

Juvenile
Law advancing the rights and
well-being of children in jeopardy
Center

2012-2014 STRATEGIC PLAN





Artwork by muralist Eric Okdeh for the [Mural Arts Program of Philadelphia](#) mural, *Rights and Responsibilities*.

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INTRODUCTION

Founded in 1975 as the nation's first public interest law firm for children and youth, Juvenile Law Center initially served only youth in Southeastern Pennsylvania. Over time, Juvenile Law Center grew to become a national children's rights organization, expanding its reach across the country as our widely-sought expertise propelled us into the national arena.

While Juvenile Law Center has expanded its geographic reach, it has simultaneously narrowed and deepened its substantive reach. This evolution has been both purposeful and in response to specific and often unanticipated events. Through rigorous strategic planning efforts over the last decade, Juvenile Law Center limited its focus from children of all ages to youth primarily ages 10-21. Staff developed distinctive competence in child welfare and juvenile and criminal justice, and built upon a growing body of research on adolescent development and youth transitioning to adulthood.

Juvenile Law Center doubled in size from 2000 to 2010, and more than doubled its budget. Juvenile Law Center is currently a 19-person (10-lawyer) public interest law firm with a \$2.3 million budget; our permanent legal staff is also supplemented each year by fellows. Over the same period, Juvenile Law Center increased the geographic diversity of its [Board of Directors](#), adding members from Los Angeles, Atlanta, Pittsburgh, New York, Washington, DC, and Chicago. Juvenile Law Center dramatically increased its investment in strategic communications, national outreach, and built a cash reserve.

Juvenile Law Center serves society's most vulnerable youth, who are most likely to be mislabeled, ignored, harmed or scarred for life by systems that are supposed to help them.

"We feel strongly that the law can prevent harm and promote opportunities for children, and that we can teach youth the importance of solving problems through the rule of law."

ROBERT SCHWARTZ,
Executive Director



OUR NATIONAL IMPACT

As Juvenile Law Center moved from the local to national stage, our work propelled us to the forefront of national children's rights organizations. With our broad focus on youth in both the justice and child welfare systems, we have lent our voice to every significant development in children and the law for more than three decades.

Juvenile Law Center is a national leader in tying laws, policies and practices affecting youth in the child welfare and justice systems to principles of adolescent development and other relevant research. Juvenile Law Center Executive Director Bob Schwartz was a member of the MacArthur Foundation's Research Network on Adolescent Development 1996-2006. The Network's research was

specifically cited by the United States Supreme Court in three groundbreaking cases since 2005 in which the Court tied its analysis of children's constitutional rights directly to their developmental status and characteristics. Beginning with its [rejection of the juvenile death penalty in 2005](#), the Supreme Court has issued three landmark decisions in the past six years that profoundly alter the status and treatment of children in the justice system. Juvenile Law Center played a significant role in each of those landmark cases, serving as lead counsel for scores of organizations and individuals nationwide who participated as *amici curiae*.

Juvenile Law Center is a national leader on issues of [youth aging out of foster care](#); on [education of](#)

[foster youth and delinquent youth](#); on cross-system issues of youth involved in the child welfare and justice systems; and on [issues of consent and confidentiality and juvenile records](#).

Juvenile Law Center's nationally recognized efforts to expose and redress the [Luzerne County, PA "kids for cash" judicial corruption scandal](#) will receive continued attention in 2012. The scandal's aftermath provides Juvenile Law Center with a platform to promote a fair, effective, rational and developmentally appropriate juvenile justice system.

This three-year plan is strategically designed to deepen Juvenile Law Center's national work.

Where We Work*



MAP KEY

● STATE CASES

● FEDERAL CASES

● TRAININGS AND PRESENTATIONS

*As of January 2012. Visit the ["About Us"](#) section at www.jlc.org to see an up-to-date map.



OUR MISSION

JUVENILE LAW CENTER is a public interest law firm dedicated to improving laws and policies in the United States to promote fairness, prevent harm, ensure access to appropriate services, and create opportunities for youth involved in the justice and child welfare systems.

OUR WORK

Juvenile Law Center uses an array of strategies to further our work across the country. These strategies include: individual case work, [litigation in support of systemic change](#), [appellate practice and amicus briefs](#), professional education and training, [publications, monographs, white papers and scholarly articles](#), as well as legislative and regulatory reform. Juvenile Law Center also uses [targeted and strategic communications](#) to engage national and local media, and to better inform and educate broad and diverse audiences. We also believe that our work should be informed by the voices of youth themselves; [the development of youth leadership skills and youth engagement](#) is a core aspect of our work. Finally, much of Juvenile Law

Center's work requires collaboration and partnerships with other organizations. We choose our partners strategically to maximize our impact and capitalize on our expertise.

During the next three years, Juvenile Law Center's substantive spotlight will continue to focus on improving the child welfare and justice systems for adolescents and older teens. We will work to ensure that these systems are aligned with principles of adolescent development, reflect international human rights values, and give teenagers access to education, physical and behavioral health care and other supports they need to become productive adults.

“Juvenile Law Center has been a national leader in juvenile justice and children’s rights issues for decades. They’ve been instrumental in abolishing the death penalty for juveniles, reducing juvenile life without parole sentences, and in minimizing the prosecution of children in adult court. They have been equally effective in securing protections for neglected children and children housed in institutions. Their amicus briefs have been critical in changing the tenor of debate in state courts, federal courts and in the U.S. Supreme Court.”

—WALLACE J. MLYNIEC,
Georgetown Law

Juveniles for Justice
youth advocacy group
juvenile justice system.

SPEAK UP

This poster is sponsored by Juveniles for Justice (JJJ), a juvenile Law Center youth group that works to improve the juvenile justice system.

If you think you have been mistreated by police (physical or verbal abuse, etc.), contact:
215-685-0891
For more information, visit www.jjj.org/



Members of Juvenile Law Center's youth engagement group, Juveniles for Justice, developed a project which focused on police brutality against youth, and launched a poster campaign to raise awareness of that issue. As part of the project, they designed and screen-printed the posters themselves, then hung them up around their school and mailed them out to several youth-focused centers in the Philadelphia area.



OBJECTIVES

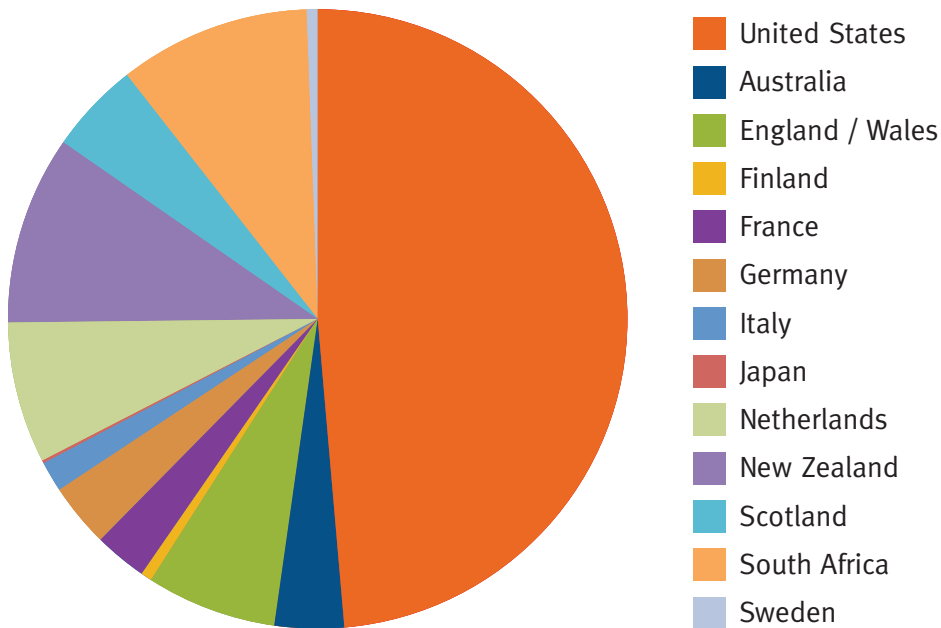
Juvenile Law Center Will Strive to Ensure That:

- Laws, policies and practices affecting youth in the child welfare and justice systems are grounded in principles of adolescent development and other relevant research;
- Justice and child welfare systems respond appropriately to the impact of trauma on adolescent behavior;
- Justice and child welfare systems minimize disproportionality along race and class lines;
- The United States legal system recognizes and responds to human rights and international law providing greater protections to youth in the child welfare and justice systems;
- Youth have a voice in their immediate situations and in federal and state advocacy efforts to improve the justice and child welfare systems; and
- Justice and child welfare systems recognize families' strengths as caregivers and decision-makers in their children's lives.

"For the last 3½ decades, Juvenile Law Center has been a leading voice for fairness in our justice system... by drawing on every possible tool – litigation, legislation, regulation, training, research and engagement – to assist and empower young people. I have seen first hand, the many ways that Juvenile Law Center attorneys help protect children across the country."

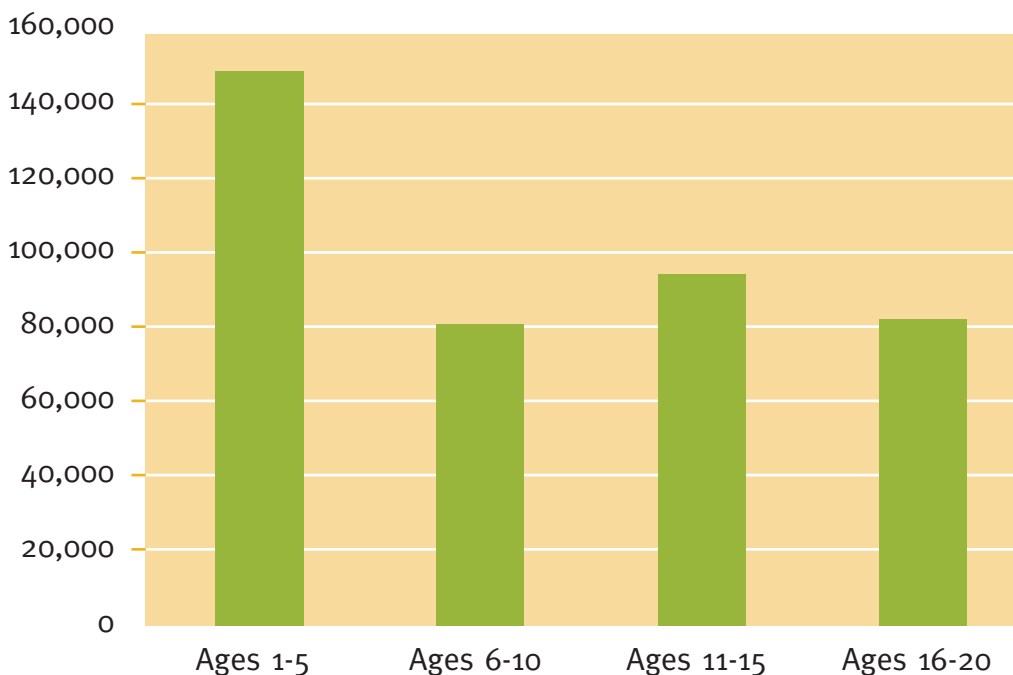
—ERIC HOLDER,
U.S. Attorney General

Youth Incarceration Rate: United States vs. Other Nations



Source: Hazel, Neal, *Cross-National Comparison of Youth Justice*, London: Youth Justice Board, 2008.

Number of U.S. Children in Foster Care By Age Group*



*As counted on September 30, 2010

Source: U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau

“Juvenile Law Center has provided a model to the rest of the country of how an active, aggressive, and effective program of knowledgeable lawyers can help children at risk – children in juvenile justice and child welfare systems.”

—MARK SOLER,
Executive Director,
Center for Children's
Law & Policy

OUR STRATEGIC AREAS OF WORK



*“I was only 14
at the time...
I didn’t understand
what was happening”*

— [CHAD](#)



MINIMIZING Inappropriate or Unnecessary Court and System Involvement

Criminal and juvenile justice systems are used too frequently to regulate normative adolescent behavior, and too many children are tried as adults. In the child welfare system, coercive, involuntary systems are often used when less restrictive interventions will further public goals equally well. These problems are particularly evident for poor children and children of color. Juvenile Law Center works to ensure that only those youth who are in need of the highest level of state intervention enter the most coercive systems, and those who do not are re-directed to the right system, or diverted from system involvement entirely.

For 2012-14, Juvenile Law Center’s goals in this area include:

- [Reducing the number of youth tried in adult court](#) (transfer/waiver).
- Eliminating or reduction of unnecessary and inappropriate referrals to the juvenile justice system, by tightening the valve on the dependency-to-prison and [school-to-prison pipelines](#) and [promoting diversion wherever](#) possible.
- Rolling back the criminalization of normative adolescent behavior (e.g., sexting), including monitoring technological developments to [combat the criminalization of youths’ use of social media and other new technologies](#).
- [Eliminating all life without parole \(JLWOP\) sentences for juveniles in the adult criminal justice system](#), including such sentences for juveniles convicted of first and second degree (felony murder) homicide, and the elimination of juvenile “virtual life” (life-equivalent term) sentences in non-homicide cases.
- Promoting better outcomes for dual status children, i.e., those who are involved in both the child welfare and juvenile justice systems – including a reduction in referrals from child welfare to juvenile justice.
- Promoting better approaches to dealing with truancy, including improving Philadelphia’s truancy system to establish national models of court responses to truancy.
- [Minimizing and reducing disproportionate minority contact with the justice system](#), and reducing the traumatic impact of system involvement on already traumatized youth.

OUR STRATEGIC AREAS OF WORK



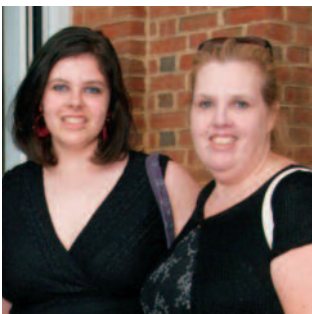
PROMOTING Fairness in the Courts

Fairness is central to our system of justice. Fairness means ensuring that each child has access to effective counsel and receives proper due process protections at all hearings. These protections, in turn, play a key role in advancing the substantive goals in all of our strategic themes. For court- and system-involved youth, fairness also includes preventing inappropriate or unnecessary system or court involvement and protecting against disproportionate minority contact with the system. Fairness is a fundamental societal value that is also important to building youths' acceptance of the rule of law.



For 2012-14, Juvenile Law Center's goals in this area include:

- [Ensuring that youth in the child welfare and justice systems have access to high-quality counsel](#) at all stages of court proceedings by:
 - promoting an unwaivable right to counsel in delinquency proceedings;
 - promoting a right to counsel for teens in dependency proceedings;
 - improving the quality of lawyering for dual status youth.
- Promoting appropriate due process protections in all juvenile and criminal proceedings, including transfer/waiver proceedings.
- Ensuring that a youth's behavioral health needs, developmental characteristics, and childhood trauma are taken into consideration in decision-making at all stages in juvenile and criminal court proceedings, including determining competency, capacity, dispositions and sentencing.



“Like most of the affected families in Luzerne County, we could never repay Juvenile Law Center for all they have done. Juvenile Law Center's work on behalf of vulnerable children is priceless and we will be forever grateful.”

— [HILLARY & LAURENE TRANSUE](#)

OUR STRATEGIC AREAS OF WORK



IMPROVING Outcomes for Re-Entry and Transition to Adulthood with Court-Involved Youth

The child welfare and justice systems often serve as the surrogate “parents” of youth for some portion of their adolescence. Juvenile Law Center works to ensure that these systems prepare youth to return home from placement to their families, schools, or communities; reduce barriers to success; and provide them with the tools they need to achieve independence and successfully transition to adulthood.

For 2012-14, Juvenile Law Center’s goals in this area include:

- [Implementing meaningful and structured transition planning for older court-involved youth](#) that is developmentally appropriate, provides treatment and services that address their trauma histories, and enhances their opportunities for the future.
- Engaging youth through Juvenile Law Center’s [“Youth Fostering Change”](#) and [“Juveniles for Justice”](#) youth engagement groups, so that youth can develop the skills to be advocates for change.
- [Promoting permanency for older court-involved youth](#) in the most family-like setting, which will reduce racial and ethnic disproportionality in the child welfare system.
- Ensuring that court-involved youth are adequately prepared to successfully pursue educational opportunities.
- Ensuring that older court-involved youth are adequately prepared to succeed in post-secondary education and job training.
- [Promoting effective re-entry programs for youth](#) as they return to their communities from the justice system, and [minimizing the direct and collateral consequences of delinquency adjudications](#), including the promotion of policies that help youth return to school when they return home from delinquency or dependency placements.

*“It not only heals me, but
it makes me feel good
every time my voice
is heard...”*

— [ANTONIO](#)

OUR STRATEGIC AREAS OF WORK



ENSURING Access to Services and Opportunities

Juvenile Law Center promotes the well-being of foster youth and those in the justice system by increasing their access to education and health care, and improving their conditions of placement – both in their homes and during their time in out-of-home care, including juvenile or adult correctional facilities.

For 2012-14, Juvenile Law Center's goals in this area include:

- Ensuring that court-involved youth have access to evidence-based, individually tailored treatment that reflects principles of adolescent development in the least restrictive environment, including trauma-informed care.
- Ensuring that court-involved youth have access to quality education.
- Minimizing educational disruptions for court-involved youth.
- Promoting safety and improved conditions in institutional placements.



[After detention], I had a reintegration worker, but I only saw her two or three times. I needed a mentor.

—[SHIRKEY](#)



As a member of Juveniles for Justice, Shirkey now uses his skills as both a mentor and an advocate. He addressed the excessive use of force at arrest by preparing juveniles for meetings with Philadelphia Deputy Police Commissioner and the Director of the Police Advisory Commission, and shared his own story of how an improper restraint permanently injured his hand.

How We Are Funded

Juvenile Law Center receives no local, state, or federal dollars, nor do we charge for our services. More than 80% of Juvenile Law Center's revenue is devoted to our core initiatives; 45% - 50% of our funding supports our national work.

Juvenile Law Center carefully expanded between FY2000 and FY2011, doubling its staff size and increasing its national reach. Our budget grew from \$800,000 in FY2000 to more than \$2.2 million in FY2011. Our strategic plan calls for a budget of \$2.5 million by the end of FY2014.

As FY12 began, 70% of our revenue came from foundations, 14% - 16% from individuals, corporations and United Way. The remainder came from fees for trainings, publications, speaking events, *cy pres* awards, and dividend investments. Our strategic plan calls for increasing the percentage of our budget that comes from individuals, corporations and United Way to 20% by the end of FY14.

JUVENILE LAW CENTER'S VISION FOR 2018

While this strategic plan has concrete goals and outcomes, it is also aspirational. This plan continues Juvenile Law Center's work toward a vision of the future that it established in its 2008 strategic plan.

During the last three years, Juvenile Law Center made significant inroads toward achieving that vision. We will build on that success and make continued investments to make this vision a reality. It is a vision of better outcomes for foster youth and youth involved with the justice system. It is a vision of a changing climate in the United States that will enable advocates and policy makers to create better outcomes for those youth. This is what we hope to see as a result of our work and the work of our partners and colleagues by 2018:

- The child welfare and juvenile justice systems will be grounded in principles of adolescent development and other relevant research. There will be more attention to human rights and international law—including the possibility that the U.S. will have ratified the UN Convention on the Rights of the Child—and the U.S. will further conform its policies and practices to more advanced developments in international law. Fewer youth will be incarcerated or transferred to adult court. Foster youth will spend less time in the child welfare system and experience permanency in greater numbers. Foster youth in need of continued care and support will be able to receive such support beyond the age of 18. There will be changes in federal law that will support both trends; there will be corresponding changes in state laws in all fifty states. If foster youth have not achieved permanency, there will be an increase in supportive housing, in career and technical education, and in assistance for higher education. States will promote school stability for foster youth; and if they do have to change schools, state policies will ensure that foster youth receive credit for the work they have done and ensure prompt enrollment.
- State juvenile justice systems will have the capacity to protect the public, hold youth accountable and give youths the skills they need to be productive adults. State laws governing adult sentencing of juveniles will provide for mitigation based on age, and will ensure that adult sentences for juveniles are reviewed periodically. More states will have laws that give a preference for keeping youth in the juvenile justice system, even for serious offenses.
- More states will have systems in place for diverting youth from the juvenile justice and child welfare systems.
- States will guarantee every youth's right to effective, quality counsel—this right will extend to youth in the justice system, from arrest to the time the case is closed, and to adolescents in the child welfare system. More state laws will balance the need to share information with the need to protect confidentiality and honor privacy. State laws will increase opportunities for delinquent youth to have records expunged so they can have a fresh start in life and limit the collateral consequences of their delinquent conduct.
- Fewer foster youth will enter the juvenile justice system, while more child welfare services will be available to delinquent youth.
- States will have policies and practices that result in fewer students being referred to the juvenile justice system and that increase access to education for delinquent youth, including career and technical education.
- Domestic law will be shaped by commonly accepted principles of human rights that are embedded in U.S. constitutional law and established by international conventions and treaties.



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