

YOUTH DIVERSION PLAN
JASPER COUNTY, TEXAS

Purpose: The purpose of this Youth Diversion Plan (“the Plan”) is to protect and preserve the interests of Texas children who have run afoul of our laws by providing interventions and strategies designed to assist the troubled youth and to keep his/her record clean and his/her future bright with opportunity to successfully integrate into society without the burdens of their youth raising barriers. A copy of this Youth Diversion Plan shall be maintained on file for public purposes.

Youth Diversion Coordinators: The Clerk Staff for the Justice Court in each Precinct shall serve as the Youth Diversion Coordinator for that Precinct.

Plan Applicability: The Plan only applies to children who are alleged to have committed a misdemeanor that is punishable by fine only. It does not apply to traffic offenses.

Plan Qualifications:

1. The child must have been at least 10 years old and younger than 17 years old at the time they allegedly committed the offense;
2. The child must not have signed a Youth Diversion Agreement within the 12 months prior to the commencement of a new Agreement; and
3. The child must not have previously had an unsuccessful Youth Diversion.

Effective Date of Plan: January 1, 2025

Overview of Plan: When a child allegedly runs afoul of the law and charges are leveled against that child, this Plan is designed to intervene to provide strategies and services which may provide helpful assistance in the hopes of averting further interactions with the legal system.

The Plan will be used as the guidelines to create a Youth Diversion Agreement (“Agreement”) that is specific to each individual child. The Agreement will be memorialized in writing and must be signed by the child and a parent. The Agreement will divert and halt the prosecution of charges which have been leveled against the child and the pending charges will be dismissed at the onset. The Agreement will be for a set time as determined by the Youth Diversion Coordinators but will be no longer than 180 days. A copy of the executed Agreement must be provided to the child, the parent, the clerk of the court, the Youth Diversion Coordinators, and any other person specified in the Agreement.

The Agreement will be monitored by the Youth Diversion Coordinators who will keep in contact with the service providers, the child, and/or the parents of the child, to verify that the requirements of the Agreement are being administered and followed. This will include the Youth Diversion Coordinators taking an active role in communicating with any providers, the child and the parents.

Participation in this Plan and execution of the Agreement is not an admission of any guilt, and no plea is required to participate. Participation is also voluntary, and the child and the parent will be notified of the child’s rights, including the right to refuse the Diversion Plan. The child must knowingly and voluntarily consent to participate in the Plan, and the signatures of both the child and the parent are required to invoke the rights under this Plan.

Possible Outcomes: The case of a child who successfully complies with the terms of an Agreement shall be closed and reported as “successful” to the Court. Successful completion of the Agreement will bar the charges leveled against the child from being revived and prosecuted. The records associated with the child will be automatically expunged when the child turns 18 years of age.

A child who does not comply with the terms of their Agreement will be referred to the Court for a non-adversarial hearing to determine whether the diversion should be declared “unsuccessful” by the Court. After the hearing, the Court may, at its discretion, amend or set aside certain terms to the Agreement, may extend the diversion period not to exceed one year from the initial start date, order the parent to perform any reasonable act or refrain from any reasonable act, continue any scheduled hearing for up to 60 days, and make a determination that the diversion was successful or unsuccessful.

An unsuccessful completion of the Plan may result in the case being referred for prosecution.

The Court maintains jurisdiction over the case for the period of the Agreement.

Plan Records: The Youth Diversion Coordinators shall maintain records on all diversions for three years and shall keep a permanent file on all successful and unsuccessful diversions.

Plan Strategies: Plan strategies and interventions include, but are not limited to, any teen court program, any school related program, other educational program such as alcohol, drug, or tobacco programs, rehab therapy, self-improvement programs, referring the youth to a service provider addressing (among other things) at-risk youth services, juvenile case manager services, work and job skills training, academic monitoring and/or tutoring including GED prep, community-based services, mental health screening and/or clinical assessment, private or in-school counseling, mentoring services, ordering the child to pay restitution on property offenses not to exceed \$100, ordering the child to perform community service up to 20 hours, or ordering the child and/or parent to perform any other reasonable action.