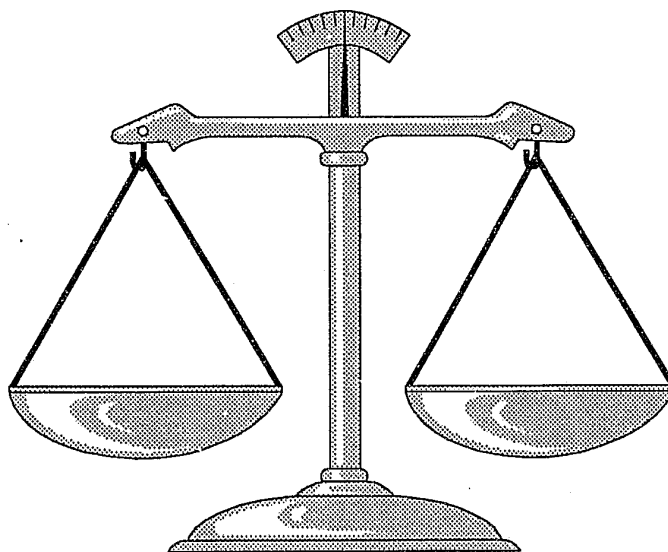


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TEEN COURT



NCJRS

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**SCHOOL VIOLENCE.
LET'S GET IT OUT OF OUR SYSTEM.**

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THE PROBLEM

In juvenile court, teenagers often get an earful about what they have done wrong and what they had better do to "straighten themselves out." What they do not get is information on what the court system is all about. Too often, young offenders leave the court room no better off than when they arrived and believing they will be back. Juvenile offenders lack respect for the juvenile court system because they don't understand it. Local court officials state that juveniles do not understand why a sentence was handed down. All the juveniles see is that a lawyer and a judge "did them in."

Our schools are viewed as being representative of our community. Recently the National League of Cities surveyed more than 700 city members and found the following:

- only 11 percent of the communities surveyed said violence was **not** a problem;
- 70 percent said police officers in their community are being assigned to patrol the schools;
- 19 percent said metal detectors are used to find weapons in schools; and
- 90 percent of the cities assign police officers to school athletic events.

These problems in our schools filter over into our juvenile court system, creating an overwhelming backlog in that system. Part of the solution to the overcrowding in the juvenile court system may be a peer jury which is also known as **Teen Court**.

THE HISTORY

The Peer Jury is a diversion program that allows certain juvenile offenders to avoid being processed through the juvenile court system. A peer jury provides an alternative to formal processing through the juvenile court, not avoidance of punishment.

The first Teen Court, as we know it today, was established in November 1983 in Odessa, Texas. At the time of its creation, it was felt that many of Odessa's youthful offenders literally "fell through the cracks." This new concept of "diversion and accountability" was and still is designed to provide an alternative to the formal court procedure for young offenders. The main goal of Teen Court was (and is) to get young people, ages 10 through high school, to take responsibility for their own actions. Over a decade later, it has proven to be a success. Cumberland County (Fayetteville) instituted the first Teen Court program in North Carolina. Modeled after the system in Odessa, the Teen Court gets teenagers involved in all aspects of the court system.

THE PROGRAM

The goal of Teen Court is to curtail misbehavior in the school and community and future illegal behavior by placing responsibility for offenses upon the offender. Teen Court is designed as an alternative method of school and community discipline for teens. The court bailiff, court clerk, jury, prosecuting attorney and defense attorney are junior and senior high school students who actually conduct the disciplinary sentencing phase of the infraction referred to Teen Court.

Because fellow teens play all the major roles in the proceedings, teen offenders tend to take the court's decision more seriously. Offenders appearing before the Teen Court staff are treated with understanding. The court staff listens to the offenders for factors at home, school, work or play that may contribute to the offenders' problems. Since peers best understand problems faced by teens, they develop appropriate and effective ways of redirecting their behavior and attitudes through participating in teen court.

Participating in Teen Court gives teens an opportunity to realize their role in the community, instills a sense of pride and responsibility, and through the use of positive peer pressure, helps create a better community.

STEPS IN THE PROGRAM

Teen Court is a community resource to be used for juveniles who allegedly commit offenses that are within the jurisdiction of the juvenile court. These offenses, if committed by an adult, would constitute a crime or infraction. The steps in referring an individual to Teen Court are:

1. an offender (age 10-19) commits an offense which falls within the teen court's jurisdiction;
2. the offender **admits guilt** and accepts the constructive sentencing opportunity available through the Teen Court;
3. the case is referred to the Teen Court administrator;
4. the offender and his/her parent(s) must come to the administrator's office for an interview and to be advised of his/her court date;
5. the offender and their parent(s) come to court at the assigned time;
6. the offender discusses his/her case with the defense attorney;

7. the offender's case is called; he/she is sworn in and tells what happened and answers questions asked by the defense attorney and the prosecutor;
8. the defense attorney and prosecutor present closing statements to the jury and recommend a sentence for the jury to consider;
9. the jury deliberates and returns its "constructive sentence" to the court and the offender;
10. the offender is given a specific time frame for completing the sentence; and
11. after completing the sentence, the offender notifies the administrator's office and the case is closed.

Participation in the process is voluntary. If at any time the offender decides not to continue, the case will be returned to the referring party. The referring party then decides what to do with the case. **Remember that Teen Court does not decide guilt or innocence.** Guilt is accepted by the offender before a referral to Teen Court occurs. The Teen Court only decides a constructive discipline plan for the offender and it is the responsibility of the offender to fulfill any sentencing requirements.

According to evaluations, there are numerous reasons for using Teen Court. For the student, it gives an understanding of the court system and the law. School attendance and grade performance are often improved and students develop a higher level of self worth. For the court system, teen court reduces the number of juvenile cases and provides court officials the opportunity to focus on more serious offenders. There is reduced recidivism among clients involved in teen court which serves as an alternative for rehabilitating potential delinquents. Most importantly, teen court encourages a positive view of the court system by juveniles. In most cases, there is a positive effect in terms of juvenile delinquent behavior preventing it from evolving into adult criminal activity.

RESOURCES

Formal funding for Teen Court was established in North Carolina during the 1993 Session of the General Assembly. The pilot program was expanded during the special legislative session convened in the spring of 1994. The program is administered by the Administrative Office of the Courts (AOC). Additional information on the overall project may be obtained by contacting :

Robert Atkinson
Administrator
Community Penalties Division
Administrative Office of the Courts
Post Office Box 2448
Raleigh, N.C. 27602

If you would like information on one of the Teen Court programs currently being funded, please contact the following:

Ms. Pamela Sherman
Teen Court Administrator
Cumberland County Dispute Resolution Center
Cumberland County Teen Court
155 Gillespie Street
Fayetteville, North Carolina 28302
(910) 486-0114

Dr. Barry Rice
Safe Schools Coordinator
Durham Public Schools
Durham Teen Court
Post Office Box 30002
Durham, N. C. 27702
(919) 560-2105

Mr. Phillip G. Kelley, Chairman
Buncombe Alternatives, Inc.
Buncombe County Teen Court
60 Courthouse Plaza
Asheville, North Carolina 28001-3456
(704) 255-4714

The basic framework for these programs was taken from the system used successfully in Odessa, Texas. For more information on that program, you may contact:

Ms. Tammy Hawkins
Coordinator
Odessa Teen Court
Municipal Court Building
Odessa, Texas 79761
(915) 335-3352

JUDGED BY A JURY OF THEIR PEERS



Prosecutor Rob Robinson, a junior at Reynolds High School, addresses the jury during a session of Teen Court in an Asheville courtroom.

THE ASSOCIATED PRESS

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ASHEVILLE. — Lawbreaking teens really are judged by a jury of their peers under a novel program designed to stop the spread of juvenile crime.

In Buncombe County Teen Court, juries of teenagers pass judgment on teenagers under 16 who have admitted offenses. The "lawyers" also are teens. An adult, often a District Court judge, presides.

Similar courts also have been established in Fayetteville and Durham.

The court is an effort to nip criminal activity in the bud. Because the offender has admitted guilt, the real purpose of teen court is to use a form of peer pressure to dissuade a juvenile from committing more crimes.

"That is our hope — that we impact behavior," said Karen McDonald, chief court counselor and director of juvenile services

Teen Court is option for young offenders

Program aims to alter behavior

in Buncombe County. "All of these hard-core criminal problems start as something. We're trying to be ahead of the game, for the most part through early intervention and prevention."

A typical recent case involved a 14-year-old who admitted taking a handgun to school.

The jury's sentence: 25 hours of community service; a letter of apology to be broadcast over the school's public-address system; a research paper on gun control and safety; and a visit to a hospital to observe a gunshot

victim.

The District Attorney's Office decides whether a juvenile's case is more suitable for Teen Court than for criminal prosecution. Violent offenses are not referred to Teen Court, McDonald said, and first-time offenders are given priority.

Because Teen Court is voluntary, the youthful offender can decide at any stage to go through regular juvenile court, McDonald said. One advantage to the alternative is that Teen Court results are not reflected on the

juvenile's record.

District Court Judge Rebecca Knight, who often serves as the judge for Teen Court, helped recruit middle and high school students to serve as jurors and attorneys. Before tackling real cases in Teen Court, the students received special training.

One of them was Roberson High School sophomore Matt Tavener, who served as a Teen Court juror for the first time last week. He got involved to help him understand courts and legal procedure.

Adult volunteers also have seen benefits to helping with Teen Court.

"I think it's a superb way to work with our young people," said Asheville lawyer Scott Jarvis, who has acted as a Teen Court judge. "It has proven to be an effective way of dealing with people just getting started with anti-social behavior."