

Juvenile Intake

508.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth the guidelines and procedures for processing applications for petitions submitted to the Riverside County Probation Department. This policy applies to all designated personnel.

508.1.1 DEFINITIONS

Definitions related to this policy include:

Application for Petition – An affidavit document, also known as a J-132 referral, submitted by a referring agency requesting that proceedings in juvenile court commence.

Subsequent Referral – A referral alleging a new law violation for a youth who is currently under the supervision of the probation department.

Petition – A document submitted to the juvenile court by the District Attorney to initiate juvenile court proceedings on behalf of a youth.

508.2 AUTHORITY AND REFERENCES

- Executive Committee;
- Family and Juvenile Rules 5.514 & 5.516;
- Welfare and Institutions Code §§ 601, 602, 631, 631.1, 632, 653.5, 653.7 & 654.

508.3 POLICY

All juvenile court referrals will be processed in accordance with Juvenile Court Rules.

508.4 PROCESSING REFERRALS

Referrals will be delivered to the department from juvenile hall, police departments, Riverside County Sheriff's Department, and other law enforcement agencies.

Referrals shall be date stamped, record checked, and entered into the Juvenile Adult Management System (JAMS) by designated support staff. Designated support staff will forward the referrals to the Intake Officer who shall conduct an investigation to determine whether proceedings in the juvenile court should commence.

508.4.1 IN-CUSTODY/OUT-OF-CUSTODY REFERRALS

In-custody and out-of-custody referrals that come within the provisions of Family and Juvenile Rules 5.514, 5.516 and Welfare and Institutions Code (WIC) § 653.5 shall be submitted to the District Attorney within 48 hours.

In-custody referrals, not coming within the provisions of Family and Juvenile Rules 5.514, 5.516 and 653.5 WIC and upon the decision of the Intake Officer to file, shall be given to the District

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Attorney in sufficient time to permit filing as mandated in Sections 631 and 631.1 WIC. Further, the provisions of 632 WIC, in setting of detention hearings, shall be followed.

508.4.2 SUBSEQUENT REFERRALS

The Intake Officer will process all subsequent referrals in accordance with Juvenile Court Rules 5.414, 5.516 and 653.5 WIC.

In the case of an in-custody subsequent referral, diligent efforts shall be made by the Intake Officer to notify the assigned probation officer of the referral at the start of the workday to seek input from that officer.

508.4.3 DISPOSITION OF REFERRALS

- (a) Filing petition – In determining whether to request the District Attorney file a 602 WIC petition, factors listed in Family & Juvenile Rules 5.514, 5.516 and 653.5 WIC shall be considered.
- (b) Closing at intake – In determining whether a matter should be closed at intake, those factors listed in Family & Juvenile Rules 5.514, 5.516 and 653.5 WIC shall be considered.
- (c) Referring to other agency – In determining whether a matter should be referred to another agency, those factors listed in Family & Juvenile Rules 5.514, 5.516 and 653.5 WIC shall be considered.
- (d) Referring to diversion – In determining whether a youth is a suitable candidate for informal probation, those factors listed in Family & Juvenile Rules 5.514, 5.516 and 653.5 WIC shall be considered.
- (e) Informal interview – In the event that further information is needed to appropriately dispose of a petition, an informal interview may be held with the youth and at least one parent/legal guardian. Subsequent to the interview, one of the following decisions shall be made:
 - 1. Request that a petition be filed – in cases where intervention by the juvenile court is deemed appropriate.
 - 2. Place on informal probation – in cases where supervision is appropriate, without a court appearance.
 - 3. Consequence agreement – in cases where a short term contract is sufficient to discourage further delinquent behavior in the future.
 - 4. Counsel and close – in cases where additional sanctions do not appear necessary.
 - 5. Close – where neither the interests of the youth nor justice would be served by further pursuing the matter.
- (f) Any referral in which no action is taken under 654 WIC and no petition is filed in the juvenile court will be handled pursuant to 653.7 WIC.
- (g) Any referral rejected by the District Attorney for lack of legal sufficiency shall be returned to the referring agency with a notice from intake as to the justification.

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