

**IN THE MUNICIPAL COURT
FOR THE CITY OF CARROLLTON
DALLAS COUNTY, TEXAS**

**§ ART. 45.306, TX. C.C.P
§
§ EFFECTIVE JANUARY 1, 2025**

YOUTH DIVERSION PLAN

IT IS ORDERED that, effective January 1, 2025, the Carrollton Municipal Court, in compliance with Article 45.306, Texas Code of Criminal Procedure, establish a Youth Diversion Program for non-traffic related cases filed and/or referred to the Court for juvenile offenders to be executed via Judicial or Intermediate Diversion. Objectives of this program are to:

1. Reduce recidivism and the occurrence of problem behaviors through intervention without criminal adjudication;
2. Identify at-risk youth and make referral to youth intervention services;
3. Authorize diversions for juveniles charged with non-traffic related offenses, punishable by the imposition of a fine, from criminal adjudication to emphasize accountability and responsibility of the parent and the child for the child's conduct; and
4. Promote community safety.

Eligibility

A child is eligible to participate in the Youth Diversion program if:

- The child is charged with a misdemeanor offense, punishable by fine only, other than a traffic offense;
- The child is at least 10 years of age and younger than 17 years of age at the time of the offense, or at least 10 years of age and younger than 18 years of age at the time of the offense if the offense occurs on school grounds;
- The child has not entered into a diversion agreement in the past 365 days;
- The child has not previously had an unsuccessful diversion for a prior offense;
- The attorneys representing the State do not object to the child participating in the Youth Diversion program;
- The child consents to participating in the Youth Diversion program; and
- The child's parent or guardian consents to the child participating in the Youth Diversion program.

Participation in Youth Diversion if Eligible

If a child is eligible to participate in the Youth Diversion program, court staff will:

- Bring together all necessary parties (child, parent/guardian, Judge, Juvenile Case Manager/Youth Diversion Coordinator, Prosecutor, etc.) to review the charge(s) against the child and ensure that all parties understand that participation in the Youth Diversion program is voluntary and not an admission of guilt;

- Discuss the best course of action for the diversion plan and set reasonable requirements to ensure the child and parent/guardian understand the plan;
- Execute a written agreement, signed by all necessary parties, that specifically outlines what is required under the diversion plan; and
- Monitor the child’s compliance throughout their participation in the Youth Diversion program, which may last up to 180 days.
- A FEE OF \$50 MAY BE REQUIRED TO BE PAID BY THE PARENT OR GUARDIAN FOR THE CHILD TO PARTICIPATE IN THE YOUTH DIVERSION PROGRAM.

Youth Diversion Strategies

The Court may employ diversion strategies which include, but are not limited to:

1. Referral of the juvenile to an appropriate educational program;
2. Referral of the juvenile to an appropriate school-related program;
3. Referral of the juvenile to a community service provider;
4. Referral of the juvenile to an appropriate counseling provider;
5. Referral of the juvenile to an appropriate tutoring program; or
6. Referral of the juvenile to another appropriate service provider or program.

Case Management

During the diversion period, the Judge, Juvenile Case Manager/Youth Diversion Coordinator and/or the Prosecutor may periodically follow up with the child and/or parent or guardian to evaluate the child’s progress. Follow-up measures may include:

- Phone calls and/or e-mails to the child and/or parent or guardian;
- Contacting a course provider, community service provider or school official;
- Conducting additional meetings with the necessary parties; or
- Referral to additional resources.

Conclusion of Diversion Agreement

If the child successfully complies with the terms set forth in the Youth Diversion agreement, the case will be closed without further action. If the child voluntarily withdraws from or fails to comply with the Youth Diversion agreement, the Court will:

- Conduct a non-adversarial hearing;
- Determine if an extension period should be granted to allow the child more time to comply with the agreement;
- Review the terms of the agreement and amend it if necessary;
- Transfer the child to juvenile court;
- Refer the charges to the Prosecutor for consideration to file charges; or
- Issue an order of contempt against the parent/guardian.

Diversion Records

The Court shall maintain statistics for each diversion strategy employed. Other than statistical records, all records generated pertaining to a Youth Diversion agreement are confidential. All records pertaining to a child under a Youth Diversion agreement shall be expunged without the requirement of a motion or request on the child's 18th birthday.

IT IS ORDERED that this Youth Diversion Plan is to be maintained on file for public inspection.

SIGNED, this the 3rd day of December, 2024.



Meredith Lyon
Presiding Judge
Carrollton Municipal Court

