

SENATE JUDICIARY HEARING  
APRIL 1, 2014  
HARRISBURG, PENNSYLVANIA  
S.B. 979 - THE PENNSYLVANIA CENTER FOR EFFECTIVE  
INDIGENT DEFENSE LEGAL REPRESENTATION ACT

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**Testimony of Elton Anglada, President of JDAP and Chief, Juvenile Unit,  
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Chairman Greenleaf and Members of the Senate Judiciary Committee:

My name is Elton Anglada. I am the President of the Juvenile Defender Association of Pennsylvania. The Juvenile Defender Association of Pennsylvania, ("JDAP"), is the brainchild of former Chief of the Philadelphia Defender Association Juvenile Unit and current OJJDP Director, Robert Listenbee.

JDAP was incorporated in 2007 for the purpose of promoting ethically mandated, high quality effective representation for juveniles charged with delinquent acts in the Commonwealth of Pennsylvania. The goal was to provide useful and effective training geared specifically for public defenders, privately retained counsel and court appointed counsel representing juveniles in delinquent matters.

The need was urgent and compelling. With no state-wide funding stream for indigent defense and no state-wide training programs, juvenile defenders and court appointed counsel were often thrust into juvenile court with little or no training in juvenile representation. Similarly, retained counsel often appeared with little or no specialized training in juvenile law. And even though juvenile law is a highly specialized area of law with severe and long-lasting collateral consequences attending an adjudication of guilt, many county public defender offices and county court appointment systems put their least experienced attorneys in juvenile court, using "kiddie court" as a place for new lawyers to learn their trade, often at their client's expense.

JDAP envisioned to change this. With a modest training grant from the Pennsylvania Commission on Crime and Delinquency, ("PCCD), JDAP embarked on an ambitious goal to identify and train each and every attorney who was currently representing juveniles in delinquent matters in the Commonwealth of Pennsylvania. To that end, I, as chair of JDAP's training committee, asked, cajoled, implored and begged regional and national experts in the field of juvenile law trial advocacy to donate their expertise as presenters at JDAP juvenile law CLE trainings. Owing to a combination of my persistence and their generosity, nationally renowned experts in juvenile justice, national experts in trial advocacy, people like Phyllis Subin, Jules Epstein, and Gary Asteak, (among others), saw the importance of JDAP's training mission, understood the urgency and need to provide long-overdue training to juvenile defenders, and consequently volunteered their time and expertise as presenters at JDAP juvenile defender CLE trainings. In our first year, (2007), JDAP hosted three separate conference-room based CLE trainings in the Commonwealth,(1 in Pittsburgh, 1 in Harrisburg, and 1 in Willamsport), and trained over 100 attorneys. And much to the relief to the county-based offices who sent attorneys to these trainings, the training were free and travel expenses were reimbursed by JDAP.

Since 2007, JDAP's tradition of providing high quality, juvenile specific CLE trainings to juvenile defenders for little or no cost has continued and expanded. JDAP is now an accredited CLE provider in the Commonwealth and a recognized leader in the Pennsylvania legal training community. As former chair of the JDAP training committee and current President of JDAP, I've spent the last 7 years criss-crossing the State, identifying communities that lack adequately trained juvenile defense attorneys, and offering JDAP training services to these communities free of charge. Our diligence has paid off. For the last 3 years, JDAP has hosted 7 or 8 regional CLEs each year, training between 225 and 250 juvenile defenders.

My numerous trips throughout the Commonwealth have provided me a unique opportunity to observe juvenile justice, up close and personal, as it's practiced in our communities. From Philadelphia to Pittsburgh, from Wilkes-Barre to Erie, and all points in between, I've watched and learned how juvenile justice is practiced in our urban, suburban, and rural communities. I wish I had better news, but the truth is sobering. The sad truth is that, despite JDAP's tireless efforts to reach each and every juvenile defender in the Commonwealth, despite the best of intentions of the hundreds of hard-working, dedicated juvenile defenders spread out across our 67 counties, much of the juvenile representation taking place in our Commonwealth is sub-par and (arguably) constitutionally infirmed.

Not surprisingly, the problem isn't a lack of commitment or talent, but rather, a lack of resources. Owing to the constitutionally deficient county-based funding method currently employed in the Commonwealth, many of our 67 counties, (especially the smaller, less-populated, rural counties), simply don't have enough resources. Put simply, they're underfunded. And when funding is short, the first thing to go, (or not appear) is training. Most of the counties in our Commonwealth have no organized training for new juvenile defenders at all, relying instead on ad-hoc mentoring and/or on-the-job training. For many counties, JDAP is the only organized training they have. But for our trainings, many of the smaller county-based PD offices would have no juvenile defender training at all.

Of course, the deficiencies I speak of are not news to this Honorable committee. The recent Luzerne County juvenile court judicial scandal and the resultant Interbranch Commission report on Juvenile Justice laid out our juvenile defender resource and training deficiencies for all the world to see. Not surprisingly, the Interbranch Commission recognized that a lack of a state-wide funding stream for juvenile indigent defense was a significant contributing factor to the Luzerne County scandal. Had there been adequate training, had there been adequate resources, in short, had there been a state-wide funding stream for indigent juvenile defense, Luzerne County would never have happened.

Which is why, as part of their recommendations, the Interbranch Commission recommended that the Commonwealth of Pennsylvania implement a state-wide funding stream for juvenile indigent defense. And which is why, the Interbranch Commission recommended the establishment of a state-based, state-funded, training and resource center for Juvenile Defense Excellence. A "Pennsylvania Center for Juvenile Defense Excellence."

Senate Bill 979 creates such a center. So when Phyllis Subin, Director of the Pennsylvania Coalition for Justice, approached me as President of JDAP and asked if JDAP would endorse the bill, I was happy to take it to the JDAP Board. After all, the Pennsylvania Center for Juvenile Defense Excellence is squarely within JDAP's wheelhouse. Given JDAP's proven track record and commitment to juvenile defender training throughout the Commonwealth of Pennsylvania, having JDAP involved in the creation and oversight of such a center was both natural and obvious. The JDAP Board resolved to endorse Senate Bill 979 without objection. And if the Commonwealth's Legislative body, in their infinite wisdom, sees fit to pass Senate Bill 979, JDAP stands ready willing and able to provide whatever support and help is needed to make the Pennsylvania Center for Juvenile Defense Excellence a reality.

I have spoken almost exclusively about juvenile indigent defense because juvenile law is my area of expertise. It's my passion. But the larger purpose of Senate Bill 979 is not lost on me. I sit here in front of this Honorable Committee because I believe and support not only the Pennsylvania Center for Juvenile Defense Excellence, but also the large parent body, the Pennsylvania Center for Effective Indigent Defense. After 20+ years of public defender work, I'm whole-heartedly convinced that Pennsylvania must abandon its Byzantine ways and adopt a state-wide funding stream for indigent defense. Senate Bill 979 accomplishes that. I urge its passage.

In closing, thank you for affording me this opportunity to be heard. I'm humbled by, and sincerely believe in, the process.



## JUVENILE DEFENDERS ASSOCIATION OF PENNSYLVANIA, INC.

**Elton Anglada**  
President

**Howard Elbling**  
Vice President

**Lisa Douple**  
Treasurer

**Natalie Burston**  
Secretary

The Juvenile Defenders Association of Pennsylvania, ("JDAP") began in 2005 as the brainchild of current OJJDP Director, Robert Listenbee. Originally known as the "Statewide Leadership Group," two years later the group incorporated and JDAP was born. Beginning with just 10 members, JDAP's membership now numbers approximately 120 members and has membership from all areas of the Commonwealth.

JDAP was formed with the following purposes and with this mission statement in mind:

1. To promote ethically mandated, quality legal representation for all juveniles charged with acts of delinquency in the Commonwealth of Pennsylvania.
2. To provide a forum in which those persons responsible for the defense of children charged with delinquent acts could be heard and to organize those persons into a professional association.
3. To promote legislative, administrative and judicial change in the Commonwealth of Pennsylvania.
4. To provide whenever possible for the resource and training needs of our membership so as to enhance the quality of representation.

Beginning in 2007 with a training grant provided by PCCD, JDAP began training juvenile defenders at day-long juvenile defender CLEs. Starting modestly with three regional trainings, the schedule quickly expanded to five trainings covering all geographic regions of the Commonwealth. JDAP now offers 5 to 8 regional CLE trainings yearly, providing valuable juvenile-specific legal training to approximately 225 attorneys from over thirty counties. JDAP is an accredited CLE provider and a recognized leader in the Pennsylvania legal training community.

In addition to skills-based, juvenile-specific CLE trainings, JDAP provides a "list-serv" forum for our members to ask questions, post comments and get feedback on topical issues, policy questions, and trial strategies through the JDAP website, ([www.jdap.info](http://www.jdap.info)). In addition to the list-serv, the JDAP website is a valuable resource tool with links to sample motions, case law updates, and legal service providers throughout the Commonwealth.

Not content to rest on our achievements, JDAP is currently expanding its website to provide web-based CLEs and "webinars." In this way, JDAP will be able to expand its reach to juvenile defenders from under-served rural communities currently unable to attend JDAP's in-person training seminars.

# INTERBRANCH COMMISSION ON JUVENILE JUSTICE

*Report*



MAY 2010

## IV. RECOMMENDATIONS

The Interbranch Commission on Juvenile Justice has received many recommendations from a variety of witnesses representing a range of interests and concerns. The commission has carefully considered all materials and testimony. Some suggestions presented worthwhile topics for further consideration in an environment offering more extensive resources. The commission is mindful, however, of the realities of Pennsylvania's difficult fiscal situation and the imperative of focusing reform on practical recommendations. As a result, the commission has not adopted some recommendations that have received considerable support.

Space limitations do not permit an explanation of why some suggestions have not been adopted. However, the commission feels compelled to explain why it has not chosen to adopt two suggestions that have been widely endorsed.

The first is a suggestion that juvenile courts be made presumptively open to the public.

The Juvenile Act currently provides that the public "shall not be excluded from" hearings involving children 14 years of age or older who have been charged with a felony, and children 12 years of age or older charged with designated serious offenses such as murder, robbery or certain sexual offenses. In addition, under defined circumstances, court records and files are also available for public review.

Those in favor of opening all proceedings to the public argue that public scrutiny will serve as a check on abuses of judicial power. The commission agrees that there must be checks on abuse of judicial power. The commission believes, however, that on balance any abuse can be more appropriately addressed by enhancements to appellate review and to the system of judicial discipline rather than by exposing children to the possibility that the facts surrounding childhood misconduct could be perpetually maintained in news clippings, and now even on the internet. The notion that the hearings can be made accessible to the public, but that information presented in those hearings can be kept private and not subject to distribution, the commission determines to be impractical.

The commission acknowledges that some juvenile court judges as an aid to enhancing public understanding of the juvenile courts, and with the consent of the parties, have opened their courtrooms to the press and public. The commission does not discourage this practice in appropriate cases. However, it concludes that the Juvenile Act as currently written provides the correct balance of public access and child protection.

Second, the commission did not recommend the creation of an office of Ombudsman.

Although the office of Ombudsman can be configured in many ways, as defined in one suggestion submitted to the commission it was defined as follows: "...an independent watchdog and public advocate who investigates grievances regarding governmental abuses of power, illegal and inappropriate behavior by those in positions of authority, and violations of individual's rights."

If the recommendations the commission has suggested do not prove to be adequate to address the problems in the juvenile justice system that the commission has identified, it is possible that creation of such an office could be considered in the future. However, it is the judgment of the commission that the statewide juvenile justice system as currently constituted can be improved without additional bureaucratic structures, and that the resources that would be needed to create and maintain the office of Ombudsman could be put to more productive uses.

Here then, in sum, are the full recommendations of the Interbranch Commission on Juvenile Justice.

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### A. RECOMMENDATIONS REGARDING CRIME VICTIMS

The Juvenile Act and the Crime Victims Act provide the legislative foundation for Pennsylvania's balanced and restorative juvenile justice system.

In 1995, the Juvenile Act was amended to require that upon finding a child delinquent, the court must enter an order of disposition consistent with the protection of the public interest and best suited to the child's treatment, supervision,

right to counsel, and where the court never provided any meaningful explanation to the unrepresented juvenile as to what was occurring or the implications that arose from any admission to specific conduct.

The PDAA's new standards make these obligations clear, and emphasize that juvenile prosecutors not only seek a successful adjudication, but also must take affirmative steps to ensure that juvenile rights are protected. Moreover, while the Juvenile Act and rules do not require that a prosecutor be present at any juvenile proceeding, the PDAA has taken the approach that prosecutors must be present at each and every juvenile proceeding, not only to protect the Commonwealth's interests and the rights of victims, but also to fulfill the prosecutor's special obligation to protect the rights of juveniles and pursue just results in each case.

The Interbranch Commission on Juvenile Justice commends the PDAA's prompt creation and adoption of standards for Pennsylvania's juvenile court prosecutors. The commission views this as an important step toward ensuring that prosecutors throughout the Commonwealth understand their far-reaching role in juvenile court. The commission, therefore, supports the precepts articulated in these standards and recommends that the PDAA take any reasonable steps necessary to train juvenile prosecutors to effectuate the implementation of these standards throughout Pennsylvania.

Finally, the commission recognizes that additional funding will be required for prosecutors to implement these recommendations. The commission supports increasing prosecutors funding to sufficient levels.

### **G. RECOMMENDATIONS REGARDING JUVENILE DEFENSE LAWYERS**

At present, Pennsylvania and Utah are the only states in the nation that do not provide any state funding for indigent juvenile defense. County budgets must cover all expenses for juvenile defense attorneys in Pennsylvania including essential support services such as investigators, social workers, paralegals and expert witnesses. Relying solely on counties to determine how to fund indigent juvenile defense has led to significant differences in the quality of representation from one county to the next across the Commonwealth. In addition, by not providing funding for indigent juvenile defense, the state does not have a way to ensure that basic caseload and performance standards are met by attorneys representing children in delinquency proceedings.

The Interbranch Commission on Juvenile Justice heard testimony that juvenile defender case loads in Pennsylvania were far too high. Few offices had adequate computers, with some offices using outdated computers donated by their colleagues in the district attorney's offices. Fifteen percent of the public defenders did not have adequate telephone service; and 30 percent did not have access to the internet. As a result of varying levels of access to resources, the quality of juvenile defense services varied dramatically from county to county resulting in "justice by geography".

According to the former Luzerne County Chief Public Defender Basil Russin, a shortage of resources played a role in his decisions about how the Luzerne County juvenile practice was developed. Russin testified that when former Judge Ciavarella was presiding in juvenile court, his office handled between two and four cases per week for a total of 100 to 200 cases per year out of a total of 800 to 1,000 delinquency cases per year. Under the supervision of the new juvenile court judge, David Lupas, it now takes two full days per week for the assigned attorney to handle between 800 and 1,000 cases per year. This caseload is well in excess of the standard of 200 felony and misdemeanor cases per year for a juvenile defense attorney recommended by the American Council of Chief Defenders. During an era of tight budgets, Russin explained that the county commissioners were made aware of increases in caseloads but did not respond favorably. According to Russin, "Last year with my case count up ten percent I got cut a lawyer and got cut a clerical person."

Pennsylvania's obligation to enforce a child's constitutionally guaranteed right to counsel in delinquency proceedings arises from the Sixth Amendment right to counsel and Fourteenth Amendment right to due process for children that was established in 1967 in the landmark U.S. Supreme Court case *In re Gault*, 387 U.S. 1 (1967). Pennsylvania incorporated these constitutional requirements of due process and the right to counsel for juveniles in § 6337 of its Juvenile Act in 1972. See 42 Pa. C.S. § 6337.

The 1968 Public Defender Act specifically obligates public defender offices in Pennsylvania to include representation of a person charged with juvenile delinquency who lacks sufficient funds to otherwise retain counsel. See 16 P.S. § 9960.6(a) (1). The Pennsylvania Rules of Juvenile Court Procedure provide for the appointment of counsel if a juvenile is without

financial resources or is otherwise unable to employ counsel. See Pa.R.J.C.P. 151(A). The rules also provide for the assignment of legal counsel separate from the appointment of a guardian ad litem, for a child in a dependency matter who has been charged with committing a delinquent act. Pa.R.J.C.P. 151(B) (c).

Unfortunately, whether due to indifference, inexperience, incompetence or intimidation, many, though not all of the defense attorneys in Luzerne County that appeared before Ciavarella, clearly abdicated their responsibilities to zealously defend their clients and to protect their due process rights.

According to the record, over 54 % of the children who appeared in Ciavarella's courtroom from 2003 to 2008 appeared without counsel. Public defenders, contract counsel and privately-retained attorneys were present in those courtrooms and observed the routine violation of the constitutional rights of children and in some cases the violations of the judicial canons of ethics. They had an ethical obligation to speak up. At the bare minimum, they should have contacted their supervisors in the Public Defenders Office and the local bar associations or notified the appropriate judicial or attorney disciplinary organizations.

Many of the juvenile defendants whose rights were violated were represented by counsel. These attorneys appeared in court without protest, while large numbers of juvenile offenders were placed in out-of-home facilities without adequate legal justification. Inexplicably, very few motions for reconsideration or appeals were filed. The Juvenile Law Center was one of the few organizations that challenged the violation of the rights of these juveniles.

The record plainly indicates that the juvenile defenders were not properly supervised by former Chief Defender Russin. According to his testimony, there was no real supervision in the courtroom, no juvenile-specific training and no performance reviews.

There was at least one complaint brought to Russin's attention by one of the young assistant public defenders assigned to juvenile court. That attorney reported that there were lots of youths going unrepresented in Ciavarella's courtroom and there were improper waivers. No action was taken by Russin in response to this complaint.

Through his silence and the silence of the juvenile defenders on his staff, Russin became complicit in the zero-tolerance policies instituted by Ciavarella and the routine placement of children for minor offenses and without careful consideration of their individual circumstances as required by a balanced approach to restorative justice.

As the scandal gained wide attention throughout the state and across the nation, Russin reached out for assistance. In September 2009, he assigned a skilled and experienced defender to become the juvenile defender and he agreed to accept appointments by the court to all the juvenile cases where there were no conflicts.

Based on the above, the commission makes a series of recommendations bearing on juvenile defense:

1. A state-based funding stream for indigent juvenile defense.

The General Assembly should establish a dedicated funding stream for indigent juvenile defense that supports the traditional efforts of the counties to provide financial resources for this constitutionally mandated right to counsel.

2. A Center for Juvenile Defense Excellence.

In order to ensure that children in Pennsylvania's juvenile courts are represented by competent attorneys, technical assistance required to provide quality representation should be readily available to juvenile defense attorneys throughout the state. A Pennsylvania Center for Juvenile Defense Excellence would provide support to defense counsel representing indigent juveniles in delinquency proceedings and would provide a resource for attorneys representing children in smaller counties to obtain advice and referrals in areas such as special education, immigration, sex offender registration and civil commitment issues. See Recommendations to the Interbranch Commission on Juvenile Justice by the Juvenile Indigent Defense Reform Initiative, March 15, 2010.

It is recommended that the center provide an annual report to the governor, the legislature and the Supreme Court. The commission further recommends that this issue be referred to the Joint State Government Commission where it can be considered in conjunction with other issues related to indigent defense, such as Senate Resolution 42 of 2007, by an advisory group composed of stakeholders from throughout the criminal justice system.



### 3. Ensuring Access to Defense Counsel

Defense counsel plays an important role in ensuring fairness and equity in the juvenile justice system in Pennsylvania and in protecting children against abuses of judicial power. Defense lawyers occupy the unique position of giving children a voice in the process by representing the child's expressed interest. They protect the due process rights and liberty of children they represent with pretrial motions, habeas corpus petitions, challenges to evidence in adjudicatory hearings, motions for reconsideration and appeals. Defense counsel protect their clients' rights, and are in a position to report judicial and prosecutorial abuses to disciplinary boards. For these reasons the commission recommends:

#### A. That all juveniles should be deemed indigent for the purposes of appointment of counsel.

In many counties in Pennsylvania, the courts and public defender offices have relied upon the income of parents and guardians of juveniles to determine financial eligibility for the appointment of counsel. In Luzerne County, former Chief Public Defender Basil Russin testified that he used Poverty Guidelines to determine eligibility for public defender services.

In such situations, there is an inherent risk that the legal protections afforded juveniles could be eroded by the limited financial resources of their parents, particularly those parents whose income is just above the guidelines, or by the unwillingness of parents to expend their resources. There is also the risk that the attorneys hired by parents might rely upon the parents for decision making in a case rather than rely upon the juvenile as the law requires. Accordingly, the Interbranch Commission for Juvenile Justice recommends that the Pennsylvania Supreme Court amend the Rule of Juvenile Court Procedure 151 to instruct courts that juveniles are to be deemed indigent for the purpose of appointment of counsel.

#### B. Restrict the right of a juvenile to waive the right to counsel and require stand-by counsel if the juvenile waives counsel.

As noted above, over half of the children who appeared before former Judge Ciavarella waived the right to counsel. In spite of the protections afforded children since October 2005 by Pennsylvania Rule of Juvenile Court Procedure 152, the right to counsel was routinely waived.

The commission was asked by experts in the field to recommend an unwaivable right to counsel. Instead, however, the commission has chosen to recommend new safeguards and protections for the right to counsel by strengthening the protections of the waiver rule, increasing access to the counsel through the appointment process, increasing the protections and speed of the appellate process and strengthening the role of defense counsel. It is with these considerations in mind that the commission recommends that the Pennsylvania Supreme Court modify Pennsylvania Rule of Juvenile Court 152 (relating to waiver of counsel) to:

1. Require a juvenile to consult with an attorney prior to waiving counsel at any of the following proceedings:
  - Detention hearings;
  - Pretrial hearings;
  - Hearing to consider transfer to criminal proceedings;
  - Adjudicatory hearing;
  - Dispositional hearing;
  - Dispositional hearing/commitment review hearing;
  - Probation review hearings; and
2. Retain Section C of Rule 152 which limits the waiver of counsel to the proceeding where the waiver occurs and authorizes the juvenile to revoke the waiver at any time. It also requires that the juvenile be informed of the right to counsel at any subsequent proceeding;
3. Require the appointment of stand-by counsel if a juvenile waives counsel at any of the aforementioned proceedings;
4. Replace the guidance regarding the specifics of the colloquy that is currently contained in the Comment to Rule 152, with provisions in the rule that would detail the specific information that the colloquy is to elicit.

C. Implement an appointment system for counsel that avoids the appearance of impropriety. Where judges appoint counsel that appear before them on specific cases there is an inherent potential conflict between the financial interests of the attorney in obtaining future appointments and the zealous representation of the juvenile. The independence of the defense counsel is critical for making client-centered case decisions. Some counties have chosen wheels or other neutral procedures to accomplish this task. This is a critical addition to the system of checks and balances needed to ensure the right to counsel. Therefore, it is recommended that the Pennsylvania Supreme Court should work with the Juvenile Defenders Association of Pennsylvania to establish an independent procedure in each county or regional district to reduce appointments by judges of lawyers who appear before them.

D. Performance Guidelines for Quality and Effective Juvenile Delinquency Representation

Guidelines serve as a training and development tool for new attorneys who receive delinquency representation assignments. They also affirm for experienced counsel the considerations necessary to deliver quality legal representation.

The Juvenile Defenders Association of Pennsylvania (JDAP) has taken the necessary steps to develop and adopt performance standards for indigent juvenile defense attorneys. The guidelines have also been adopted by the Public Defenders Association of Pennsylvania (PDA of PA). These new standards explain the duties and responsibilities of juvenile defenders at every stage of the juvenile court process. JDAP and PDA of PA have committed themselves to taking all necessary measures to ensure access to counsel and quality representation for Pennsylvania's children.

The commission commends the Pennsylvania Commission on Crime and Delinquency (PCCD), the MacArthur Foundation and JDAP for their prompt support in the creation of a comprehensive juvenile practice training program for defense counsel in Luzerne County. The Commission also commends JDAP and the PDA of PA for their adoption of the guidelines. The commission supports the principles articulated in these standards and recommends that the JDAP work in conjunction with the PDA of PA and the Pennsylvania Association of Criminal Defense Lawyers to train juvenile defense attorneys to effectuate the implementation of these standards throughout Pennsylvania.

## H. RECOMMENDATIONS REGARDING ETHICS FOR JUVENILE PROBATION OFFICERS

Juvenile Probation Officers are officers of the court by definition, and bound by the provisions of the Juvenile Act. Generally speaking, the officers are called upon to:

Make investigations, reports, and recommendations to the court;

Receive and examine complaints and charges of delinquency or dependency of a child for the purpose of considering the commencement of proceedings;

Supervise and assist a child placed on probation or in his or her protective supervision or care by order of the court or other authority of law;

Make appropriate referrals to other private or public agencies of the community if their assistance appears to be needed or desirable;

Take custody and detain a child who is under his or her supervision or care as a delinquent or dependent child if the probation officer has reasonable cause to believe that the health or safety of the child is in imminent danger, or that he or she may abscond or be removed from the jurisdiction of the court, or when ordered by the court, or if the child has violated the conditions of his or her probation, as well as such other duties imposed by the court.

As officers of the court, juvenile probation officers must conduct themselves in a manner which avoids the appearance of impropriety. In all instances while interfacing with the juvenile, family, victims, community-based providers, and private providers, their recommendations must always be mission-driven, performance-based, and outcome-focused.