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FACT SHEET

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Collaborative Justice Projects and Tribal Courts

Collaborative justice courts—also known as problem-solving courts—promote accountability by combining judicial supervision with rehabilitation services that are rigorously monitored and focused on recovery. These courts are distinguished by the following elements: a problem-solving focus, a team approach to decisionmaking, integration of social and treatment services, judicial supervision of the treatment process, community outreach, direct interaction between litigants and judge, and a proactive role for the judge inside and outside the courtroom.

Tribal Court Collaborative Justice Projects

Peer and other collaborative justice courts

Peer court, also called youth or teen court, is an exciting model that provides real consequences for juvenile offenders and involves teen volunteers and former defendants in the court process. A youth charged with an offense opts to forgo the hearing and sentencing procedures of the juvenile courts and agrees to a sentencing forum with a jury of the youth's peers—other teens who have been trained to assume various roles, including those of attorneys, court staff and, most importantly, jurors who determine the fate of the offenders. A motivational factor for juvenile offenders to participate in the youth court program is avoiding a criminal record while still being held accountable for their actions. Peer courts are youth focused and driven and are designed and operated to empower youth.

Administrative Office of the Courts (AOC) staff assist tribal courts in developing collaborative justice court programs such as peer courts. Staff also worked with the tribal communities to support attendance at the annual Youth Court Summit, a statewide conference for courts or youth involved in peer court programs. Technical support is available to tribal communities seeking to develop or enhance their tribal court system's peer court.

Other collaborative justice courts include wellness courts, community courts, and mental health courts—all based on the drug court model and collaborative justice court principles may be implemented as part of tribal courts. Collaborative justice court principles include incorporating a team-based, nonadversarial approach to adjudicating court cases, addressing the underlying issues that lead a defendant into the court system in a manner that reflects cultural competency.

Technical assistance

The AOC is partnering with local and national entities, such as the Center for Court Innovation, for technical assistance to develop needs assessments and planning meetings with tribal courts and neighboring superior courts to apply problem-solving, collaborative court principles.

Real DUI Court in Schools program

The Real DUI Court in Schools program conducts live driving under the influence (DUI) trials and sentencings in California middle and high schools, providing students with the opportunity to see up close the consequences of DUI to individual drivers, crash victims, and local communities.

The AOC has partnered with the National Indian Justice Center to provide workshops for youth, tribal leaders, and tribal court staff. Training and technical assistance is available for tribal court judges and tribal courts interested in the program.

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Additional resources:

Center for Court Innovation, www.courtinnovation.org/index.cfm

Collaborative Justice Courts, www.courtinfo.ca.gov/programs/collab/