

Title: Issues of Informed Consent for Research with Juvenile Detainees

Author: Emily Anderson (based on a case in Kimberly Hoagwood, Peter S. Jensen, and Celia B. Fisher, *Ethical Issues in Mental Health Research with Children and Adolescents*, Lawrence Erlbaum, 1996)

Description: Researchers assessing the service needs of juvenile detainees request a waiver of parental permission.

Headings: Decision-making Capacity, Assent, and Surrogate Permission; Waiver of parental permission; Survey and qualitative research; Minors

Case Type: Decision making

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Researchers plan to study the mental health and substance abuse service needs of juvenile detainees as well as the extent to which these needs are met. A two-phase study will be implemented within the juvenile correction system. During the first phase, detainees' diagnoses and functional impairment will be evaluated. This will be done while the juvenile is detained waiting for their hearing (usually only a few days). In the second phase, detainees will be monitored to evaluate if detainees who were diagnosed received needed services while in custody or as part of their case disposition

Because of the limited time frame that juveniles are detained before their hearing, researchers are concerned that for many potential participants, obtaining parental permission prior to the first phase of research may be difficult. Juvenile justice system staff members have noted that it is often difficult for them to contact parents during this period. Given that detainees undergo standard medical and psychological tests as part of detention, a waiver of parental permission is a possibility.

As an IRB member, would you grant a waiver of parental permission for this study? What other safeguards, if any, would you recommend?

See Hoagwood et al. (1996) for a discussion of how this case was addressed by the researchers.