

TERMS AND CONDITIONS OF PROBATION - JUVENILE (INDOCTRINATION)

- AUTHORITY:** Sections 654, 725, 727, 730, 731, 775, 776, and 778 Welfare and Institutions Code
Juvenile Court Rules
- RESCINDS:** Procedure Manual Item 2-6-001, dated 11/23/21 (Recertified)
- FORMS:**
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| Terms and Conditions of Probation-Juvenile | (F057-5030.16) |
| Gang Terms and Conditions of Probation-Juvenile | (F057-5083.1) |
| Court Disposition Sheet | (F057-4158) |
| Petition for Modification | (F057-5120AF) |
| Sex Offender Additional Terms and Conditions of Probation | (CR029) |
| Computer and Electronic Storage Device Use and Agreement
for Juvenile Sex Offender Cases | (CR030) |
- PURPOSE:** To outline the philosophy and use of the Standard Terms and Conditions of Probation, as well as Gang Terms and Conditions of Probation

I. GENERAL INFORMATION

- A. The terms and conditions of probation are an integral part of the Juvenile Court Order and serve as verification of a youth's understanding of, and agreement to adhere to all terms and conditions of probation/court orders.
- B. There is an expectation that all youth supervised by the Department comply with their specific terms and conditions of probation. This includes not only 602 WIC cases (wards), but also 725(a) WIC (non-ward supervision), 654 WIC (informal supervision), and 790 WIC Deferred Entry of Judgment (DEJ) cases.
- C. If a youth is not placed under Gang Terms and Conditions by the Court, the assigned Deputy Probation Officer has some discretion in modifying certain Standard Terms and Conditions of Probation 1, 4, and 12, to fit the individual needs of each case. The Deputy Probation Officer may not normally modify orders imposed directly upon the youth by the Juvenile Court. Orders of the Juvenile Court may only be modified through use of the Petition for Modification, which is routed to the Court for consideration and approval. Items 13, 16-30 on the Standard Terms and Conditions form may only be utilized when specifically ordered by the Court.
- D. The parent and youth's green colored copy of the Court Officer's Disposition Sheet contains the Standard Terms and Conditions of Probation on the reverse side. The Court Officer delivers this to them immediately after the hearing.

II. PROCEDURE

- A. After placement under the jurisdiction of the Probation Department, each youth is required to complete an indoctrination interview with his or her assigned Deputy Probation Officer.
1. This interview should be accomplished at the Probation Department office as soon as possible after receipt of the case, in keeping with the performance standards established for the particular function or unit to which the Deputy is assigned.
 2. Both parents should be present, if possible, and at that time the Deputy Probation Officer should begin developing a probation supervision and case plan.
- B. As a part of the indoctrination, the youth and parents shall be furnished with copies of the Terms and Conditions of Probation, with the signed original being retained for filing in the case file. When indoctrinating a youth to Gang Terms and Conditions 1-14, the youth and parents are given the pink colored copy, with the original copy being retained for the case file. When indoctrinating a youth to Sex Offender additional terms 1-16 and/or Computer and Electronic Storage Device Use Agreement for Juvenile Sex Offender Cases, the youth and parents are provided a photocopy of the signed terms and conditions and a copy is placed in the youth's file.

It is necessary to include in the Standard Terms and Conditions the specific orders of the Court (items 13, 16-30). If a youth is placed under Gang Terms and Conditions or Sex Offender Terms and Conditions, item 30 will be utilized for specific court orders. It is also necessary to indoctrinate the youth to both the standard Terms and Conditions of Probation, along with any additional Terms and Conditions.

1. The Standard Terms and Conditions of Probation and Gang Terms and Conditions have been translated into Spanish and Vietnamese and shall be provided in the youth's primary language whenever possible. A primary language translator will also be provided by the department to explain these terms and conditions to ensure either the youth's or parent/guardian's comprehension. This will be determined either by the youth's or parent/guardian's request or the use of a translator in court.
- C. The assigned Deputy Probation Officer should be aware that this initial indoctrination interview with the youth and the parents is one that may have continuing impact upon the supervision program. This interview should be approached with planning and purpose and is an opportunity to build rapport and begin to form an alliance. Research has shown that confrontational relationships are less effective than supportive ones.
- D. During the supervision period, it may be necessary to modify, delete, or add conditions, via a Petition for Modification. The youth should be re-indoctrinated following any modifications to the terms and conditions of probation and any time a case is transferred from one officer to another.

Any change in previous court orders or additional orders made by the court following approval of a Petition for Modification, should be entered into the youth's

case history record by the unit clerk, via the Electronic Contact Reporting (ECR) process.

REFERENCES:

Procedures:	2-4-001	Non-Custody Intake*		
	2-4-101	Custody Intake Referrals*		
	2-6-002	Juvenile Risk/Needs Assessment	and	
		Reassessment Packet		
	2-6-104	Petition to Change, Modify or Set Aside Order or		
		Terminate Jurisdiction of the Court		

(*For information regarding informal probation agreements under 654 WIC)

A. Baumgardner

APPROVED BY: