

# Juvenile Justice in Transition: Is There a Future?

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THE UNITED States loves anniversary celebrations of events, people, and things. On such occasions, historians and pundits tend to review the past, explore the present, and predict the future—even though many tend to confuse preference with prediction. So, the 100th anniversary of the founding of the first juvenile court elicits the typical kind of response. But one needs to ask: What difference will it make?

Will the analysis of this epochal event which initiated a juvenile justice system lead us to a better system? If the answer is yes, this represents a tacit conclusion that the system is in need of correction. If the answer is no, doesn't this reflect "status quo-ism" that augurs poorly for needed change? If reflective analysis is prompted by such an artificial event as a significant anniversary, we should, nonetheless, seize the opportunity to define what we really want and need in juvenile justice administration, examine critical issues and forces, explore how best to achieve explicit goals, and be prepared to plan strategically for appropriate changes in philosophy as well as process.

For decades in the juvenile justice system programs and services were designed and implemented exclusive of community sentiment and values, and always in terms of *in loco parentis*. Judges, administrators, and probation staffs were committed to doing that which was considered "to be in the best interests of the child." However, this was also a euphemism for efforts to protect the system rather than benefit the child; that is, real operations reflected latent rather than manifest goals. In other words, some critics aver that the juvenile court and other juvenile justice services were conducted more for the benefit of the agency than for the child (e.g., Platt, 1969).

Critics also have contended that probation staff did not always operate as a child's advocate and instead behaved more as an adversary. The truth of the matter is that they did both, which for some, obviously involved a conflict of interest. Policies and procedures changed, of course, as a result of the *Kent* and *Gault* decisions which effectively legitimated the adversarial nature of the juvenile court.

Over the years, the juvenile justice system lumbered along, generally with minimal resources, but with increasing caseloads. This occurred notwithstanding society's general belief that children can be salvaged with appropriate and timely interventions. Notwithstanding what advocates have claimed to be a successful system, Wakin (1975:126) a quarter of a century ago stated:

Changes are needed in all aspects of the system...(and that) juvenile

court programs (are)...largely composed of a mixture of precedent, hunch, and prejudice (and that)...institutions (are) depicted as imposing isolation and oppression at an impressionable age...and the courtroom was called the least appropriate place to solve social problems...(and) that without the proper facilities to handle the special needs of different types of juvenile offenders, there can be no true juvenile justice.

Further, Singer (1997:7) comments that our systems of juvenile justice were not always as complex as they are today, when there were fewer legal labels and fewer sub-systems. He goes on to report:

There are too many official decision makers who are not accountable to any overall system of treatment. This is because the best interests of the juvenile and the state in preventing serious delinquency are often secondary to that of diverse sets of bureaucratic concerns and interests....Yet juvenile justice is still described as a system. This is wrong.

In its 1998 report to Congress, the Coalition for Juvenile Justice is a bit more sanguine concerning the nature and activities of the current juvenile court. The report (p.42) states:

We believe the juvenile or family court of the 21st century should not be fundamentally different in design and jurisdiction from the court throughout most of the 20th century, but we hope that it will receive significantly more of society's attention and resources. We do not believe the current system is fatally flawed, only that it requires some fine tuning and greater support to carry out its high purpose. We believe that the problems identified by critics are isolated ones and that a whole forest should not be cut down because of a few bad trees.

Whether or not it has achieved its lofty goals, for the last one-half century, the so-called juvenile justice system moved into the "rehabilitative ideal" (Allen, 1964), which meant that youths had even more programs thrust upon them; that is, we did more and more to, with, and for the children coming into the system. The net widened, of course, even though as Schur (1973) wrote: the best thing we can do with our children is keep them out of the system, for they will outgrow their delinquencies as they mature. Involving them formally in the system, Schur wrote, only exacerbates the situation and contributes to their continuing delinquent behavior.

Further, as Rubington and Weinberg (1968) comment, the labeling of youth as delinquents results in stigmatization, a condition from which these youngsters never recover; that is, once the label of delinquent is created by official agencies, it is as though a child has the equivalent of a "scarlet letter" on the foreheads. This early finding has been corroborated by Rosenthal (1968) and Goldman (1963).

Treatment became the “king,” and the king had a long but unsuccessful tenure. But this treatment-driven approach remained the intervention strategy of choice throughout the system even though the results of (published) evaluation studies consistently produced mixed answers regarding the efficacy and impact of treatment (e.g., Lipton, Martinson, and Wilks, 1975; Bailey, 1967, and Sherman, et al. 1997). These impact outcomes, incidentally, seemed to focus almost exclusively on the offenders: their behavior, their attitudes, their rates of compliance related to justice system-imposed terms and conditions, and their willingness to accept and utilize the help so professionally provided them.

In the 1950s, an effort began to examine different strategies for dealing with youths; that is, efforts to manage and otherwise better control clients under supervision, and especially those in the community. Research led to such innovative practices as caseload management, classification, and specialized caseloads. At that time, however, no one was ready to shift from caseloads to workloads and even today this is rarely found in most agencies. Additionally, observation suggests that many agencies do not understand exactly what is meant by “case management,” how this differs from routine service delivery, and how such a process is to be implemented.

By the 1960s, a significant shift in research concerns began as several articulate juvenile justice system observers (e.g., Timasheff, 1937, Eaton, 1962, Takagi, 1967, Robison and Takagi, 1968 a and b, Cohn, 1972, and Lerman, 1975) began to question the degree to which organizational forces and processes of decision-and policy-making within agencies actually impacted successes and failures. They explored, from a theoretical perspective, how delinquency and crime rates, including offender behaviors, may be influenced not simply as a result of the level at which they utilized the “help” made available to them, but by the intervention styles and patterns of the agencies—and agents—responsible for their supervision. As examples, the early but seminal SIPU projects (1956) in California as well as the San Francisco Project (Lohman, et al., 1965–1967) confirmed that small caseloads did not produce higher levels of success, in part due to organizational policies.

Administrators began to accept the “nothing works” conclusion (Lipton, Martinson, and Wilks) and when legislators began to address the same thing, there was a dramatic shift away from treatment to better methods of control. (A similar conclusion was also reached years later by Petersilia and Turner, 1990, 1993, who describe the failure of probation to change or otherwise successfully control adult felony offenders). However, as Tippicanoe County (Ulmer, 1998), Indiana found, probation can work *if* it is tied to other kinds of community-based interventions. As well, some of the evaluation studies related to intensive supervision suggest that this level of supervision can have a positive impact, assuming, of course, that it is truly intensive for the high-risk offenders.

Research has also begun to demonstrate that the frequency of contact with an offender is more likely to produce

positive results than the quality of the interventions. That is, youths who are seen by a case manager/officer at a high level of frequency are more successful in completing diversionary or probationary terms than those who are in actual treatment (Radio, 1999). If intensive supervision is defined to mean frequent contacts (e.g., at least three to four contacts per week), then we can be optimistic that this kind of programmatic policy may reap significant dividends.

While these internally-driven approaches to control and change the offender population have gained footholds and have been copied by many agencies, few if any responsible evaluations have been conducted to determine their efficacy and/or whether they are cost-effective. And where efficacy has been demonstrated, there really are no vehicles available for the dissemination of these results. LEAA died and such agencies as the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the National Institute of Justice (NIJ), and the Bureau of Justice Assistance BJA had not yet been established.

Yet, there was another development that gained a foothold in agency-based operations. Changes that were occurring in juvenile justice agencies and in society generally and how these agencies related to society, superordinates, and elected officials precipitated the development of secondary functions (Petit, 1967: 134-5). Jails, which once served as the repository for derelicts, public inebriates, and the homeless, could no longer house and otherwise care for these persons because these laws of proscription had changed. Other social service types of agencies now had this responsibility.

In probation, as another example, the presentence investigation/social history no longer was written exclusively for sentencing purposes (Cohn and Ferriter, 1990). Secondary needs evolved as parole boards, institutions, and treatment agencies demanded that the PSIs be expanded to cover issues that were of concern to them for their own deliberations. Correctional facilities no longer were entities unto themselves, for they now had to respond to court-appointed masters who along with judges became *de facto* administrators through their own consent decrees.

The changes which occurred in these agencies, then, actually transformed organizational structures, methods of operation, and the deployment of resources. Additionally, society generally and legislators in particular became impatient with these agencies, which were unable to attain crime control and reduction—issues that were once exclusively within the domain of law enforcement, but now encroaching into the correctional arena (e.g., the use of surveillance officers on the streets). Consequently, instead of being single-purpose organizations, whether adult or juvenile in focus, these agencies were “handed” multi-purpose assignments, including treatment, control, supervision, prevention, and protection of society.

From another perspective, the field of criminal justice administration was thrust into the forefront of the social, political, and cultural life of the communities being served (Cohn and Viano, 1975). Throughout criminal justice admin-

istration and most especially in the juvenile justice arena, managers began to lose control of their own agencies as new philosophies and different values were imposed upon them.

Simultaneously, the juvenile court itself was completely turned upside-down as a consequence of the *Kent* and *Gault* decisions, which required that youths receive the same kind of due process as adults. And the process continued as court hearings were opened, a prosecutor represented the state instead of the probation officer, there were mandatory waivers to adult court, and confidentiality continued to erode. Further, as a result of significant increases in referrals, institutions became overcrowded and case officers simply could not supervise adequately and appropriately growing caseloads.

The only relief available was brokerage (Dell'Apa, et al., 1976); that is, supervising staff had to refer to experts in the community for services which initially had been provided by the agencies themselves. And without all of the necessary accountability measures built into these referrals, it soon became apparent that these outside helping agencies really did not do that much better than the referring agencies. But rising caseloads, diminished resources, and less qualified staff had no choice but to utilize these external resources if there were to be any hope of controlling or changing offenders under supervision. In the institutions, there generally was no treatment available. It was only when the child was returned to the community, for the most part, that treatment was initiated.

King Treatment was dying; yet, referrals to the juvenile justice system escalated as the availability of drugs and weapons and the perceived incidence of juvenile violence escalated. Simultaneously, this became too much for government and society to tolerate; therefore, juvenile codes were changed, more youths were waived by the juvenile courts, and society began to pull back on its commitment to do whatever was necessary to "help" troubled youths. The result today: the juvenile justice system in many ways mirrors the adult system as an adversarial process designed more to protect the populace and control offenders than to help these youths to change.

The labeling of errant youth, which generally was the result of values and beliefs of juvenile justice practitioners (see Rubington and Weinberg, 1968; and Goldman, 1963), moved into the realm of general society, who adopted these values. That is, the lay public continues to be quick to label erring youths as delinquents, but now, in need of harsh punishment, especially if they have committed any kind of violent act. And, because of these labels, which reflect societal values, many youths are dealt with more formally and more harshly than in prior years and without such labeling.

Here, it is important to note that most of the strategic changes in juvenile justice operations (aside from such developments as classification and case management) have been externally imposed by superordinates, elected officials, and legislators, rather than designed and implemented internally as a result of vision, leadership, or strategic planning (see e.g., Cohn, 1998). For a variety of reasons, too many

administrators continued to sit back as these changes were imposed, choosing to be reactive rather than proactive. Even today, in the midst of urgency, there is little strategic planning, little community-based leadership and partnership (with communities), and infrequent stands on principles.

The corporate world currently has embraced such administrative practices as Total Quality Management (TQM) and other participative forms of management, for they have found that through *empowerment*, subordinates can and do outperform other companies which still rely on scientific or human relations principles (See Cohn, 1994). Whether by design or default, however, these managerial efforts have not found their way into adult and juvenile justice agencies. This may be due to superordinates refusing to empower their justice agencies or it may be that these innovative approaches to management simply have not reached agency administrators. Or, their failure to implement some kind of participative approach to management may be due to the perception that "we have always done that." Here, unfortunately, there may be confusion over the difference between participative management and entrepreneurialism; that is, subordinate staff have always "done their own thing" simply because supervisors often do not know what goes on in a caseload unless there is trouble, a case blows up, and/or someone complains.

Therefore, even though the current fad is to talk about "partnerships" with other agencies, community-based services, and society in general, aren't these really efforts to co-opt rather than plan and work together collaboratively? While many administrators remain reactive or proactive, to ensure a true partnership they need to be *co-active* both in philosophy and practice. Though the thrust toward "reintegration" was supposed to include co-activity, its implementation only meant the placement of offenders back into the community, but without community involvement.

Organizational changes are sometimes subtle and sometimes dramatic, especially when these changes are dictated by changes in the law. In fact, as Lemert (1970: 4-5), who studied the transformation of the California juvenile court system noted: "If...organic growth is a feature of legal development, so is revolution, taking form in discrete changes, discontinuities, or "new departures in legal ideas and practices."

He goes on to quote Holdsworth (1928: 110) in his comments on legal theories:

Some theories have not been ephemeral. They have provided an illuminating generalization of new facts, which has been generally accepted, and they have therefore shaped public opinion in the new age and made them accepted commonplaces which...are powerful agents in molding a constitution.... They have opened up new points of view to which old rules and principles must be adapted (Holdsworth, 1928: 110, as quoted in Lemert, 1970: 5).

According to Kuhn (1962: 108), new paradigms appear because of anomalies, which are facts left unexplained by existing paradigms. As these increase in number, doubts about old paradigms or awareness of their deficiencies spread, and a crisis arises. New paradigms promise to

explain or reconcile the anomalies as well as the facts articulated by the old paradigms. Therefore, novel paradigms tend to be created by external agents because they are less committed by prior practice or tradition. They are freer to conceive new images of the world, new sets of rules for problem-solving, and to entertain sympathetically new classes of facts. By the same reasoning, resistance to new paradigms is strongest among established managers who have long-standing commitments to the established ways of perceiving their organizational worlds (Lemert, 1970: 7).

It becomes understandable but not necessarily justifiable why many juvenile justice administrators resist change, cling to old philosophies and practices, and fail to embrace and seek control over the need and desirability for (*co-active*) change. If both adult and juvenile justice have failed to accomplish their basic mission of controlling and preventing crime and delinquency, aren't new paradigms needed? Aren't new approaches, new ideas, and greater dedication to vision required? Isn't the failure on the part of existing administrators to declare a new vision and provide the necessary leadership to accomplish studied and appropriate change the reason for external agents seizing control of the process and imposing changes, whether or not they are appropriate or helpful?

Yet, there is a danger in being too harsh, for in the field of the social sciences, unlike the physical sciences, there may never be the equivalent of "truths" or "principles" which are unerringly right. How is one to develop a new and meaningful paradigm in dealing with delinquents—or dependent and neglected youths—when there are no right or wrong answers? And, this is unfortunately true in that there is little in the published literature which reflects reliable and valid programmatic research. As a consequence, when an administrator cannot defend an existing program according to its merits, it is not unusual for an external agent to impose change, however irrational, and there is hardly anything that can be done to resist it.

Because of constituent pressure, it is not uncommon to find that legal change becomes the opportunistic mechanism for imposing social change, especially if the law is unequivocally pronounced and consistently enforced. The Prohibitionists took this posture, as did those who sought equal educational opportunities for African Americans, and those who want law to force acceptance of different lifestyles. Others, however, argue that while law cannot change personal values and beliefs, statutory changes may not directly produce desired social changes, but nevertheless can initiate them (Rose, 1956: 52–63).

Nevertheless, proponents of change in the juvenile justice system argue for its legitimacy, especially since there is a perception that the current paradigm has neither corrected offenders nor made society less fearful of crime. Further, when issues and concerns begin to accumulate and draw in a wide spectrum of diversified interests (e.g., the political right and left), a crisis is inevitable. Policies and procedures will change whether they are appropriate or not, for they will satisfy those dissatisfied with the current paradigm.

Lemert (1970: 23) quotes Roscoe Pound, who comments on the development in law of executive justice, which essentially is regulatory or administrative law, and which developed because the traditional courts were unable to cope with or understand the issues: "The present popularity of executive (administrative) justice...is attributed to defects in our legal system...(and) is aggravated by a *bad adjustment between law and administration* [emphasis added]."

Executive justice unquestionably has invaded the criminal law, detectable in powers of probation commissions, parole boards, and boards of corrections. Even the juvenile court can be described as a deliberate effort to innovate a special form of executive justice within the existing framework of American court systems. In fact, its creation has been termed "the great social invention of the nineteenth century," and a revolutionary idea in defining and handling problems of children (Pound, 1916: 1-22 and Platt, 1969). But a better description of the origins of the juvenile court in the United States is the revolt against legal procedure for coping with juvenile problems.

Tappan (1962: Chap. VII) comments on the origins of the juvenile court and states that the overriding goals were the protection of children from exploitation and the corrupting influences of urban environments, and the provision of welfare assistance. Further, these were to be achieved through informal proceedings and individualized treatment. Seen in this light, the juvenile court was antiprocedural or, at the very least, according to Lemert (1970: 25), a procedural. That is, procedures were to be dictated by the fatherly concern of a judge, humanitarian philosophy, and clinical considerations.

After the juvenile court gained a real foothold in the United States and received its greatest impetus from advances in psychoanalysis, social work, and psychology, treatment was the intervention strategy of choice, for it was firmly believed that people behaved as a result of determinism, rather than as a consequence of demons or free will. Therefore, if there were to be change in a youth, not only was an individual assessment of the causes of his or her misbehavior required, but an individualized treatment plan (See e.g., Mary Richmond, 1917).

When these objectives were measured, however, by such notable researchers as Eleanor and Sheldon Glueck (1936), the findings were anything but positive. Their Harvard-based research clearly demonstrated that treatment generally and specifically had no real impact on delinquency. What had been called "the great social invention of the nineteenth century" lost some of its sacred aura as a number of critics began to question whether the juvenile court did not actually contribute to delinquency or at least inaugurate delinquent careers by the imposition of the stigma of wardship, by unwise detention, the failure to distinguish between delinquent and status offenders, and the incarceration of youths in institutions more likely to corrupt than reform. With regard to the latter concern, critics today are alarmed over the disproportionate institutionalization of minority youths, which they believe is the result of latent racism within the

juvenile justice system (Hisa and Hamparian, 1998).

The juvenile court was born in an age of heavy immigration, the development of unions and settlement houses, and sweeping new forces concerning appropriate lifestyles in a democratic society (Higham, 1963). It had a slow growth, but eventually there was a spurt that found states enacting enabling legislation. The courts varied in jurisdiction, powers, and procedures, but the struggle to make juvenile court procedures more uniform and consistent with law in large part was submerged by the sweeping socio-economic conditions of the "Great Depression" of the 1930s and by the country's entry into World War II. Changes and reforms prompted by these events moved American society rapidly toward the form of an administrative state.

Hence, the creation of state-wide agencies for delinquent youth became popular. California law stated, as an example of one state's effort, that the purpose of the California Youth Authority was "...social protection—to protect society by substituting training and treatment for retributive punishment of young persons found guilty of public offenses" (1965: 75) and to establish nominal standards for juvenile court and institutional operations. Such state-wide agencies were a clear example of the move toward administrative justice, even though the California statute explicitly stated: "Nothing in this chapter (Act) shall be deemed to interfere with or limit the jurisdiction of the juvenile court" (California Statutes, 1941:2523).

An analysis of past practices suggests that there has been considerable but unplanned continuity and similarity among and between the various juvenile justice agencies and programs. The primary thrust, of course, was the need for therapeutic interventions, even though success rates generally have not been as high as we would have liked. The juvenile court, however, did offer a promise of diverting youthful offenders from the adult system, which, essentially, was kept. Society did—and does—believe that most youths can be salvaged with appropriate interventions and this approach essentially has guided programmatic efforts.

Presently, the juvenile justice system is not only under attack for its alleged failure to control juvenile misbehavior, but for the perception that it has been "soft" on crime; that is, some believe that the system has been too lenient and too forgiving. This pervasive attitude has been reinforced by youth-based increased drug use, perceived endemic violence, and the availability of weapons. Therefore, legislators have stepped into the fray and altered juvenile codes, allowing many youths to be transferred to adult courts for processing, as well as transforming the juvenile court into an adversarial setting. Furthermore, as discussed earlier, many of these changes have been imposed upon the system by external agents who really have little understanding of how the various components of juvenile justice administration actually do and should work.

As we explore the future, it is difficult to differentiate between "prediction" and "preference." That is, what one would like to occur may be totally different from what is likely to occur. Yet, there are some trends that if left unre-

strained are instructive. These include the nature of juvenile justice administration and management, the role of legislatures/superordinates, technological advances, and the nature and offenses of the clients.

From a management point of view, it is highly doubtful that the quality of administrators will change in the foreseeable future. If many of these top-level persons have no vision, it cannot be expected that change will be viewed as inevitable, and hence that it will be controlled internally. Without vision there can be no leadership and without leadership there can be no constructive change. One has to question why major corporations seem to develop and nurture leaders, but this is scarcely accomplished in government, especially in juvenile justice administration. Government generally has been slow to pick up on corporate and business developments (e.g., TQM, participative management, etc.).

It also is not uncommon for administrators to fail to develop programmatic evaluations. Whether they are uncomfortable with methodological techniques, do not know how to assess programs (and/or personnel), or are fearful of negative results, the truth of the matter is that programs are not evaluated for their efficacy or in terms of cost-benefits. As a consequence, we have only sparse data and information about "what works," and why. This means that only impressionistic data are utilized to convince funding sources to support specific programs, many of which are the "darlings" of top management.

The wrong approach may also have been taken regarding evaluation efforts. Menzies (1996:329-30) discusses the "what works" issue from a heuristic perspective:

What works is answered, "...only at a particular place and time for some well identified group"...We need to ask a different question. Instead of "Does community corrections work?" the question should be "For which offenders and under what social and cultural conditions does community corrections produce a lower recidivism rate?"

Notwithstanding the limits of case management and the so-called new paradigms of "restorative justice" and the "balanced approach" to probation, the return to individualization of and for offenders undoubtedly has gained a new foothold. This appears to be true even though at least one critic (Hurst, 1998) states: "By the end of the seventies, the requiem for individualized justice has been sung!"

Additionally, as long as juvenile justice processes essentially are in the hands of line staff and they are encouraged to behave as entrepreneurs, it isn't possible for these agencies to ensure a consistent delivery system of services. Without standards and without high levels of accountability, each case manager does what he or she wants, while being dedicated to staying "out of trouble." Superordinates have begun to recognize this state of affairs and thus have intervened by passing new laws which direct more juvenile justice processes than ever before in the 100 years history of the court and its sister agencies in juvenile justice administration.

If we have lost our optimistic beliefs that youth can and do change, that trained and skilled workers along with community-based providers can redirect errant youth, that youth working closely with their families and along with



treatment providers can be effective, and that the juvenile court (regardless of structure) remains the most viable vehicle for bringing about constructive change, then we might as well pack our bags and seek some other form for dealing with delinquent, as well as dependent and neglected youths.

In 1914, a chief juvenile probation officer wrote (NCJFCJ, 1998:1):

The Juvenile Court is not performing its biggest service to the community through the care and direction it gives to the individual boy or girl who may come to it for treatment. It is well enough to cure an individual case of moral weakness, but to do that and that alone is not enough. The Juvenile Court can be the social eye of the community....It can diagnose certain community weaknesses and prescribe certain community remedies. It is a far greater service to prevent one child from coming into the Court than to cure two whose conditions have brought on acts of delinquency.

In an earnest effort to improve the juvenile court and its operations, the "Janiculum Project" (National Symposium, 1998) has been established. The project examines the philosophy, goals, standards, and operations of the juvenile court and has published a list of findings and recommendations. As though the authors had read the quotation above, almost 90 years later they echo some of the same beliefs and values. This is how the proposed mission and philosophy of the court is articulated (NCJFCJ, 1998:109):

The mission of the juvenile and family court is the protection of society by correcting children who break the law, the protection of children from abuse and neglect, and the preservation and strengthening of families. When the family falters, when the basic needs of children go unmet, when the behavior of children is destructive and goes unchecked, juvenile and family courts shall respond. The juvenile and family court is society's official means of holding itself accountable for the well-being of children and the family. Having been entrusted by society with these vital roles, it is imperative that juvenile and family courts are conducted with fundamental fairness and justice for all whom they serve.

Entreaties to reform the juvenile court and its service delivery system have frequently fallen on deaf ears, especially since so many practices, procedures, and policies have become entrenched. Therefore, if juvenile justice administration is to change—and change indeed is needed—it should go back to its roots in terms of its initial promise and find co-active ways to work with communities (partnerships), improve its services, and otherwise develop a strategy to implement the Janiculum Project's mission statement.

Even though legislatures have revised juvenile codes, making many systems unduly more harsh than is really necessary, the future of the court probably remains in the good hands of caring and concerned judges and court staffs as well as community-based partnerships. Is there room for improvement? Certainly. Is there need for constructive change? Of course. Is it possible to accomplish these necessary reforms? This is problematic.

During the next millennium, the juvenile court undoubtedly will be a part of the justice landscape, even if it bears little relationship to what the founders of the juvenile court movement initially envisioned. Whether or not it will prosper is a different issue. Does society need some form of specialized process for dealing with delinquents, status offend-

ers, dependent, abused, and neglected children? The answer should be "yes," not because we desire to have such a process, but because it is probably in the best interest of society to distinguish between juvenile and adult offenders.

Critics who call for the juvenile court's wake, that is its abolition (e.g., CJJ, 1998; Feld, 1993), and those who call for significant structural revisions (e.g., Mattingly, 1999:3) are either naive or ill-informed, for the court and its various services and programs have indeed helped many youths and their families. Success, however, may be illusive since we are not always certain just what works—and why (See for e.g., Sherman). While change probably is needed, it should be guided and controlled; it should not be approached in a reactive or proactive manner, but through strategic planning and evaluative research with a *co-active* perspective.

**At this juncture in the history of the juvenile court, it is time to celebrate rather than denigrate.**

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