

Fast Track Procedure for San Diego County Juvenile Court

To streamline the juvenile justice process and reduce the amount of time youth spend in custody, representatives from the District Attorney (DA) and the Public Defender (PD) will implement the use of "pre-plea" Fast Track probation reports. Because a request for a Fast Track report will require the probation department to produce the report in a shortened time period, the PD should make this request only when it is likely the case will resolve at the readiness hearing.

PROCEDURE:

When a youth is ordered detained in Juvenile Hall at the detention hearing and the youth's attorney requests a Fast Track report, the court will set the readiness hearing 10 court days later, during which time the probation officer will prepare the Fast Track report. At least two court days before the readiness hearing, the PD will receive a copy of the report in JELS, the DA will receive a recommendation page in JELS, and the Court will receive a sealed envelope containing the original and two copies of the Fast Track report.

When the PD intends to resolve the case, the Fast Track report will be released to the DA and the Court no later than the day before the readiness hearing. After the plea is taken, the court will proceed immediately to disposition.

If no plea is taken at the readiness hearing and the case is set for trial, neither the DA nor the PD may use the report for purposes of trial, and the probation officer who authored the report may NOT be called as a witness. This does not prevent either party from using evidence which, although included in the report, has been obtained independently of the report.

SEQUENCE OF EVENTS:

1. Youth is arrested and taken to Juvenile Hall.
2. Case is assigned to intake officer for a detention report, or to a supervision officer if the youth is currently on probation.
3. At the detention hearing, if the youth is NOT detained, the Fast Track process will not be used, and the court will set a readiness hearing.
4. If the youth is detained and the PD requests a Fast Track report, the court will schedule the readiness hearing 10 court days later. The investigation

officer or supervision officer will prepare a juvenile social study (JVSS) Fast Track report with a recommendation. In addition, the probation officer will be allowed to interview the youth before the readiness hearing.

5. At the readiness hearing, if the court makes a true finding, it will move forward with disposition on the same day (assuming timely delivery of the report).
6. If the case is set for trial, no further report will be required. A supplemental report may be requested if new information is brought forward which was not known at the time the original social study was prepared.

PROBATION CLERICAL PROCEDURE:

- A. Staff will make two copies of the original Fast Track report, and one copy of the recommendations. All documents will be placed in a sealed manila envelope marked "Confidential," with the following information provided on the outside of the envelope and sent directly to the court business office.
 - a. Youth's name
 - b. JCM number
 - c. Court department number
 - d. Hearing date
- B. Staff will upload the PD's copy of the report to JELS.
- C. Staff will upload the DA's copy of the recommendations to JELS.

CASES THAT ARE NOT APPROPRIATE FOR FAST TRACK:

1. Cases that are not expected to resolve at the first readiness hearing.
2. When a psychological or neuropsychological evaluation is ordered by the Court or arranged by the PD.
3. Co-participant cases that are both [1] likely to be set on a separate track (e.g., co-participants disagree on whether to use Fast Track or there are multiple co-participants), and [2] anticipated to involve victims who wish to participate in juvenile justice proceedings.
4. Youth in need of placement in foster care, short-term residential therapeutic programs, or community treatment facilities.
5. Cases in which the DA and PD have stipulated to a disposition.
6. Although most WIC §707(b) cases are not appropriate for Fast Track consideration, the court will address any requests for Fast Track after

considering the nature of the offense, the youth's role in the offense, and the likelihood of resolution at the readiness hearing.

7. Youth who are or may become Regional Center clients and whose case requires follow-up, collaboration, record seeking, and extensive case planning to determine appropriate recommendations.
8. Cases with multiple counts or multiple victims, as Fast Track does not allow sufficient time for the probation officer to prepare a recommendation.
9. Cases where a recommendation to the secure track is likely.

Youth who have served a previous custodial commitment or who have a stayed commitment, may be appropriate for Fast Track. In these cases, the court will consider ordering a supplemental Fast Track report.