

Media Contacts

Mary Ann Scali, Deputy Director
National Juvenile Defender Center
202-452-0010
mscal@njdc.info

Kim Tandy, Regional Director
Central Juvenile Defender Center
859-431-3313
ktandy@childrenslawky.org

Statewide Report Finds Missouri's Juvenile Indigent Defense System is in Crisis

Concerns reach across many areas of practice

Washington, DC— (April 4, 2013) A comprehensive evaluation of Missouri's juvenile indigent defense delivery system finds the need for greater investment in, and engagement with, lawyers for youth. The National Juvenile Defender Center (NJDC) and the Central Juvenile Defender Center (CJDC) have issued *Missouri: Justice Rationed: An Assessment of Access to Counsel and Quality of Juvenile Defense Representation in Delinquency Proceedings*.

The report identifies three overarching concerns endemic to Missouri's juvenile defense delivery system: 1) Youth are systematically discouraged from accessing, and denied, counsel throughout the state; 2) Their basic rights are not adequately protected and often ignored; and 3) The structure of Missouri's juvenile court system, by its very nature, presents constitutional issues, inherent conflicts, and a great deal of confusion about official stakeholder roles.

Juvenile cases were found to take low priority in the court system and lawyers are rationed depending upon the availability of resources. Missouri's Washington University Law Professor, Mae Quinn, agrees with NJDC's findings, calling the messages in the assessment, "excellent and timely, and in need of an advocate."

Missouri has long been held up as a national model for effective delivery of rehabilitative services for youth in the delinquency system. "Yes, Missouri stands out for its innovation in providing small, regionalized juvenile corrections programs," said Mary Ann Scali, NJDC's deputy director and a co-author of the assessment. "But an effective juvenile justice system is not built solely upon corrections options available to youth after they have navigated their way through a complex legal process. An effective system requires youth be afforded assistance of counsel. Our findings unravel the mystery of what happens to the vast majority of youth who come before Missouri's court on delinquency and status charges."

The assessment highlights some promising practices as well, cautioning system stakeholders not to deny basic due process rights in order to obtain services or otherwise intervene in the lives of children and families.

Key professionals from the judiciary, state government, legislature, academia and juvenile justice organizations in Missouri invited NJDC to undertake a rigorous examination of the state's juvenile defense system and offer recommendations and strategies for improving juvenile court processes. NJDC partnered with the Central Juvenile Defender Center (CJDC), in Kentucky, to conduct the assessment. "The indigent defense system in Missouri has reached its breaking point, and unfortunately, youth are at the bottom of the ladder when it comes to resources. The assessment can provide the impetus to make real and meaningful changes, but it will take leadership from the state, judiciary, and many other stakeholders and legal institutions to make it happen," notes Kim Tandy, CJDC's regional director and the report's co-author.

-more-

NJDC makes recommendations directed to all three branches of Missouri's government. To improve the state's delivery of juvenile defense services, NJDC recommends that the court appoint counsel for youth early in the process and that representation continue throughout all stages of juvenile proceedings. NJDC also recommends that Missouri establish a presumption against youth waiving the right to counsel before first consulting with an attorney. Further, the state should fund and establish a culture and practice of juvenile defense representation as a specialization.

About NJDC

The National Juvenile Defender Center was created to respond to the critical need to build the capacity of the juvenile defense bar and to improve access to counsel and quality of representation for children in the justice system. NJDC gives juvenile defense attorneys a more permanent capacity to address practice issues, improve advocacy skills, build partnerships, exchange information, and participate in the national debate over juvenile crime and justice. NJDC assessments are part of a nationwide effort to document the strengths and weaknesses of juvenile defense delivery systems. NJDC has conducted 21 assessments using a time-tested, methodological approach. Missouri is part of the Central Juvenile Defender Center (CJDC), one of NJDC's nine regional centers, which also encompasses Arkansas, Indiana, Kansas, Kentucky, Ohio and Tennessee.

Missouri: Justice Rationed: An Assessment of Access to Counsel and Quality of Juvenile Defense Representation in Delinquency Proceedings is available at <http://www.njdc.info/missouri.php>.

###