

District Attorney-Juvenile Diversion Initiative (DA-JDI)

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Resources

This policy references the following resource:

- DA-JDI Special Matter Order

Background

The San Diego County District Attorney (herein after will be referred to as DA) is pursuing a new initiative that provides an opportunity for youth facing a misdemeanor or felony conviction to participate voluntarily in the DA-JDI program as an alternative to filing charges and prosecution.

The DA contracted with the National Conflict Resolution Center ([NCRC](#)) to provide participants juvenile diversion services with the appropriate level of case management. NCRC will ensure the participant and their family are receiving evidence-based services that address any underlying behaviors related to the criminal activities that brought the youth to the attention of law enforcement as well as restorative services that allow the youth to demonstrate an increase in positive behaviors.

DA-JDI Eligibility

If, at the time of the incident the youth is between the ages of 12 and 17 years old, the youth will be eligible to participate in the DA-JDI program even upon turning 18 during the course of the program.

All cases/offenses are eligible for the DA-JDI program with the exception of those listed below:

- [WIC 707\(b\)](#) offenses
- Youth currently on Probation
- Sexual Assault
- Transportation or sales of a controlled substance

DA-JDI Eligibility (cont.)

- Human Smuggling/Human Trafficking
- School threats or threats of domestic terrorism
- Use of force against a peace officer causing injury
- Youth is a threat to themselves or others
- Cases where the best interest of the victim or justice would not be served (determined by DA)
- A youth with a 602 petition or in the meet and confer process.

NOTE: If the 602 petition is dismissed and the youth is active to Juvenile dependency court and has a subsequent incident, the youth then may become eligible for the DA-JDI program.

DA-JDI Referral Process

Referrals to the DA-JDI program are made only by the DA. After the DA identifies that a youth is eligible for the DA-JDI program, the DA will contact Children’s Legal Services (CLS) to verify the youth’s dependency status and obtain attorney information. If the youth agrees to participate in the DA-JDI program, the DA will refer the youth to NCRC and NCRC will proceed with scheduling an intake meeting with the youth.

CFWB and CASA Roles when Working with DA-JDI

NCRC may reach out to the assigned Child and Family Well-Being (CFWB) SW/PSS, or Court Appointed Special Advocate (CASA) to gather additional information on the youth and/or obtain assistance in setting up a Child and Family Team Meeting (CFTM) for case planning and coordination of services. Additionally, the SW and CASA may be invited to participate in the NCRC intake meeting with the youth and NCRC case manager. The SW/CASA will collaborate with the NCRC case manager and provide necessary information to assist NCRC with the assessment of the youth’s needs (see [Consent and Confidentiality](#)).

Consent and Confidentiality

An NCRC consent form is required for the youth to participate in the DA-JDI program. In an effort to engage the youth and family supports, NCRC will initially seek parental consent for the youth. If a parent is not available, NCRC will seek consent from the current caregiver whether in a Resource Family Home or STRTP (see Consent by the Substitute Care Provider for additional guidance). A youth under the age of 18 is not able to consent themselves. If there is no parent/caregiver able or willing to sign the consent forms, CLS or SW will seek a court authorization.

The Juvenile Court DA-JDI Special Matter Order authorizes CFWB, Voices for Children, CLS and DLS to release records of the participating youth to the DA-JDI program and NCRC as needed for assessment, treatment and treatment planning. These records include but are not limited to:

- Court reports
 - Case plans
 - CASA reports
 - Verbal information
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Consent and Confidentiality (cont.)

The SW can document the youth is participating in NCRC services but cannot document it is part of the DA diversion program.

NOTE: Records that are not to be released: information on the youth’s siblings, psychological evaluations and/or other privileged information. Refer to Confidentiality - General for further guidance.

DA-JDI CFWB Liaison

The DA-JDI CFWB Liaisons are CFWB Dual Unit Supervisor and policy analyst listed at the bottom of this policy. Staff can consult with the liaisons if there are questions or issues regarding DA-JDI.

DA-JDI Outcomes

NCRC case plans will provide a maximum of six months of services. If during this time, the youth does not successfully complete the case plan, the DA will review the case for eligible charges.

Alignment with SET

This Special Notice supports SET [Value 1](#): Relationships with Children, Youth, and Families Are the Foundation, by using the voice of the child and collaborating with families, SET [Value 4](#): Shared Responsibility with Community Partner, by sharing the responsibility of safety and wellbeing of children and youth, and SET [Value 5](#): A Strong Working Relationship with the Legal System, by collaborating with legal partners with the primary focus on children and youth’s best interest.
