

## 1.4 Office of the Juvenile Defender

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#### A. Creation of the Office

The Office of the Juvenile Defender (OJD) began operations in January 2005 following a [comprehensive study](#) of juvenile representation in North Carolina prepared by the American Bar Association, the National Juvenile Defender Center, and the Southern Juvenile Defender Center. The study identified deficiencies in the North Carolina juvenile justice system and made several recommendations. In response, the North Carolina Commission on Indigent Defense Services formed a Juvenile Committee to review the study. After several meetings, the Juvenile Committee released a [report](#) in which it recommended the creation of a statewide Juvenile Defender as a “positive first step” toward improving the representation of juveniles in North Carolina. In July 2004, the North Carolina General Assembly issued a [budget](#) authorizing the creation of OJD.

#### B. Mission

There are four parts of the mission of the OJD, which stem from the report prepared by the Juvenile Committee: (1) to provide services and support to juvenile defense attorneys, (2) to evaluate the current system of representation and make recommendations as needed, (3) to elevate the stature of juvenile delinquency representation, and (4) to work with juvenile justice advocates to promote positive change in the juvenile justice system.

**Provide services and support to juvenile defense counsel.** The OJD helps organize trainings on introductory, intermediate, and advanced topics for juvenile defense attorneys. The OJD has partnered with the School of Government to establish an annual one-day conference that includes updates on recent case law and new legislation and sessions on specific topics, as well as a biennial three-day intensive program for juvenile defense attorneys. Upcoming training sessions are listed on the [OJD website](#) and on the School of Government’s [indigent defense education website](#).

The OJD also provides several online resources for juvenile defense attorneys. The OJD website provides case summaries of North Carolina appellate decisions in juvenile delinquency appeals, a motions bank, training materials, a blog, information on recent legislative changes, and links to other agencies and organizations. In addition, the OJD uses a listserv for juvenile defense attorneys across the state. The listserv provides a forum for the OJD to announce relevant appellate decisions and for juvenile defense attorneys to discuss case problems, systemic issues, and other relevant topics. Juvenile defense attorneys can also follow the OJD on [Twitter](#) and [Facebook](#).

Finally, the OJD is available to consult with juvenile defense attorneys on individual cases. The OJD often strategizes with attorneys on trial and appellate cases and can provide information on experts and other resources that might assist attorneys in defending juveniles.

**Evaluate the current system and make recommendations.** The OJD visits judicial districts across the state, gathering information from juvenile defense counsel, judges, and other court officials. Recommendations to improve the quality of juvenile defense representation are made to the Office of Indigent Defense Services (IDS), including recommendations to enter into contracts with local counsel to represent juveniles. In 2006, the OJD issued a [statement](#) on the role of defense counsel in juvenile delinquency cases and model qualification standards for juvenile defense attorneys. The model qualification standards are used by IDS and public defender offices to determine whether an attorney has sufficient experience and training to represent juveniles in delinquency cases. In 2007, the OJD, in conjunction with a committee of defense attorneys, judges, and educators, developed performance guidelines for juvenile defense counsel, which are included in Chapter 18 of this manual and are available on the OJD website.

**Elevate the stature of juvenile delinquency representation.** The OJD promotes juvenile defense representation through presentations at law schools, responses to the media, and participation of staff on boards and committees involved with juvenile delinquency issues. The OJD worked with the North Carolina State Bar Board of Legal Specialization to create a subspecialty in juvenile delinquency law. The first attorneys to earn the subspecialty were certified in 2012. Additionally, the OJD collaborated with the North Carolina Advocates for Justice to create a section of members dedicated to juvenile defense. From 2010 through 2014, the Juvenile Defender acted as Director of the Southern Juvenile Defender Center, providing resources and support for juvenile defense attorneys in seven southeastern states.

**Work with juvenile justice advocates to promote positive change.** The OJD regularly works to strengthen the rights of juveniles in the juvenile justice system. Since its inception, the OJD has worked with stakeholders to address systemic issues, such as overrepresentation of minorities in the juvenile justice system, overutilization of criminal and juvenile proceedings to address conduct that occurs in schools, and shackling of juveniles during court proceedings. Over the past decade, the OJD has supported efforts to raise the age of juvenile jurisdiction in North Carolina. The OJD worked with the North Carolina Commission on the Administration of Law and Justice on legislation to handle offenses by 16- and 17-year olds in juvenile court.