

JONES CREEK MUNICIPAL COURT YOUTH DIVERSION PLAN

DESCRIPTION

As provided by Chapter 45, subchapter "E" of the Texas Code of Criminal Procedure, and contingent on eligibility, a child shall be diverted from formal criminal prosecution through an established youth diversion program. Youth diversion is applicable for a child who is alleged to have engaged in conduct that constitutes a misdemeanor punishable by fine only, other than a traffic offense (Article 45.302 Code of Criminal Procedure). A child's participation is voluntary, requires the child to accept responsibility in the alleged conduct, and requires written consent from the child and the parent in a diversion agreement.

The Youth Diversion Plan adopted by the Court is an individualized plan that focuses on fostering accountability and positive development for the particular child involved. Through this plan a child has the opportunity to complete realistic and reasonable terms, set by the Municipal Court Judge. The Plan will be for a time set by the Judge, monitored by the Judge, and will not exceed 180 days.

PURPOSE

The Youth Diversion Plan's intent is to protect and preserve the interest of youth who have committed nontraffic law violations by providing interventions and strategies designed to assist troubled youth and to keep their record clean as they mature in their abilities to handle circumstances in a nondestructive manner.

QUALIFICATIONS

The child must be at least 10 years of age and no older than 17 at the time of the alleged nontraffic offense and shall not have had a prior unsuccessful Diversion Plan. The youth must not have participated in a plan within 12 months prior to the commencement of a new Plan.


STRATEGIES

To implement diversion the Municipal Court will use various strategies that are appropriate to the situation. The list below are options which may be used but may not be all inclusive depending on the situation at hand.

- Perform community-based services at a non-profit organization or government agency that provides services to the general public that enhances the social welfare and general well-being of the community.
- School related program
- Alcohol awareness program
- Tobacco awareness program
- Drug education program
- Rehabilitation program

- Self-improvement program
- Referral to a service provider for services, which may include:
 - At-risk youth services
 - Work and job skills training
 - Academic monitoring or tutoring
 - Community-based services
 - Mental health screening and clinical assessment
 - Counseling
 - Mentoring services
- Mediation or other dispute resolution process
- Alcohol and drug testing
- Restitution not to exceed \$100 for an offense against property under Title 7 of the Penal Code

The Court seeks to balance the interests of the community with unique circumstances of each child.


Beverly Widner, Judge
Jones Creek Municipal Court

Effective January 1, 2025