

**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 in or near _____ (village / location) _____. It is the intent of this collaboration to more effectively respond to the needs of victims 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;
- Review 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 review 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;
- Ensure that the identified victim(s) of the juvenile is provided notice of the diversion process and of their right to participate;
- 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 statutory requirements;
- Review cases diverted to the Diversion Program to ensure appropriateness for referral;
- Review 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 of the diversion panel/circle;
- Notify DJJ when the juvenile is non-compliant or has not completed the diversion program. Upon review of the non-compliant case with DJJ, the Diversion Program may:
 - Work with the DJJ staff to extend the completion date;
 - Close the referral noting the juvenile’s non-compliance and refer back to DJJ;
- Return a copy of all case files to DJJ upon case closure;
 - Original files will be stored in a locked, fire proof cabinet and destroyed 5 years from the close of the case;
- Provide quarterly referral data to DJJ for reporting purposes.

This MOU will be in effect beginning _____. The term of this Agreement shall be one year from the effective date and shall renew automatically each year. Each agency may assess the Agreement each year and propose modifications at least thirty days prior to the renewal date. This Agreement may be terminated by either Party upon thirty days written notice to all parties.

_____/_____
 (Village / Tribe Rep Name) Date
 (Title)

_____/_____
 (Name) Date
 DJJ Juvenile Probation Officer III
 District Supervisor

_____/_____
 (Name) Date
 DJJ Juvenile Probation Officer IV
 Regional Supervisor

_____ 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 who 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

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:

_____ _____
_____ Community Diversion Program Date