



City of Austin

Recommendation for Action

File #: 25-1871, **Agenda Item #:** 44.

9/25/2025

Posting Language

Authorize execution of an interlocal agreement with the City of West Lake Hills (WLH) for a term of 12 months to facilitate availability of Austin Municipal Court's Youth Diversion Program to WLH's jurisdiction and allow WLH to refer cases to the Youth Diversion Program as part of its own youth diversion and deferral options. Funding: This item has no fiscal impact.

Lead Department

Municipal Court

Fiscal Note

This item has no fiscal impact.

For More Information:

Mary Jane Grubb, Clerk of the Court, 512-974-4690

Additional Backup Information:

In the 88th Legislative Session, HB 3186, the Texas Youth Diversion and Early Intervention Act, was passed to help identify at-risk youth and divert them away from the criminal justice system and instead connect them to services they may need. Changes to the Texas Code of Criminal Procedure encourage collaboration between governmental entities to create local and regional diversion strategies in rural and urban counties and municipalities.

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. Youth diversion is applicable for a child who is alleged to have engaged in conduct that constitutes a misdemeanor punishable by fine only, other than a traffic offense (Article 45.302 Code of Criminal Procedure). A child's participation is voluntary, requires the child to accept responsibility in the alleged conduct, and requires written consent from both the child and the parent in a diversion agreement. While a youth diversion plan is required of all municipal and justice courts, Chapter 45 allows jurisdictions to partner with each other to provide services.

As the Texas Youth Diversion and Early Intervention Act encourages collaboration between courts, this interlocal agreement will serve as a pilot program for future possible agreements with WLH and other regional courts.