

41st Annual InterCourt Conference



Session 1A:
Diversion 101:
Understanding Diversion
and its Benefits to Your
Court

March 13, 2025
10:45 a.m.—12:15 p.m.

Hilton Columbus at Easton
Town Center
Columbus, OH

FACULTY BIOGRAPHIES

AMANDA CLARK is the Treasurer of the Ohio Juvenile Diversion Association. She is the Prevention and Intervention Officer for the Wayne County Juvenile Court, where she has been employed since January 2023. Prior to 2023, she was an intake caseworker for Wayne County Children Services from March 2018 to January 2023.

BRODY WILLIAMS is the Vice President of the Ohio Juvenile Diversion Association. He is a Diversion & Probation Officer with the Holmes County Juvenile Court in Millersburg, OH. He has served in this capacity since August 2015. Prior to his employment in Holmes County, he was an adult probation officer at the Wayne County Municipal Court in Wooster, OH and was one of two probation officers tasked with overseeing the court's mental health docket. He also currently serves in the Air National Guard.

NICOLE ZORNES is the President of the Ohio Juvenile Diversion Association. Prior to holding the position of President, Nicole was the OJDA Secretary for 8 years. Currently, she is one of two Supervisors of the Hamilton County Juvenile Court Assessment Center, which she has been employed with since November of 2021. Prior to her employment with Hamilton County, she was the Prevention & Intervention Officer with Wayne County Juvenile Court from 2014-2021. She was also a Juvenile Probation Officer from 2005-2014, and Juvenile Corrections Officer from 2002-2005 with the Medina County Juvenile Court. Nicole has also most recently been serving on the InterCourt Conference Committee since 2023.

Diversion 101: Understanding Diversion and its Benefits to Your Court

Amanda Clark

*Prevention and Intervention Officer
Wayne County Juvenile Court*

Brody Williams

*Probation/Diversion Officer
Holmes County Court of Common Pleas*

Nicole Zornes

*Assessment Center Supervisor
Mahoning County Juvenile Court*



Ohio Juvenile Diversion Association
presents

Ohio Juvenile Court Diversion



Nicole Zornes
Assessment Center Supervisor
Hamilton County Juvenile Court
OJDA President

Brody Williams
Probation/Diversion Officer
Holmes County Juvenile Court
OJDA Vice President

Amanda Clark
Prevention & Intervention Officer
Wayne County Juvenile Court
OJDA Treasurer

WHAT IS DIVERSION?

Historically, the Juvenile Justice System was created as a diversion to the Adult Criminal Justice System for youth who have committed crimes.

Throughout the years it became evident that it was not being used as designed, and was becoming a mini Adult Criminal Justice System.

Diverting youth from adjudication in the Juvenile Justice System began in the late 1960's.



WHAT IS DIVERSION?

Courts & communities differ as to how they define Diversion, as well as what practices are put into place as interventions.

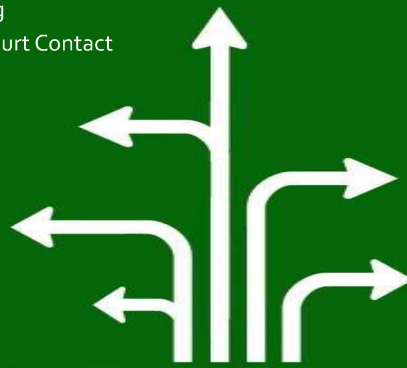
According to the Juvenile Diversion Toolkit (Ohio Supreme Court, 2021), "the term Diversion is not consistently used among juvenile court in Ohio." They define Diversion is "an intentional act redirecting a youth from formal juvenile justice processing."



WHEN DOES DIVERSION OCCUR?

Diversion may occur at any level

1. Arrest or apprehension
2. Intake
3. Petitioning
4. Pretrial Court Contact



WHAT DOES THE RESEARCH SAY ABOUT IMPLEMENTING DIVERSION IN JUVENILE JUSTICE?



TYPES OF JUVENILE COURT DIVERSION INTERVENTIONS

- Delinquency/Unruly/Status
- Truancy
- Teen/Youth Court
- Community-Based Diversion
- School-Based Diversion
- Prosecutor Diversion
- Police Diversion
- Specialized treatment programs
 - Substance Abuse
 - Sex Offenses
 - Human Trafficking



JUVENILE COURT DIVERSION IN OHIO



JUVENILE COURT DIVERSION IN OHIO

- Ohio Rules of Juvenile Procedure Rule 9(A) is a brief statement about avoiding formal court action.
- There are sections in the Ohio Revised Code which state that charges are to be held in abeyance in certain instances, such as
 - Unruly (2151.27 (F))
 - Truancy (2151.27 (G))
 - Solicitation/Prostitution (2152.021 (F))
 - Safe Harbor Law

However, there are **NO** other provisions/guidelines on how to operate diversion within juvenile court



2024 OJDA SURVEY



- Received **74** responses (84%)
- **70** yes (**95%**) have some type of Diversion option
- **4** no (**5%**) do not have some type of Diversion option

EXAMPLES OF DIVERSION IN OHIO JUVENILE COURTS



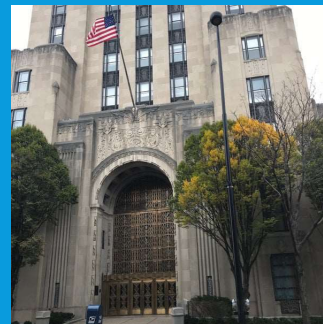
HAMILTON COUNTY

- ◇ Located in Southwestern corner of Ohio
- ◇ Part of the Tri-State Metropolitan Area, consisting of Southwest Ohio, Southeast Indiana & Northern Kentucky
- ◇ Population of Hamilton County (as of 2024): 827,058
 - ◇ 3rd largest county in Ohio
 - ◇ 20% of population (165,412) is under 18 yoa
- County seat: Cincinnati
 - Population of Cincinnati (as of 2024) 311, 595
 - 22 Public School Districts
 - 21 Private Schools
 - 35 Charter Schools



HAMILTON COUNTY JUVENILE COURT

- 2 Judges
- 8 Delinquency Magistrates
- 22 Diversion/Assessment Center Staff
 - 1 Diversion Manager
 - 1 AC Manager
 - 1 AC Supervisor
 - 11 Conference Coordinators
 - 8 Service Navigators
 - 6 Support Staff



File own charges

- Do not go through Prosecutor's Office
- Delinquency charges filed in person at the Youth Center or sent in to main court house
- Truancy, Failure to Send, Unruly, Incorrigible, Runaway charges are filed in person at the Assessment Center

HAMILTON COUNTY JUVENILE COURT

Over 200 charges can be processed unofficially through Diversion

- Includes all of the city/county ordinances of curfew
- all status offenses
- low level misdemeanors
- Recently started taking low level Assault & first time Domestic Violence

Exceptions for unofficial include if youth is on probation or parole, or has pending official cases.



HAMILTON COUNTY JUVENILE COURT DIVERSION OPTIONS

- Review & Resolve
- Mediation
- Youth Court
- Diversion Conference
- School Docket
- Community Docket
- Service Navigation
- Mental Health Dockets
 - Diversion Conference for Mental Health
 - Pre-Trial Diversion Docket (PDD)
 - Individualized Disposition Docket (IDD)
- * Substance Abuse
- * Traffic



HOLMES COUNTY

COUNTY SEAT: Millersburg

POPULATION (as of 2024): 44,397

- ◊ 54th largest county in Ohio
- ◊ 30.5% of population (13,551) is under 18
- ◊ 2nd largest population of Amish in the US

SCHOOL DISTRICTS: 2 (West Holmes & East Holmes)

Court Facts:

- 1 Judge
- 1 Delinquency Magistrate
- Chief Probation Officer
- 2 Diversion/Probation Officers
- Therapy Dog - Marlee



HOLMES COUNTY JUVENILE DIVERSION

CRITERIA

- First Offense
- Non-violent
- Misdemeanor
- No financial restitution

DIVERSION TERMS

- Applicable to offense
- 90 days max
- Successful/unsuccessful

MARSY'S LAW

- Victim input
- How to proceed

DIVERSION MEETING

- In-person
- Parent/custodian & juvenile
- Admission

COURT - ORDERED DIVERSION

- Transfer cases
- Judge/Mag. Determination
- May be done formally or informally



WAYNE COUNTY

- ◇ Located in Northeast Ohio
 - ◇ Borders a portion of Stark & Summit Counties
- ◇ Population of Wayne County (as of 2024): 116,468
 - ◇ 24th largest county in Ohio
 - ◇ 24% of population (27,764) is under 18 yoa
- County seat: Wooster
 - Population of Wooster (as of 2024) 26,961
 - 9 Public School Districts

Court Facts:

- 1 Judge
- 2 Delinquency Magistrates
- 1 Prevention & Intervention Officer



WAYNE COUNTY JUVENILE COURT DIVERSION

- Referral source
 - Direct from the Prosecutor's Office
 - Ordered to Diversion from the Bench
 - Type of referrals accepted
 - Status offenses
 - All Misdemeanors
 - Some Felonies (sexting & low-level felonies)
- Diversion Process
 - Initial meeting
 - Court screening process
 - Drug screen
- Court Programs
 - Mentor program
 - Martial Arts
 - Groups
 - Successful Termination vs. Unsuccessful Termination
 - Closed & sealed
 - Dismissed & sealed
 - Returned for formal charges

Note: Cases with victims or restitution are formally filed. These cases can still be referred to Diversion from the Bench.

**STICK AROUND FOR THE NEXT
SESSION AS
CLINTON, GREENE
& MONTGOMERY COUNTIES
TALK ABOUT THEIR
DIVERSION OPTIONS
AND ASSESSMENT CENTERS**

**JOIN LICKING COUNTY
FRIDAY MORNING AS THEY
DISCUSS HOW THEY MANAGE
TRUANCY SPECIFIC CASES**

WHAT IS THE
OHIO JUVENILE DIVERSION ASSOCIATION
(OJDA)

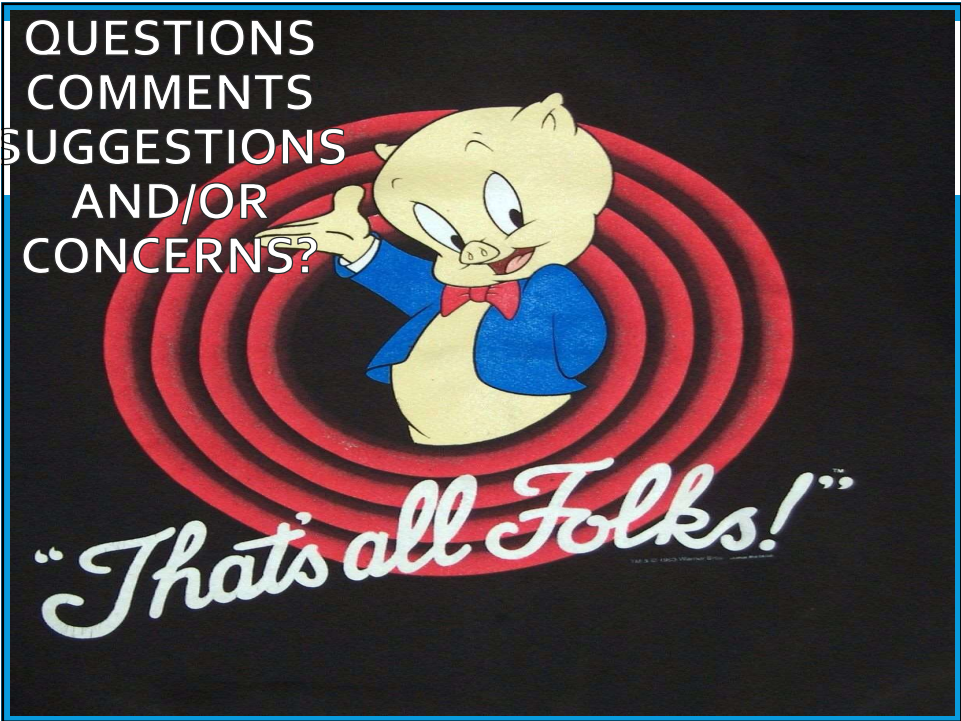
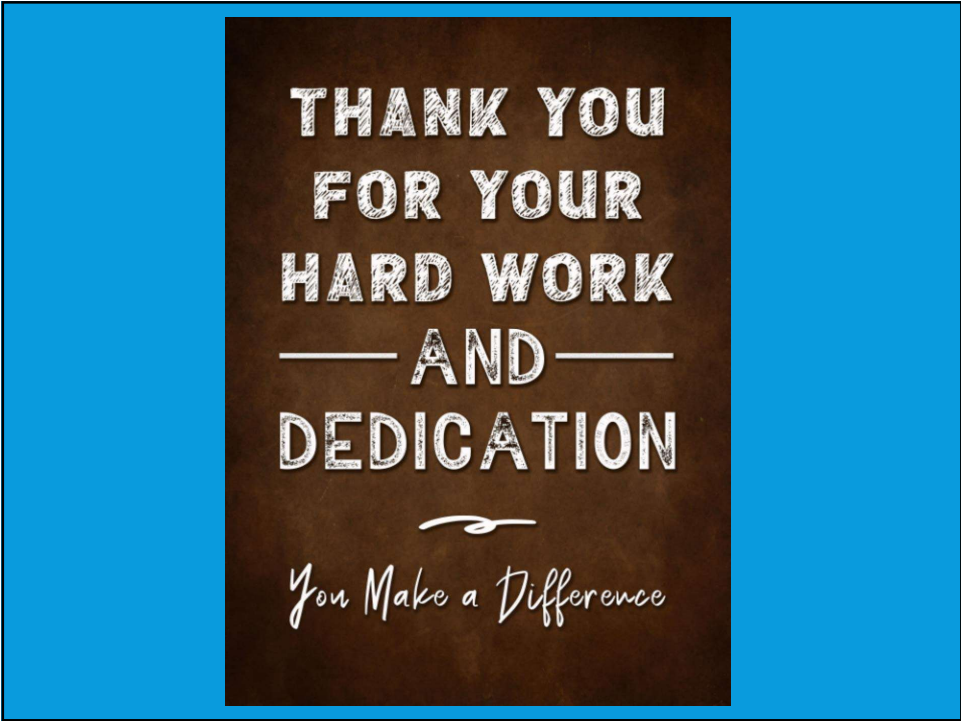
Statewide professional organization
started in 1997 to provide:

- Education
- Networking
- Collaboration
- Support to Ohio Juvenile Court staff



PLEASE JOIN OJDA AT OUR
NEXT MEETING
JULY 25TH

Dublin Justice Center
6565 Commerce Parkway
Dublin, Ohio 43017
10:00 am-1:00 pm



Contact Information



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Visit our website www.ojda.org
Like us on Facebook!

Resources

- Ohio Department of Youth Services
 - www.dys.ohio.gov
- Juvenile Diversion Guidebook
 - Models for Change
 - <http://www.modelsforchange.net/publications/30>
- The Supreme Court of Ohio 2021. "Juvenile Diversion Toolkit"
<https://www.supremecourt.ohio.gov/JCS/CFC/resources/juvenileDiversionToolkit.pdf>
- Development Services Group, Inc. 2017. "Diversion Programs." Literature Review. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.
https://www.ojjdp.gov/mpg/litreviews/Diversion_Programs.pdf
- The Annie E. Casey Foundation 2018. "Transforming Juvenile Probation. A Vision for Getting it Right" <http://www.aecf.org/resources/transforming-juvenile-probation/>
- Weber, J., Umpieree, M., & Bilchik, S. "Transforming Juvenile Justice Systems to Improve Public Safety and Youth Outcomes" May 2018 <https://csgjusticecenter.org/wp-content/uploads/2018/05/Transforming-Juvenile-Justice-Systems-to-Improve-Public-Safety-and-Youth-Outcomes.pdf>
- Office of Justice Programs
 - www.ojjdp.ojp.gov



JUVENILE DIVERSION IN OHIO

Results from a statewide Juvenile Diversion survey (2024)

Ohio Juvenile Diversion Association Steering Committee

Ohio Juvenile Diversion Association 2025 Officers

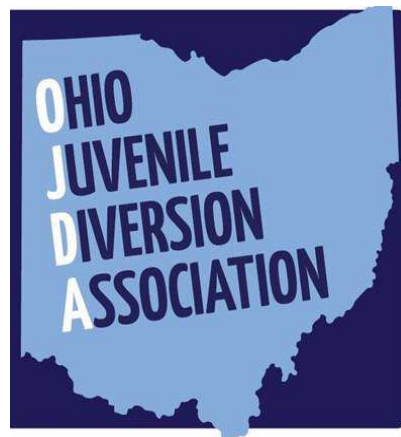
Nicole Zornes, President
Hamilton County Juvenile Court

Brody Williams, Vice President
Holmes County Juvenile Court

Aida Rodriguez, Secretary
Franklin County Juvenile Court

Amanda Clark, Treasurer
Wayne County Probate & Juvenile Court

The Ohio Juvenile Diversion Association (OJDA) is a nonprofit professional organization that was established in 1997. The OJDA provides an opportunity for prevention and treatment staff from juvenile courts throughout the State of Ohio to exchange information and support one another; promotes a working relationship with other child and family focused agencies and systems which encourage a collaborative approach to provision of services; encourages legislative initiatives which recognize and support proactive court programs; and educates community and court staff regarding the need for such services.



Juvenile Diversion in Ohio

Courts & communities differ as to how they define Diversion, as well as what practices are put into place as interventions. According to the Juvenile Diversion Toolkit (Ohio Supreme Court, 2021), “the term Diversion is not consistently used among juvenile court in Ohio.” They define Diversion is “an intentional act redirecting a youth from formal juvenile justice processing.”

In the criminal justice system, diversion is used as the least restrictive environment while addressing offender needs and community safety. Diversion is also used to prevent an offender from formal court processing and/or having an official court record. In essence, diversion is used to hold a person responsible for their actions and receive necessary services **without** stepping foot into a court room and/or acquiring a criminal record. Diversion is also sometimes referred to as an alternative to adjudication.

Diversion may occur at any level during the process; law enforcement contact with youth, at arrest or apprehension in which the police officer has a choice on how to handle the matter, such as release to parent/guardian, counsel the youth, issue a warning, etc.; during intake at the police station, detention or assessment center; when a prosecutor or intake department reviews the case, at petitioning before a complaint is formally filed; and pretrial court contact, in which court staff has contact with the youth for interviewing purposes prior to adjudication or disposition. During any of these contacts, the youth can be diverted from formal court processing, therefore not engaging the youth with the juvenile justice system, all the while being held accountable for their actions and receiving necessary services.

In recent years, Ohio juvenile courts have established Assessment/Resource Centers, which have aided in expanding not only Diversion options for youth, but prevention and intervention opportunities for at risk youth as well. According to the Ohio Department of Youth Services (ODYS), Assessment/Resource Centers are a "community collaborative that addresses the holistic needs of youth and families and decreases reliance on secure detention, and prevents further penetration of youth into the juvenile justice and child welfare systems"

(www.dys.ohio.gov).

Research has shown that there are several different types of diversion programs utilized by juvenile courts: delinquency/unruly/status; truancy; teen youth courts; community-based diversion programs; prosecutor diversion; police diversion; school resource officer programs; and specialized treatment programs for substance abuse, sex offenses, and human trafficking victims. Even with those programs, there are no guidelines as to how to organize and run them.

Juvenile Diversion in Ohio

In the State of Ohio there are a total of 88 counties, all of which vary greatly in terms of demographics. In 2024, populations ranged from just above 12,000 in Vinton County to just over 1.3 million in Franklin County. There are 22 counties with a population between 100-500 thousand, and 39 with a total population of less than 50,000 (www.ohio-demographics.com/counties_by_population). Due to the variability of the Ohio population, one could presume there are differences in how each county juvenile or family court operates. The Ohio Juvenile Diversion Association (OJDA) sought out to collect information regarding juvenile diversion programs in the State of Ohio due to there being very limited information and/or research available. There is no centralized database to gather information; although information *may* be available on individual court websites, but this is not always the case. As stated above, there are 88 counties, therefore there could be up to 88 different ways diversion is conducted. This does not take into account community, law enforcement, or prosecutor diversion programs, which could take the number of programs well beyond 100. Therefore, one could speculate there may be over 100 different ways diversion for juvenile cases are handled in the State of Ohio.

In Ohio there are no laws, provisions, or guidelines as to how a court should design and run a juvenile diversion program. Ohio Rules of Juvenile Procedure Rule 9(A) states “Court action to be avoided. In all appropriate cases formal court action should be avoided and other community resources utilized to ameliorate situations brought to the attention of the court.”

There are sections in the Ohio Revised Code which state that charges are to be held in abeyance (diversion) in certain instances: Unruly (2151.27 (F)), Truancy (2151.27 (G)), and Solicitation/Prostitution (2152.021 (F), Safe Harbor Law).

There are **no** other provisions/guidelines on how to operate a juvenile diversion program. Ohio Revised Code section 2935.36 details **adult** pre-trial diversion programs, but there is nothing specific for juvenile programs.

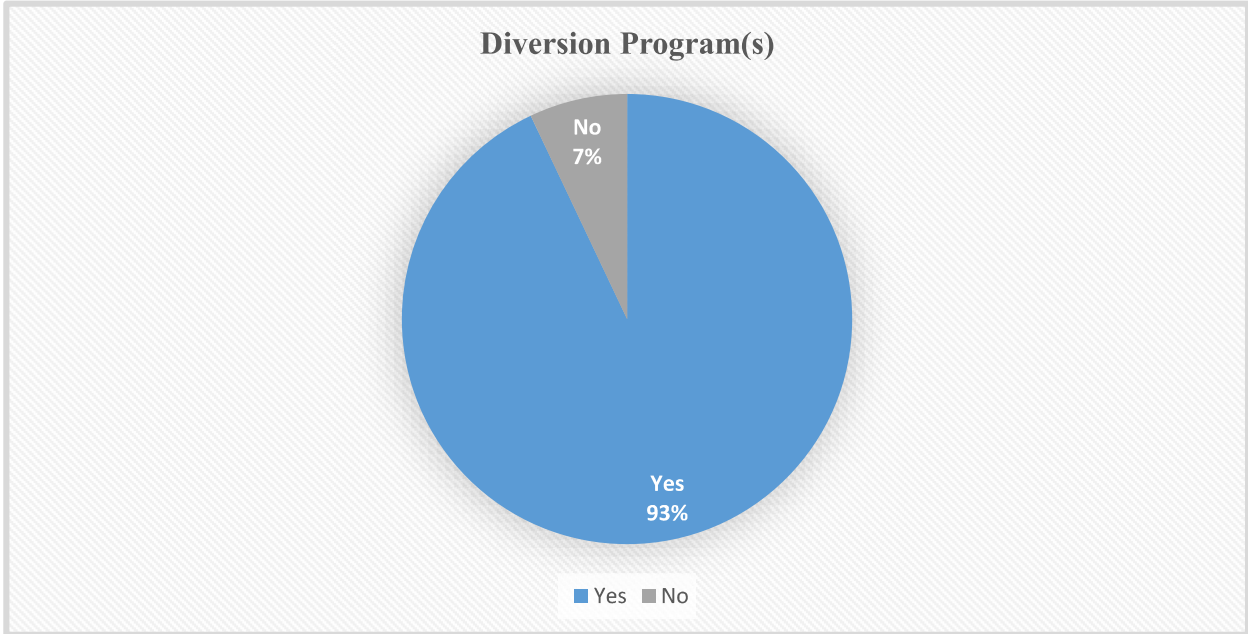
Due to the limited information on Ohio juvenile diversion programs, the Ohio Juvenile Diversion Association (OJDA) took on the initiative to talk with all 88 Ohio county juvenile courts to get a glimpse of how each juvenile court handles diverting youth. Information in this report is from 74 counties that responded to an OJDA survey; there were 14 counties that did not respond. There were 5 counties that reported they do not have a juvenile diversion program.

SURVEY RESULTS

Below are the 25 diversion program questions asked to a representative from each Ohio juvenile court, as well as the responses. These responses were taken only from the 74 completed questionnaires.

Does your juvenile court have a diversion program?

Out of the 74 completed questionnaire responses, 70 Ohio counties (95%) responded “yes”, that they have some type of juvenile diversion program. This means that 4 (5%) responded “no” to having a diversion program to divert youth from the juvenile justice system.



If no, is your court interested in learning about or starting a diversion program?

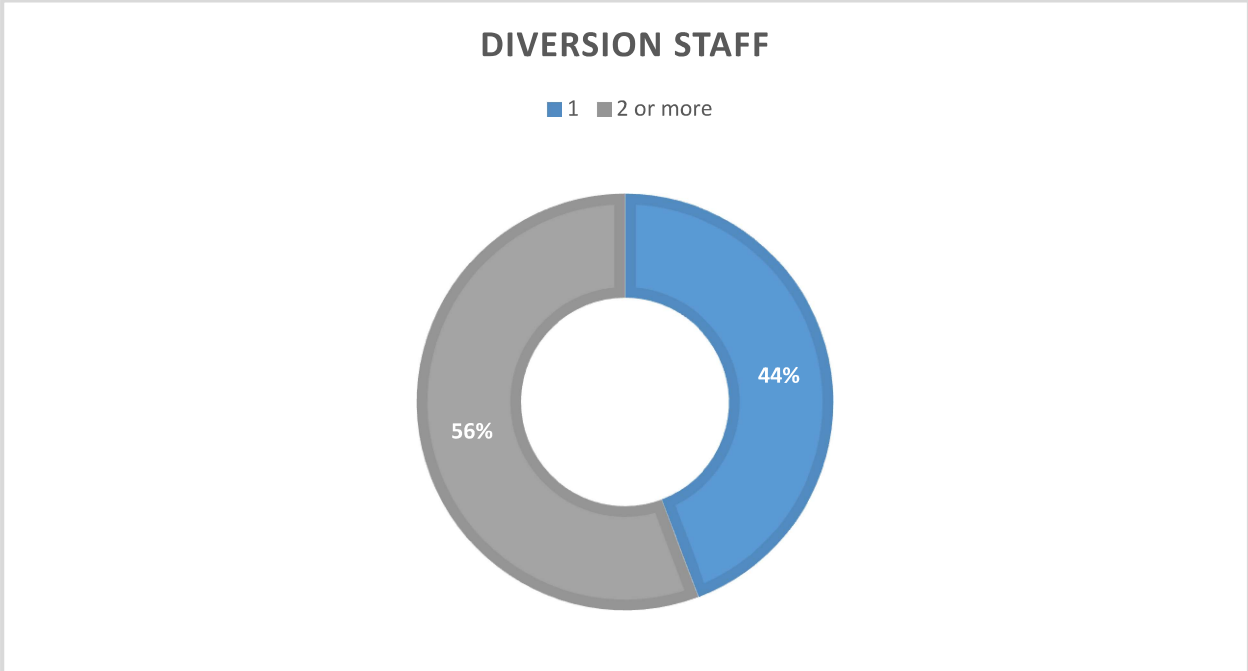
Out of the 5 counties who responded “no” to the question about having a diversion program, there were four (4) courts that responded “no” to this question, implying they are not interested in learning more about and/or starting a juvenile diversion program. These respondents did not want further information on juvenile diversion programs at this time. However, there was one (1) county that responded they are working on developing a Diversion program to begin in early 2025.

Who runs your county diversion program?

When it comes to juvenile diversion programs, there are various agencies that can take the reins in running the program. Respondents were asked who runs their county juvenile diversion program, and all answered their juvenile court. However, it may vary which department oversees Diversion within each court (for example Diversion Department, Intake Department, Probation Department, Resource Center, etc.).

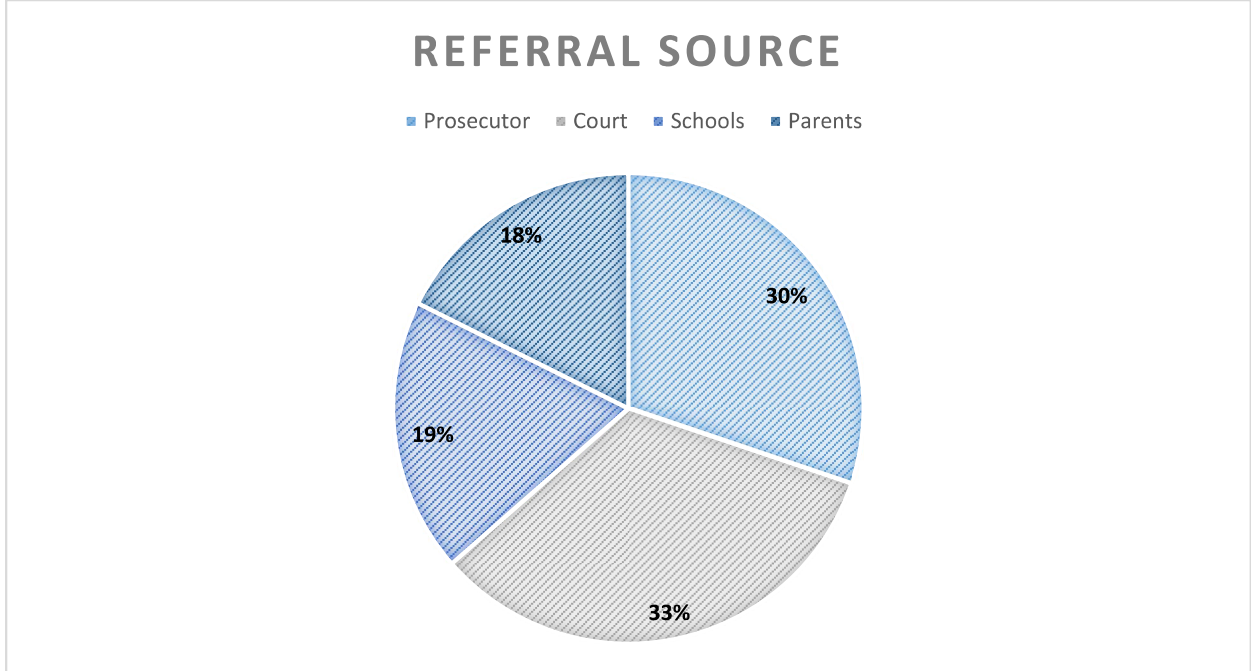
How many Juvenile/Family Court staff are assigned to Diversion cases?

Staffing for departments and programs depends on multiple factors including the population of the county, the number of cases filed in juvenile court, and the overall capacity to sustain program(s). Each county is vastly different on the aforementioned factors, which has an impact on the number of staff per department. Responses included staff as low as one (1) for the Diversion cases, to as many as 35!



What are the referral sources for your Diversion Program?

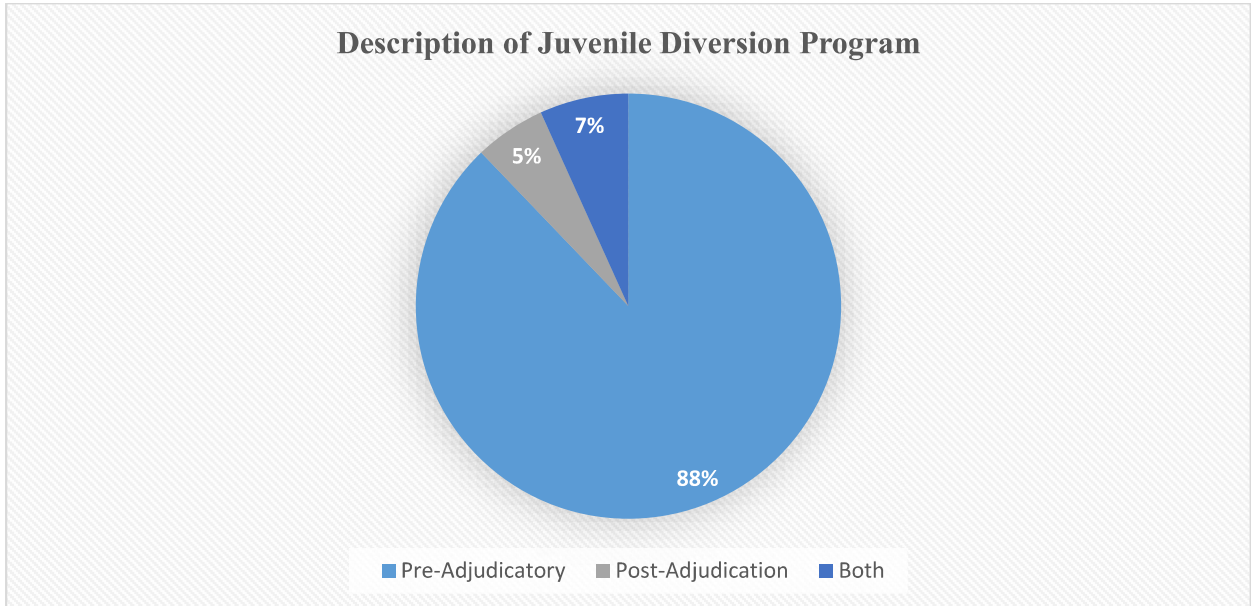
Respondents were able to pick all that apply to their program, as there may be different referral sources for programs. A majority of the courts receive their referrals from either the court itself, or from the Prosecutor's Office, but receive referrals from schools and parent(s)/guardian(s).



Some courts also detailed further that they may receive Diversion referrals from the Public Defender, Diversion Committee, treatment providers, OYAS scores, and Victim's Assistance.

What best describes your county diversion program?

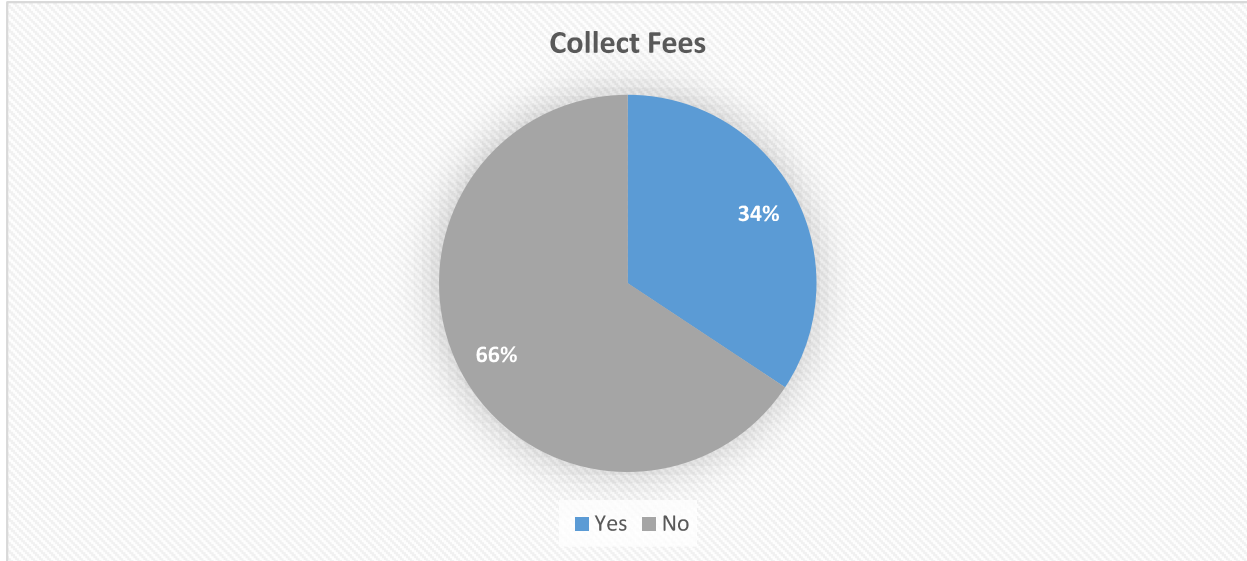
A vast majority (65) of the responses concluded that pre-adjudicatory is the most used type of diversion programs. Court ordered or post adjudicatory diversion was reported from four (4) counties, and five (5) reported a combination of the two.



Juvenile Diversion in Ohio

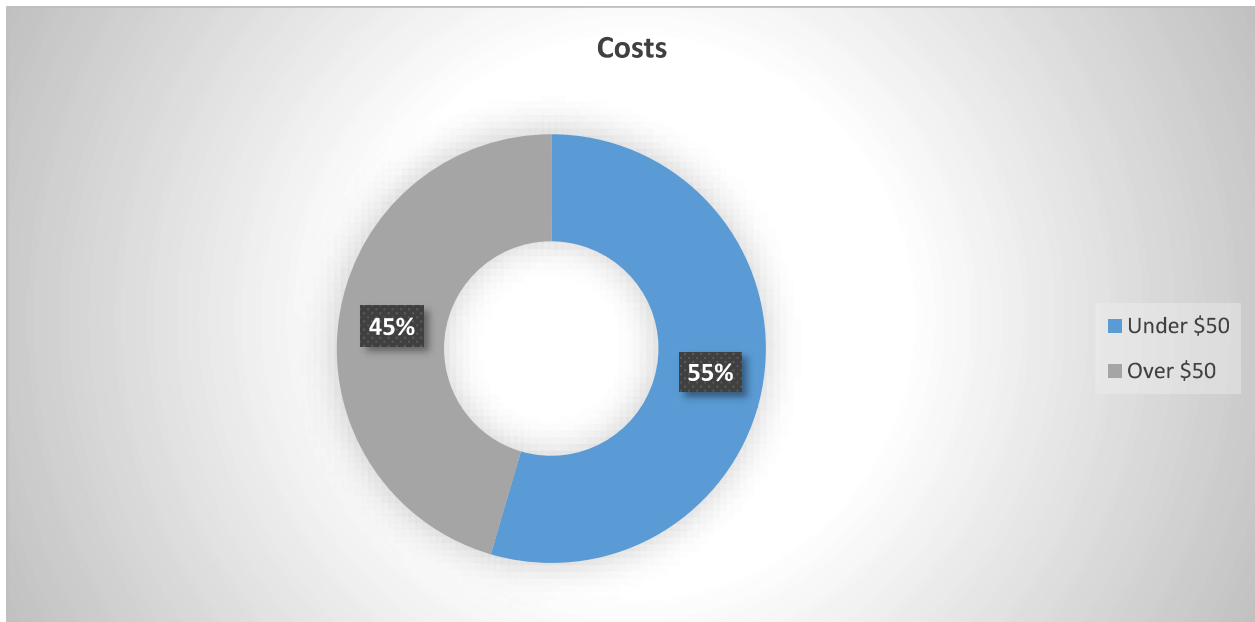
Does your county diversion program collect fees?

A vast majority of the responding courts (46) do not collect fees for their diversion programs, resulting in the programs being free services for youth and families. There are 24 courts that collect a fee for their program(s).



If your county collects fees, what do you charge for and how much?

The courts that collect fees were asked how much they charge and for what. As with other parts of the program, costs vary widely from court to court. Parties may be charged for a Diversion fee, assessed Court costs, pay for online education programs such as 3rd Millennium, and drug screens.



Juvenile Diversion in Ohio

Who collects the fees?

An overwhelming majority (27) of diversion programs have the court clerks collect the diversion fees. With other programs, diversion or probation officers themselves collect the diversion fees.

Does your diversion program collect restitution?

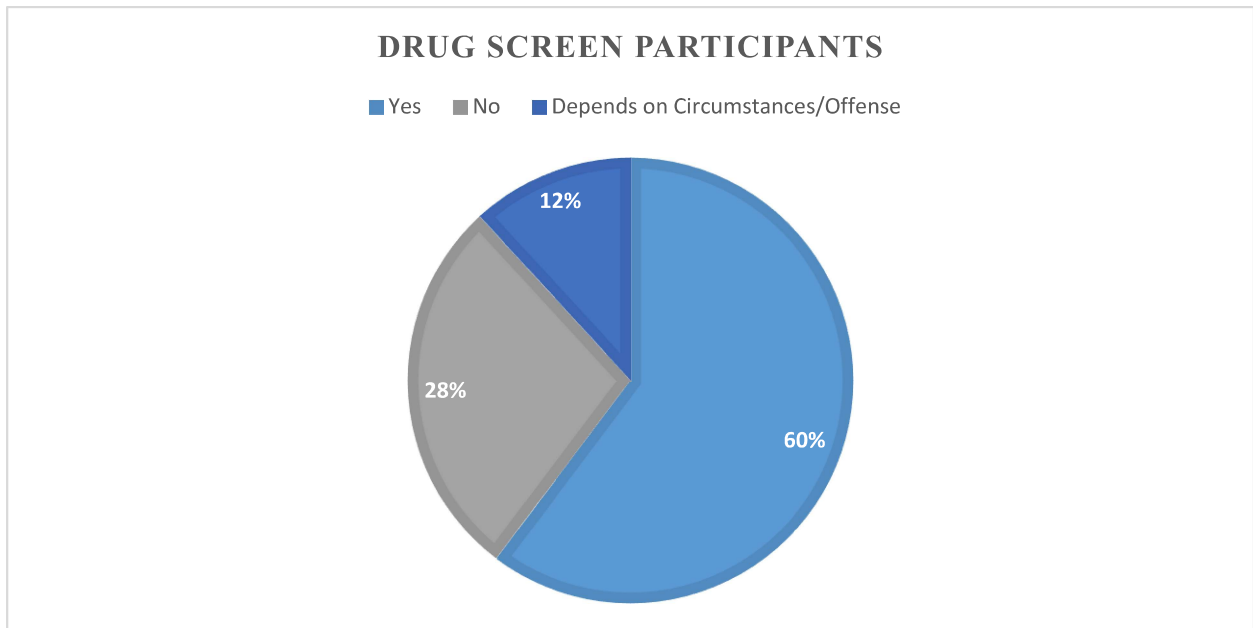
At times there are offenses that occur that may require restitution to be paid to a victim. A majority (34) of the diversion programs take cases with restitution. There are 16 programs that do not handle cases with restitution, therefore those cases are filed formally in court.

If yes, who collects the restitution?

As with diversion fees, the court clerks (34) are a majority of the time collecting restitution. Diversion officers collect restitution in 14 courts.

Do you drug screen diversion program participants?

Drug screening youth not facing a drug and/or alcohol charge, or if the charge was not related to substance use, has been a topic of debate for those working within juvenile court. There were 41 “yes” responses to the question addressing if courts drug screen diversion participants. There were 19 “no” responses, as well as 10 courts responding with “yes and no”, depending on the circumstances and/or the offense.

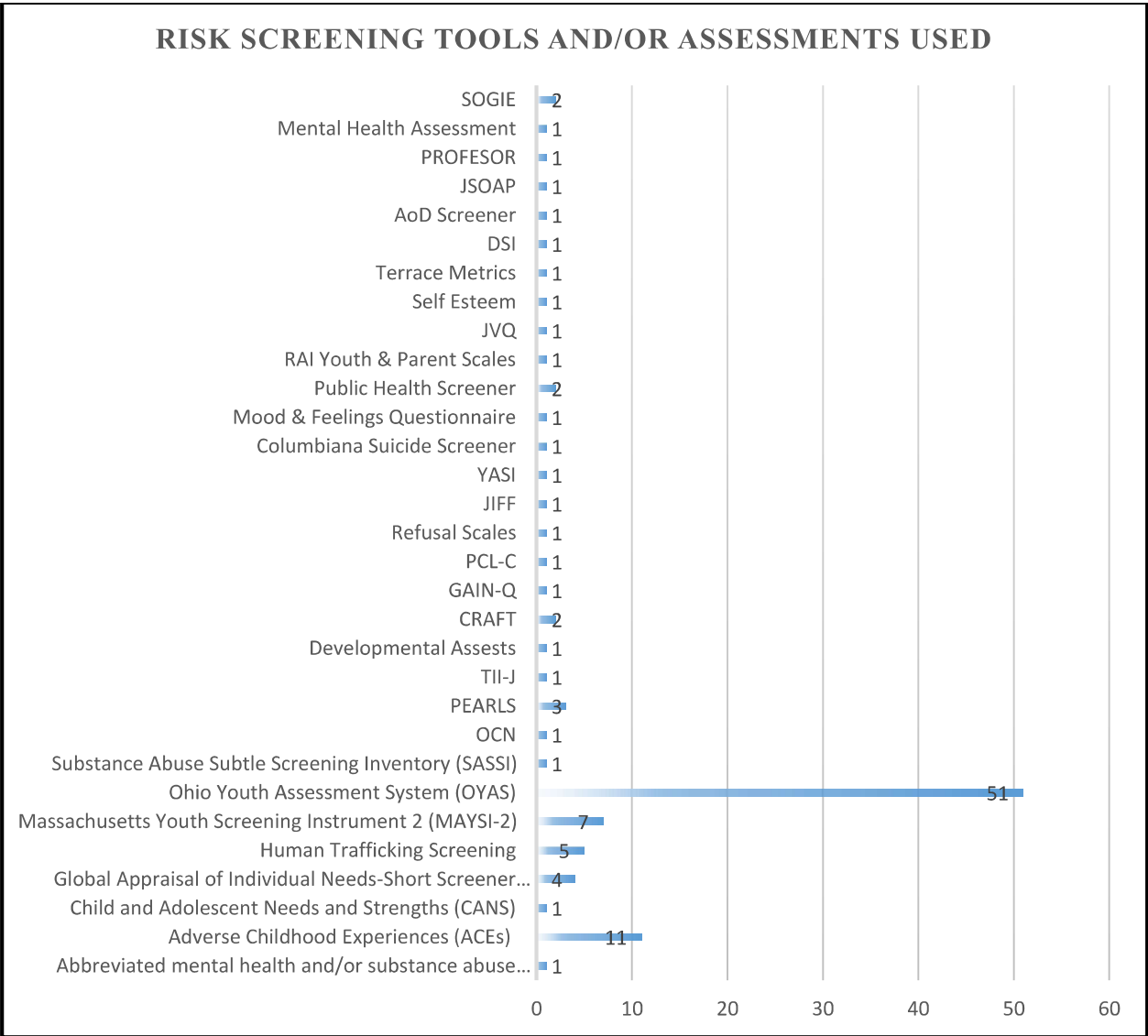


Does your diversion program utilize risk screening tools or assessments?

Risk screening tools and/or assessments are utilized by courts to obtain more information about a youth and/or family. These tools assist in making the most appropriate and/or beneficial recommendations for services. There are 61 courts that utilize risk screening tools and/or assessments for diversion youth. There are currently nine (9) courts that do not.

If yes, which risk screening tools or assessments are used?

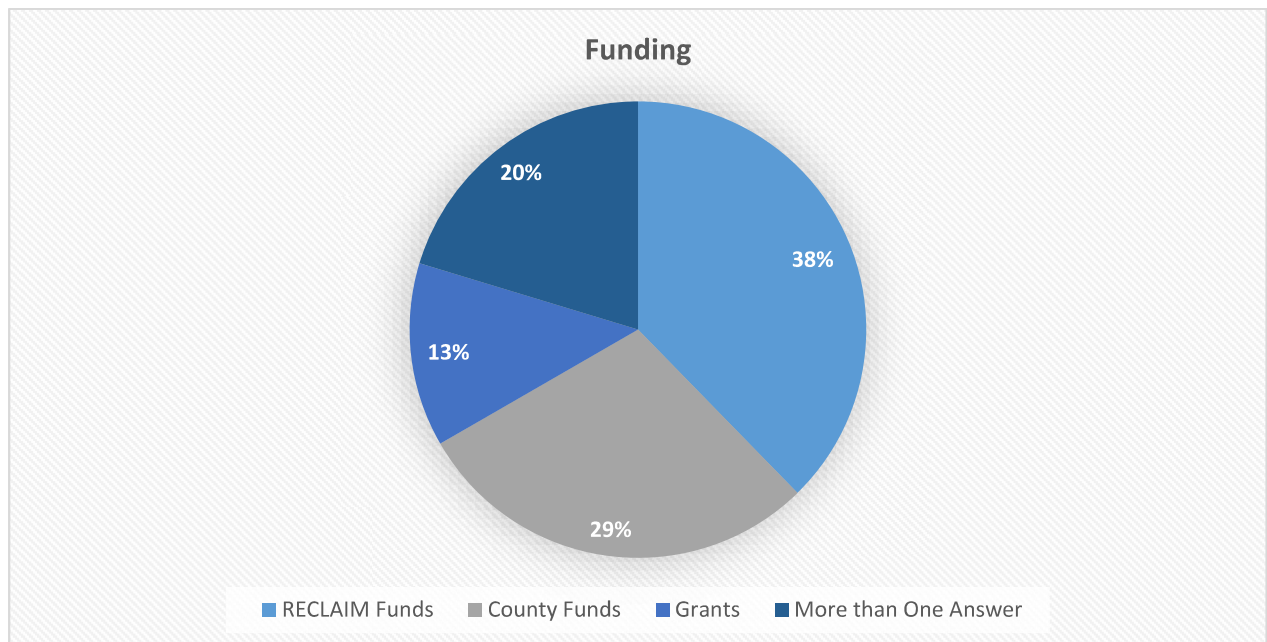
When it comes to risk screening tools and/or assessments, the type(s) used varies greatly. There is no one universal tool used by all counties, however an overwhelming majority (51) conduct the Ohio Youth Assessment System (OYAS) Diversion Tool. There are multiple courts that use more than one screening tool or assessment for their youth.



Juvenile Diversion in Ohio

How is your diversion program funded?

Funding court programs can often be difficult. There are several ways courts have found to keep their diversion programs operational. There were 26 courts that stated they use RECLAIM (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors) funds allocated by ODYS. There were 20 responses proclaiming the funding comes from county funds, and 14 responded they receive both RECLAIM and County funds for their programs. Lastly, 11 courts stated their program is funded by grants.



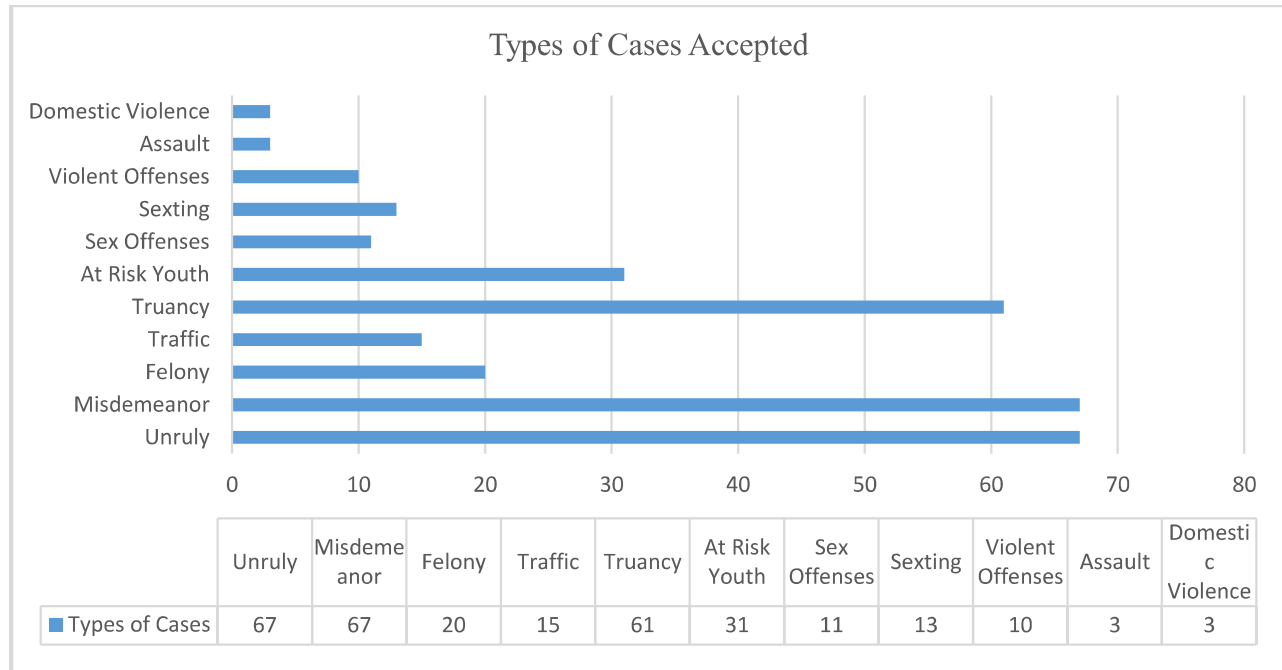
How long are youth monitored in your county diversion program?

As with everything else with Ohio juvenile diversion programs, the length of time a youth is monitored on diversion varies greatly. There is a huge variance in how many days a Diversion case is open, with the least amount being 30 days, to a maximum of 240 days (8 months). Yet, the average length of time overwhelmingly reported is 90 days.

What types of charges are accepted in your county diversion program?

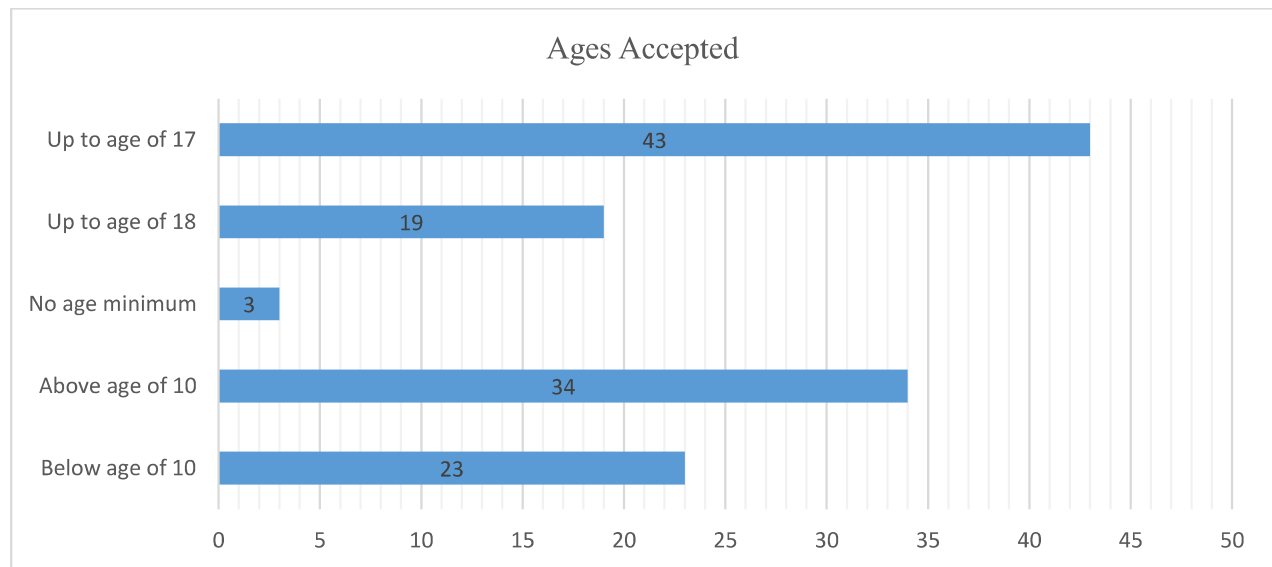
As with the length of time youth are supervised on diversion, the types of cases accepted varies from county to county. Unruly, misdemeanor and truancy cases lead the types of offenses accepted. There was a question about if sex offenses were accepted; there were 11 affirmative responses, but some with the stipulation that the offenses are “sexting” in nature. There was also a question regarding violent offenses; there were 10 "yes" responses, but some stipulated the offenses are domestic violence and lower level assault charges.

Juvenile Diversion in Ohio



What are the minimum and maximum age accepted into your county diversion program?

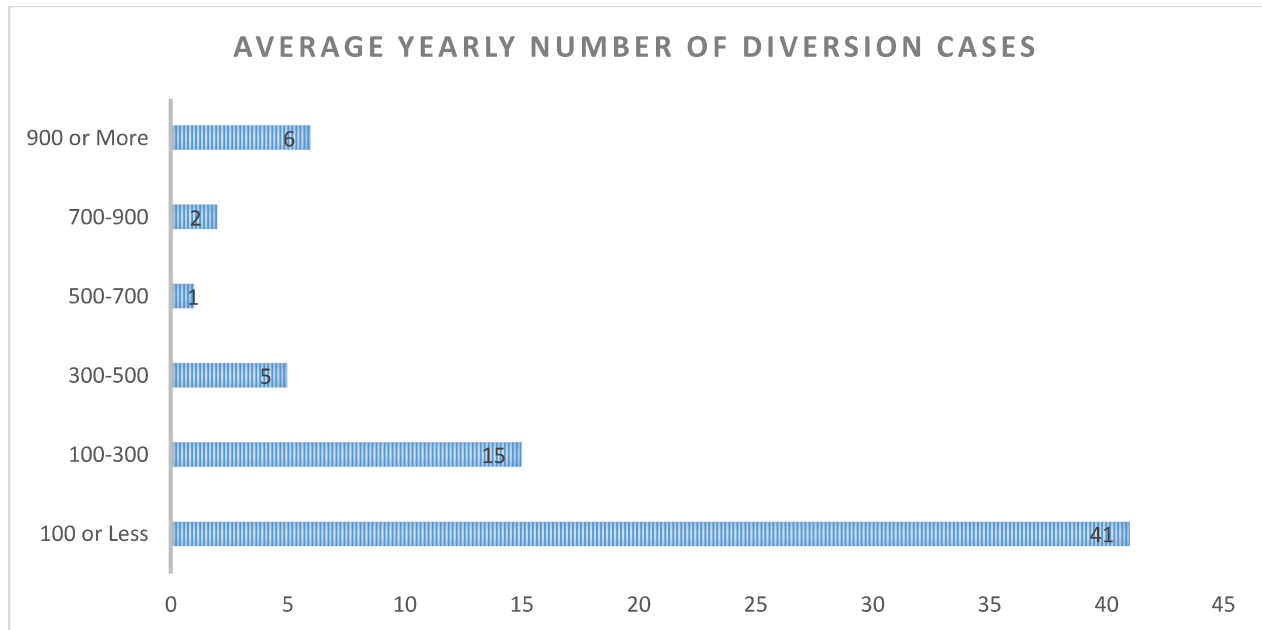
Each Ohio juvenile court, along with the prosecutor's office, defines the minimum age as to which charges would be filed. Diversion is no different, in terms of each court defining both the minimum and maximum age of youth accepted into a diversion program. The average minimum age appears to be the age of 10, while the maximum age appears to be the age of 17. However, some courts accept youth into their program(s) below the age of 10, specifying as long as they are "school aged" youth.



Juvenile Diversion in Ohio

What is the average yearly number of cases for your county diversion program?

A vast majority of the reporting counties (41) have an average of "100 or less" cases involved in their diversion program. The next biggest range is "100-300 cases" with 15 courts, and six (6) courts reporting "900+".



Are formal complaints filed in Juvenile/Family Court Diversion cases?

Not only are there differences in who makes the referral(s) to Diversion, there is a difference in if formal complaints are filed for Diversion cases. A majority of courts (41) responded that they do file formal complaints, while 20 stated they did not. There were nine (9) courts that responded that they "may" file formal complaints depending on the charge(s) and circumstances.

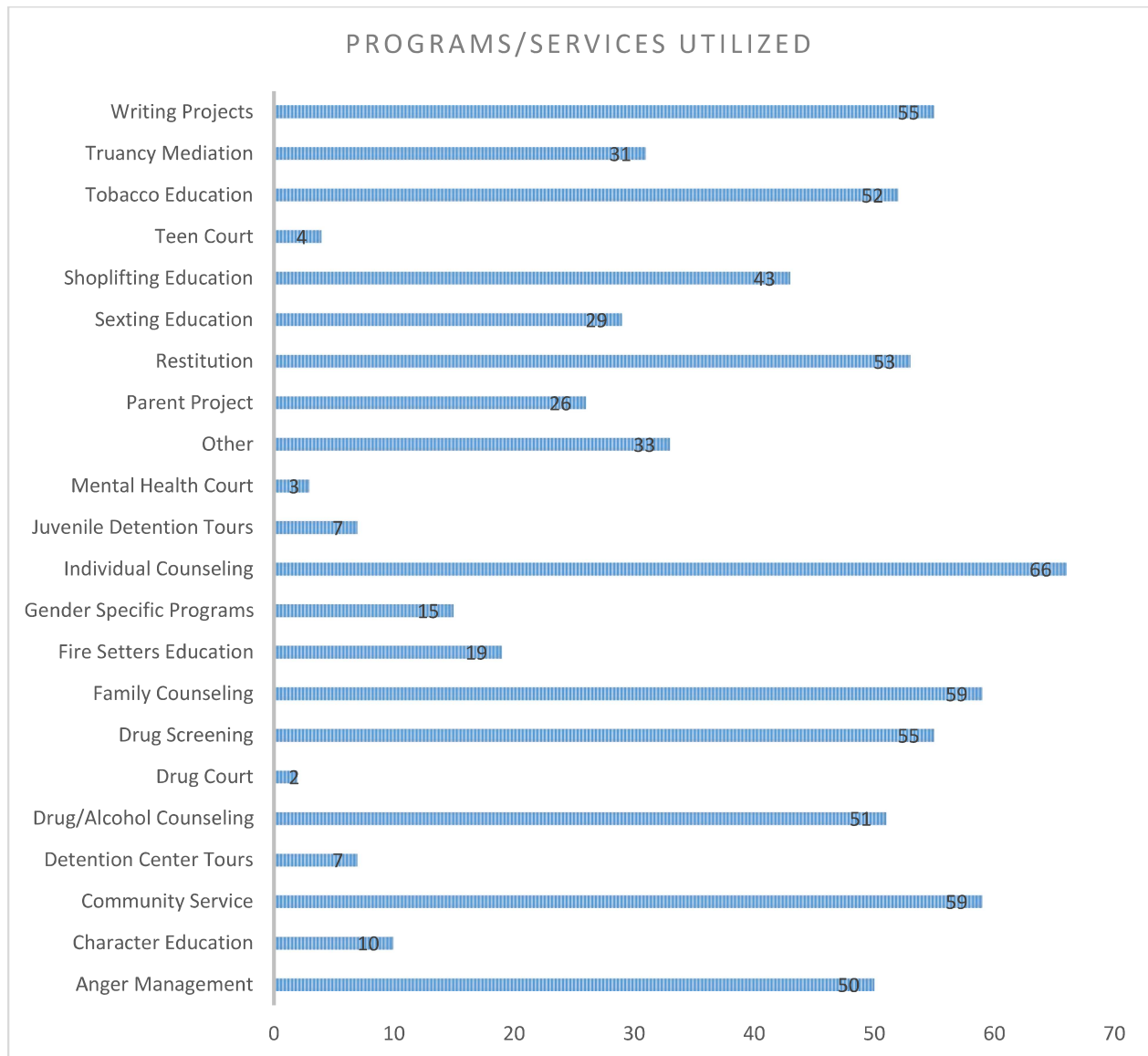
What happens to diversion cases upon successful or unsuccessful completion?

As with everything else in juvenile justice, each court and Diversion program define what successful, neutral, and unsuccessful completion, and what to do with cases upon completion. Upon successful completion of a diversion program, cases are closed and a formal court filing is not completed. 54 courts dismiss/seal the cases, while 17 close/dispose of cases. If a youth is unsuccessful in completing a diversion program, it is at the program facilitator discretion as to what happens with the diversion case. 46 courts file the charges formally, while only six (6) courts close/dispose of the case with no formal filing. There were 18 courts that stated they may do one or the other depending on the charge(s) and circumstances.

Juvenile Diversion in Ohio

What types of programming/services does your county Diversion Program utilize?

Ohio juvenile courts have a plethora of options for possible programs/services to incorporate into their diversion programs. Each county utilizes different programs due to the availability in their area. Every responding county had multiple interventions available to youth/families to assist with curbing negative behaviors and positioning them onto a more successful path.



The "Other" options available included mentoring, Multi-systemic Therapy (MST), Functional Family Therapy (FFT), equine therapy, online education, case management, Positive Parenting Program (Triple P), martial arts, crossfit, and Prime for Life, among many others. Juvenile courts continue to expand their diversion and prevention and intervention options for Ohio youth and families.

