

## **The Importance of Adolescent Brain Development in Relation to Franklin Hearing Evaluations: Research to Practice**

### **Level**

Intermediate

### **CE**

CPA/BBS/BRN/CJER/MCLE

### **Track**

Juvenile/Legal

### **Bio**

Nicole Vienna, PsyD

Nicole is a licensed psychologist with specialization in forensic and neuropsychological evaluations. Nicole received her PsyD in Clinical Forensic Psychology from Alliant International University, Irvine/San Diego. She also completed a now APA Accredited Pre-Doctoral Internship at the Los Angeles County Department of Mental Health Men's Forensic Outpatient Program at Twin Towers Correctional Facility, where she received specialized training in clinical and forensic psychology. Nicole completed Postdoctoral Rotations at Los Angeles County Department of Mental Health, Juvenile Justice Camps and Halls, where she received specialized training in adolescent psychological assessment and treatment. She completed a two-year post-doctorate specialization program in neuropsychology from Fielding Graduate University. Nicole is also a member of The Los Angeles County Juvenile Delinquency Expert Panel and Los Angeles Adult Criminal Panel of Psychologists.

Nicole has trained and worked in a variety of correctional and forensic settings including forensic state hospitals, county jails, juvenile hall and juvenile camps. In addition, she worked as a forensic evaluator for Gateways Conditional Release Program (CONREP) where she assessed progress in treatment and suitability for community outpatient treatment placement. She is currently in her fifth year of operating her forensic group private practice that includes another forensic psychologist, two psychological assistants, one research intern and an office administrator. Her forensic interests include youthful offender evaluations, NGRI, mitigation for high stakes sentencing evaluations, and neurodevelopmental disorders in the forensic populations.

Di Nguyen, PsyD

Di is a waived clinical psychologist with Los Angeles County Department of Health Services-Correctional Health Services. She is currently working on the Mental Health Unit providing treatment for severely mentally ill patients in the county jail system. She is also a registered psychological assistant at Vienna Psychological Group, a forensic private practice, where she assists with court-ordered juvenile cases. She recently graduated from The Wright Institute with her doctorate and received her MA and BA from John Jay College of Criminal Justice. Her background includes working with children, adolescents, and their families, justice-involved

individuals, SMI population, sex offenders and Vietnamese immigrants. In addition, she serves as a per-diem crisis line counselor on the National Suicide Prevention Lifeline.

### **Narrative**

Franklin Hearings have become common in juvenile delinquency court, especially since the passage of prop 57- where the District Attorney's Office is no longer able to directly file a petition against a minor in adult court regardless of age or seriousness of offense. Many cases are being remanded to the sentencing courts for a hearing. A plethora of requests are pouring in from defense attorneys, parole board attorneys and non-profit firms representing youthful offenders who have been given lengthy sentences and older offenders who are currently serving juvenile LWOP (Life Without Parole) or a lengthy sentence. Attorneys are in need of an expert to complete a psychological evaluation to be reviewed at a future parole hearing or upcoming parole hearing for post-conviction cases. What do you do? Where do you start?

The recentness of Franklin Hearings poses a lot of questions related to how psychological evaluations are completed in a Franklin Hearing. There has not been much training or guidance in the area. This presentation will overview the background of the Franklin and Miller case, PC 3051, the 8<sup>th</sup> amendment, the neurobiology of adolescent brain development and a look at an approach to completing a psychological evaluation for a Franklin Hearing.

### **Learning Objectives**

Describe three ways that adolescent brains are fundamentally different from adult brains.

Identify three critical periods of brain development.

Analyze and describe the 5 Miller factors.

Apply three key areas of adolescent brain development to the 5 miller factors.