

JUSTICE COURT PCT 1, PL 2 YOUTH DIVERSION PLAN JEFFERSON COUNTY, TEXAS

House Bill 3186- Goes into effect on January 1, 2024, and Diversion Process only applies to offenses which occur on or after January 1, 2025. Courts must pay attention to the actual offense date when a case is filed before proceeding.

Purpose-The purpose of this Youth Diversion Plan is to protect and preserve the interest of Texas youth who have run afoul of our nontraffic laws by providing interventions and strategies designed to assist the trouble youth and keep his/her record clean and his/her future bright with opportunity to successfully integrate into society without the burdens of their youth raising barriers. A copy of this Youth Diversion Plan shall be maintained on file for public purpose.

Youth Diversion Plan Coordinator- Juvenile Court Clerk

Plan Qualifications- A youth must be 17 years of age or younger at the time he/she allegedly committed the nontraffic offenses, and shall not have had a prior unsuccessful Diversion Plan. The youth must not have signed a Diversion Plan within 12 months prior to the commencement of the new plan.

Effective Date- January 1, 2025

Overview of the Plan-When a youth allegedly runs afoul with the law and charges are leveled against the youth, this Plan is designed to intervene to provide strategies and service which may provide helpful service which may provide helpful assistance in the hopes of averting further interactions with the legal system. The plan will be specific to each individual youth. The Plan will be memorialized in a written agreement which must be signed by the youth and parent. The Agreement with divert and halt the prosecution of charges which have been leveled against the youth and pending charges will be dismiss at the onset. The Agreement will beset for a set time as determine by the Youth Diversion Plan Coordinator, but will not exceed 180 days. A copy of the executed Agreement must be provided to the child, the parent, the clerk of the court, the Youth Diversion Plan Coordinator, and any other person specified in the executed Agreement.

The Agreement will be monitored by the Youth Diversion Coordinator who will keep contact with the service providers, the youth, and /or the parent of the youth, to verify the requirements of the Agreement are being administer and followed. This will include the Youth Diversion Coordinator taking an active role in the community with any provides, the youth and parent.

Participating in this plan and execution of the Agreement is not an admission of any guilt and no plea is required to participate. Participation is also voluntary and the child and parent will be notified of the child's rights, including the right to refuse the Diversion Plan. The child must knowingly and voluntarily consent to participate in the Plan, and the signatures of both the child and parent required to invoke the right under this Plan.

This Plan will be invoked if and when charges are brought against the youth who qualifies, thus making this a plan where diversion occurs in court.

Possible Outcomes- A successful completion of the Agreement will bar the charges leveled against the youth being revived and prosecuted. The records associated with the youth will be automatically expunged when the youth turns 18 years of age. The Court may, at its discretions amend or set aside certain terms to the Agreement, may extend the diversion period not to exceed one year form the initial start date, order the parent to preform any reasonable act or refrain from any reasonable act, continue any scheduled hearing for up to 60 days, and make a determination that the diversion was successful or unsuccessful.

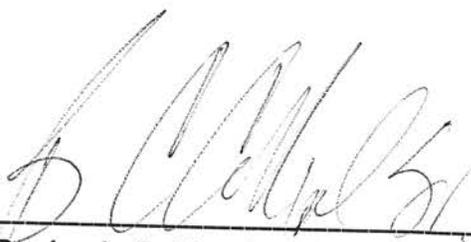
An unsuccessful completion of the Plan may result in the case of being referred for prosecution. The Court maintain jurisdiction over the case for the period of the agreement.

Plan Records-The Youth Diversion Coordinator shall maintain records on all Plans for three years, and shall keep a permanent file on all successful and unsuccessful Plans.

Plan Strategies- Plan Strategies and interventions include, but are not limited to, any school related program, other educational program such as alcohol, drug, or tobacco programs, out patient services, self-improvement programs, referring the youth to a service provider addressing(among other things) at-risk youth services, work and job skill training, academic monitoring and /or tutoring including GED prep, community base services, clinical assessment, mentoring services, ordering the child to pay restitution on property offense not to exceed \$100, ordering the child to preform community service up to 20 hours, or ordering the child and/or parent to preform any other reasonable action.

Plan Monitoring- The Plan shall be monitored by the Youth Diversion Coordinator for compliance. It is expected that all participating youth and parents will comply will all requirements imposed by the Court and/or the Youth Diversion Coordinator. Failure to do so may result in unsuccessful determination.

SIGNED 4th day of December, 2024.



Judge Benjamin Collins Sr.
Justice of the Peace Pct. 2