

Juvenile Judge Promises 'Pain' Then 'Gain' In Overhaul

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Daily Report

June 21, 2013



Clayton County Juvenile Court Chief Judge Steven Teske promised upcoming changes will be good. John Disney, Daily Report

The sweeping juvenile justice reform legislation passed by the Georgia General Assembly earlier this year will cut youth recidivism, but such success will come at a cost, according to Clayton County Juvenile Court Chief Judge Steven Teske.

"No pain, no gain. This isn't going to happen overnight," Teske cautioned a group of juvenile law practitioners Thursday morning at the State Bar of Georgia annual conference in Hilton Head Island, S.C.

"C'mon now, there are going to be some counties out there hurting for a couple years," said Teske. The cost of new provisions in the laws requiring prosecutors and defenders to be more involved in juvenile court proceedings will add up. But, Teske promised, the allocation of \$5 million for startup, community-based treatment programs, which the Legislature and governor approved, will yield eventual savings that can be reinvested in the juvenile justice system.

The governor's office estimated that the changes in laws relating to neglected and delinquent youth will save \$88 million over the next five years and preclude the need to build new youth prisons.

"That little bit is what it takes to start the whole engine," said Teske, addressing complaints he's heard from some juvenile court judges in other circuits. "What do you expect the General Assembly and governor to do? Give half a million dollars to all 159 counties? That's impossible!"

Teske was animated throughout his presentation, even when discussing the background of the reform legislation.

The overhaul of the 40-year-old juvenile code began in 2004 as a project of the bar's Young Lawyers Division. Legislation was first introduced in the General Assembly in 2009, and in 2012, it passed the House unanimously but was held up in the Senate.

"It surprised everyone," Teske said. "Who would withdraw their own legislation when it has passed the House unanimously?"

Teske said he was glad the bill was withdrawn, acknowledging his role in the delay.

Governor Nathan Deal had asked the bill's sponsor, House Judiciary Committee Chairman Wendell Willard, to halt the bill presumably because of concerns about costs, Teske said.

Teske said he told the governor, "I thought it was really good reform on the dependency side but was pathetic on the delinquency side. There were too many compromises. I thought it was a lie to call it a model code."

After the bill failed to move forward, Deal appointed Teske to his criminal justice reform council, which worked from July to December with the Pew Center on the States to analyze youth detention and recidivism data. Their recommendations of routing youth offenders to community-based treatment programs instead of detention centers and lowering penalties for some offenses were then rolled into the juvenile code overhaul legislation.

An omnibus bill, House Bill 642, passed the Legislature in March. The new laws will go into effect Jan. 1.

Teske said since 2003 his circuit has emphasized keeping low-risk juvenile offenders in their communities for treatment. Since then, serious crime has dropped 45 percent, 43 percent fewer youths have been transferred to state custody, and 64 percent fewer minority youths are in the county's average daily detention population, Teske said.

"Folks, it can work," he said. "And we can do it better, by the way."