

Teen Courts

by Robin Kimbrough-Melton

Teen courts, also known as peer courts and youth courts, are an alternative to traditional juvenile court for relatively young, less serious juvenile offenders. Juveniles who have committed low level offenses (e.g., underage drinking, theft, misdemeanor assault, disorderly conduct, and vandalism, etc.) are diverted from the traditional juvenile court to a teen court. In a teen court, the roles of attorneys, court clerk, bailiff, jurors, and sometimes the judge, are filled by youth. However, teen courts are usually administered by adults. This fact sheet describes the underlying philosophy of teen court programs, variations in the teen court model, who is appropriate for teen courts, and initial steps in determining whether a teen court program is appropriate for your community.

The effects of delinquency and substance abuse can be devastating to teens, their families, and their communities. By intervening early with troubled youth, teen courts attempt to help youth who are engaging in problem behaviors pursue a path that will lead to their becoming more responsible and productive citizens. Teen courts do more than simply punish by holding youth accountable for their actions; teen courts also help youth develop necessary skills. Most teen courts are designed to:¹

- help youth understand that their problem behavior has consequences and that they will be held accountable;
- enhance the development of youth's skills (e.g., ability to communicate effectively, solve problems, listen, and resolve conflicts);

- teach youth that their actions have an impact on themselves and others (e.g, victims and the community); and
- provide an opportunity for youth to practice and enhance newly developed skills.

Many teen courts are beginning to stress principles of restorative justice, a concept that emphasizes repairing the harm that has occurred as a result of the delinquent act and rebuilding relationships (e.g., between the youth and his or her family, victims, friends, and the community) through a process that involves stakeholders in an active and respectful way, while stressing the community's role in problem-solving.²

Teen courts that use a restorative justice approach are more likely to be effective in building connections between youth and adults while providing youth with opportunities to increase their skills and to participate in a meaningful way in their community.

Types of teen court programs:

Teen courts vary in their structure and in the agency that administers the program. Four types of teen courts are in use:³

- **Adult judge model** – An adult serves as judge and is responsible for decisions related to legal terminology and courtroom procedure. Youth serve as attorneys, jurors, clerks, bailiffs, etc. This model is the most commonly used.
- **Youth judge model** – This model is the same as the

adult judge model except that a youth serves as the judge.

- Tribunal model – In this model, youth attorneys present the case to a panel of three youth judges. The panel decides the appropriate disposition for the offending youth.
- Peer jury model – This model does not use youth attorneys. Rather, the case is presented to a youth jury by a youth or adult. Members of the youth jury question the offending youth directly.

Most teen courts are administered by juvenile courts and private nonprofit organizations. Others are administered by various agencies as indicated by the following:

- juvenile courts (29%)
- private nonprofit organization (29%)
- juvenile probation (17%)
- law enforcement agency (17%)
- school (10%)
- other (e.g., city government, administrative office of the courts) (22%).

The agency administering the program also is usually responsible for budgeting, planning, and personnel. They may also supervise the courtroom activities and coordinate community service placements.

What is a common profile of a juvenile offender in teen court?

Teen courts are most frequently used for:

- Younger juveniles (ages 10-15);
- Juveniles with no prior arrests;
- Youth with no prior referrals to juvenile court; and
- Youth with less serious law violations (e.g., theft [such as shoplifting], vandalism, minor assault, school disciplinary problems, alcohol and marijuana possession and use, and disorderly conduct).

What types of dispositions are used?

Community service is the most frequently used disposition. About 99% of all teen court programs report that community service is used “often” or “very often.”⁴ Other dispositions used include:

- victim apology letters (86%)
- apology essays (79%)
- teen court jury duty (75%)
- drug/alcohol classes (59%)
- monetary restitution (34%).

How is the community involved in teen courts?

Community members are often involved in teen courts in several ways. First, community members may volunteer to mentor both the youth offenders and the volunteer youth who are participating in the teen court. Second, community members can help develop community service options for the youth offenders that are meaningful and that help strengthen a youth’s connections to other adults. Third, the community can help develop recognition events for the teen court volunteers and for youth offenders who have successfully completed their sentences. Finally, community members can help gather statements describing the impact of the delinquent act on business owners, victims, family, and friends.

The involvement of the legal community, especially the judiciary, appears to be important to the successful functioning of a teen court. Surveys of existing teen court programs have demonstrated that the involvement of the legal community is particularly important to securing and sustaining funding for the program.

Do teen courts work?

The majority of teen court programs are less than 5 years old, therefore evaluation studies are lacking on these programs.

The impact of teen courts on recidivism is mixed at best. However, the lack of well-designed evaluation studies makes it difficult to draw conclusions.

In addition to recidivism as an outcome, several studies have suggested that teen courts may have effects on youth other than reduced recidivism.⁵ For example, studies have suggested that teen courts affect client satisfaction with the teen court experience. Youth participating in teen courts reported that the experience increased their understanding of the legal system, helped them improve their behavior, helped them become more responsible and helped them make more thoughtful decisions.⁶ Some teens also reported improved communication with their parents and improved grades in school.

A national evaluation of four teen courts is currently underway. Results are expected to be released sometime during the year (2001).

How do you begin to implement a teen court?

Designing and implementing a teen court requires securing support from the key legal practitioners, developing an operational design, recruiting and training youth to participate, hiring staff (usually a coordinator), and obtaining funding. Some key steps can be taken to begin the process:

- (1) Form a planning/advisory committee – recruit key stakeholders who have knowledge and skills needed during the planning/implementation process.
- (2) Compile information about the teen court concept, including information on various programs (it's particularly helpful to research existing programs in your state).
- (3) Secure support from the family/juvenile court judge in your community.
- (4) Determine how low-level offenders are currently handled by the legal system in your jurisdiction (e.g., Is there a need for a teen court? What happens to youth when they are arrested for low level offenses? What types of dispositions do youth receive? What is the recidivism rate for low-level offenders?)
- (5) Identify tasks to be addressed during the planning process;
- (6) Create subcommittees and/or task forces to begin completing tasks.

As with any program, the process of designing and implementing the program requires careful attention to articulating goals and objectives and developing a design with

broad-based community support. For more information on planning a teen court, contact:

National Center on Rural Justice and Crime Prevention, 864-656-6285, www.clemson.edu/ncrj

National Youth Court Center at the American Parole and Probation Association, 859-244-8215; www.youthcourt.net.

The National Center on Rural Justice and Crime Prevention seeks to stimulate the development of partnerships between local justice systems (e.g., law enforcement, courts, prosecutors) and residents, organizations, and institutions in rural communities and small towns to prevent and reduce crime and violence. The Center focuses on research, education, technical assistance, and information dissemination.

Endnotes

¹. Godwin, T. M. (1998). *Peer justice and youth empowerment: An implementation guide for teen court programs*. Lexington, KY: American Probation and Parole Association.

². Godwin, T. M. (2001). *The role of restorative justice in teen courts: A preliminary look*. Lexington, KY: American Probation and Parole Association.

³. Butts, J., Hoffman, D., & Buck, J. (Oct. 1999). Teen courts in the United States: A profile of current programs. *OJJDP Fact Sheet, #118*. Washington, DC: Office of Juvenile Justice & Delinquency Prevention.

⁴. Butts, Hoffman, et. al., 1999.

⁵. Butts, J. A. & Buck, J. (October 2000). Teen courts: A focus on research. *Juvenile Justice Bulletin*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

⁶. Butts & Buck, (2000).

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