

NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

JUVENILE SANCTIONS CENTER

TRAINING AND TECHNICAL ASSISTANCE PROGRAM

MONOGRAPH II:

**PROGRAM EXPANSION
AND
CAPACITY-BUILDING**

*Helping Communities Respond to Youth and Families in
Need of Sanctioning and Services*

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EXECUTIVE SUMMARY

As anticipated in the Executive Summary of **Monograph I** (2003), this second edition focuses on program expansion from Immediate and Intermediate Sanctions to the full range of sanctioning levels, including Secure Care and Aftercare/Reentry. **Monograph II** traces the progress of the first ten Demonstration Sites in the implementation of their respective Action Plans, and their development as providers of *pro bono* cross-site technical assistance.

This document is devoted to the activities and accomplishments of Phase III of a multi-year grant from the Office of Juvenile Justice and Delinquency Prevention to the National Council of Juvenile and Family Court Judges' Juvenile Sanctions Center. It reemphasizes the key Recommendations set out in **Monograph I**, and builds on them to include Recommendations pertaining to the Juvenile Justice System's complete continuum of responses to serious, violent and chronic delinquent behavior resulting in removal from home, school and community.

By merging with the National Council's Juvenile Reentry Project, the Juvenile Sanctions Center brings to bear the best professional thinking on the most complex issues facing the nation's courts: including the need for culturally competent and gender-specific programming, continuity of sanctioning and service-based responses, and the establishment of a "problem-solving" reentry court to attack the unacceptably high failure rate of youth returning from institutions to their home communities.

Conclusion:

As anticipated in **Monograph I: Program Development and Future Initiatives**, Phase III of the Juvenile Sanctions Center's

Graduated Sanctions Project saw expansion from two to four sanctioning levels, and from ten to thirteen Demonstration Sites. The Training and Technical Assistance provided during Phase II enabled the premiere Demonstration Sites to meet local project goals, reallocate local resources, and assist one another, drawing on their respective experiences.

INTRODUCTION

Background:

Monograph II: Program Expansion and Capacity-Building is presented by the Juvenile Sanctions Center (JSC) of the National Council of Juvenile and Family Court Judges and the Department of Justice's Office of Juvenile Justice and Delinquency Prevention pursuant to the requirements of grant # 2001-JI-BX-K001.

The Juvenile Sanctions Center was established in 2001 to serve as the definitive site for training and technical assistance to competitively selected Demonstration Sites across the country.

Phases I and II of the Graduated Sanctions Project were outlined in **Monograph I: Program Development and Future Initiatives**. Phase III (2003-2004) is the subject of the present volume.

Phase III Milestones:

During Phase III, volume I of the **Training Curriculum Guide** (Immediate and Intermediate Sanctions) was presented at the ten first-round Demonstration Sites, using the Juvenile Sanctions Center's **Graduated Sanctions for Juvenile Offenders: A Program Model and Planning Guide** as its primary reference.

During this period, four additional **Technical Assistance Bulletins** were published, and twelve issues of **First Monday**- a monthly project update, were provided to the Demonstration Sites. The Juvenile Reentry Project drafted a primer entitled: **Reconnecting: The Role of the Juvenile Court Judge in Reentry**, to serve as a reference for volume II of the Juvenile Sanctions Center's **Curriculum Training Guide** and for volume II of the **Program Planning Guide**. Sanctions-related training was provided to hundreds of participants in four of the Council's national training

programs, convocations and *colloquia*. And finally, themes pertinent to the advancement of local graduated sanctions capability were introduced in a number of editions of the Council's technical assistance publication: **Brevity**.

As in **Monograph I**, the present publication delineates both challenges and breakthrough's for juvenile justice practitioners during Phase III of the Graduated Sanctions Project, and offers recommendations leading to the establishment or enhancement of "preferred practices" for dealing with the system's most complex cases at the Secure Care and Reentry sanctioning levels.

As at the "front end" of the system (where Immediate and Intermediate Sanctions are applied), successful case management and positive case termination are contingent on participating jurisdictions' ability to overcome barriers to collaboration-between institutional and field personnel, between the court and the institution, the court and local service providers, the juvenile justice and education communities, and the court and the public (which may be loath to support the reintegration of the more serious, chronic and violent youthful offenders that comprise the target population).

Next Steps:

The team-building and collaboration efforts initiated at the first ten Demonstration Sites are expected to be transferable to other sites, and to be equally applicable in the context of Secure Care, Transition, Reintegration, Community Surveillance and Supervision, and Case Closure. Groundbreaking models for resource reallocation and public/private sector partnering were tested during Phase III, and are available for cross-site technical assistance during Phase IV.

Juvenile Sanctions Center Structure and Policy Direction:

The Juvenile Sanctions Center is staffed by:

- A full-time Project Director
- Two full-time Project Attorneys
- One part-time Technical Assistance Manager
- One full-time Project Manager, and
- One part-time Consultant who serves as Education Director¹

Policy direction continues to be provided by an Advisory Committee consisting of:

- Two NCJFCJ Board members representing mid-sized/ large urban courts
- Representatives of key national organizations, including: the National Center for Juvenile Justice, the National District Attorneys' Association, the Youth Law Center, the Center for Public and Social Policy, the National Juvenile Detention Association, Pace Center for Girls, and the National Juvenile Court Services Association (for whom the NCJFCJ provides Secretariat services)², and
- Founding partners for the Graduated Sanctions Project: the National Council on Crime and Delinquency, the National Center for Juvenile Justice, and the Developmental Services Group, Inc.³

¹ Project Director: David Gamble; Project Attorneys: David Humke and Michael Jamison; Technical Assistance Manager: Joey Binard; Project Manager: Mary Scott; Education Director: Catherine Lowe.

² Judges Wadie Thomas (Omaha, NE) and James Payne (Indianapolis, IN); NCJJ: Hunter Hurst III; NDAA: Caren Harp; YLC: Mark Soler; CPSP: Sandra O'Brien, Ph.D; NJDA: David Roush, Ph.D.; Pace Center: Lili Garfinkel; NJCSA: Alvin Cohn, D. Crim.

³ NCCD: Robert De Como, NCJJ: Hunter Hurst III, and DSG: Alan Bekelman.

Clear policy direction from both Grantor and Advisory Board cleared the way for expanded project focus during Phase III, to include all four traditional sanctioning levels: Immediate, Intermediate, Secure Care and Aftercare/Reentry.

Definition of Sanctioning Levels:

1. Immediate: Those sanctions/responses to serious, chronic or violent delinquent behavior administered at the front end of the juvenile justice system, at or beyond juvenile probation intake.
2. Intermediate: Those sanctions/responses administered prior to (and exclusive of-) court-ordered commitment to institutional placement in a state training school or similar long-term secure treatment facility.
3. Secure Care: Long-term out-of-home placement- generally in a state training school operated under the authority of the Administrative, rather than the Judicial branch of government.
4. Aftercare/Reentry: A process that encompasses all phases of case management at the “deep end” of the juvenile justice system, from Transition through Reintegration and Community Supervision to Case Closure/Termination.

Some researchers in the national juvenile justice policy community⁴ have suggested an additional sanctioning level be inserted between Intermediate Sanctions and Secure Care, namely: Community-based out-of-home placement. The Juvenile Sanctions Center’s **Curriculum and Training Guides**

⁴ David Altschuler, Ph.D. and Troy Armstrong, Ph.D., who designed and delivered the Intensive Aftercare Program (IAP) under another long-term grant from OJJDP.

(volumes I and II) can be tailored to include either four or five sanctioning levels.

Project Expansion

Demonstration Site Training and Action Planning

1. Phase III Training Workshops:

As noted in **Monograph I**, the role of the Juvenile Sanctions Center is to provide training and technical assistance, utilizing its staff, its Training Director and project Partners and consultants. Although limited travel monies are available to bring local Team Leaders to Colloquia and NCJFCJ conferences, the Center does not provide direct program dollars to Demonstration Sites. One of the more unique features of the Graduated Sanctions Project is its requirement that Sites reallocate existing resources or devise their own formulae for blending various funding streams to support new or expanded programming for the target population.

In terms of Training, Phase III of the Juvenile Sanctions Center's Graduated Sanctions Project witnessed the delivery of volume I of the **Training Curriculum Guide** to all ten of the initial Demonstration Sites, followed by site-specific technical assistance as called for by each local Action Plan. Most sites identified their training needs in the following broad categories:

- Team-building, team expansion or attraction of stake holders

- Selling Graduated Sanctions throughout the agency
- Planning for change
- Overcoming resistance to change
- Understanding and managing change dynamics
- Adapting Structured Decision Making (SDM) to local needs, and
- Developing culturally competent and gender specific programming for special needs offenders (including DMC youth, female offenders, and youth with mental health and/or learning problems).

All Training related to team building, community collaboration, action planning, or change dynamics was delivered by the JSC Training Director⁵. Training related to structured decision-making was delivered by NCCD,⁶ or by other consultants, and training related to improved outcomes for special needs offenders was delivered by another nationally recognized consultant.⁷

Primary Reference Document For Curriculum Volume I

The **2003 Program Model and Planning Guide** served as the principal reference document for participants. This document was divided into three parts: Part I: Overview, Part II: Preferred Practices in Graduated Sanctions, and Part III: Program Development and Implementation.

Subsections of particular interest to Phase III participants were:

⁵ Catherine Lowe

⁶ Robert De Como or Rick Wiebush

⁷ Michael Lindsay, Ph.D.

Part Two, Chapter 3: Promising and Proven Programs for Graduated Sanctions (pp 23-48)⁸, setting out the three overarching principles of program effectiveness:

1. Strategies must address *criminogenic* factors and focus on offender characteristics that are *dynamic* (susceptible to change).
2. Interventions are based on behavioral, social learning or on cognitive-behavioral theories emphasizing reinforcement of pro-social behaviors; and
3. Programs provide adequate amounts and duration of treatment; are well-designed and delivered by well-trained staffs.

Part Two, Chapter 4: Issues and Programs for Special Needs Populations (pp 48-76)⁹, defining specific risk and protective factors for those special needs populations that are the subjects of this grant initiative; identifying key treatment issues, and describing promising programs.

Part Three, Chapter 7: Planning and Implementation (pp 120-130)¹⁰, setting out a complete list of implementation steps in long-range planning, and

Part Three, Chapter 9: Resources (pp 144-174)¹¹, identifying a comprehensive list of federal and state sources for training, TA, research and evaluation, with contact information for each.

2. Follow-up Technical Assistance to Ten Sites

⁸ Steven Geis and Marcia Cohen

⁹ Michael Lindsay

¹⁰ Chris Baird, NCCD

¹¹ Robert DeComo and Rick Wiebush

Each initial training session at the ten Demonstration Sites concluded with a practicum in Action Planning, based on visioning statements developed in advance of the training. Participants developed detailed implementation strategies for the next year, including identification of the discrete activities essential to the attainment of each Action Planning goal. Roles and responsibilities were assigned, assuring the timely completion of each action step, and milestones delineated within the agreed-upon timeframe.

The concluding training activity was a discussion of the local team's expectations of the Juvenile Sanctions Center in terms of additional training and technical assistance to support completion of the Graduated Sanctions plan for the initiation or expansion of Immediate and Intermediate sanctions.

Subsequent to the training, the Juvenile Sanctions Center issued a Memorandum of Understanding to each Team Leader, documenting mutual agreements regarding performance and support expectations.

Technical assistance needs identified by the ten Demonstration Sites fell into the following categories:

- Additional training for agency staff to promulgate and gather momentum for a new approach to Graduated Sanctions
- Additional training to spark community and volunteer interest in supporting Graduated Sanctions
- Additional training in Structured Decision-making
- Additional training in the enhancement of the local management information system
- Additional training in program development for special needs offenders, and
- Additional information about resource reallocation and accessing additional revenue streams, including block grants.

In some instances, training was provided by the Juvenile Sanctions Center's Training Director, in others by a Project Partner or member of the Center's consultant pool. All training requirements were met in a timely manner.

A number of relevant resource documents were prepared and disseminated by the Center, and other information sources were identified and disseminated by the Center's Technical Assistance Manager.

3. Review of Phase II Recommendations to the Field

Most recommendations¹² formulated during Phases I and II of the Graduated Sanctions Project proved useful to, and attainable by the first ten Demonstration Sites. Regarding start-up activities, the following recommendations proved indispensable:

- Each participating jurisdiction should field a core [planning] team, led by a juvenile court judge. The core team should be capable of sustaining stable leadership throughout the planning and implementation phases of a Graduated Sanctions project [at *any or all* sanctioning levels].

This recommendation was of “make it or break it” significance to project participants. In those jurisdictions where either the juvenile court judge or key team members had changes in assignments, team energy, planning impetus, and philosophical direction were affected. Timetables were revisited at two sites, and the Phase III **Colloquium** training focused on succession planning, change dynamics and staying the course in terms of goal attainment.

- The team should be balanced between systems and community representatives and public and private service providers. Additional “stakeholders” (including local business leaders, opinion makers, the media and the faith

¹² See pp. 5-7 of Monograph I: **Program Development and Future Initiatives**

community) should be convened to provide input into and to promote broad participation...

In those jurisdictions where non-traditional stakeholders (the media¹³ and the faith community¹⁴) were included in planning, training and project implementation, the entire project dynamic was impacted. The media, for example, developed a series of nightly news broadcast announcements regarding Graduated Sanctions in the Buchanan County community (St. Joseph, MO), and prepared a documentary (later shown at the Juvenile Sanctions Center's Phase III **Colloquium**) demonstrating the effectiveness of local sanctioning efforts in a variety of program contexts. The faith community (which figured prominently in the development of the Reentry Project primer) offered *pro bono* services to youth and families in the target population.

- By the conclusion of each local training session, the core team should formulate its own Action Plan, based on locally identified needs and service gaps. Project goals should be substantially achievable during the [next] project year.
- All elements of the Action Plan should be generated by training participants based on locally identified needs and service gaps.

These recommendations went to the heart of the Graduated Sanctions project, and defined its uniqueness. Rather than forcing a previously developed model on local participants, the Juvenile Sanctions Center empowered the Demonstration Sites to create their own vision, articulate their own challenges, devise their own approaches, and define their own needs for additional training and technical assistance.

¹³ St. Joseph, MO

¹⁴ Las Vegas, NV, Santa Clara County (San Jose), CA, Dayton, OH *et al*

- The plan should provide for reallocation of local resources that *do not rely on external funding*.

From the outset of the Graduated Sanctions project, participants were recruited based on their willingness to try innovative approaches and to reallocate local resources and existing block grant and other monies and personnel to support the development of a continuum of services to the target population.

- The Juvenile Sanctions Center should prepare the sites to assist each other- both before and *after* the grant period expires.

In the spirit of self-determination and generosity, the Demonstration sites were not only encouraged to identify their own on-going training and technical assistance needs, but were also trained as trainers to support each other, with only travel expenses reimbursed by the Juvenile Sanctions Center. To further that end, the Phase III **Colloquium** afforded all Demonstration Sites an extended formal (and informal) opportunity to share their individual successes and challenges, and to determine which other sites shared common issues and transferable methods for addressing them.

In all, seventeen recommendations were included in **Monograph I**. Some, pertaining to full implementation of the four sanctioning levels and the resulting impact on detention, diversion and recidivism rates and successful diversion, placement and treatment rates will be evaluated at the conclusion of this multi-year grant.

4. Identification of Three Additional Demonstration Sites

During Phase III of the Graduated Sanctions Project, three additional Demonstration Sites were identified, bringing the total number of participating jurisdictions to thirteen. Funding limitations directly affected the Center’s ability to bring five new sites aboard during each grant year, as originally projected, and drove the decision to dispense with regional recruitment workshops around the country.

The three new sites: Toledo, OH, Indianapolis, IN and Ft. Myers, FL will complete their respective training requirements during Phase IV. The first two are already addressing reentry issues, and Indianapolis is a model Reentry Court for OJJDP. Their training will therefore focus on Immediate and Intermediate sanctions. The third site will train on all sanctioning levels. All will review their planning and team-building processes and will have in hand, at the conclusion of their respective training sessions, an updated Action Plan for achievement of project goals within the next year. This plan will form the basis for a Memorandum of Understanding between the Site and the Juvenile Sanctions Center, and will detail expectations of both.

5. Program Expansion

Inclusion of Secure Care and Aftercare/Reentry

As noted earlier, Phase III of the Graduated Sanctions project expanded the subject areas under consideration to include those sanctions at the “deep end” of the juvenile justice system: Secure Care (institutionalization in a facility akin to a state training school) and Reentry (transition from institutional care to community supervision and eventual case closure).

All written products developed by the Center during Phase III of the project focused on improved approaches to secure care and aftercare, and on their relationship to preferred practices for Immediate and Intermediate sanctioning.

Merger of Graduated Sanctions and Reentry

During Phase III of the Juvenile Sanctions Center's Graduated Sanctions Project, a discrete OJJDP Reentry Project neared completion with the publication (in draft form) of a primer entitled: **Reconnecting: The Role of the Juvenile Court Judge in Reentry**. The primer offered just the guidance needed for the expansion of the Graduated Sanctions Project to cover sanctions, behavioral responses and a continuum of services at the deep end of the system, where special needs populations are most disproportionately represented, and at greatest risk of recycling through the state institutional system.

At the conclusion of Phase III, the two projects merged, both at program and staffing levels, creating new economies and efficiencies lauded by OJJDP.

6. Preliminary Phase III Recommendations Regarding Juvenile Reentry and Establishment of a Reentry Court

The primer set out a number of recommendations to the juvenile justice community with respect to Secure Care and Aftercare of the nation's most serious delinquent offenders, including:

- Establishment of a specialized “problem-solving” juvenile Reentry Court or court docket, following the principle of: one judge/one case
- Initiate a Memorandum of Understanding between the judicial and administrative branches of government to promote greater continuity of treatment during and after institutionalization
- Utilize the IAP approach to step-down custody and control during the transition from training school to community
- Initiate pre-release planning as soon after commitment as possible, and not later than 90 days before the scheduled release date
- Promote meaningful interaction between institutional and field staff to avoid gaps or contradictions in service delivery and behavioral expectations
- Avoid a zero tolerance for technical violations by parolees
- Schedule frequent review hearings before the same judge (in the event that more than one judge is assigned to the Reentry Court, or court docket)
- Invest the case manager with leadership responsibility for the community treatment team and for coordinating contacts with the juvenile court judge
- Establish a system of rewards for behavioral compliance with court expectations (including early institutional release and relaxed requirements during the Community Supervision phase)

- Include the family throughout the treatment process, both during confinement and after release, unless reunification is not feasible (due to death of parents, parental rejection, parental incarceration or institutionalization, or parental refusal to address those dysfunctional family dynamics that were foundational to the youth's delinquent behavior.
 - Actively engage the youth in restitution, reparation, education and job readiness activities to support long-term adaptation to reasonable community expectations.
 - Implement Management Information System and Program Evaluation components to provide case-by-case data documenting what worked for whom.
-

Capacity-Building

As noted in previous descriptions of Demonstration Site Training and Action Planning, the uniqueness of the Graduated Sanctions project rests on its recognition that participants must be empowered to identify and resolve their own issues.

1. In furtherance of that end, Phase III saw the convocation of participating sites in a **Colloquium** at the National Council's headquarters in Reno. Each of the ten Demonstration Sites contributed a substantive presentation involving two or more team members. The presentations, using impressive audio-visual support, depicted progress toward goal attainment in their respective subject areas.

Since approximately half of the Demonstration Sites experienced, or were about to experience changes in team membership or project leadership, the substantive training

offered at the **Colloquium** centered around change: in terms of planning for and capitalizing on the change experience¹⁵.

Change Dynamics

In terms of change dynamics, the curriculum set out various sources of and reasons for change (both internal and external to the organization), and methods for anticipating, shaping or coping with change. The purpose of the curriculum was to establish an expectation of change as a constant force, even in a relatively structured system, and to shape it into an opportunity for staff and program innovations and improved techniques.

Resource Reallocation

The **Colloquium** offered recognition to Demonstration Sites for their ability to create or manage change without reliance on an infusion of federal funding; their ability to establish new levels of interagency cooperation (in some cases sharing both staff and funding); and their willingness to disengage from reliance on traditional sanctioning approaches (including over-utilization of detention and premature or unnecessary commitment to the state training school).

Cross-site Training and Technical Assistance (Direct and Indirect)

Phase III training and technical assistance were designed to prepare participants to rely on one another, rather than on the Grantor or the Juvenile Sanctions Center. In this manner, long-term cross-site technical assistance is not confined by

¹⁵ Training provided by JSC Training Director, Catherine Lowe.

programmatic or fiscal limitations imposed by shrinking federal resources, nor by the time constraints imposed by the multi-year grant.

At each of its numerous annual training sessions, the National Council of Juvenile and Family Court Judges traditionally exhorts participants to establish professional relationships leading to informal partnerships and extended information sharing. The Council's Juvenile Sanctions Center extends the call to arms even farther, and suggests mutual empowerment that transcends the life of a single project.

Next Steps

With the publication of volume II of the **Curriculum and Planning Guide**, the stage is set for second-round training in the first ten Demonstration Sites. Each, already trained in Immediate and Intermediate sanctioning, will now engage in Action Planning for Secure Care and Reentry.

The three additional Sites brought aboard during Phase III will be exposed to all relevant levels of sanctioning during Phase IV, and will develop a complete continuum of services during their first year of operation.

All resources developed and disseminated during Phases I, II and III of the Graduated Sanctions project will be made available to the latest additions to the growing family of Demonstration Sites at the commencement of Phase IV.

A second **Colloquium** (involving all thirteen Sites) is

expected to be convened during the spring of 2005.¹⁶

¹⁶ For additional information, contact Project Coordinator, Mary Scott at mescott@ncjfcj.org or at (775) 784-6811.

APPENDICES

Appendix A

Team Rosters from New Demonstration Sites

Appendix B
Updated Site Matrix

Appendix C

About the Author

Catherine Lowe is Director *Emerita* of the California Center for Judicial Education and Research. Since 2000, she has directed **Relative Concepts**, an independent consulting firm to the nation's courts. **Relative Concepts** is based in Nevada, and has offices in Reno and Las Vegas.

Many of the National Council's recent curricula, grants, monographs, bulletins, primers and other written products were authored or edited by Ms. Lowe during the past four years.

She is a nationally recognized judicial educator and court trainer, and has served as adjunct faculty to numerous colleges and universities, including the prestigious Harvard School of Continuing Professional Education, the University of Southern California, the University of California-Irvine, and the University of Nevada-Reno.

Appendix D

About the National Council of Juvenile and Family Court Judges

Appendix E

Other Publications of the National Council's Juvenile Sanctions Center

- **Technical Assistance Bulletin Vol. 1 No. 1: Introducing the New Juvenile Sanctions Center**
 - **TTA Bulletin Vol. 1 No. 2: Structured Decision Making for Graduated Sanctions**
 - **TTA Bulletin Vol. 1 No. 3: School-Based Probation: An Approach Worth Considering**
 - **TTA Bulletin Vol. 1 No. 4: Promising Sanctioning Programs in a Graduated System**
 - **TTA Bulletin Vol. 2 No. 1: A Practical Approach to Linking Graduated Sanctions with a Continuum of Effective Programs**
 - **TTA Bulletin Vol. 2 No. 2: Using Federal Title IV-E Money to Expand Sanctions and Services for Juvenile Offenders¹**
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- **Graduated Sanctions for Juvenile Offenders: A Training and Curriculum Guide (volume I, 2003)**
- **Graduated Sanctions for Juvenile Offenders: A Training and Curriculum Guide (volume II, 2004)**
- **Graduated Sanctions for Juvenile Offenders: A Program Model and Planning Guide (volume I, 2003)**
- **Graduated Sanctions for Juvenile Offenders: A Program Model and Planning Guide (volume II, 2004)**

¹ Two additional TA Bulletins were submitted for Grantor review during Phase III of the project and are expected to be published in the fall of 2004. The Bulletin Vol.2 No. 4 will focus on Resource Reallocation and Cross-site Technical Assistance.

- **Reconnecting: The Role of the Juvenile Court Judge in Reentry²**
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First Monday: a monthly newsletter published by the Juvenile Sanctions Center for its Demonstration Sites

Monograph I: Program Development and Future Initiatives (2003)

² Currently in draft form. Developed by the National Council of Juvenile and Family Court Judges' Reentry Project: Michael Jamison, Project Director; Catherine Lowe, Editor.