

**Memorandum of Understanding between the Department of Health and Social Services, Division of
Juvenile Justice and _____ (tribe / village)**

The Alaska Department of Health and Social Services, Division of Juvenile Justice (DJJ) and the (tribe / village) _____ have agreed to collaborate in the development and implementation of a diversion program for juveniles with offenses committed on (village / location) _____. It is the intent of this collaboration to more effectively respond to and rehabilitate juvenile offenders at a local, village level.

DJJ agrees to:

- Review all cases for juveniles who have been charged with minor offenses;
- Divert appropriate referrals to the _____ (tribe / village) _____ Diversion Program;
- Provide training and consultation on confidentiality for juvenile cases;
- Staff questionable cases with _____ (tribe / village) _____ Diversion Program prior to referral;
- Provide information and guidance as needed for each referral;
- Upon notification that the juvenile has successfully completed the diversion program, DJJ staff will input the information into JOMIS and close the case;
- Upon notification that the juvenile is non-compliant and/or has not completed the diversion program, DJJ staff will staff the case with the diversion program staff.

Upon review DJJ staff may:

- Work with the diversion program staff to extend the completion date;
- Close the referral noting the juvenile's non-compliance; or
- Take further action, which may include petitioning the case to Superior Court.

The _____ (tribe / village) _____ Diversion Program agrees to:

- Provide a local, community-based diversion program for the purpose of providing restorative justice diversion activities for juveniles charged with minor juvenile offenses;
- All Diversion Program staff will attend the DJJ training on confidentiality;
- Maintain the confidentiality of cases referred to the Diversion Program according to DJJ training and requirements;
- Review cases diverted to the Diversion Program to ensure appropriateness for referral;
- Staff questionable cases with DJJ staff prior to referral;
- Process referrals within the following timelines:
 - Provide DJJ notice of the acceptance or rejection of diverted referrals within 15 days of receipt;
 - Hold a diversion panel/circle on the matter within 30 days of acceptance and provide DJJ staff a copy of the Diversion Agreement within 10 days of the panel/circle;
 - Notify DJJ staff of juvenile's non-compliance or completion of the diversion program within 60 days;

- Upon notification that the juvenile is non-compliant and has not completed the diversion program, the diversion program staff will staff the case with DJJ staff.
Upon review, the Diversion Program staff may:
 - Work with the DJJ staff to extend the completion date;
 - Close the referral noting the juvenile’s non-compliance;
- All case files will be returned to DJJ upon case closure.

This MOU will be in effect _____ and renewable upon annual review and approval of each agency. Any party may withdraw from this agreement by providing thirty days written notice to all parties.

(village / tribe representative) Date

DJJ JPO III Date

DJJ Probation IV Date

_____ COMMUNITY DIVERSION PROGRAM

In the matter of: _____)
_____) Report Number _____
A minor under 18 years of age)
and a resident of: _____)

DIVERSION AGREEMENT

1. We (*juvenile and parent/guardian/custodian*) enter into the following agreement for informal diversion through the _____ Community Diversion Program.
2. We have been advised of our rights and understand that we waive any rights to a trial during this diversion process.
3. We have been advised of the _____ Community Diversion Program Policies and Procedures.
4. We do not contest the charges against the juvenile and agree to have the alleged offense(s) of _____, which occurred on _____ handled by the _____ Community Diversion Program.
5. The juvenile agrees to:
 - Follow all laws
 - Attend school and follow school rules
 - Obey parents/guardian/custodian
 - Ask for permission before leaving or staying away from home.
 - Participate in this diversion program and do what the Diversion Program requires of me.
6. We understand that the Diversion Program may not require the juvenile’s removal from the home, formal state probation, or a formal state juvenile delinquency record.
7. If the juvenile successfully completes the Diversion Program, the case will be adjusted and closed.
8. If the juvenile does not complete the Diversion Program or violates this agreement, the case will be returned to the Division of Juvenile Justice to determine whether further action is needed. This could include taking the juvenile’s case to Superior Court.
9. We understand that the Division of Juvenile Justice and the _____ Community Diversion Program may exchange information as needed to coordinate and support this diversion.
10. We understand that the Program Manager may communicate information with community members that play a role in and support the juvenile’s successful completion of Program requirements.

APPEARANCE DATE / TIME: _____

_____	_____	_____	_____
Juvenile	Date	Parent / Guardian / Custodian	Date

_____	_____	_____	_____
_____ Community Diversion Panel	Date	Juvenile Probation Officer	Date

_____ COMMUNITY DIVERSION PROGRAM

In the matter of: _____)

_____)

Report Number _____

A minor under 18 years of age _____)

and a resident of: _____)

Diversion Program Requirements

The _____ Community Diversion Program hearing was held on _____ to determine the appropriate response to the juvenile’s offense(s) listed in the Program Agreement signed by the juvenile and parent/guardian. The hearing was held in accordance with the Diversion Agreement and the _____ Community Diversion Program Policies and Procedures. The juvenile and his/her parents were present at the hearing.

After hearing from all interested parties and having reviewed all relevant documents or items, the _____ Community Diversion Program finds that the juvenile shall be held accountable for the offense.

With the focus on both holding young members of our Village accountable and giving them an opportunity to make amends, the juvenile is required to complete the following activities by _____:

1. _____
2. _____
3. _____
4. _____

Upon successful completion of these requirements, the case will be closed. If the juvenile does not complete these requirements by the required date, the _____ Community Diversion Program gives notice that:

1. It will call the juvenile back to the _____ Community Diversion Panel to explain his/her actions;
2. It may assign additional requirements to be completed by a specific date; and
3. It will advise the Division of Juvenile Justice of the juvenile’s failure to meet these requirements so that the state, by its own decision, may proceed with further action.

_____	_____
_____ Community Diversion Program	Date

NOTICE OF COMPLETION

The juvenile:

___ Completed all requirements of the _____ Community Diversion Program on

___ Did not complete the following requirements:

- 1. _____
- 2. _____
- 3. _____
- 4. _____

___ Did not complete any requirements of the Sentence:

_____ Date
_____ Community Diversion Program