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Santa Clara County Superior Court Convenes Fresh Air Court for Young Adults Deferred Entry of Judgment

As the COVID-19 pandemic continues to limit the number of Court hearings and services occurring inside the courthouses, the Santa Clara County Superior Court is finding new opportunities to serve the public through technology and other responsibly socially distanced forums. In cooperation with the Santa Clara County Offices of the District Attorney, Public Defender, and Probation Department, and at the suggestion of the Probation Department, the Superior Court has implemented an outdoor “Fresh Air Court” for the Young Adult Deferred Entry of Judgment (YADEJ) program.

Santa Clara County’s YADEJ program is one of five pilot programs in California for young adults from 18 to 21 years who are charged with non-serious, non-violent felonies under California law. The YADEJ is based upon recent scientific evidence that the human brain is not fully developed until the mid-twenties. The last parts of the brain to develop are the elements that control impulses and decision making.

Upon entry into the program, the young adults receive a Life 360 Evaluation, which considers education status, vocational training aptitudes, substance use and counseling issues, housing needs, parenting advice if needed, and sets individual progress goals in these areas. This lifestyle triage is backed with access to services and opportunities. Each participant returns before a judge and the YADEJ team to assess their program progress and keep the participant’s ultimate goals in focus. To successfully complete the program, participants must refrain from using controlled substances, complete court-ordered programs, and participate in community service projects. When they graduate, the records of participants’ convictions are cleared and sealed.

“This is an extraordinarily valuable outcome for my clients since a felony conviction can present insurmountable obstacles to employment, professional licensing, and housing opportunities,” explains Melissa Wardlaw, the public defender who represents the majority of young adults in the program. “The beauty of this program is that all of us, working together, are able to help these young adults work toward a better future,” added Brian Buckelew, the prosecutor appearing on all the YADEJ matters.

“The work of our Collaborative Courts is so critically important, especially for our young adults in the YADEJ program. More than ever, our youth need to know that there are support systems in place to aid assistance and guidance when valuable and necessary,” said Judge Erica Yew. “Our Court examined how we could continue to provide these services during the pandemic, and the outdoor ‘Fresh Air’ setting was a natural choice as a setting for the restorative nature of this program.” The suggestion to move to an outdoor environment was made by Probation Officer Robyn Schlice, who shared, “This allowed us to continue to meet with our young adults, some of whom could not appear remotely since they did not have either the technology or the access to appear electronically.”

To address these digital divide issues, the YADEJ team was able to obtain the donation of Chromebooks from a number of generous individuals and the Fresh Lifelines for Youth program. This equipment will provide the young adults with the tools necessary to attend programs, classes, and Court remotely and succeed in this ever-increasing world of technological and remote access.

The Court will hear initial reviews for YADEJ defendants outside while observing all proper social distancing protocols. Current research indicates that this manner of a supportive and less formal environment has proven to work well in a treatment court setting. Water and masks will be available for the participants.



Left to Right: young adult, PD Melissa Wardlaw, FLY Case Manager Meredith McGrath, DA Brian Buckelew, Probation Officer Hai Nguyen, Hon. Erica Yew