

California Youth Courts: A Toolkit and Planning Guide

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- National Association of Youth Courts, Inc.

How To Use This Toolkit

Youth courts are an effective diversion program and a useful tool in addressing truancy and discipline issues. At the same time, youth court programs provide youth the opportunity to accept responsibility for their actions and make reparation through the use of restorative interventions.

With an increased interest in promoting the quality of youth court work and in creating new youth court programs, the Juvenile Subcommittee of the Collaborative Justice Courts Advisory Committee produced this toolkit and guide with the expectation that it would help existing youth courts document, standardize, and maintain the high quality of their programs, and help others interested in starting a successful youth court program.

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AN OVERVIEW OF YOUTH COURTS

Youth courts have grown significantly since their inception in the early 1980s in Odessa, Texas. In the late 1980s, California began its first youth courts in Humboldt and Contra Costa Counties. By 2006, there were over 1,250 youth courts nationwide, serving up to 125,000 youth respondents and employing over 100,000 youth volunteers.¹ In California alone, there are over 80 youth courts today.

The rapid growth of youth courts is due in large part to their success, but also because of the support of the federal government and other national organizations. In August 1995, the American Bar Association House of Delegates adopted the following policy statement:

RESOLVED, That the American Bar Association encourages state and territorial legislatures, court systems, and bar associations to support and assist in the formation and expansion of diversionary programs, known as Youth Courts, where juvenile participants, under supervision of volunteer attorneys and advisory staff, act as judges, jurors, clerks, bailiffs, and counsel for first time juvenile offenders who are charged with misdemeanors and consent to the program.²



And in 2001, a resolution was made before the U.S. Congress supporting the National Youth Court Initiative at the Office of Juvenile Justice and Delinquency Prevention (OJJDP), U.S. Department of Justice. As of November 2001, 45 states had youth court programs, and 25 states enacted legislation specifically addressing youth court.³

Youth court is a diversion program for first-time, nonviolent youth who are charged with an offense, and engages youth volunteers to assist their peers

who have committed a delinquent act or other at-risk problem behavior, and where adult and youth volunteers collaborate to achieve the goals of restoring justice to the victims, respondents, and their community. Moreover, these young adults are learning about civic engagement and how the justice system works.

¹ Heather A. Cole and Julian Vasquez Heilig, "Developing a School-Based Youth Court: A Potential Alternative to the School to Prison Pipeline" (Apr. 2011) 40(2) *Journal of Law and Education* 305.

² Margaret E. Fisher, *Youth Courts: Young People Delivering Justice* (American Bar Association, Mar. 2002).

³ National Association of Youth Courts, Inc., "Youth Court Legislation" (undated), www.youthcourt.net/youth-courts-in-usa/youth-court-legislation.

In youth court, juvenile respondents can avoid a criminal record while still being held accountable for their actions. Youth are encouraged to take responsibility for their actions, make restitution where needed, and to be held accountable. Positive peer pressure is used in youth court to help influence adolescent behavior.

Youth court highlights the important role that peers have in youth decision-making and are designed to empower youth to be leaders and engage in civic responsibility. After successful completion of the youth court sentence, the youth usually exits the program and has no official juvenile court record.



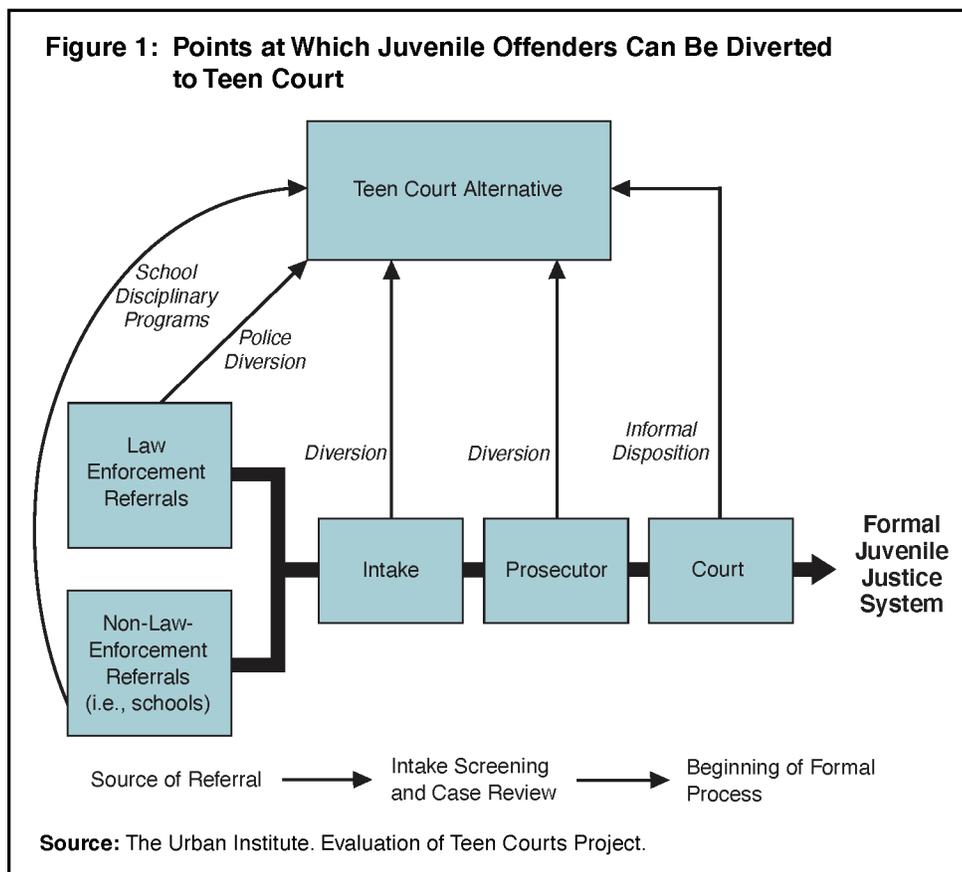
While youth courts have evolved over the years, many of the same guiding principles are still relevant. Today's youth court programs, however, have become increasingly aware of how trauma in the life of a youth can shape their behavior. For this reason, it is crucial that youth courts integrate trauma-informed practices, restorative principles, and cultural sensitivity into their youth court proceedings.

Generally, youth court is used for juveniles who have been charged with minor violations such as shoplifting, vandalism, truancy, or disorderly conduct. Youth respondents are given the choice to voluntarily participate in teen court in place of more formal handling of their cases by the traditional juvenile court. (See figure 1 below.)

Teen court and other juvenile justice programs differ in that it is youth, rather than adults, who determine the disposition. In most youth courts, respondents go through an intake process, a preliminary review of charges, the court hearing, and sentencing just as they would in a traditional juvenile court. The big difference is that youth are responsible for much of the process.

Teen courts handle offenses that would normally be sent for prosecution in juvenile court, traffic court, or school disciplinary action. Youth who participate in teen court receive training to make them eligible to serve in various court positions: judge, bailiff, community advocate, defense attorney, prosecuting attorney, or juror.

Once the case is heard in youth court, the youth jury deliberates and creates a constructive sentence that incorporates accountability with resources. The youth court staff offers a list of community service options, in addition to determining a specific number of hours that the jurors feel is an appropriate match to the offense. Most youth courts have mandatory sentences for all respondents: to serve as a future juror, obey all laws and school rules including dress code, and maintain regular school attendance.⁴



From Jeffrey A. Butts & Janeen Buck, "Teen Courts: A Focus on Research" (Oct. 2000) *OJJDP Juvenile Justice Bulletin*.

⁴Fresno County Youth Court Program, revised 2019.

Youth court programs are operated and administered by juvenile courts, juvenile probation departments, law enforcement, private nonprofit organizations, and schools:

- Approximately 42 percent of youth court programs in operation are juvenile justice system-based programs;
- Approximately 22 percent of youth court programs are community-based and are incorporated as, or operated by, private nonprofit organizations; and
- Approximately 36 percent of youth court programs are school-based.⁵

⁵National Association of Youth Courts, Inc., “Youth Courts: Facts & Stats” (undated), www.youthcourt.net/about/facts-and-stats.

YOUTH COURT EFFECTIVENESS

The San Bernardino Restorative Youth Court began in 2015. Established by the San Bernardino City Unified School District, the goal of their youth court is to use restorative justice principles when responding to student misconduct in schools. The youth court was followed for one school year, and in 2016 an article was published documenting the first year of operation and addressing questions about the benefit of youth court. Early findings indicate that the rate of recidivism for those youth who completed the youth court program is 7.8 percent. Youth who did not complete the program are 4.76 times as likely to be suspended again as those who do complete the program.⁶



Expulsion and suspension rates were extremely high in the San Bernardino City Unified School District (1,500 students suspended and 800 students up for expulsion). By using restorative justice principles in youth court, students have a way to restore their standing in school and the community. Using the punitive approach does not engage students to reflect on their own actions. But the restorative approach expects students to reflect on what they have done and learn from the mistakes they have made.⁷

For additional information on this study, see *“The First Year of the San Bernardino Restorative Youth Court”* (2016) in *Wisdom in Education*, Vol. 9, Issue 1, Article 2.

As a follow-up to the initial study done in 2016, interviews were conducted with graduates of the San Bernardino Restorative Youth Court program. The interviews generated opinions of how the youth viewed their experiences. Participants considered their youth court experiences as life-changing and felt that the dispositions were fair. The presence of their parents in the hearings affected the youth, but more importantly, being judged by their peers is what led to a change. After being participants in youth court, the youth took their responsibility seriously when it was their turn to be jurors, and in doing so affected how they thought about their own cases.⁸

⁶ John M. Winslade, “The First Year of the San Bernardino Restorative Youth Court” (2016) *Wisdom in Education*, Vol. 6, Issue 2, Article 1, <https://scholarworks.lib.csusb.edu/wie/vol6/iss2/1>.

⁷ *Ibid.*

⁸ John M. Winslade, “What Participants Say about the San Bernardino USD’s Restorative Youth Court Program” (2019) *Wisdom in Education*, Vol. 9, Issue 1, Article 2, <https://scholarworks.lib.csusb.edu/wie/vol9/iss1/2>.

In 2016, a one-year statewide survey of California youth courts was done and a report prepared for the Judicial Council's Center for Families, Children and the Courts.⁹ This survey provided high-level, systemic data and an analysis of youth courts. Previous research done on youth courts in California focused on operations and outcomes of individual courts, which vary considerably from county to county.¹⁰

With a 60 percent completion rate, the survey responses confirmed that there are significant differences among youth courts in terms of operations and funding. The survey included a list of policy recommendations that combined quantitative analysis and review of recent literature that could increase the impact California youth courts have on their participants and their communities. These policy recommendations included the following:

- Bring California youth courts into greater alignment with evidence-based practices;
- Build the base of evidence for youth courts;
- Target youth most likely to be overrepresented in the juvenile justice system; and
- Expand multiagency collaborations.¹¹

As previously stated, there are over 1,250 youth courts nationwide, serving up to 125,000 youth respondents and employing over 100,000 youth volunteers¹² while offering youth hands-on leadership and citizenship training.



Youth courts are diverting juvenile arrests that would otherwise be handled by the traditional juvenile court system, which is already overburdened with more serious cases. By fostering a culture of service and civic engagement, youth court programs facilitate a greater understanding of the justice system, help reduce crime in the community, and aid in decreasing the number of youths caught up in the school-to-prison pipeline. If youth courts divert an estimated 9

percent of the arrests that would normally end up in juvenile court while also achieving high completion rates, reducing the backlog at the juvenile courts without increasing the recidivism rate may be the best impact of youth courts on the juvenile justice system.¹³



⁹ Shalyn Pugh-Davis, *Evaluating California's Youth Courts* (Mills College Public Policy Program master's policy report, 2016), prepared for the Center for Families, Children & the Courts, Judicial Council of California, www.courts.ca.gov/documents/cycguide_extendedexecutivesummary.pdf.

¹⁰ *Id.* at p. 4.

¹¹ *Id.* at p. 8.

¹² Heather A. Cole and Julian Vasquez Heilig, *supra* note 1.

¹³ Sarah S. Pearson and Sonia Jurich, *Youth Court: A Community Solution for Embracing At-Risk Youth* (American Youth Policy Forum, 2015), pp. 16–17, https://youthcourt.net/Youth_Court-A_Community_Solution.pdf.

PROGRAM PLANNING AND COMMUNITY MOBILIZATION

Planning is key to a successful program in development, but also can be helpful for existing youth courts that would like to enhance or initiate new program practices and operations. While it is possible to develop a youth court without any partners, it would be much more effective if the development and operation of a youth court were done as a collaborative effort.

When developing your team, youth courts will need to define their community, involving people who will have a stake in the community and for program success. Who should be part of the stakeholder team? What topics need to be included when developing a program? The following guidelines will aid organizers as they plan and implement their programs, and assist program organizers and staff in engaging community stakeholders more effectively.

Impetus for starting a youth court

Youth courts are designed to educate youth about the juvenile justice system while addressing each juvenile's accountability to his or her community, school, and peers. They highlight the important role that peers have in youth decision-making and can be useful in addressing truancy and discipline issues in school while at the same time empower youth to be leaders and engage in civic responsibility. It is the needs of the community that will drive the impetus for starting a youth court program.

In June 2019, staff to the Juvenile Subcommittee of the Judicial Council's Collaborative Justice Courts Advisory Committee conducted a focus group made up of seven youth court directors from both Northern and Southern California in which they asked a series of questions related to creating a youth court. Questions included topics such as program planning, staffing, referrals, scheduling, funding, engaging youth, case types, sanctions, case scheduling, data collection, parental involvement, and confidentiality—all factors to take into consideration in deciding if and how to start a youth court. Several common themes emerged from all of the courts that participated in the focus group, specifically, the importance of collaboration, trauma-informed sentencing, reducing the number of system-involved youth, and some basic guidelines that were helpful in creating an effective youth court model.

Who are the stakeholders? Who is on the planning team?

As with any new program, key stakeholders collaborate to discuss the purpose and vision for the program, making sure that the needs of the community will be met. It is imperative to build partnerships and involve certain agencies and people during the development of the program: youth, the juvenile court, district attorney, public defender, schools, probation/law enforcement, bar associations, and the community. In addition, because community and program needs evolve over time, existing programs should review and update their list of key stakeholders and stakeholder analysis.

- **Juvenile court.** Including a juvenile court judge who believes in the program’s purpose and vision can make or break the program. The juvenile court judge has the ability to bring people together—even those with differing ideas—and establish compromises that move the project along.
- **Schools.** Collaboration between schools and the courts will help ensure a continued flow of youth jurors, attorneys, bailiffs, and other youth court participants needed to sustain the continued operation of the program, as well as being a source for referrals.
- **District attorney.** Developing a good relationship early on with a district attorney who believes in the program can determine whether the program will be successful. There are people in the law enforcement community who may believe that the youth court program is not tough enough on juveniles who are charged with an offense.

It is imperative to build partnerships and involve certain agencies and people during the development of the program.



- **Public defender/private defense counsel.** The public defender needs to be a leader in the criminal defense community. Even though youth courts abide by a degree of procedural justice, appropriate precautions need to be in place for youth who participate in the program because youth respondents are often asked to surrender some of their rights in exchange for their participation in the youth court program.
- **Probation/law enforcement.** Probation has responsibility for making decisions on the disposition of most low-level juvenile offenses. The youth court program will not be successful without collaboration with the probation department. Probation also has a good understanding of laws affecting juvenile crime and can help in the creation of resources to correct the juvenile’s improper behavior. School resource officers and law enforcement who may have funds or resources earmarked for juvenile cases can also make useful contributions to the youth court program.¹⁴
- **Others.** Some jurisdictions include the fire department, faith-based organizations, and mental health professionals in the early stages of developing a youth court.

¹⁴ Placer County Peer Court, *Creating Youth Courts in California* (undated), available at www.courts.ca.gov/documents/cycguide_PlacerCountyHandbook.pdf.



Memorandum of understanding (MOU)

Because of budgetary constraints and limited staff expertise, an agreement with other organizations in the community should be reached for the management of the youth court. Youth court programs need to create partnerships with other agencies, programs, and organizations in their community that will enhance the youth court program's operations. When direct services with other partners are being exchanged, the agreement should be placed in writing. This agreement, such as an MOU, should address key issues associated with the formation and operation of the youth court program.

Program organizers and staff should be sensitive to cultural differences and facilitate an environment that seeks and welcomes the diversity of the community among its stakeholders and volunteers.

For additional information on MOUs and issues that may be addressed, as well as a sample MOU, see Boys & Girls Club of the Redwoods *Teen Court MOU*.

Budget and funding

It is important to factor in basic annual expenses and revenue for the youth court program. Some costs to consider when creating a budget are materials associated with training such as classroom supplies or copies of handouts, facility costs if you are renting space, or optional costs for badges, shirts, or special events such as graduations. It is not necessary at this point to include a detailed budget outlining salary information; that can be factored in at a later time.¹⁵

For a sample annual budget and information on screening cases, see *Creating a Youth Court Operations Manual: A Guide for Practitioners and Planners* (Center for Court Innovation, 2012).

Based on a 2011 National Association of Youth Courts survey, the chart below lists where potential funding may be found for creating and sustaining your youth court.

¹⁵ Center for Court Innovation, *Creating a Youth Court Operations Manual: A Guide for Practitioners and Planners* (2012), p. 6, www.courtinnovation.org/sites/default/files/documents/Youth_Court_Operations_Manual.pdf.

YOUTH COURT FUNDING

City or County Municipality	42.86%
Community-Based Organization	16.43%
District/City Attorney's Office	3.57%
Government Grant	30.71%
Juvenile Probation	10.71%
Juvenile or Superior Court	7.14%
Private Donations	25.71%
Private Foundation Grant	20.71%
Schools	7.14%
Other	27.14%
Total Respondents: 140	

Source: National Association of Youth Courts survey (2011), www.youthcourt.net.

The National Youth Court Center gathered budget information from their database for participating youth court programs to estimate the average cost for youth court programs. The information available to them at the time was outdated (2002 or older), so they included an additional five percent annual increase for each program to get a more accurate estimate. The five percent annual budget increase was almost certainly an over-estimation of actual costs, since several programs suggested that they cut their budgets from year to year. That said, the average yearly budget for youth courts (in 2005) was about \$49,000, which is a “per youth served” cost of approximately \$430 and a “per youth completing sanctions” cost of \$480.24.¹⁶ Using the same calculations today of adding a five percent budget increase from 2005 to 2020, the average annual cost for youth court operations would be \$87,500 in 2020.

It has always been a challenge for youth courts to be financially sustainable with only one source of funding, which is why it is so important for them to continually search for supplemental or more stable funding. It would be great if youth court funding were a permanent line item in the budget of a government agency, but that is not likely to happen. There are foundations and charitable organizations that help support youth courts that are local to the community but may be nationally affiliated. Are there any existing resources from your school or agency that can commit to the youth court program, or any collaborating agencies that can offer in-kind services such as materials or space?

¹⁶ Sarah S. Pearson and Sonia Jurich, *Youth Court: A Community Solution for Embracing At-Risk Youth—A National Update* (American Youth Policy Forum, 2005), p. 16.

Youth courts should be proactive and strategic in their approach to securing funds for their programs.

Youth courts should be proactive and strategic in their approach to securing funds for their programs. Partnering with the local community and having them take ownership of the program will help youth courts to be successful to attain financial support. Consideration should be taken into organizing a fundraising committee staffed with individuals with fundraising and grant-writing experience and who may have relationships with potential donors or funding agencies.¹⁷

Local funding sources may include:

- Local bar associations
- County general funds
- The American Legion
- YMCA
- United Way
- Donations from local service clubs
- Mental health department
- Grants (service-learning grants)
- Health and human services departments
- Probation department

Federal funding sources for youth courts may include:

- National Highway Traffic Safety Administration
- Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program
- Office of Juvenile Justice and Delinquency Prevention
- U.S. Department of Education, Office of Safe and Healthy Students

Keep in mind, as with any grant funding, there are certain stipulations imposed by the grants. Programs that are funded entirely by a grant may be grant-driven rather than youth-needs driven.

¹⁷ Tracy M. Godwin with Michelle E. Heward and Thomas Spina, Jr., *National Youth Court Guidelines* (National Youth Court Center, 2000), p. 33, www.ncjrs.gov/pdffiles1/Digitization/187709NCJRS.pdf.

Staffing your youth court

There are many roles to fill when staffing your youth court—coordinator, trainers, outreach staff, and the like. To determine who would be needed when creating your youth court, list the roles and responsibilities for all staff, paid or volunteer. Clearly define the roles and responsibilities of these positions.

Youth courts need to have written job descriptions for their program staff. Youth court staff should undergo an interview process and screening to ensure they have the skills and knowledge needed for the program. Additionally, a background and criminal records check should be conducted on all potential youth court staff. Use the guide below for filling staff roles for your youth court.

Clearly define the roles and responsibilities of each youth court staff.

Task/Responsibility	Staff
Oversee program (e.g., advisory body, steering committee, school administrator).	
Develop and maintain relationships with referral sources, community service partners, and other stakeholders.	
Accept referrals, screen referred cases, and conduct intake interviews with potential respondents and/or parent/guardians.	
Oversee training and select prospective youth court members.	
Supervise member participation. If in use, manage the jury pool and jury member selection. (Determine your preferred member-to-adult ratio when assigning staff to supervise hearings. Keep in mind that one staff person will need to meet with respondents privately prior to and after hearing.)	
Assign roles and responsibilities to youth court members for hearings and supervise hearings.	
Debrief respondents and parents after the hearing.	
Monitor respondents' compliance with sanctions. Report respondent activity back to referral source.	
Fundraise and manage program budget.	
Track program and case data.	

Source: Center for Court Innovation, Youth Court Planning Guide: A Workbook for Youth Court Planners (2011).

For a sample staff description, see the [Liaison role description](#) from the California Association of Youth Courts.

Data collection and tools for program evaluation

It would be beneficial for youth courts to develop clear goals/objectives, outcomes, and evaluation tools to measure the success in meeting their targets. Practitioners could use the logic model (described below) or surveys to assist in creating an evaluation process for their programs.

- *Logic model.* The logic model is a snapshot of the program that communicates the intended relationship between the program goals, activities, outputs and intended outcomes. The logic model is a useful tool when planning and designing a program and when creating outcomes for evaluation purposes.
- *Surveys.* These can be an efficient way to gather information from many respondents in order to answer evaluation research questions. Surveys try to collect information from a sample of a broader population.¹⁸

For sample surveys, the logic model, or additional information on tools for program evaluation, see *Recommended Practices for Youth Courts: A Manual for New York Youth Court Coordinators and Practitioners* (Center for Court Innovation, Mar. 2010).

It is important to know what data needs to be collected and how that data will be used. Most youth courts have access to a huge amount of useful information. The data can be qualitative, which provides text and a narrative where you can share your experiences, or it can be quantitative (numeric).

There are two types of data collection:

- Operational data, which is used to manage program operations; for example, referrals, membership, and case outcomes; and
- Evaluation data, which is collected and used to evaluate the program; for example, surveys and interviews.

For additional information on data collection and management, see *Creating a Youth Court Operations Manual: A Guide for Practitioners and Planners* (Center for Court Innovation, 2012).

Data collection and evaluation can lead to funding for youth courts; conversely, a lack of data may make it difficult to advocate for funding. Pennsylvania's Joint State Government Commission released a report from an advisory committee in 2019 that describes how and where different types of youth courts are being used, provides a cost-benefit analysis, and makes recommendations for how youth courts could be used throughout the state.¹⁹

¹⁸ Center for Court Innovation, *Recommended Practices for Youth Courts: A Manual for New York Youth Court Coordinators and Practitioners* (Mar. 2010).

¹⁹ Joint State Government Commission, *Report of the Advisory Committee on the Use and Effect of Youth Courts in Pennsylvania's Education and Juvenile Justice Systems* (July 2019), <http://jsg.legis.state.pa.us/resources/documents/ftp/publications/2019-07-30%20YOUTH%20COURTS%20web%20.pdf>.

Some advisory committee members believed that there should be statewide outreach to the public and schools about the value of youth courts and that a dedicated funding stream should be created to support youth courts. However, other members felt that even though juvenile justice-based youth courts divert youth from juvenile court and address school disciplinary code violations, they “do not have sufficient data-based evidence to justify a separately funded statewide program at this time.”²⁰ While this report was based on Pennsylvania youth courts, this information is relevant to youth courts throughout the country.

For further information, see *Report of the Advisory Committee on the Use and Effect of Youth Courts in Pennsylvania’s Education and Juvenile Justice Systems* (July 2019).

²⁰ *Id.* at p. 3 (emphasis added).

YOUTH COURT PROGRAM MODELS

Each county has distinct characteristics of its community and local legal culture that will affect how a youth court program is designed and implemented. With a few basic limitations, the youth court model is an adaptable one. Youth's role is vital when it comes to presenting and hearing cases in youth court, and the creation of a successful youth court program will depend on youth being served in a way that makes sense to them.

The youth court's primary approach needs to be restorative in nature, focus on positive peer involvement and interaction, and have respondents repair any harm done to the community while providing opportunities for positive youth development for both members and respondents. Beyond these basic features, the structure of youth courts varies.

Youth judge

In this model, youth staff all the court positions. A young person presides over the disposition hearing as judge. Youth act as prosecutors and defense attorneys and present opening statements, evidence, and closing arguments to a jury. Depending on the format of the youth court, the



youth attorneys may receive a police report or other document detailing the misconduct some time prior to the hearing. They then begin their fact-finding and formulation of their position on a recommended disposition. They may interview witnesses and prepare questions for the hearing.

Typically, the prosecutor ensures that the impact of the respondent's behavior on all victims is presented. Victims may be involved in the disposition or the prosecutor may obtain a written victim impact statement or may rely on

a more generalized community impact statement for the type of offense that occurred. Defense attorneys make sure that the jury understands the broader context in which the misconduct has occurred, including any remorse, steps taken to remedy the harm prior to the hearing, and any consequences already imposed by the parent. Defense attorneys also attempt to bring to the attention of the jury what troubles or difficulties the respondents experience in their lives.

The youth clerk handles the paperwork during the hearing. The youth bailiff calls the court to order, announces the case, administers the oath, escorts individuals in and out of the courtroom, and closes proceedings. The youth jurors deliberate and determine a disposition for the respondent using restorative justice goals. An adult youth court coordinator or adult volunteer is present in the courtroom to ensure that the process runs smoothly.



evidence, and closing arguments to the panel of judges. It is the judges and not a jury who deliberate and decide on the disposition. A youth court clerk and bailiff perform the roles described in the youth court model above.

Peer jury

This model is different from the others. The peer jury model does not use youth as defense or prosecuting attorneys. Rather, in the peer jury model, the facts of the case are read by a presenter and a panel of usually six to eight youth jurors question the respondent directly about the offense and make a sentencing recommendation. Not all peer jury models are the same, and depending on the program, the case presenter could be a youth or adult volunteer, a probation or law enforcement officer, or the youth court coordinator. Some programs have youth volunteers who serve as youth advocates and community advocates. These youth advocates help the respondent prepare for the hearing, sit with the respondent during the hearing, and can even make opening and closing statements on behalf of the respondent. However, these youth

Adult judge

The only difference between this model and the youth judge model is that an adult, generally an attorney or judicial officer, presides over the hearings as judge.

Tribunal

In the youth tribunal model, a presiding youth judge and a panel of other (usually two) youth judges preside over the case. Youth attorneys may present the opening statements,

These youth advocates do not question the respondent or witnesses directly—the peer jury panel does all of the questioning.

advocates do not question the respondent or witnesses directly—the peer jury panel does all of the questioning. The community advocate provides opening and closing arguments on behalf of the community or the victim or both.²¹

Hybrid youth court programs

Today, there are several different hybrid youth court programs that combine certain elements of one program model/design with another. Below are some examples:

- Combining Indigenous and American law approaches to address youth crime;
- Combining the restorative circle process with other youth court models described above;
- Combining elements from one or more of the four models;
- Utilizing more than one program model and switching between them depending on what type of case is being heard; and
- Using restorative circles blended with jury councils.

²¹ Tracy M. Godwin with Betsy A. Fulton and David Steinhart, *Peer Justice and Youth Empowerment: An Implementation Guide for Teen Court Programs* (American Probation and Parole Association, 1998), p. 12, www.ncjrs.gov/pdffiles1/Digitization/162782NCJRS.pdf.

PROGRAM DESIGN OPTIONS

The program design option you use may be determined by the person who presented the idea to their community. A youth court created by law enforcement or the courts would look different from a program designed by a school, or even one created by a community-based organization such as the YMCA or the Boys & Girls Clubs of America. Programs may be created to reflect the source of funds received; a grant, for example, may require that a certain age or group be served. Programs also are shaped by the participants.

School-based youth court

The youth crime rate has steadily declined over the last two decades.²² But despite the decline in youth crime, discipline in public schools has become much more punitive.²³ These harsher



Illustration by Tiffany Pai, “Plugging NYC’s School-to-Prison Pipeline,” *The Independent*, Sept. 9, 2019.

sanctions on students are resulting in a methodical “pushout” of youth from schools and into the juvenile justice system, termed the school-to-prison pipeline.²⁴ Youth courts are a policy solution intended to reduce the number of students caught up in the all-too-frequent occurrence of the school-to-prison pipeline.²⁵

More schools are embracing the youth court program in lieu of detention and suspension because youth court helps divert students who commit school disciplinary

infractions, assist youth to make better decisions going forward, and educate students about the justice process.²⁶ Two such school-based youth court program designs include the following:

²² Heather A. Cole and Julian Vasquez Heilig, “Developing a School-Based Youth Court: A Potential Alternative to the School to Prison Pipeline” (Apr. 2011) (40)2 *Journal of Law and Education* 305, 307.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Elise Jensen, *School-Based Youth Courts: Student Perceptions of School Climate, Safety, and Disciplinary Measures* (Center for Court Innovation, May 2015), p. 1, www.courtinnovation.org/sites/default/files/documents/youth%20court%20study_final.pdf.

- *Classroom design youth court program.* This model incorporates the youth court into the school's curriculum and operates out of a class (for example, social studies, history, English, etc.) or it can operate as an elective class (for example, youth court class).
- *Club design youth court program.* The club design youth court can be operated as an extra-curricular activity in school, and not as a regular part of the school curriculum. The club would hold court after school and usually in a school classroom; however, some programs may hold hearings in a courtroom or other public location.

“School-to-prison pipeline”: A disturbing national trend wherein children are funneled out of public schools and into the juvenile and criminal justice systems.

– *American Civil Liberties Union*

School-based youth courts can recruit youth court trainees in various ways: through presentations to staff or teachers, presentations in the classroom, creating and distributing fliers, and participating in an activity fair.

For additional information on school-based youth court programs, such as funding, staffing, partnerships, gaining stakeholder support, types of cases school-based youth courts accept, and the referral and intake process, see *Selected Topics on Youth Courts: A Monograph* (OJJDP, May 2004).

Community-based youth court programs

Programs of this design will be run by an agency or organization such as the YMCA, Boys & Girls Clubs, or the like. Most community-based youth courts typically hear low-level offenses such as truancy, drug or alcohol possession, disorderly conduct, petit larceny or criminal mischief.



To recruit youth court trainees for this option, you can use the same approach as the school-based program: presentations in school to teachers, staff, and students; creating and distributing fliers; and participating in activity fairs.

For additional information on community-based youth courts, see *Youth Court Planning Guide: A Workbook for Youth Court Planners* (Center for Court Innovation, 2011).

Juvenile justice system–based youth court programs

These programs include court or law enforcement–based youth courts. Recruiting youth court trainees for this option is different. Presentations can be made to law enforcement, including the police, probation, and judicial officers, or to social service organizations. Fliers may be distributed at justice system locations such as courthouses and police stations.

Hybrid youth court programs

Today, there are several different hybrid youth court programs that combine certain elements of one program design with another. Below are some examples:

- Combine Indigenous and American law approaches to address youth crime;
- Combine the restorative circle process with other youth court models discussed above;
- Combine elements from one or more of the four youth court models; or
- Utilize more than one program model and switch between them depending on what type of case is being heard.

UNDERSTANDING AND SERVING THE NEEDS OF JUSTICE-INVOLVED TRIBAL YOUTH

Indigenous justice systems existed before European contact and many are still intact today. Some tribes have chosen to redesign their traditional justice systems to more closely conform to the American jurisprudence system while other tribes have decided to create hybrid systems that unite both Indigenous and American laws and approaches to address issues with justice-involved tribal youth. To that end, present-day tribal justice systems can differ culturally, philosophically, and structurally from the American juvenile justice system and with each other.²⁷



Photo: 40th Dartmouth Powwow, by Šarunas Burdulis, is licensed under CC BY-SA 2.0.

Most tribal courts, police, and jails were established after passage of the Indian Self-Determination and Education Assistance Act (Public Law 93-638) in 1975. This law enabled Indian nations to receive funding directly from the federal government (through the Bureau of Indian Affairs and Indian Health Service) to operate and manage programs and services for their communities. Another 1970s federal program, the Law Enforcement Assistance Administration, funded jail construction.

While the creation of a youth court program in American Indian/Alaska Native (AI/AN)²⁸ communities may be similar to the creation of a youth court in the traditional American justice system, issues that may arise can be addressed specifically in accordance with the tribal community's culture, values, and philosophies.

There are several reasons for the rise of youth courts in the tribal community, including the need for handling truancy cases and school behavior issues, handling nonviolent offenses, and having other court options to address minor youth crime that is not otherwise available in some tribal communities. Youth courts can also provide many benefits for youth in tribal communities. AI/AN youth:

²⁷ Global Youth Justice, "Tribal Youth Justice" webpage, www.globalyouthjustice.org/our-work/tribal-aboriginal-focus/.

²⁸ The term *American Indian/Alaska Native (AI/AN)* is used interchangeably with *Indian nation*, *Indian*, and *Native American* and is inclusive of terms used to describe AI/AN tribes, villages, pueblos, and rancherías.

- Learn traditional skills by utilizing culture-based community service;
- Gain a connectedness to elders as they are encouraged to learn from them;
- Form positive collaborations with adults, elders, and tribal leaders; and
- Are provided opportunities for leadership roles within their tribal government or community and within the justice system.²⁹

When creating tribal youth courts, the most important aspect is that it is a community-based and culturally relevant court in accordance with the tribe or tribes forming the youth court. Culture has a significant role when administering justice to tribal youth. Key elements include:

- Professional and agency competency—professionals and staff need to be culturally sensitive and knowledgeable with regard to the tribe’s history, language, beliefs, and practices;
- Sensitivity to youth cultural level;
- Promotion of cultural approaches and interventions; and
- Cultural relevance.³⁰

For further information on creating culturally sensitive tribal youth courts, see “Building Culturally Relevant Youth Courts in Tribal Communities” in *Selected Topics on Youth Courts: A Monograph* (OJJDP, May 2004) and the *Tribal Youth Justice* webpage of Global Youth Justice.

Strategies for state justice systems to better serve tribal youth

The majority of tribes in California do not have tribal courts of their own, which results in most California tribal youth who interact with the juvenile justice system showing up in the state courts. For this reason, it is important for the state justice system to create a way to meet the needs of tribal youth and their families by developing effective, culturally sensitive, trauma-informed methods of identifying tribal youth, and developing mutually respectful collaborative relationships with the tribal governments, institutions, and/or service providers in the community to leverage all available resources to best support and meet the needs of tribal youth.

Historical context and understanding California’s tribal population

California is home to more individuals of Indian/Native American ancestry than any other state, having over 100 federally recognized tribes, and many unrecognized tribes. Additionally, many individuals may be associated with tribes outside of California.

²⁹ Ada Pecos Melton, “Building Culturally Relevant Youth Courts in Tribal Communities,” in Tracy Godwin Mullins, ed., *Selected Topics on Youth Courts: A Monograph* (OJJDP, May 2004), pp. 72–73, www.ncjrs.gov/pdffiles1/ojdp/208164-208170.pdf.

³⁰ *Id.* at p. 77.

The Indian community within the state of California is varied as within rural or urban communities. In California, to meet the needs of Native American people in our communities, it is crucial to learn about tribal communities, history, and any resources and programs available to tribal families.

For more information on the overrepresentation and disproportionality of Native American youth in the juvenile justice system, see *“Native American Youth and the Juvenile Justice System”* (Mar. 2008) in *Focus: Views from the National Council on Crime and Delinquency* and *“Tribal Youth in the Juvenile Justice System”* (Apr. 2016) in *OJJDP Model Programs Guide Literature Reviews*.

Most tribal youth are not held in tribal facilities. Rather, they are sent to facilities off of tribal lands. This can negatively impact AI/AN youth and their successful reconnection with their community. In a study done in 2007, only 13 percent of tribal youth being detained were placed in facilities on tribal lands. The indications from these statistics show the disparity in the number of tribal youth represented in the juvenile justice system and the majority of youth who are placed in detention centers and long-term facilities far from tribal lands. A culturally sensitive approach needs to be taken when working with tribal youth to help reduce juvenile delinquency and improve their chances for a successful reentry experience.³¹



Ludwig Choris, *Dance of native Californians at San Francisco de Assis Mission, California* (1816), Robert B. Honeyman Jr. Collection of Early Californian and Western American Pictorial Material, BANC PIC 1963.002:1312-FR, The Bancroft Library, University of California, Berkeley.

Historical trauma can play a significant role in the lives of tribal youth. Dating back to the beginning of the 18th century, an erosion of tribal sovereignty was evidenced when tribal youth were being forced to relocate due to the mission system, sent to boarding schools, and prohibited from speaking their native language or observing their native customs.

³¹ Christine Lindquist, Tasseli McKay, Mindy Herman Stahl et al., *Cross-Site Evaluation of the Office of Juvenile Justice and Delinquency Prevention Tribal Green Reentry Program*, prepared for the OJJDP by RTI International (2014).

Denying tribal youth their cultural identity led to generations of youth losing an important connection to their culture. According to additional research, tribal youth today continue to be negatively impacted by these distressing events.^{32,33,34}



Photo: 40th Dartmouth Powwow, by Šarunas Burdulis, is licensed under CC BY-SA 2.0.

California youth courts can help address the specific needs of tribal youth by integrating tribal programs, services, and communities into their youth court programs. In the context of adult programs, New Mexico has successfully created the Urban Native American Healing to Wellness Court.³⁵ This model could be adapted for youth courts. Several state courts in California have entered into arrangements with their local tribal courts to engage in joint-jurisdiction courts with a particular focus on the needs of tribal youth.³⁶

³² Jonathan Litt and Heather Valdez Singleton, *American Indian/Alaska Native Youth & Status Offense Disparities: A Call for Tribal Initiative, Coordination & Federal Funding* (Coalition for Juvenile Justice, Tribal Law and Policy Institute, 2015), www.juvjustice.org/sites/default/files/resource-files/SOS%20Tribal%20Brief%20FINAL.pdf.

³³ Troy A. Eid, Affie Ellis, Tom Gede et al., *A Roadmap for Making Native America Safer: Report to the President and Congress of the United States* (Indian Law and Order Commission, Nov. 2013), www.aisc.ucla.edu/iloc/report/files/A_Roadmap_For_Making_Native_America_Safer-Full.pdf.

³⁴ Jen Rountree, *American Indian and Alaska Native Youth in the Juvenile Justice System* (The Technical Assistance Network for Children's Behavioral Health, 2015).

³⁵ New Mexico Courts, "Urban Native American Healing to Wellness Court" (undated), <https://metro.nmcourts.gov/urban-native-american-healing-to-wellness-court.aspx>.

³⁶ Shingle Springs Band of Miwok Indians, "Tribal Court" (undated), www.shinglespringsrancheria.com/tribal-court.

CASE TYPES AND REFERRALS

Youth courts usually receive referrals from a number of sources and hear a diverse range of offenses. There is a correlation between the size of a youth court's budget and the number of referrals it receives.

Most youth courts handle low-level, nonviolent cases for first-time offenders (i.e., petty theft, vandalism, alcohol offenses, traffic violations, and disorderly conduct). There are also some youth courts that accept second- or third-time offenders. Before you decide whether to accept cases of respondents with prior offenses, you should consider whether or not the youth successfully completed their disposition for their first offense, or if the youth is returning to youth court for the same offense or a different offense. Some youth courts do not allow a youth to return to youth court for the same offense.

For a list of case types and information on whether your youth court should accept cases of respondents with prior offenses or red flags, see *Youth Cases for Youth Courts: A Guide to the Typical Offenses Handled By Youth Courts* (American Bar Association, 2007).

Referrals vary depending on the design of your youth court. For example, community or public agency-based youth courts will hear low-level offenses, that is, petty theft, trespassing, alcohol or drug possession, and criminal mischief referred by the justice system (probation, courts, or law enforcement). School-based youth courts, however, hear more targeted disciplinary cases that would usually end up as a detention or suspension. These cases include bullying, alcohol possession, theft, fighting, truancy, trespassing, and disorderly conduct; these cases can be referred by teachers, school resource officers, administrators, and students.

To maintain accurate data, list all the agencies and schools that refer cases to your youth court. Include details of the cases, protocol for referrals, and include what is explained to the family members and the youth.

For additional information, see *Youth Court Planning Guide: A Workbook for Youth Court Planners* (Center for Court Innovation, 2011).

After a case has been referred to youth court, steps are taken by the coordinator to ensure an effective youth court experience. These steps may include assigning counsel; placing the case on the trial calendar and contacting the appropriate adult attorneys; sharing police reports (if referred by law enforcement) to the student and adult attorneys in the case; providing students

with the name and phone number of their mentoring attorney and the date that their case is scheduled for court; and contacting youth respondents and their parent (guardian) to advise them of the court date, time, and location.³⁷

Sanctions, Monitoring Sanctions, and Case Scheduling

Services offered by youth court programs affect youth and their community. Yet, if youth courts are seen only as a diversion program, they can overlook the ways that they can be impactful to others in their community.

Youth courts today have become increasingly aware of how trauma in the life of a youth can shape the youth's behavior. For this reason, it is crucial that youth courts integrate trauma-informed practices, restorative principles, and cultural sensitivity into their youth court proceedings and sentencing options.

We also now know that youth who have experienced adverse childhood experiences can suffer from toxic trauma. More than two-thirds of youth involved with the juvenile justice system have histories of trauma, including exposure to neglect; emotional, physical, and sexual abuse; family and community violence; and traumatic losses.³⁸

Youth courts highlight the important role that peers have in youth decision-making, while at the same time empowering youth to be leaders and engage in civic responsibility. It is considerably more effective to develop a youth's strengths than to focus on their weaknesses.

For further information on using support and accountability over punishment in youth courts, see *Support and Accountability Not Punishment* (Youth Transforming Justice).

After a case is heard in youth court, the jury deliberates and creates a constructive sentence that should incorporate accountability with resources. The youth court staff offers a list of community service options, in addition to determining a specific number of hours that the jurors feel is an appropriate match to the offense. The goal of youth court is to meet the needs of the respondent and others affected by their actions while still adhering to the program goals and objectives. Regardless of which sanctions you choose, it is important to include trauma-informed practices in the sentencing option, guided by restorative principles.

³⁷ Placer County Peer Court, *Creating Youth Courts in California* (undated), available at www.courts.ca.gov/documents/cycguide_PlacerCountyHandbook.pdf.

³⁸ Julian D. Ford, Damian D. Grasso, Josephine Hawke et al., "Poly-victimization among juvenile justice-involved youths" (2013) 37 *Child Abuse and Neglect* 788–800, <https://doi.org/10.1016/j.chiabu.2013.01.005>.

Sanction options

The intent is to establish services (including sanctions) that offer the maximum benefit to meet the needs of respondents, respondents' families, victims, and the community, while adhering to the program goals and objectives. Sanctions used typically reflect national trends and highlight fundamental restorative justice principles of youth court programming. Youth court dispositions, therefore, should be designed in accordance with restorative justice principles: accountability, competency development, and community protection.

SANCTIONS

The deliberation process in youth court programs should assist jurors or judges in deciding fair, practical, and restorative sentences and should be structured to encourage input from all involved. Some general dispositions available to youth courts emphasize restorative justice more than others. The most typical sanctions used in youth court include:

- Community services
- Letter of apology
- Essays
- Education classes such as anger management or drug/alcohol abuse
- Return as a juror

It is important to have goals when determining sanctions for respondents. Why did the jury choose the sanctions they did? Some reasons for the sanctions may include deterring the respondent from committing the same offense again, fitting the consequence to the offense, protecting the community, and rehabilitation of the respondent.

For a list of possible dispositions, see *Youth Cases for Youth Courts: A Guide to the Typical Offenses Handled by Youth Courts* (American Bar Association, 2007).

Monitoring sanctions

There should be a mechanism in place to track data on what type of sanctions have been assigned and whether the sanction has been completed. Be sure to include what data you are tracking, where, and by whom.

There are various ways to monitor compliance in your youth court that can be innovative, keeping in mind that the makeup of every youth court is different and each court has diverse needs. Some ideas may or may not work for a particular youth court program. One youth court program assigns a youth mentor from the peer jury once the disposition is imposed; having the mentor come from the same school as the respondent is key for this youth court. The mentor is responsible for problem solving with the respondent through weekly contact at school or by phone to

monitor compliance. Another interesting element of this youth court program is having advisors and youth who are bilingual (Spanish and English); they partner with translators from their school district to help translate forms and instructions for Spanish-speaking respondents.

In another youth court, hearings are held at a district law school and the entire peer jury is made up of former respondents. Law students oversee the hearings by monitoring compliance with dispositions and serving as mentors to the volunteers.

Some questions to consider when assigning and monitoring sanctions might include the following:

- Will the youth court include community service as part of the sanction? If so:
 - What type of community service?
 - Who will supervise the youth?
 - Do you have community partnerships that can provide these service opportunities?
 - If you are a school-based youth court, will the community service take place in the school or in the community?
 - How many hours of community service should the respondent receive?
- Will the sanction include classes such as anger management, mental health, or life skills? If so:
 - What classes would you offer?
 - Who will teach the classes?
 - How often will the classes meet?

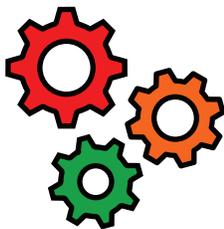
Case scheduling

Scheduling your cases will be determined by answering several questions: Will you hear cases weekly, monthly, or annually? How many cases will your youth court hear per month or per year? Will your youth court operate only during the school calendar or will it operate year-round?

For additional information on case scheduling, see *Youth Court Planning Guide: A Workbook for Youth Court Planners* (Center for Court Innovation, 2011).

FAMILY ENGAGEMENT, COMPLIANCE, AND CONFIDENTIALITY

It is important for the respondent's parent or guardian to be engaged in some way with the youth court process. Family involvement plays an important role in supporting the youth's successful completion of their sanctions. Support by a parent or guardian helps ensure that the youth appears at their hearing and receives support while at the hearing and encouragement by the parent or guardian that the youth will complete their sanctions.



Once the youth and the parent or guardian have agreed to participate in youth court, there should be guidelines or procedures that will assist them in going to youth court. For a sample brochure for parents or guardians of teen court participants, see the *Parent/Guardian Handout* from the Boys & Girls Club of the Redwoods.

According to national evaluations, the majority of youth court respondents successfully complete their sanctions.

Youth court programs need to establish written policies or guidelines about whether their court proceedings will be open to the general public. Despite whether the proceedings are open or closed, the records of youth court proceedings should not be open to public inspection.

Youth court cases and all information pertaining to youth court matters must be kept confidential. Participants may discuss their overall experience participating in youth court, but any personal information exchanged in youth court proceedings are to remain confidential. It is so important to honor the oath of confidentiality that criminal charges may be filed against youth court participants who do not comply with this rule.³⁹ Youth court volunteers must be required to sign a statement agreeing to keep all youth court matters confidential.

The Humboldt County Teen Court created the following confidentiality guidelines that are signed by youth who are participating in the youth court:

CONFIDENTIALITY GUIDELINES

As a teen court participant, you will have access to confidential records and information. The privacy of these records and information is protected by law (section 13303 of the California State Penal Code). Sharing of this information (including “accidental” sharing) with any unauthorized person is a misdemeanor offense punishable by a fine, imprisonment, or both. It is very important that teen court participants keep all information confidential, including, but not limited to the following:

³⁹ Trinity County Peer Court Program, *Policy and Procedure Manual* (Jan. 2020).

YOUTH COURT-RELATED COMMONLY USED TERMS

Defendant—The young person who has been referred through probation.

Judge—An actual judge (may also be a mentor attorney).

Jurisdiction—The power or authority to decide a legal case.

Jury commissioner—An adult volunteer who keeps the jury on track, after the case is heard, as they decide the appropriate consequences of the defendant's actions.

Mentor attorney—An adult volunteer attorney who provides guidance to student attorneys who are prosecuting or defending the defendant; may also be a judge for one of the court departments/rooms.

Probation officer—A member of probation staff who meets with the parents and the defendant before and after court sessions and is responsible for ensuring the completion of all assigned consequences. This person will also inform the teen court coordinator whether the defendant completed with a “pass” or “fail” several weeks after the defendant's teen court date.

Recidivism—The act of someone repeating an undesirable or criminal behavior; the percentage of former prisoners being rearrested for the same or similar offense.

Respondent—A defendant in a lawsuit.

Restorative justice—Repairing harm through inclusive processes that utilize all stakeholders. Restorative justice shifts the focus of discipline from punishment to learning, and from an individual to the community.

Restorative Justice Circles—“Circles” provide an opportunity for community members to come together to address harmful behavior in a process that explores harms and needs, obligations, and necessary engagement.

Sanctions—An accountability-based graduated series of incentives, treatments, and services that hold juveniles accountable for their actions and protect the community.

Student defense attorney—Two students who share in the process of presenting the case in defense of the defendant. For example, one student will present the opening and closing statements and the other will perform the cross-examination.

Student prosecuting attorney—Two students who share in the process of presenting the case in prosecution of the defendant. For example, one student will present the opening and closing statements and the other will perform the cross-examination.

Teen court coordinator—A health and human services staff person who recruits and oversees the mentor attorneys, student volunteers, and other adult volunteers. The teen court coordinator is responsible for ensuring youth volunteers receive their cases, contact mentor attorneys, and are ready for court night. The coordinator also provides youth and adult training about the program.

Victim—A person who has suffered physical or emotional harm, property damage, or economic loss as a result of a crime.

RESOURCES

Below is a list of local and national organizations and resources that can offer additional information on youth courts.

California Association of Youth Courts, Inc. (CAYC)

The CAYC was created for the purpose of facilitating the exchange of information between emerging and existing California youth court programs. For more information, visit www.calyouthcourts.com or on Twitter at [#justiceforyouthbyyouth](https://twitter.com/justiceforyouthbyyouth).



Center for Court Innovation

The Center for Court Innovation, www.courtinnovation.org, creates operating programs to test new ideas and solve problems, perform original research to determine what works (and what doesn't), and provide expert assistance to justice reformers around the world. The Center for Court Innovation seeks to help create a more effective and humane justice system.

Judicial Council of California's Center for Families, Children & the Courts (CFCC)

The primary purpose of the CFCC is to maximize the effectiveness of court services for children and families. The center also increases public access, implements innovative court-related programs for children and families, and promotes those services in the legal community and to the public. The CFCC works closely with the Judicial Council's Family and Juvenile Law Advisory Committee. For more information on youth courts, visit their webpage on the California Courts website at www.courts.ca.gov/5991.htm.

National Association of Youth Courts, Inc.

The National Association of Youth Courts, Inc., is dedicated to providing leadership for a restorative justice model of early intervention so that young people have access to services without formal processing in traditional juvenile justice systems. For more information, visit www.youthcourt.net.

National Youth Court Center

For an overview of the National Youth Court Center established by the Office of Juvenile Justice and Delinquency Prevention, visit www.ncjrs.gov/pdffiles1/ojjdp/fs200007.pdf.

Selected Topics on Youth Courts: A Monograph (OJJDP, May 2004)

Topics include addressing truancy in youth courts, underage drinking, school-based youth court program design, culturally relevant youth courts for tribal youth, and media access guidelines for youth court. Available at www.ncjrs.gov/pdffiles1/ojjdp/208164-208170.pdf.

Street Law, Inc.

Street Law, Inc. is a global, nonpartisan, nonprofit organization with more than 40 years of experience developing classroom and community programs that educate young people about law and government. Street Law programs and materials help advance justice by empowering people with the legal and civic knowledge, skills, and confidence to bring about positive change for themselves and others. For more information, visit www.streetlaw.org/who-we-are.

The Urban Institute

The Urban Institute is a nonprofit research organization that believes decisions shaped by facts, rather than ideology, have the power to improve public policy and practice, strengthen communities, and transform people's lives for the better. For more information on youth courts, visit www.urban.org/search?search_api_views_fulltext=youth%20court.

Interactive Map of California Youth Courts

[CA Youth Courts Map](#)

California Indian history and relevant services for tribal youth

Administration for Children and Families (ACF), U.S. Department of Health and Human Services, *Understanding Urban Indians' Interactions with ACF Programs and Services: Final Project Report* (Jan. 2014), www.acf.hhs.gov/sites/default/files/opr/urban_indians_report.pdf.

Bureau of Justice Statistics, U.S. Department of Justice, *Summary: Tribal Youth in the Federal Justice System* (May 2011), www.bjs.gov/content/pub/pdf/tyfjs.pdf.

Christopher R. DeCou, Monica C. Skewes, and Ellen D. S. López, "Traditional living and cultural ways as protective factors against suicide: perceptions of Alaska Native university students" (2013) (72)1 *International Journal of Circumpolar Health*, <https://doi.org/10.3402/ijch.v72i0.20968>.

Elizabeth Harris and Joyce McFarland, *The Assessment of Culture as a Protective Factor among Native Americans: The Survey of Nez Perce Culture* (paper presented at the Annual Meeting of the American Evaluation Assn., Nov. 2000), <https://eric.ed.gov/?id=ED449941>.

National Congress of American Indians (NCAI), *Tribal Juvenile Justice: Background and Recommendations* (Apr. 2019), www.ncai.org/policy-issues/tribal-governance/public-safety-and-justice/Tribal_Juvenile_Justice_Background_and_Recommendations.pdf.

Native Americans in Philanthropy, *The Indigenous Lifecourse: Strengthening the Health and Well-Being of Native Youth* (2016), www.nativephilanthropy.org/wp-content/uploads/2015/11/Indigenous-Lifecourse-NAP-Report.pdf.

NCAI Policy Research Center, *American Indian and Alaska Native Youth in the Juvenile Justice System: A Guide to the Data* (Jan. 2020), www.ncai.org/policy-research-center/research-data/prc-publications/NCAI_Policy_Research_Center_AIAN_Juvenile_Justice_Data_FINAL_1_2020.pdf.

Office of Juvenile Justice and Delinquency Prevention (OJJDP), *Juvenile Healing to Wellness Courts* (fact sheet, Dec. 2, 2016), www.justice.gov/tribal/file/934621/download.

Office of Juvenile Justice and Delinquency Prevention, “Tribal Youth in the Juvenile Justice System” (Apr. 2016) *OJJDP Model Programs Guide Literature Reviews*, www.ojjdp.gov/imp/litreviews/Tribal-youth-in-the-Juvenile-Justice-System.pdf.

OJJDP Tribal Youth Training and Technical Assistance Center, *Tribal Juvenile Healing to Wellness Court Handbook* (Nov. 2014), www.tribalyouthprogram.org/media/filer_public/ae187/ae87b60b-c1c3-408d-9d00-38f5cff0b23e/jh2w_court_handbook.pdf.

Brandon Stratford and Kelly Murphy, “Taking a Cultural Approach to Supporting Native American Youth” (Dec. 1, 2015) *Child Trends*, www.childtrends.org/taking-a-cultural-approach-to-supporting-native-american-youth.

Addie C. Rolnick and Neelum Arya, “A Tangled Web of Justice: American Indian and Alaska Native Youth in Federal, State, and Tribal Justice Systems” (2008) *Scholar Works*, Paper 981, <https://scholars.law.unlv.edu/facpub/981>.

SAMPLE FORMS FOR YOUTH COURT

Humboldt County Teen Court forms and truancy materials

Agreement for Closure

Confidentiality Oath

Explanation of Teen Court Steps

Parent/Guardian Handout

Teen Intake Interview

Intake Phone Call

Memorandum of Understanding (MOU)—Referrals

Parent/Guardian Survey

Participant Survey

Program Rationale

Role of the Jury—Code of Conduct

Sentencing Assignments

Action Plan—Attendance Council

Action Plan—Youth Staff Version

Overview—Attendance Council

Process Outline—Attendance Council

Referral Form—Attendance Council

El Dorado County

El Dorado County Teen Court Users Guide

El Dorado County Manual for Peer Council

San Bernardino Restorative Youth Court (SBRYC) forms

Pre-Hearing Parent Questionnaire

Youth Court Jury Pre-Hearing Worksheet

Participation Agreement

Reentry Hearing Notice

Respondent Disposition

SBRYC Youth Volunteer Application

Strengths Survey

Youth Court Consent

455 Golden Gate Avenue
San Francisco, California 94102-3688
www.courts.ca.gov

