

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A23-1785**

In the Matter of the Welfare of: T. R. J., Jr., Child.

**Filed July 29, 2024
Affirmed
Cochran, Judge**

Cottonwood County District Court
File No. 17-JV-23-65
Redwood County District Court
File No. 64-JV-23-99

Cathryn Middlebrook, Chief Appellate Public Defender, Chang Y. Lau, Assistant Public Defender, St. Paul, Minnesota (for appellant T.R.J., Jr.)

Keith Ellison, Attorney General, St. Paul, Minnesota; and

Nicholas Anderson, Cottonwood County Attorney, Windom, Minnesota;

Jenna Peterson, Redwood County Attorney, Redwood Falls, Minnesota; and

Travis J. Smith, Special Assistant Redwood County Attorney, Slayton, Minnesota (for respondent State of Minnesota)

Considered and decided by Larson, Presiding Judge; Cochran, Judge; and Smith, John, Judge.*

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

NONPRECEDENTIAL OPINION

COCHRAN, Judge

In this appeal from a juvenile-delinquency adjudication, appellant argues that the district court abused its discretion by adjudicating him delinquent for threats of violence without considering certain factors. We conclude that the district court properly exercised its discretion when it adjudicated appellant delinquent. We therefore affirm.

FACTS

In June 2023, respondent State of Minnesota charged 13-year-old appellant T.R.J. Jr. with felony threats of violence in violation of Minnesota Statutes section 609.713, subdivision 1 (2022). The petition alleged that T.R.J. called an unknown number and left a voicemail in which he stated, “I know you have a family because you just went on vacation with them,” and then threatened to kill the person’s family and rape the person whom he called. T.R.J. pleaded guilty to felony threats of violence. The district court then transferred the case from Redwood County, where the petition was filed, to Cottonwood County, where T.R.J. lived, for a disposition hearing.

At the disposition hearing, the state requested that the district court adjudicate T.R.J. delinquent and impose supervised probation for an indefinite period with the following conditions: perform 16 hours of community service, attend school regularly, attend therapy, maintain good behavior, avoid violating the law, and refrain from contacting the victim. Defense counsel requested that the district court continue the case without adjudication but agreed to the disposition proposed by the state.

T.R.J. and his mother testified at the hearing. T.R.J. stated that it was his first time being in trouble with the law. He said that he did not know the identity of the person whom he called and that he “never meant to do it.” He said he gets As and Bs in school, which his mother corroborated. T.R.J.’s mother said the call happened in school and that T.R.J. was “trying to be a funny guy with all the other kids.” She testified that she revoked T.R.J.’s phone privileges indefinitely and enrolled him in therapy.

At the conclusion of the disposition hearing, the district court adjudicated T.R.J. delinquent and ordered the agreed-upon disposition. Explaining its decision, the district court noted that it “see[s] a lot of terroristic threat charges” and that “the things that were said in this particular [case] are rather severe and pretty chilling.” The district court told T.R.J. that his conduct is not “something that kids normally do.” The court said it was “glad” that T.R.J. was in therapy and that T.R.J. was lucky to have a mother who takes an “active effort.” The court explained that “the goal is that we won’t see you back here for anything like this, that this is just a one-time thing” in T.R.J.’s life.

After the hearing, the district court issued a written disposition order which recited the charges, stated that T.R.J. was “convicted,” and set forth the disposition announced at the hearing. The order contained no factual findings or legal memorandum.

T.R.J. appeals.

DECISION

T.R.J. challenges the district court’s decision to adjudicate him delinquent rather than continuing the case without adjudication, arguing the district court did not “conduct the proper analysis” when it decided to adjudicate him delinquent.

Under the Minnesota Rules of Juvenile Delinquency Procedure, for “each of the charges found by the [district] court to be proved, the court shall either: (A) adjudicate the child delinquent . . . or (B) continue the case without adjudicating the child delinquent.” Minn. R. Juv. Delinq. P. 15.05, subd. 1. We review a district court’s decision to adjudicate a juvenile delinquent for abuse of discretion. *In re Welfare of C.A.R.*, 941 N.W.2d 420, 422 (Minn. App. 2020), *rev. denied* (Minn. May 19, 2020). District courts have broad discretion in determining whether to adjudicate or continue without adjudication. *Id.*

T.R.J. argues the district court abused its discretion in two ways. We address each argument in turn.

I. The district court did not abuse its discretion by deciding whether to adjudicate without expressly considering T.R.J.’s best interests and public safety.

T.R.J. first argues that the district court abused its discretion when it did not expressly consider whether a continuance without adjudication was in T.R.J.’s best interests and in the interests of public safety. This argument is unavailing.

When charges against a juvenile have been proved, a district court has the authority to adjudicate the juvenile delinquent. Minn. R. Juv. Delinq. P. 15.05, subd. 1. A district court “may” also continue a juvenile case without adjudication “[w]hen it is in the best interests of the child and not inimical to public safety.” *Id.*, subd. 4(a); Minn. Stat. § 260B.198, subd. 7(a) (2022). But a district court is not required to make particularized findings regarding its decision to “impose or withhold adjudication of delinquency.” *In re Welfare of J.L.Y.*, 596 N.W.2d 692, 695 (Minn. App. 1999), *rev. granted* (Minn. Sept. 28, 1999) and *ord. granting rev. vacated* (Minn. Feb. 15, 2000).

Because the district court was not required to make findings regarding best interests or public safety when adjudicating T.R.J. delinquent, we discern no abuse of discretion on that basis. As this court explained in *J.L.Y.*, “[i]mposing an adjudication within the limits prescribed by the legislature is not an abuse of discretion.” *Id.*

To convince us otherwise, T.R.J. analogizes this case to two adult criminal cases decided by this court in which we concluded that the district court failed to properly exercise its sentencing discretion. In *State v. Curtiss*, we concluded that the district court failed to exercise its discretion because it declined to weigh defendant’s stated reasons for his requested sentencing departure. 353 N.W.2d 262, 264 (Minn. App. 1984). And in *State v. Mendoza*, we held that the district court erred in denying a sentencing departure because it improperly considered collateral consequences—specifically, the co-defendants’ immigration status and possible deportation. 638 N.W.2d 480, 484 (Minn. App. 2002), *rev. denied* (Minn. Apr. 16, 2002).

Relying on *Curtiss* and *Mendoza*, T.R.J. argues that the district court abused its discretion because it did not adequately consider his best interests when it decided to adjudicate him. To support his argument, he asserts “it was certainly in [T.R.J.’s] best interest to avoid having a juvenile delinquency adjudication” because an adjudication “can result in collateral consequences.” T.R.J. also contends that the district court did not consider public-safety related factors in determining whether to adjudicate or continue the case, including T.R.J.’s juvenile-delinquency history, his likelihood to reoffend, and his mother’s proactive actions in enrolling T.R.J. in therapy and taking his phone away.

While we understand T.R.J.’s concerns about potential collateral consequences of an adjudication, we are not persuaded that T.R.J. has demonstrated that the district court abused its discretion. First, T.R.J. did not raise his argument about collateral consequences before the district court. Because the argument was not raised below, we decline to consider it on appeal. *In re Welfare of I.N.A.*, 902 N.W.2d 635, 639 (Minn. App. 2017) (“Ordinarily, appellate courts will not decide issues which were not raised before the district court.” (quotation omitted)), *rev. denied* (Minn. Nov. 28, 2017). Second, we disagree that the district court did not consider T.R.J.’s juvenile-delinquency history, his likelihood to reoffend, and his mother’s actions. The record reflects that the district court acknowledged that this offense was T.R.J.’s first offense and that his mother had been proactive. The district court also stated that the “goal” of its decision was to prevent T.R.J. from reoffending. Moreover, the district court considered the severity of the offense, which is probative of the public safety implications of adjudication. *Cf. C.A.R.*, 941 N.W.2d at 423 (affirming decision to adjudicate when district court considered “seriousness” of a new offense). Through its consideration of these facts, the court weighed the arguments for and against the two alternatives presented—adjudication or continuing the case—and decided to adjudicate T.R.J. delinquent, a decision which is well within its discretion. *See* Minn. R. Juv. Delinq. P. 15.05, subd. 1; Minn. Stat. § 260B.198, subd. 7(a).

We also are not persuaded by T.R.J.’s reliance on *Curtiss* and *Mendoza* for other reasons. First, those cases involve sentencing questions arising under a different legal framework applicable to adults. *See Curtiss*, 353 N.W.2d at 262; *Mendoza*, 638 N.W.2d at 480. Furthermore, the cases cited are factually distinguishable. In this case, unlike in

Curtiss, the district court did consider the arguments when it adjudicated T.R.J. delinquent. *See* 353 N.W.2d at 263-64. This is not a case where the district court “erred in putting aside” the defendant’s arguments. *Id.* at 264. And, unlike in *Mendoza*, T.R.J. does not contend that the district court considered any improper factors, like immigration status and potential deportation, in deciding to adjudicate him delinquent. 638 N.W.2d at 483-84. Finally, we note that T.R.J. cites no cases involving a juvenile adjudication in support of his argument. For these reasons, we reject T.R.J.’s argument that the district court abused its discretion by not expressly considering T.R.J.’s best interests and public safety when it adjudicated T.R.J. delinquent.

II. The district court did not abuse its discretion by declining to consider whether adjudication was necessary and proportional to restore T.R.J. to law-abiding conduct.

T.R.J. also argues that the district court abused its discretion because it did not consider whether adjudication was necessary and proportional to his circumstances. In support of his argument, he relies on Minnesota Rule of Juvenile Delinquency Procedure 15.05, subdivision 2, which requires a district court to address factors relating to necessity and proportionality when imposing a disposition. *See also* Minn. Stat. § 260B.198, subd. 1(b) (2022).

T.R.J. seems to conflate the standard for adjudications and dispositions. We have held that “[e]ach constitutes a distinct inquiry.” *In re Welfare of J.R.Z.*, 648 N.W.2d 241, 246 (Minn. App. 2002). In the adjudication inquiry, the district court may adjudicate the juvenile delinquent or continue the case without adjudication. Minn. R. Juv. Delinq. P. 15.05, subd. 1. The disposition inquiry occurs once the district court has decided either to

adjudicate the juvenile delinquent or to continue the case. Minn. Stat. § 260B.198, subd. 1(a), subd. 7(a) (2022); Minn. R. Juv. Delinq. P. 15.05, subd. 2. The disposition can include probation, counseling, or other outcomes listed in Minnesota Statutes section 260B.198, subdivision 1(a). In imposing a disposition, the district court must issue written findings of fact supporting the disposition and “consider . . . established principles of dispositions,” including whether the disposition is necessary to restore law-abiding conduct and whether the disposition is proportional to the child’s circumstances. Minn. R. Juv. Delinq. P. 15.05, subd. 2(B).

We conclude that T.R.J.’s argument—that the district court abused its discretion by adjudicating delinquent without considering whether adjudication was necessary and proportional to his circumstances—is not persuasive because his argument relies solely on rule 15.05, subdivision 2. As discussed above, rule 15.05, subdivision 2, does not apply to adjudications. *J.L.Y.*, 596 N.W.2d at 695. Rather, rule 15.05, subdivision 2, applies to dispositions. And nothing in rule 15.05, subdivision 1, which applies to adjudications, requires consideration of necessity or proportionality. Accordingly, the district court did not abuse its discretion by adjudicating T.R.J. delinquent without explaining why adjudication was necessary and proportional.¹

¹ In its disposition order, the district court did not include written factual findings about why the disposition ordered is necessary and proportional to restore T.R.J. to law-abiding conduct. Written dispositional findings “are essential to meaningful appellate review,” and failure to make sufficient written findings constitutes reversible error. *In re Welfare of N.T.K.*, 619 N.W.2d 209, 211-12 (Minn. App. 2000); *see also* Minn. Stat. § 260B.198, subd. 1(b) (requiring order with written findings of fact to support the disposition, including why the best interests of the child are served and what alternatives were

Conclusion

In sum, the district court's adjudication of T.R.J.'s delinquency was a valid exercise of the discretion afforded to it under Minnesota Rule of Juvenile Delinquency Procedure 15.05. While there may have been reasons to continue the case without adjudication, the district court implicitly considered those reasons in deciding to adjudicate. The district court was not required to issue "particularized findings" supporting its adjudication decision regarding T.R.J.'s best interests or public safety. *See J.L.Y.*, 596 N.W.2d at 695. Nor did the district court abuse its discretion by not explaining whether adjudication was necessary and proportional because no such requirement exists for adjudications. Minn. R. Juv. Delinq. P. 15.05, subd. 1; *see also J.R.Z.*, 648 N.W.2d at 245-46. We therefore conclude that the district court did not abuse its "broad discretion" in adjudicating T.R.J. delinquent. *C.A.R.*, 941 N.W.2d at 422 (quotation omitted).

Affirmed.

considered); Minn. R. Juv. Delinq. P. 15.05, subd. 2 (setting out requirement of findings). T.R.J. agreed to the disposition at the hearing. On appeal, he does not assign error to the district court's failure to make findings regarding the disposition, and we will not do so on our own volition. *See State v. Butcher*, 563 N.W.2d 776, 780-81 (Minn. App. 1997) (noting that inadequately briefed issues are waived), *rev. denied* (Minn. Aug. 5, 1997).