

City of West University Place Municipal Court
Youth Diversion Plan
Effective January 1, 2025

ORDER ADOPTING A YOUTH DIVERSION PLAN

The following Youth Diversion Plan is adopted in accordance with Subchapter E and Article 45.306 of the Code of Criminal Procedure.

A. Purpose

The purpose of the Youth Diversion Plan is to provide structured alternatives to formal judicial proceedings for youth offenders.

As provided by Chapter 45, subchapter "E" of the Texas Code of Criminal Procedure, and contingent on eligibility, a child shall be diverted from formal criminal prosecution through an established Youth Diversion program. The Municipal Court of the City of West University Place prioritizes individualized justice, with a focus on fostering accountability and positive development. The Court seeks to balance the interests of the community with the unique circumstances of each child to advance the following objectives:

1. Reduce recidivism and the occurrence of problem behaviors through intervention without having to criminally adjudicate children.
2. Identify at-risk youth, including youth with mental health needs, substance use disorders, or intellectual and developmental disabilities, and where appropriate, make referral to early youth and intervention services under Subchapter B, Chapter 264 of the Family Code.
3. Authorize diversions of children charged with certain offenses punishable by imposition of a fine from criminal adjudication that emphasize accountability and responsibility of the parent and the child for the child's conduct while also promoting community safety.
4. Increase collaboration between governmental, educational, and non-profit organizations.

B. Eligibility

1. The child is charged with a misdemeanor offense, punishable by fine only, other than a traffic offense.
2. A child has not entered into a diversion agreement in the past 365 days.
3. A child is not eligible for diversion if the child previously had an unsuccessful diversion.
4. A child is not eligible for diversion if a diversion is objected to by the attorney representing the state.
5. A child may not be diverted from criminal prosecution without the consent of the child and the child's parent/guardian.
6. The child is at least 10 years of age and younger than 17 years of age.

C. Strategies

The Prosecutor may require a child to participate in a program, as referenced in Chapter 45, Code of Criminal Procedure, Subchapter E. Youth Diversion, Art. 45.305, which include but are not limited to:

1. Require a child to participate in a court approved teen court program.
2. Perform Community based services at a non-profit organization or government agency that provides services to the general public that enhances the social welfare and general well-being of the community.
3. Attend a work and job skills training program.
4. Attend an alcohol and/ or tobacco awareness program.
5. Attend a drug education program
6. Substantial compliance with a course of treatment prescribed of a physician or other licensed medical or mental health professional.

D. Conclusion of Case

If the child successfully complies with the terms set in the diversion agreement, the case is closed without further prosecution and is reported as successfully completed. Should the child voluntarily withdraw from the diversion agreement or fail to comply with the terms of the agreement, the court will:

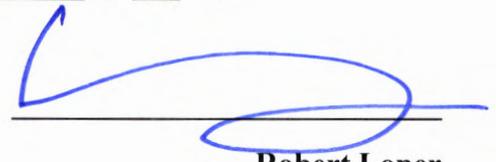
1. Conduct a Show Cause hearing.
2. Determine if an extension period should be granted to comply with the diversion agreement.
3. Review the terms of the diversion agreement and amend if needed.

E. Public Inspection

This order and subsequent orders shall be maintained on file for public inspection.

IT IS HEREBY ORDERED

SIGNED AND ENTERED on this 19th day of December 2024



Robert Loper
Municipal Court Judge
City of West University Place
Harris County, Texas