

# SAFE HARBOR PROCEDURE

## REFER



A referral of a youth is made to the court by **ANY** party, including the judge.

- Standard: "reason to believe" -- LOW THRESHOLD.
- Purpose: to intervene, protect, and provide services immediately.

## APPOINT GAL



The court will immediately appoint a guardian ad litem (GAL), **separate** from the child's attorney.

- Court sets the next hearing.
- Informs all parties of child's possible Safe Harbor status.
- GAL will begin an investigation.

## INVESTIGATE



Child **IS** charged with loitering, solicitation, or prostitution: Child automatically qualifies for Safe Harbor Status (SHS) and the charge is directly related to SHS.

Child is charged with **ANY** offense that is **NOT** loitering, solicitation, or prostitution: Is there reason to believe the charges are related to the child's victimization?

## DETERMINE



Child **DOES** qualify for Safe Harbor Status -- parties meet to discuss status and child's charges will be placed in abeyance until final determination is made.

Parties determine the child **DOES NOT** qualify for Safe Harbor Status -- and the court agrees -- case proceeds without Safe Harbor.

## RECOMMEND



GAL or defense counsel makes recommendation and/or moves for SHS.

- Court places child in Safe Harbor Diversion (SHD).
- Plan for assistance for child is created.
- 90-Day review hearing is set.

## SERVICES

Services are coordinated for the child through the Multi-Disciplinary Team (MDT).

After 90 days, the court can dismiss charges if the child completes diversion to the court's satisfaction or renew diversion for an additional 90 days (can be renewed twice).



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