

# NCJJ State Profiles: Iowa

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## Delinquency Services Summary

*Combination State:* With the exception of secure detention, the state administers most delinquency services for youth in Iowa. However, responsibility is divided between the state judicial and state executive branches. County executive agencies or multi-county regional commissions administer secure detention. The Iowa Judicial Branch's Juvenile Court Services administers detention screening, delinquency intake screening, diversion, predisposition investigation, probation supervision, and aftercare services through eight judicial districts. Practices in the districts vary and have a strong local flavor. The Department of Human Services administers the juvenile corrections continuum.

Service Classification	
Detention	Local/Executive
Probation Supervision	State/Judicial
Juvenile Corrections	State/Executive
Aftercare Supervision	State/Judicial

## Court(s) with Delinquency Jurisdiction

Juvenile Courts, located within District Courts, exercise jurisdiction over delinquency proceedings and are limited jurisdiction trial courts. District Court judges can also hear juvenile cases if the chief judge assigns the case. Iowa is divided into eight judicial districts. For more information, read the Iowa Judicial Branch's [overview of its juvenile court system](#).

## Highlights

### Accountable Government Act

In response to a series of revenue shortfalls, Governor Thomas Vilsack enacted the [Accountable Government Act](#), which reduced the state's budget by \$128 million and redesigned government services. The 2001 bill transformed the child welfare and juvenile justice systems into performance-based systems with outcomes that include accountability, rehabilitation, and public safety. The bill cuts \$10 million from the Department of Human Services and requires it to reduce paperwork. For more information, visit the [Iowa Reinvention Partnership web site](#).

### **Detention**

Iowa has 10 secure detention facilities, which county executives or multi-county regional commissions administer. Local funds pay for juvenile detention centers, and most of the costs of housing juveniles in detention are primarily locally supported; however, the state reimburses counties for a small portion of juvenile detention center costs.

Youth that commit any delinquent act may be held in a juvenile detention facility. Iowa Code Section [232.22](#) outlines the criteria for detention, including whether the

juvenile is wanted on a warrant in another jurisdiction; is an escapee; may runaway; or poses a risk to others and property.

Youth may be held in detention while awaiting adjudication or disposition and pending placement in a residential facility or pending a hearing for probation violations. Iowa Code Section [232.52](#) allows the court to sentence a juvenile to detention for up to two days at a time. Iowa uses secure detention as a sanction for probation violations.

Detention hearings must be held within 24 hours, excluding weekends and legal holidays, and a review hearing every 7 days thereafter. Adjudicatory hearings must be held within 15 days, and dispositional hearings must be held within 30 days.

Alternatives to detention include house arrest, electronic monitoring, shelter care, trackers and monitors, day treatment, and a weekend program for probation violators. The Division of Criminal and Juvenile Justice Planning published [Examining the Trends and Use of Iowa's Juvenile Detention Centers](#), with funding from the Justice Research and Statistics Association. The study found that no comprehensive system of alternatives to secure detention exists in the state.

### **Delinquency Intake Screening**

Anyone may file a delinquency complaint with the court, although law enforcement typically makes referrals. Juvenile court officers screen complaints and decide whether to handle cases informally or to refer cases that require more serious court intervention to the county attorney. Depending on the judicial district, a juvenile court officer may be assigned to a case from intake to aftercare, or the district may have a separate Intake Unit. Juvenile Court School Liaisons may also conduct intakes.

### **Diversion**

Juvenile court officers may divert the juvenile by entering into an informal adjustment agreement. Informal adjustments are contracts that require that the juvenile admit to the charges and typically require non-judicial probation in which the juvenile abides by certain conditions of behavior. The juvenile and his or her parents must consent to the terms in the agreement. Informal adjustment is often used for younger or less serious offenders. Conditions may include informal juvenile court supervision, restitution, community service, and participation in programs, such as anger management, life skills training, and shoplifting diversion. Typically, if a juvenile obeys the conditions of the informal adjustment, a petition is not filed, and the juvenile is released from the juvenile court's oversight. Agreements must not exceed six months.

Polk, Marshal, and Woodbury Counties have teen drug courts, and Linn and Polk Counties have peer review courts.

### **Predisposition Investigation**

After adjudication, a Juvenile Court Officer conducts a predisposition investigation and prepares a predisposition report. The investigation and report encompass the juvenile's social history, environment, family condition, school performance, child abuse and neglect histories, learning disabilities, physical impairments, past acts of violence, and other relevant issues.

The Iowa Judicial Branch assesses juveniles using the Washington State Juvenile Court Assessment (WSJCA) and develops disposition recommendations based on the results.

### **Victim Rights and Services**

[Iowa Code Section 915](#) provides victims of juvenile offenders with certain rights, including the right to be notified of the juvenile's and his or her parents' names and addresses and about disposition or informal adjustments. Victims of juvenile offenders may file victim impact statements for consideration at intake and disposition. Victims of violent crimes have the right to be notified of a juvenile's release or escape.

The Iowa Judicial Branch administers the [juvenile victim restitution program](#). However, the judiciary has not funded this program since 2001. Some districts are using alternative funding, including federal block grants, to continue this program.

### **Probation Supervision**

Each of the judicial districts has a chief juvenile court officer (JCO) who supervises juvenile court officers, who are Supreme Court employees. The judges in each district select their chief JCO. These eight chief JCOs meet periodically to coordinate their practices, but there is not a state administrator. Therefore, juvenile court services practices vary and have a strong local flavor.

Juvenile court officers, Iowa Judicial Branch employees, carry caseloads comprised of only juveniles. Depending on the judicial district, a juvenile court officer may be assigned to a case from intake to aftercare while some judicial districts may have a separate Supervision Unit. The Chief Juvenile Court Officers and State Court Administration allocate JCOs according to the number of children living within the judicial districts. The Juvenile Court Services Advisory Committee recommends a JCO staffing formula of 2,800 children per JCO.

The court determines the level of probation supervision and does not currently use a classification tool. However, the Iowa Judicial Branch plans to adopt the Washington State Juvenile Court Assessment (WSJCA) by Fall 2004. The assessment is a two-stage process. The first stage is a pre-screen assessment completed for all youth placed on probation. The second stage, a full assessment, is required for youth assessed as moderate or high risk on the pre-screen.

The Department of Human Services and local school districts fund Juvenile Court School Liaisons. In 2000, there were approximately 130 Juvenile Court School Liaisons in middle, junior high, and high schools across the state. The liaisons work with a Juvenile Court Officer to supervise students who are on probation, work with youth who have been identified as at risk, reduce truancy, and respond to disruptive behavior in classrooms. For more information, read [An Examination of Iowa's School Liaison Program](#).

Other community-based delinquency services include day treatment programs, life skills services, and tracking and monitoring services. "Trackers" work under the supervision of local juvenile court officers and typically have small caseloads (five or six youth). They contact a given juvenile several times in a single day, making it possible for youth to remain in the community. Iowa's Chief Juvenile Court Officers, in conjunction with the Division of Criminal and Juvenile Justice Planning (CJJP),

have started collecting data about the performance of court-involved youth in programs such as life skills, community-based day treatment, and tracking and monitoring. Information is collected on all of the juveniles at admission, program completion, and six months later to identify re-offending and out of home placements.

Group care provides highly structured 24-hour treatment services and supervision for children who cannot be served at a less restrictive level of care due to the intensity or severity of their emotional/behavioral problems. Youth placed in group care have typically been adjudicated either as delinquent or as CINA. Group care services include counseling and therapy, social skills development, restorative living skills development, family skills development, and supervision. Associated activities include social work, case management, court involvement, licensing, payment and recovery. Group care services are purchased from private agencies. There are four levels of group care: community, comprehensive, enhanced, and highly structured.

Juvenile court officers develop case plans. Although each judicial district currently develops case plans in its own way, the Iowa Judicial Branch is moving toward adopting a statewide standard protocol for writing case plans.

### **Juvenile Probation Officer Qualifications, Certification, and Training**

Juvenile court officers must have Bachelor's degrees in law, criminal justice, social work, or a related major. Statute does not require candidates to possess work experience in specified areas.

Juvenile court officers are not professionally certified in Iowa. They have to attend a one or two week intensive pre-service training conducted by the Supreme Court. After that, juvenile court officers may voluntarily attend the two juvenile court conferences held each year - one for judges and one for judicial services. The Supreme Court mandates some training as needed.

### **Juvenile Corrections Continuum**

The Department of Human Services administers two state juvenile corrections institutions: the [Boys State Training School](#) in Eldora for delinquent boys and the [Iowa Juvenile Home](#) in Toledo for delinquent girls.

### **Commitment to State**

Upon commitment, custody and guardianship of the adjudicated juvenile is given to the Department of Human Services. The court orders determinate commitments and specifies the type of placement. The court does not use a risk/needs instrument to make these decisions. The juvenile's level of treatment cannot be changed without court approval. Statute requires dispositional review hearings every 12 months, but judges generally review cases every 6 months. Juvenile court officers supervise juveniles while in they are in state juvenile corrections institutions.

### Blended Sentencing

Iowa has a criminal blended sentencing provision. For more information, click [here](#).

### **Direct Placement**

The court can directly place a juvenile offender in a private or local facility without committing the youth to the Department of Human Services (DHS) if they have funding, according to [statute 232.52](#) of the Iowa Code. Although juvenile court

officers supervise juveniles in direct placement and provide aftercare services, DHS covers the costs of services such as counseling. Juvenile court officers may recommend release, but the court makes the final release decision.

### **Release**

The court reviews Department of Human Services' recommendations for release and makes the final release decision. The court does not use a risk/needs instrument to make the release decision.

### **Aftercare/Re-entry**

Juvenile court officers (JCOs) develop recommendations to the court for aftercare that may involve supervision by a JCO and treatment services from private agencies. Some judicial districts use tracking services, intensive supervision, and day programming. The court reviews and approves all plans for aftercare for youth returning from residential placements. Depending on the judicial district, a juvenile court officer may be assigned to a case from intake to aftercare, or the district may have a separate Aftercare Unit.

## **State Laws**

### **Legal Resources**

[Iowa Administrative Code](#)

[Iowa Code, Title VI \(Human Services\), Subtitle 5 \(Juveniles\), Chapter 232 \(Juvenile Justice\)](#)

[Iowa Court Rules, Rules of Juvenile Procedure \(Chapter 8\)](#)

[2003 Iowa Juvenile Bench Book](#)

[Iowa State Bar Association](#)

### **Purpose Clause for Delinquency Proceedings**

This chapter shall be liberally construed to the end that each child under the jurisdiction of the court shall receive, preferably in the child's own home, the care, guidance and control that will best serve the child's welfare and the best interest of the state. When a child is removed from the control of the child's parents, the court shall secure for the child care as nearly as possible equivalent to that which should have been given by the parents.

Citation: Iowa Code Annotated Title VI. Human Services Subtitle 5. Juveniles Chapter 232. Juvenile Justice Division I. Construction and Definitions. 232.1. Current through Laws effective July 1, 2004.

### **Delinquency Jurisdiction** (as of the end of the 2005 legislative session)

Lower Age: None specified

Upper Age: 17

Extended Age of Delinquency Jurisdiction: 18

### **Juvenile Transfer Laws**

For information on Iowa's juvenile transfer laws, [click here](#).

## **Juvenile Justice Leadership**

### [Department of Human Right's Division of Criminal and Juvenile Justice Planning](#)

The Division of Criminal and Juvenile Justice Planning serves as the state advisory group charged with administering funds received through the federal Juvenile Justice Delinquency Prevention Act and monitoring compliance with the Act's mandates. The Division also serves as the state's statistical analysis center.

### [Attorney General's Task Force on Juvenile Crime](#)

Established in 1995 in response to serious juvenile crime, this Task Force brings together judges, juvenile court officers, police, educators, and private providers to serve as an advisory group and focus on what works.

### [Iowa's Collaboration for Youth Development](#)

Iowa's Collaboration for Youth Development is comprised of state agency staff, community members, and local youth serving program staff. It holds forums on youth issues, trains state and local officials on youth development, and facilitates coordination of some of the planning and policy requirements of various state agencies, including conducting community needs assessments.

### [Iowa Gender-Specific Services Task Force](#)

The Division of Criminal and Juvenile Justice Planning established the Iowa Gender-Specific Services Task Force in 1995. Major activities of the Task Force include an annual conference, a study of female offenders in the state's juvenile justice system, publication and distribution of *Providing Gender-Specific Services for Adolescent Female Offenders: Guidelines & Resources*, a desk protocol that outlines the gender-specific philosophy, and workshops for juvenile justice system professionals on the gender-specific approach.

### [Juvenile Court Services Advisory Committee](#)

In 2002, the Iowa Supreme Court established the Juvenile Court Services Advisory Committee by court order. The Court charged the committee with reviewing the delivery of juvenile court services in the eight judicial districts and recommending ways to achieve uniformity across the state. In addition, the committee was directed to develop a staffing caseload formula for juvenile court services support staff and supervisors. Recommendations include using risk assessment instruments to standardize decision-making and emphasizing the principles of balanced and restorative justice in dispositions.

Juvenile Court Officers Association

Juvenile Detention Association

Juvenile Judges Association

## **Resources/Contacts**

[Juvenile Court Delinquency Proceedings Flowchart](#), developed by Criminal and Juvenile Justice Planning

[Examining the Trends and Use of Iowa's Juvenile Detention Centers](#)

[Serving Iowa Youth and Families With a Youth Development Approach: JJDP Act Formula Grant Application and Three-Year Comprehensive Plan](#)

[Department of Human Services](#)  
[Division of Criminal and Juvenile Justice Planning](#)  
[Iowa Collaboration for Youth Development](#)  
[Iowa County Attorneys Association](#)  
[Iowa Gender-Specific Services Task Force](#)  
[Iowa Judicial Branch Web Site](#)  
[Iowa State Bar Association](#)

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<http://www.ncjj.org/stateprofiles/profiles/IA06.asp?topic=Profile&state=%2Fstateprofiles%2Fprofiles%2FIA06.asp>

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