



OREGON YOUTH AUTHORITY

Policy Statement

Part III – Youth Services (Community)



Subject:

Youth Legal Assistance (Community)

Section – Policy Number:

A: General Administration – 2.1

Supersedes:

III-A-2.1 (1/20)

III-A-2.1 (1/07)

Effective Date:

10/10/2022

Date of Last

Review/Revision:

None

Related Standards and References:

- [ORS 419C.200 \(Court-appointed Counsel\)](#)
- [ORS Chapter 151](#), Public Defenders; Counsel for Financially Eligible Persons
- [OAR Chapter 416, Division 150 \(Interviews with Offenders\)](#)
- [OAR Chapter 416, Division 440 \(Offender Mail\)](#)
- [Office of Public Defense Services](#)
- [OYA policy: III-B-4.0 \(Youth Rights and Grievances in the Community\)](#)


Related Procedures:

- None

Policy Owner:

Community Services Assistant
Director

Approved:



Joseph O'Leary, Director

I. PURPOSE:

This policy provides general standards for addressing youth attorney legal assistance for youth on parole or probation.

II. POLICY DEFINITIONS:

None.

III. POLICY:

OYA recognizes youth have the right to consult privately with legal counsel and have access to courts, without obstruction or interference by staff.

OYA has identified diversity, equity and inclusion as an agency priority and initiative, with a goal to build a respectful, diverse, equitable and inclusive environment for youth and staff that is free from harassment, discrimination and bias. Data shows youth of color and LGBTQ+ youth are disproportionately represented in the juvenile justice system. While OYA is only one part of that system, it plays a critical role in addressing the historical and systemic inequities it perpetuates. Access to legal assistance is vital in ensuring all youth, particularly youth of color, are adequately represented in any legal proceedings and can discuss legal matters.

Youth who have concerns regarding issues that require legal representation or assistance may obtain an attorney licensed to practice in the State of Oregon at their own expense. Youth may request a court-appointed attorney from the court to assist in certain post-dispositional or probation violation hearings.

IV. GENERAL STANDARDS:

- A. All correspondence and communication between a youth and the youth's attorney is confidential.
- B. Staff must not harass, intimidate, punish or retaliate against youth for presenting complaints to the courts, participating in litigation or communicating with their attorneys.
- C. Youth requests for communication by telephone or in person with their attorneys must be documented in JJIS notes.
- D. Contract administrators must ensure contracts between OYA and child caring agencies specify that the programs will develop written procedures to implement specific OYA policies, including III-A-2.1 Youth Legal Assistance – Community.
- E. Staff in each OYA field office must be aware of local circuit court protocol regarding court-appointed attorney representation.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO