

Teen Courts

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Phase III Project

EXECUTIVE SUMMARY

The National Law-Related Education Resource Center (NLRC) of the American Bar Association addressed the issue of Teen Court in 1991. Since that time, the number of Teen Courts in this nation has grown from six to three hundred. The rapid growth of Teen Court programs is an indication that Juvenile Justice Systems across the nation have recognized the need to institute alternative programs to solve the problem of juvenile delinquency, and determined that Teen Courts are the answer to that need. Teen Court as a viable solution to juvenile delinquency is more evident by the number of varying groups that are developing Teen Court programs. Many of these programs are being instituted by a wide variety of groups and individuals without a central linking organization.

"Teen Court" is a general term that describes courts that utilize juveniles as court members. The model of Teen Court that a program uses varies but the basic premise is the same. Teen Courts use juveniles to sentence juveniles. In most of the programs, the teens serve as defense and prosecuting attorneys, bailiffs, clerks, other court officers, and jurors. In most programs, the only adults that participate in the trial are the presiding judge, the program coordinator, and the defendant's parents. The trials are for juveniles and are run by juveniles.

Most Teen Courts are sentencing agencies. The defendant must first admit their guilt and agree to accept the sentencing of the Teen Court before they are allowed to participate in the program. Since they must acknowledge their guilt, no teen can participate in the Teen Court program without the permission and cooperation of their parents or guardians.

The model type of Teen Court program that an area uses determines how a juvenile is introduced to the process. There are various models of Teen Court programs that are described later in this paper that are of three basic types: Juvenile Justice Based Teen Court Programs, where youths are referred to the program by the Juvenile Justice System; School Based Teen Court Programs, which are administered by school systems and receive referrals of juveniles with school related violations; and Community Based Teen Court programs, which are run by community and civic organizations. These referrals can come from a variety of sources. Each type of program will be examined and analyzed.

A defendant in the Teen Court program is assigned a defense attorney. This attorney is also a juvenile who has undertaken several hours of training in order to participate in the process. Everyone involved in the Teen Court programs must undergo intensive training as a condition of participation. Although some school curriculums include Teen Court training, most of the programs mandate training on a volunteer basis and during non-school hours. The Teen Court trials are also conducted during non-school hours.

Once a defendant's case is presented, the jury deliberates and renders a sentence. Most of the programs utilize community service as the basis of their sentencing process. Many Teen Court programs also require that the defendant agree to participate in a number of future Teen Court trials as a part of their sentence. These defendants are required to undergo the same training that their case jurors did. This helps to develop accountability in the youth as well as instilling a valuable lesson in him or her.

If a defendant successfully completes his/her sentence, then he/she will not have a criminal record. The various programs have their own manner of dealing with defendants that fail or refuse to adhere to their sentence. This is discussed in the sentencing section of this paper.

Although Teen Court is a new concept, the general agreement is that it is a novel and successful idea. Teen Courts enable first time misdemeanor offenders to avoid a criminal record, accept responsibility for his/her actions and make amends to the community. The following pages examine the types and models of Teen Courts across the nation and how they are serving out youth and society.

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