

**Idaho Department of
Juvenile Corrections
Institutional
Policy/Procedure**

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SUBJECT: CUSTODY REVIEW BOARD
REFERRAL PROCESS

APPROVAL: 
SHARON HARRIGFELD, DIRECTOR

CATEGORY: CLINICAL

Policy

As provided by Idaho Code, a juvenile will be released from Idaho Department of Juvenile Corrections (IDJC) custody upon reaching age 19, unless the Custody Review Board (CRB) determines that “extended time in custody is necessary to address competency development, accountability and community protection.” Idaho Code §§ 20-520(1)(r) and 20-532.

The purpose of this policy is to establish a process to refer juveniles who meet the criteria to appear before the CRB to ensure compliance with statutory obligations of the CRB and the *Rules of the Custody Review Board* (IDAPA .05.01.03).

It is therefore the policy of IDJC that the status of all juveniles between the ages of 18.4 and 19.0 will be reviewed to determine whether a referral to appear before the CRB is necessary. The status of any juvenile over the age of 19 who previously appeared before the CRB will also be reviewed to determine whether an additional review by the CRB is necessary. The Legal Assistant will assume primary responsibility for organizing the CRB referral process.

Operating Procedure

I. Eligible Juveniles

1. The Legal Assistant will request that a list of juveniles between the ages of 18.4 and 19.0 be created from IJOS. This list will be created four (4) times a year to prepare for the CRB hearings held every January, April, July, and October.
2. The Legal Assistant will review the list of eligible juveniles to eliminate those juveniles who have already appeared before the CRB. However, juveniles who already appeared before the CRB may be referred to appear before the CRB for an additional review if it is determined by a member of the juvenile’s treatment team, the CRB, or director that an additional review would be in the juvenile’s best interest or the best interest of others affected.

3. The Legal Assistant will send out the list of eligible juveniles to the Juvenile Service Coordinators (JSCs), Facility Case Managers, IDJC Regional Support staff, and Clinical staff, along with the date of the next CRB hearing. Juveniles with an anticipated release date prior to the next CRB hearing will remain on the list until the juvenile is actually released.

II. Referral Packet

1. A member of the treatment team will complete the Custody Review Board Referral and Eligibility Form (DJC-110) for each juvenile.
 - i. If the juvenile is in a regional facility, the form is usually completed by the Facility Case Manager.
 - ii. If the juvenile is at a contract provider, the form will be completed by the JSC.
2. The completed form is then given to the appropriate Clinical Supervisor for approval and signature.
 - i. The appropriate Clinical Supervisor is the supervisor of the JSC of each juvenile, not the supervisor where the juvenile may be located at the time.
 - ii. The signed form will then be forwarded to the Legal Assistant eight weeks prior to the CRB hearing. The Legal Assistant will file the form in the juvenile's CRB Case Management file.
3. The Facility Case Manager, JSC, or appropriate OS2 is responsible for preparing and forwarding the information for the CRB packet to the Legal Assistant at least four (4) weeks prior to the CRB hearing. The CRB Document Checklist (DJC-026) describes the documents that are to be included in the packet, including the CRB Juvenile Outline Information Form (DJC-242) which will need to be filled out by the Facility Case Manager or JSC.

III. CRB Hearing

1. The Legal Assistant will inform the juvenile's Facility Case Manager, JSC and JPO of the date and time the juvenile is to appear before the CRB.
2. The CRB members prefer all members of the juvenile's treatment team (Facility Case Manager, JSC, JPO) participate in the hearings in person or, if necessary, via videoconference. Participation by parents and victims is also encouraged.

3. All hearings before the CRB will be held pursuant to rules set forth in IDAPA 05.01.03 - Rules of the Custody Review Board.
4. The Legal Assistant will save a copy of the CRB determination letter in the juvenile's electronic file. All other CRB documents and records will be maintained in the CRB Case Management file at Headquarters by the Legal Assistant.
5. A copy of the determination letter will be sent to all of those notified of the Custody Review Board Hearing.

Reference: *Idaho Code § 20-520(1)(r)*
 Idaho Code § 20-523
 IDAPA 05.01.03 – Rules of the Custody Review Board
 Glossary of Terms and Acronyms

Desk Manual(s): *None*

Related Policies: *Case Management for Juveniles*
 Release of Juveniles from State Custody

Related Forms: *Custody Review Board Referral and Eligibility Form (DJC-110)*
 CRB Document Checklist (DJC-026)
 CRB Juvenile Outline Information Form (DJC-242)