appeal filed in court?
- Who filed the appeal, the student or the school?

Out of school clients

- What was the reason for the client having difficulty enrolling in school? (coming out of detention, lost records, etc)
- Was the student able to re-enroll in school?
- Was this the student's preferred school to re-enroll in?

Clerk's hearing

- Did the education lawyer appear in court with the juvenile?
- What was the result of the hearing?

Client contact

- Number of office meetings
- Number of meetings in detention
- Number of phone meetings
- Number of meetings at client's home
- Number of meetings at school
- Did the student and the parent have similar objectives concerning the representation (scale)?

IV. POTENTIAL INDICATORS OF POSITIVE YOUTH DEVELOPMENT

1. Youth Development (YD) Background

Youth development approaches focus on building young person's strengths rather than solving the immediate problems or just remedying negative behavior that gets young people into trouble. A critical component of the YD approach is that youths need assistance to ensure healthy development. These needs are exacerbated for youth from communities with fewer resources for such development within families and communities. These youth often need assistance from other programs to make healthy transitions into adulthood. As a result YD focused program provide support to youth as they build their capacities to meet personal and social needs as they transition into adulthood.

Measuring indicators of and success of youth development has been difficult as much youth survey data focuses on negative behaviors. There are numerous explanations for this deficit primary among which has been a general lack of consensus about what such measures might be, lack of standard positive development measures in commonly used national youth survey data instruments⁴⁴ and an unwillingness of program managers to capture such information since programs do not feel obligated to increase positive development, but rather only prevent negative behaviors.⁴⁵ Since the mid-1990s significant progress has been made identifying and testing measures of positive youth development. The proposed list of measurable indicators of positive youth development draws from this research.

For the YAP evaluation, data needs to be collected that captures the status of youth when they first come into YAP services, changes in their status or activities as they receive YAP representation and some follow-up on how they do after leaving YAP representation. The hope is that YAP encountered youth who are not getting their needs met in the five youth development domains described in more detail below. YAP connects the youth with an attorney, a forensics case manager, a psychologist and an outreach worker who work to ensure that the youth has access to programming across the five domains to help meet their youth development needs. Through the course of working with YAP, youths experience positive changes across the five domains. This change continues after the youth completes their work with YAP (may track at one month, three months and six months to see if they continue to do well in the five domains).

2. Objective Measures of Youth Development (*completed by YAP staff*)

A. Nurturing Adult Relationships and Positive Peer Relationships

⁴⁴ Zaff, J. (2001). Scan of Positive Indicators in National Surveys: Working paper. Washington, DC: Child Trends.

⁴⁵ Moore, K.A, Lippman, L. and Brown, B. (2004). Indicators of Child Well-Being: The Promise for Positive Youth Development. *Annals of the American Academy of Political and Social Science*, 591: 125-145.

- *Family Support/Attachment*⁴⁶
 - Is parent or adult guardian regularly present in the home when the youth is at home?
 - Are parents actively involved in helping youth succeed in school?
 - Do parents provide clear rules and consequences?
 - Is there positive communication between youth and parents?
 - Do youth commonly talk to their parents or other family members about their problems?
 - Does youth have positive relationship with other family members (siblings, grandparents, cousins, extended family)?
- *Positive Adult Relationships (General)*
 - Does the youth have positive adult role model(s)?
 - Does the youth receive support from non-parent adults?
 - Measures of how many 0, 1, 2, 3...
 - Do neighbors monitor youth behavior?
- *Positive Peer Relationships*
 - Does the youth have positive relationships peers?
 - Are these relationships with pro-social peers?
 - What is the extent of youth interaction/connection with delinquent peers?⁴⁷
 - Do the young person's best friend(s) model positive behavior?
 - Is the youth involved in an intimate partner relationship?

B. Education and Employment Opportunity

- *Youth Engagement in School*
 - Is the youth attending school regularly?
 - Is the youth is motivated to do well in school?
 - Does the youth actually do well in school (grades alone weaker measure)⁴⁸
 - Is the youth actively engaged in learning?
 - Has the youth ever been suspended or expelled from school (number of times)?
 - Has the youth ever attended an alternative school or other non-traditional educational facility?
 - Does the youth care about his or her school (proud of school, happy to be a part of the school?)

⁴⁶ 40 Developmental Assets for Youth, Search Institute <http://www.search-institute.org/system/files/40AssetsList.pdf>; Anderson-Moore, K. and Zaff, J. (2002) Building a Better Teenager: A Summary of "What Works" in Adolescent Development.

⁴⁷ Erickson, K. G., Crosnoe, R., and Dornbusch, S. M. (2000). A social process model of adolescent deviance: combining social control and differential association perspectives. *Journal of Youth and Adolescence*, 29, 395-425.

⁴⁸ Felson, R. and Staff, J. (2006). Explaining the Academic Performance-Delinquency Relationship. *Criminology*, 44: 299.

- o Does the youth spend more than 1 hour per school day on homework?
- o Does the youth read for pleasure?
- *School Environment*
 - o Is the school environment caring and encouraging⁴⁹?
 - o Do parents encourage youth to do well in school?
 - o Do teachers encourage youth to do well in school?
 - o Does the school provide clear rules and consequences?
- C. Engagement in Structured Activities and Civil Engagement**
 - *Involvement in the community or activities*
 - o Is the youth is involved pro-social activities?
 - Sports
 - Arts
 - Community-based activities
 - Clubs
 - o Is the youth out with nothing to do fewer than 2 nights per week?⁵⁰
 - o Is the youth involved in activities that serve the community at least once a week?
- D. Safe Places to Live and Learn**
 - *Safety of youth environment*
 - o Is the youth's home environment safe?
 - o Is the youth's school environment safe?
 - o Is the youth's neighborhood safe?
 - *Safety of youth behavior*
 - o Does the youth carry or own a weapon for protection?
 - o Is the youth associated with a gang?
 - o Are siblings or family members associated with a gang?
 - o Has the youth been in violent altercations with other youth in his or her neighborhood?
 - o Has the youth been arrested previously?
- E. Health⁵¹**
 - *Access to services*
 - o Does the youth have regular access to appropriate health services⁵²

⁴⁹ Gottfredson, D. C. (2001). *Schools and Delinquency*. Cambridge: Cambridge University Press.

⁵⁰ Fauth, Roth and Brooks-Gunn (2007) Does the Neighborhood Context Alter the Link Between Youth's After-School Time Activities and Developmental Outcomes? A Multilevel Analysis. *Development Psychology* 43: 760.

⁵¹ See Aten, Siegel and Klaus (1996) Use of Health Services by Urban Youth: A School Based Survey to Assess Differences by Grade Level, Gender and Risk Behavior. *Journal of Adolescent Health* 19: 258.

⁵² Foster, Qaseem and Connor (2004). Can Better Mental Health Services Reduce the Risk of Juvenile Justice System Involvement? *American Journal of Public Health*, 94: 859.

- Does the emergency department serve as the primary/regular health care service for youth and family?⁵³
 - Are the youth or family are enrolled insurance or Medicare/Medicaid⁵⁴
 - Has the youth or family attempted to seek medical/mental health care services?
 - Were the attempts successful or did they run into barriers?
 - Is the youth aware of health services in their community?
- *Youth health needs*
 - Does the youth need and/or receive health services for:
 - Chronic illness
 - Disease (including sexually transmitted diseases)
 - Mental health issues⁵⁵
 - Does the youth have medical needs around other issues such as family planning, sexual health, and pregnancy?

⁵³ Wilcon and Klein (2000). Adolescents Who Use the Emergency Department as Their Usual Source of Care. *Archives of Pediatric and Adolescent Medicine*, 154: 361.

⁵⁴ Cueller, Kelleher, Rolls and Pajer (2005). Medicaid Insurance Policy for Youth Involved in the Criminal Justice System. *American Journal of Public Health*, 95: 1707.

⁵⁵ Bean, Barber and Crame (2006) Parental Support, Behavior Control, and Psychological Control Among African American Youth: The Relationship to Academics, Grade, Delinquency and Depression. *Journal of Family Issues*, 27: 1355; Cauffman, Feldman, Waterman and Steiner (1998). Post-traumatic Stress Disorder Among Female Juvenile Offenders. *Journal of the American Academy of Child and Adolescent Psychiatry*, 3: 1209; Teplin, Abram, McClelland, Dulcan and Mericle (2002). Psychiatric Disorders of Youth in Juvenile Detention. *Archives of General Psychiatry*, 59: 1133.