

FOR MORE INFORMATION:

Illinois Youth Court Association

The Office of the Illinois Attorney General established the Illinois Youth Court Association in 2000. Please visit our Web site for resources, a state directory of programs, training announcements, and more. You can contact the IYCA to be put on our distribution list to receive publications and information on events. In addition, if you are interested in starting a youth court program, the Illinois Youth Court Advisory Board can assist you by providing training and technical assistance for your community.

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Chicago, IL 60601
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www.IllinoisAttorneyGeneral.gov
(Click on "Safeguarding Children" and then "Illinois Youth Court Association.")

National Youth Court Center

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) established the National Youth Court Center (NYCC). The Center was created to provide a central point of contact for youth court programs and to provide resource information and training opportunities to youth court programs.

National Youth Court Center
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YOUTH ADMINISTERING JUSTICE

a guide to youth court programs



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YOUTH COURTS

Youth courts generally serve non-violent, first-time, juvenile *respondents*. Youth volunteers hold a *hearing* and determine an appropriate *disposition*.

While youth courts operate in many different ways, there are some common elements:

- *Respondents* voluntarily participate.
- *Respondents* admit guilt.
- Only non-serious offenses are considered.
- Programs are youth-led.
- An *adult moderator* guides jurors when needed.
- All participants take an oath of confidentiality.

Youth Courts for Criminal Offenses

These programs handle criminal offenses. The following explains who operates this type of youth court, who refers the *respondent*, what offenses qualify, and what *dispositions* may result from the hearing.

- **Operating Agencies:** police, prosecutor's offices, probation, social service agencies, or the youth courts' own non-profit organizations.
- **Referral Sources:** juvenile court (as a diversion), police, probation.
- **Offenses:** first-time *misdemeanors*, such as theft, vandalism, disorderly conduct, alcohol/drug offenses, assault, truancy.
- **Dispositions:** *community service*, apology letters, *restitution*, counseling, tutoring, drug and alcohol assessment, and classes.

Italicized words are defined in the glossary.

Youth Courts for School Misconduct

These programs handle school misconduct. Students determine agreements for referred students who have violated school rules. The following explains who operates this type of youth court, who refers the *respondent*, what misconduct qualifies, and what *dispositions* may result from the hearing.

- **Operating Agency:** typically schools, but could include other juvenile facilities, such as detention centers.
- **Referral Sources:** school or organization disciplinary offices, often as an alternative to detention and suspension.
- **Misconduct:** rule violations, such as truancy, minor fights, cheating, smoking.
- **Dispositions:** *community service*, apology letters, counseling, mentoring, tutoring, extra-curricular activities.

Youth Court Models

There are four basic models of youth courts, which are structured in different ways. Depending on the program, youths may volunteer as jurors, attorneys, bailiffs, or judges.

- **Adult Judge Model:** Youths act as jurors and as defense and prosecuting attorneys. An adult acts as judge and presides over the *hearing*.
- **Youth Judge Model:** Youths act as judge, jurors, defense and prosecuting attorneys.
- **Youth Tribunal Model:** Three youths act as a panel of judges who ask the *respondent* questions and determine a *disposition*.
- **Peer Jury Model:** A jury of youth volunteers ask the *respondent* questions and determine a *disposition*. This is the most common model in Illinois.





Photo courtesy of Jason Reblando.



The Hearing Process

Regardless of which youth court model is used, *hearings* usually proceed in the following manner:

- Opening statements and introductions are made.
- Oath of confidentiality is taken.
- Jurors, lawyers, or judges ask questions.
- Jurors *deliberate* on the case.
- An agreement or *disposition* is determined.
- The agreement is explained to the *respondent*.
- The *respondent* is monitored to make sure he or she completes the agreement or *disposition*.

Youth Court Dispositions

Based on the principles of *balanced and restorative justice*, youth court *dispositions* can be individualized for each case. The case described in the box below illustrates how youth courts can develop creative and appropriate *dispositions*.

Youth Court Battery Case*

Lisa and Erin, age fifteen, were fighting at a local bus stop. During the incident, Lisa's seven-year-old brother and ten-year-old sister got involved in the fight. Erin's glasses got broken. The police officer who arrived referred Lisa to youth court for the battery. Lisa admitted that she was guilty and volunteered to participate in youth court. At youth court, the youth jurors asked Lisa questions about the incident and other questions about her life. Lisa said that she had gotten into fights before and hung out with a "tough" group of kids.

The jurors came up with the following disposition:

- Jury training and four jury duty sessions
- Violence and anger-management classes
- Decision-making/peer pressure education class
- Ten hours of community service mentoring two middle school students who have gotten into trouble for fighting
- Letter to brother and sister explaining why you should not resort to violence and what she learned in the educational classes

*Based on an actual case. Names have been changed.

Benefits of Youth Court Programs

Youth courts benefit the community, victims, *respondents*, and volunteers. These programs offer the opportunity for collaboration between schools, the juvenile justice system, and the community. Youth courts intervene at the start of negative behavior and can divert *respondents* out of the juvenile court system and a more positive direction. Youth courts have enjoyed community support and have been associated with low *recidivism* rates.

Youth volunteers take an active role in the justice process and learn about the role of law and justice in society. In addition, these youths become more actively involved in their community and school, promoting positive peer relationships.

WHAT ARE YOUTH COURTS?

Youth courts, also called teen courts or peer juries, are programs in which youths administer justice to peers in cases concerning juvenile crime and school rule violations. Youth courts can serve as an alternative to juvenile court or traditional school discipline.

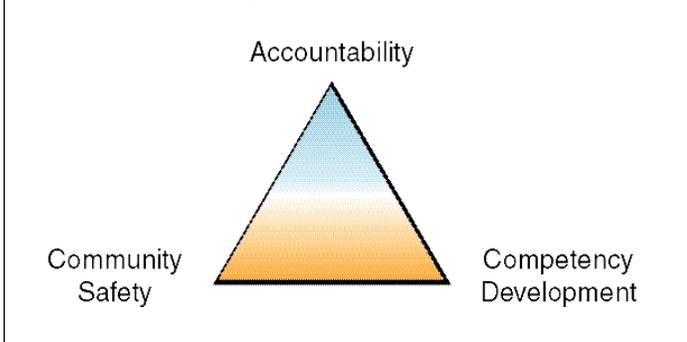
Whether you are interested in starting, volunteering in, or appearing before a youth court, this guide will help you gain a better understanding of youth courts and how they operate.

BALANCED AND RESTORATIVE JUSTICE

Balanced and restorative justice, or BARJ, is a justice philosophy that is unique in that it focuses not only on the *respondent*, but also on the victim and community. The BARJ philosophy requires the *respondent* to repair the harm that his or her actions caused. There are three main goals of BARJ:

- **Accountability:** *Respondents* must repair the harm they caused to victims and the community.
- **Community Safety:** Communities are protected and involved in the justice process.
- **Competency Development:** *Respondents* are given opportunities to build on positive strengths and increase their skills.

Three Goals of BARJ



The BARJ philosophy is growing in popularity in juvenile justice systems. Many states, including Illinois, have restorative juvenile justice statutes. The Illinois Juvenile Justice Reform Act of 1998 adopted *Balanced and Restorative Justice* for the state's juvenile justice system.

The Illinois Youth Court Association and the National Youth Court Center advocate using the BARJ philosophy for youth court programs.



GLOSSARY

Adult Moderator - the adult who guides the youth court members when needed and is present at hearings

Balanced and Restorative Justice (BARJ) - a philosophy of justice that focuses on outcomes to the respondent, victim, and community

Community Service - the disposition option that requires the respondent to help the community in some way

Deliberate - the act of considering the evidence with the purpose of reaching an agreement or a disposition

Disposition - the sentence imposed by the youth court on a respondent

Hearing - the session in which youth hear the case and determine a disposition

Misdemeanors - crimes carrying a possibility of a year or less of jail time

Recidivism - when offenders or juvenile respondents continue to commit crimes or acts of misconduct

Respondent - a juvenile who has committed a crime or violated a school rule

Restitution - payment of money to a victim for out-of-pocket damages caused by the respondent