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New York State Unified Court System

RESOURCE GUIDE



RECOMMENDED
PRACTICES
FOR
YOUTH COURTS

A Manual for New York Youth Court Coordinators and Practitioners



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Center for Court Innovation
520 Eighth Avenue, 18th Floor
New York, New York 10018
www.courtinnovation.org
(212) 397-3050
info@courtinnovation.org



RESOURCE GUIDE

Recommended Practices for Youth Courts

A Manual for New York Youth Court Coordinators and Practitioners

March 2010

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Cover photo: Members of the Red Hook Youth Court

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NEW YORK YOUTH COURT RECOMMENDED PRACTICES MANUAL

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1. INTRODUCTION

Youth courts train local teenagers to serve as jurors, judges, and attorneys, handling real-life cases involving their peers. The goal of youth court is to use positive peer pressure to ensure that young people who have committed minor offenses pay back the community and receive the help they need to avoid further involvement in the justice system. Each youth court varies in response to the needs and resources of its community, but typically youth courts handle cases involving young people, ages 10 to 18, who have been cited for low-level offenses, such as vandalism, fare evasion, assault, and truancy.

Youth courts pursue multiple goals at the same time. First, they hold young people accountable for their actions by requiring them to accept responsibility and pay back the community. Youth court sanctions emphasize restoration, encouraging respondents to make amends through such actions as writing letters of apology and performing community service. Second, youth courts often seek to link troubled teens to needed services, including tutoring, mentoring, and anger-management classes. Third, youth courts provide participants with experiential learning that is designed to complement classroom lessons about government. Youth court members learn first-hand how courts work, stepping into the roles of prosecutors, defenders, jurors, and judges.

The Recommended Practices Manual

Over the past two decades, youth courts have developed in every corner of New York State; the State currently has over 80 active youth courts. New York's youth courts have reached an important crossroads in their development. Having benefited from the hard work of an initial generation of dedicated pioneers, programs must now ensure quality of operations and sustainability in the face of decreasing budgets and staff turnover. This challenge is especially difficult for New York State youth courts as they are, by design and necessity, independently run programs that reflect local preferences, needs, and political realities.

To meet this challenge, we have developed a set of recommended practices that are not prescriptive, but offer guidance to youth court practitioners to help individual programs, and the network as a whole, sustain effectiveness, maintain a high quality of program services, and report on their successes. The recommended practices in this manual draw from successful programs and practices across the State to provide resources, tools, and guides for effective youth court operations.

The manual is comprised of the following sections:

- **Recommended Practices;**
- **Overview of Existing Research and Resources;**
- **Results from the New York State Youth Courts Survey:** summary of findings from a state-wide survey;
- **Profiles of Selected Youth Courts:** descriptions and contact information for the eight youth courts that participated in the site visits and informed the recommended practices;
- **Index of Resources for Youth Court Practitioners:** index of resources, guidelines, and resources for youth courts; and
- **Tools for Program Evaluation:** sample documents and resources to create or expand program evaluation efforts.

The development of the recommended practices

The recommended practices are the product of one year of intensive research including a review of existing research and guidelines, a state-wide survey, and site visits to eight well-established youth courts across the state. The project was aided by the participation of an Advisory Committee that includes representatives of key youth court stakeholder groups, including representatives from schools, family and criminal courts, probation, law enforcement, district attorneys' offices, defense counsel, and youth development and youth court experts. Advisory Committee members informed the development of the research components, and vetted the resulting recommendations, providing invaluable ideas and insights throughout the course of the project.

Overview of existing research and guidelines

We surveyed available evaluative research and assessed current national best practices and resources developed for youth courts across the country. We found that, despite the growing interest in and proliferation of youth courts nationally, relatively little evaluative data exists that documents the effectiveness of youth court programming when compared to traditional responses to low-level offenses committed by young people. There is a clear need for more research in this area.

State-wide survey

Between June and September 2009, the Center conducted a survey requesting data pertaining to operations, funding, case processing, and youth participation in all known youth courts in New York State. Over 60% of known youth court programs responded to the survey. Key findings include:

- New York State youth courts operate on limited funds provided by a variety of sources, and are run by a range of parent organizations.
- The majority of youth courts use a peer jury model. This is in contrast with national trends, in which the majority of youth courts use an adult judge model.
- Youth courts typically receive referrals from a variety of sources and hear a diverse range of offenses. There is a relationship between the size of a youth court's budget and the number of referrals it receives.
- Despite restricted budgets and resources, youth courts report high rates of compliance by respondents and accountability measures by staff.
- Funding and lack of referral sources were the most frequently cited program challenges.

Site visits

Between July and October 2009, we conducted structured, day-long site visits of eight established youth court programs across New York. The Center selected sites that are well-established, hear a substantial number of cases annually, and represent the diversity of New York State. During the visits, Center staff met with a range of people who play critical roles in the programs, including youth court program staff, partners, and youth participants, to learn more about the practices and impact of the program. Profiles of each site are provided in this manual, and the lessons learned from the site visits were used to inform and support the recommended practices. Sites provided documents and materials used by their programs; subsequent document analysis was used to inform the recommended practices, providing examples and support for various recommendations.

Feedback and Suggestions

We welcome your feedback and suggestions on the Recommended Practices manual. Please send your comments and questions to:

Youth Court Initiative
Center for Court Innovation
520 8th Avenue, 18th Floor
New York, NY 10018

youthcourts@courttinnovation.org

2. ADVISORY COMMITTEE

- Dr. Jeffrey Butts, Executive Director, Criminal Justice Research and Evaluation Center, John Jay College of Criminal Justice
- Hon. Alex Calabrese, Red Hook Community Justice Center
- Violet Colydas, Director, Colonie Youth Court
- Melissa Gelber, Director, Project READY
- Hon. Frank Geraci, Monroe County Court
- Karen Green, President, National Association of Youth Courts
- Mary Grenz Jalloh, Executive Director, New York State Center for School Safety
- Hon. Craig Hannah, Buffalo City Court
- Deborah Holland, Coordinator, Ontario County Youth Court
- Susan Lindenauer, The New York Bar Foundation
- Hon. Richard McCord, Glen Cove City Court
- Paul McDonnell, Deputy Counsel, New York State Office of Court Administration
- Jon Messick, Program Administrator, National Association of Youth Courts
- Jackie Negri, Executive Director, Association of New York State Youth Bureaus
- Andrew H. Placito, Jr.
- Karen Schoenberg, Special Assistant District Attorney, Richmond County, representing District Attorneys Association of New York State
- Stacey Whiteley, Program Manager, Law, Youth & Citizenship Program, New York State Bar Association
- Judith A. Wolfe, President, Association of New York State Youth Courts
- Michelle Yanche, Staff Director, Neighborhood Family Services Coalition, representing Association of New York State Youth Bureaus

3. RECOMMENDED PRACTICES

Underlying Principles

A few core principles are evident throughout the practices of New York State youth courts and are supported by the national body of literature on youth courts. The recommended practices include suggestions to help programs more fully realize these underlying principles:

- Restorative justice: In order to encourage respondents to take responsibility for their actions and repair harm caused by their behavior, youth court proceedings and sanctions should be focused on reintegrating respondents, encouraging them to play more positive roles in their communities, and exposing them to pro-social peer influences.
- Youth leadership: Youth courts provide multiple opportunities for youth volunteers and respondents to develop leadership skills and serve as peer leaders in their schools and communities through trainings, hearings, and community service activities.
- Civic education: Youth courts provide a unique and valuable civic education opportunity for youth court volunteers and respondents. Programs can demonstrate this value by developing and using evaluation tools that measure civic education gains in knowledge, experience, and perceptions of efficacy in community well-being.

Practice Area One: Management and Staffing

A. Staff roles and responsibilities

Recommendation: Develop defined roles and responsibilities for staff. Responsibilities should include:

- Recruiting and training youth volunteers;
- Developing referral sources, community service opportunities, and partnerships with community-based organizations that can provide mandated or voluntary services to respondents and parents;
- Conducting outreach to youth court referrals and conduct intake of respondents;
- Debriefing respondents/parents after hearings;

- Monitoring respondent compliance and reporting compliance to referral sources;
- Developing and/or implementing program evaluations;
- Fundraising for and managing program budget; and
- Tracking referral, case and program data in a data management system.

Additional responsibilities can include:

- Attending conferences and other professional development opportunities for youth court practitioners; and
- Promoting the youth court program in local media and raise program visibility in the community.

Rationale: The responsibilities listed above can be distributed to one or more staff or volunteers. Given limited resources, clearly identified responsibilities allow program coordinators to identify opportunities to maximize the use of paid staff, adult volunteers, and partner support. Clearly defined roles and responsibilities are especially important when working with volunteers who are likely to work with the program on a part-time and short-term basis.

Examples: Warren County utilizes a Youth Court Coordinator job description that comprehensively outlines the responsibilities the position entails, including conducting the youth court, seeking community support, and evaluating program efficacy. The description also includes required knowledge and abilities, experiential qualifications, and evaluation procedures for the position.

B. Professional development

Recommendation: **Encourage and support professional development.** Staff should seek opportunities for in-service training and for networking with other youth court practitioners.

Rationale: Youth courts have minimal resources to spend on professional development, yet there are few no- or low-cost opportunities of which to take advantage.

Examples: Programs that are located in areas where there are numerous youth courts within a relatively small geographical area should consider forming coalitions or consortia, as a group of youth courts in Suffolk County have done. The Suffolk County youth courts, for example, collaborate on an annual mock trial competition. Youth court staff and partners can network and exchange questions and ideas with other youth court practitioners through the New York State Youth Court listserv (email youthcourts@courttinnovation.org to sign up). Youth courts can also join the Association of New York State Youth Courts. Association members have access to a range of materials and support and can connect with youth court programs across the State through quarterly meetings, newsletters, and training opportunities (visit www.nysyouthcourts.org to learn more). The National Association of Youth Courts provides a wide range of resources for youth courts through its website and mailing list, including information on trainings and conferences (visit www.youthcourt.net to learn more and to join the mailing list).

C. Adult Volunteers

Recommendation: Consider supplementing paid staff with support from adult volunteers, especially by encouraging parent participation and by developing relationships with volunteer organizations. Volunteer organizations include: Senior Corps and AmeriCorps, federal programs that connect volunteers with local community-based service opportunities (www.seniorcorps.gov and www.americorps.gov) and ReServe, which connects retired professionals with service opportunities in New York City (www.reserveinc.org).

Rationale: Youth courts have limited resources for staff. Over one-third of youth courts surveyed reported employing unpaid adult volunteers in their programs. Established adult volunteer organizations provide access to and support for engaging local adults as volunteers. Volunteers can help fill gaps in staffing needs and can share valuable educational, professional, and personal experiences with program participants.

Examples: The Red Hook Youth Court and Rochester Teen Court have a history of working with AmeriCorps and ReServe volunteers, as do many other programs. The Cattaraugus County Youth Court receives support from parents of members who volunteer for five hours per month.

D. Advisory boards

Recommendation: Develop and use advisory boards to expand support in local communities. Board members should include representatives from program partners (e.g., probation, law enforcement, school administration), community organizations (e.g., local business bureaus, service organizations), a parent representative, and, when possible, a judge. Youth courts may want to consider convening an advisory board, or committee within the board, to review and develop ideas for expanding referral sources. Youth courts may want to consider designating a few youth (members or alumni) to participate in the advisory board or having a youth advisory board.

Rationale: Advisory boards offer many benefits to youth courts. First, they can help ensure the youth court is responsive to the needs and concerns of partners and the community. Second, advisory board members can provide expertise and support for youth court objectives such as fundraising, generating publicity, and creating new opportunities and experiences for youth volunteers. Additionally, advisory board members serve as important advocates for the program with regards to funders, media, and public events.

Examples: Warren County Youth Court's advisory board meets on a regular basis; attorney advisory board members provide advice to the program when legal questions arise. Brookhaven Youth Court has developed a youth advisory board, comprised of 16 to 18 volunteers. The board meets on a quarterly basis, provides feedback about the program, and makes recommendations to youth court staff. The Syracuse University College of Law created an advisory board for the Syracuse School District Student Court consisting of representatives from the law school, the New York State Attorney General's Office, the United States Attorney's Office, the Onondaga County District Attorney's Office, the Syracuse City School District, and former law school fellows. The advisory board guides law school fellows during their year-long fellowship with the youth court, assists in providing speakers for the program, and offers professional guidance to the law school fellows. The American Bar Association's "Youth Cases for Youth Courts" (2006) provides guidance for setting up a referral committee.

Practice Area Two: Funding

A. Fundraising strategies

Recommendation: Develop and implement short- and long-term strategies that not only support programming goals but can also strengthen fundraising efforts. For example:

- Seek to increase visibility of the program through local media and community visibility efforts, such as community fairs and public community service projects.
- Consider collaborations with other community groups that lend themselves to joint fundraising efforts and/or in-kind support.
- Develop and implement evaluation strategies that measure the program's effectiveness across multiple goals and outcomes. (See **Practice Area Seven: Program Evaluation and Data Management** for specific recommendations for evaluation strategies.)

Rationale: Youth courts can expand and strengthen fundraising efforts by demonstrating their value to communities and by building sustainable partnerships.

Examples: All of the programs that participated in our site visits benefit from donated office and hearing space, and many receive in-kind staff and program support. For example, the Red Hook Youth Court sanctions respondents to work with Groundswell Community Mural Project, a local non-profit that creates murals in under-served neighborhoods. Respondents assist the artists on projects; Groundswell manages all aspects of the mural projects and provides all materials. After completing their sanctions, respondents can continue to work on the mural projects voluntarily. The Warren Youth Court receives substantial in-kind support from the Council for Prevention of Alcohol and Substance Abuse, a local organization that provides a wide range of alcohol and substance abuse prevention services. For example, staff from the Council participate in alcohol and drug awareness training for members.

Practice Area Three: Youth Volunteers

A. Recruitment methods

Recommendation: Consider a range of strategies and creative ways to recruit new youth

volunteers and promote incentives for participation.

Rationale: In the state-wide survey of youth courts, several youth courts cited that an ongoing program challenge was maintaining a consistent group of youth volunteers. Youth court members can be over-extended, participating in multiple after-school programs with conflicting schedules and demands. Youth courts can engage a greater diversity of youth volunteers—especially those not otherwise engaged in extra-curricular activities—by expanding their recruitment methods. Many youth courts offer incentives for participation that can motivate young people to consider, and maintain, participation.

Examples: As reported in the youth court survey, New York State youth courts use a variety of recruitment methods, including:

- Presentations at local community-based organizations that serve young people and their families;
- Online social networking tools (e.g., Facebook, MySpace, Twitter);
- Advertisements or announcements in local print, radio and television;
- Member promotion at schools, through formal and informal presentations and word of mouth;
- Use of a video about the program; and
- Announcements in partners' newsletters or other publications.

Many of the programs that participated in our site visits provide incentives to youth court members. In most youth courts, members can use program participation to fulfill school or other community service requirements, and members participate in periodic membership appreciation events, including annual graduation ceremonies. The Brookhaven Youth Court offers senior members who are planning to go to college the opportunity to apply for a \$100 scholarship during their senior year. Youth court members raise most of the money necessary to support the scholarship through fundraising efforts held throughout the year, including raffles and bake sales. Red Hook Youth Court members receive stipends of \$100 per month for active participation in the program.

B. Training format

Recommendation: Trainings should incorporate a variety of teaching methods (e.g.,

lectures, experiential learning opportunities, site visits, discussion) throughout the curriculum to make them engaging and dynamic. Engage external resource people, such as attorneys, law enforcement or probation officers, law students, and judges, to serve as guest trainers.

Rationale: Over one-third of youth courts surveyed require 16 to 20 hours of training for members. In addition to conveying substantive information relevant to the program, training should support youth development skill-building through dynamic activities that challenge members. Youth court training should feel different than school; program coordinators and training facilitators should use methods to keep members engaged and excited about participation. Use of outside “guest faculty” exposes members to new adult role models and helps to build partnerships between the program and other entities.

Examples: Several professionals volunteer time to participate in Warren County Youth Court trainings such as: local judges, law enforcement officials, the county commissioner of jurors, a prosecutor, a defense attorney, the department of probation, loss prevention or security professionals from local businesses, and a number of local attorneys in private practice. A local family court judge often participates in training sessions for the Rochester Teen Court, as do representatives of the department of probation, law guardians, and defense attorneys, assistant district attorneys, and school resource officers. “Youth Court Training for Results” (2004) provides guidance for making the best use of community resource people in trainings for youth volunteers.

C. Training topics

Recommendation: Youth court training programs should convey a strong understanding of the substantive law and procedural framework within which programs function and should help participants build skills they need to succeed as youth court members and as active, engaged members of their communities. (See **Index of Resources for Youth Court Practitioners** for a list of national training resources.) Youth courts should cover as many of the following topics as possible in their trainings:

- Foundations of the justice system
 - Juvenile justice system case flow

- Differences between criminal and juvenile justice systems
- Differences between youth court proceedings and actual court proceedings
- Structure of New York State court system
- Roles of key justice system professionals
- Penal law
- Youth court operations
 - Restorative justice principles
 - Offenses/case types
 - Confidentiality, ethics, and protocols
 - Glossary of terms commonly used in youth court, family court, and criminal court
 - Courtroom conduct (e.g., dress code, language, decorum)
 - Sentencing/sanctions
 - Courtroom process script
- Member roles and skills
 - Role descriptions and responsibilities
 - Opening/closing statements
 - Direct/Cross examination
 - Interviewing techniques
 - Working with challenging clients
 - Precision questioning
 - Objectivity
 - Consensus building
 - Critical thinking

Rationale: Youth court members should have a firm grasp of substantive law relevant to proceedings. They should also understand the referral process, the relationships youth court has with other players in the juvenile/criminal justice system, and how youth court structure compares with the structure of the formal court system. Youth court volunteers should also build skills that will enable them to excel as youth court members and beyond.

Examples: The Youth Court Training Manual used by the Colonie Youth Court offers information

about many of the topics listed above in a well-organized format. The Team Member Training Manual used by the Cattaraugus County Youth Court includes additional topics, such as information about the principles of restorative justice as they relate to youth courts and a glossary of key courtroom process terminology that many youth courts may find helpful for their own training programs.

D. Advocate training

Recommendation: Training should prepare advocates to:

- Counsel respondents on what to expect during hearings;
- Counsel respondents on what will be expected of them during hearings; and
- If allowed, prepare and encourage respondents to testify, demonstrating responsibility and sharing their thoughts/feelings at the time of the offenses.
- Understand staff protocols for suspending a hearing and providing support should a respondent exhibit discomfort at any time during the hearing.

Rationale: Respondents should be fully informed about their participation in hearings and be given the opportunity, through testimony and/or representation, to demonstrate responsibility for their actions, strengthening the youth courts' restorative justice practices. In order for youth courts to conduct hearings that create opportunities for respondents to acknowledge and take responsibility for their actions, and for youth courts to develop responsive and thoughtful sanctions, youth court members should be trained to represent respondents fully, presenting through opening statements, testimony, and closing statements information such as participation in extracurricular activities, responsibilities and home, and non-academic achievements. As discussed in "Communications in a Teen Court: Implications for Probation" (Beck, 1997), direct questioning of respondents by their peers supports the rehabilitative goals of youth courts. Procedural justice theory postulates that granting respondents "ample opportunity to contribute their views and to see that they are treated just like other youth" (Butts et al., 2002, p. 9) should lead to reduced recidivism.

Examples: In Red Hook Youth Court trainings, staff prepare advocates for working with respondents who are resistant to participating in youth court proceedings. Advocates are trained to consider and be sympathetic to the feelings and experiences of "difficult" respondents, and use role-play activities to explore

solutions to oppositional behavior. During hearings, staff will call a brief recess if a respondent is especially hostile or non-responsive.

E. Ongoing training

Recommendation: Provide continuing education trainings that respond to specific cases that may present new challenges, or reflect a developing trend in the community. For example, if the youth court begins hearing cases involving truancy, members should be briefed on the issue and the underlying causes of chronic truancy, and they should explore how youth court can help respondents and their families address this issue. Events such as Law Day and Constitution Day also present opportunities for continuing education for members.

Rationale: Continuing education opportunities will strengthen members' ability to respond to cases with the necessary knowledge and skills. These opportunities can also help challenge members, especially those who have served on the youth court for a length of time and may seek new challenges. Ongoing trainings as new issues arise help youth courts remain flexible to meet needs of their communities.

Examples: Rochester Teen Court members are expected to participate in follow-up training sessions held three times each year. When the Town of Colonie Youth Court instituted a new role of victim advocate, youth court members were required to participate in trainings on the role and its responsibilities. In the Cattaraugus County Youth Court, members participate in supplemental practice sessions and workshops on a regular basis. Warren County Youth Court members participate in supplemental trainings every January in preparation to hear truancy cases.

G. Younger members

Recommendation: Give younger youth court members (e.g., 7th and 8th grade students) responsibilities that are integral to the program and appropriate for their abilities. For example, younger volunteers may participate in the jury pool and advance to other roles such as advocates as they mature and gain youth court experience.

Rationale: Younger students can be dedicated and active youth court participants; early engagement may

encourage long-term participation. However, younger members will be more likely to enjoy their experiences and be successful participants if their responsibilities are appropriate for their cognitive and behavioral abilities.

Examples: In the Warren County Youth Court, younger volunteers serve as jurors and in the role of bailiff.

G. Community service credit

Recommendation: Explore with local school administrations whether youth court participation fulfills community service requirements, or may earn students academic credit. When it does, provide this information in promotional materials.

Rationale: If youth court participation qualifies as community service or earns academic credit, students benefit from an additional incentive, are further motivated to maintain participation, and may receive support for their participation within the school community. Additionally, school staff can offer youth courts valuable assistance in promoting youth court participation to their students.

Examples: Most of the programs that participated in our site visits reported that youth volunteers earn community service credit for their participation.

H. Periodic review of members

Recommendation: Review members' performance and participation regularly using a consistent, formalized structure. Reviews may take the form of conversations or written assessments. Reviews should highlight and commend strengths and achievements, and then address areas in which the young person can further improve his or her participation. Youth courts should also provide training and opportunities for members to review and reflect on each other's performance.

Rationale: Young people benefit from sustained, thoughtful feedback on their work. They feel acknowledged and commended for areas in which they are successful. Youth court coordinators provide informal feedback to members on an on-going basis. To maximize the effectiveness of these critiques and in

order to ensure all youth benefit, youth courts should develop and implement a more formal approach to reviewing members' performances and participation. Thoughtful and constructive feedback on areas that need work helps young people focus their efforts and feel supported in areas they may find challenging. Youth court programs benefit from addressing and responding to problematic participation on an ongoing basis, and from the opportunity to address sub-standard performance before it escalates or has a significant impact on the program. Peer critiques are often used informally in mock hearings and during trainings and can create a consistent and effective mechanism for encouraging and supporting individual growth and collective success. Peer critiques also provide more experienced members with opportunities to act as role models and resources for younger members.

Examples: All youth courts that participated in our site visits provide feedback to youth volunteers on an informal basis.

1. Use of online social networking

Recommendation: Take advantage of online social networking tools to publicize programs, recruit new members, support member participation, and engage alumni. Youth courts can use these tools—such as Facebook, MySpace and Twitter—to communicate with membership between sessions, to keep alumni connected to the program, and to recruit new volunteers through member/alumni social networks. Youth courts can have youth court members be primarily responsible for developing and maintaining the online “presence” of the youth court program, capitalizing on both their technical knowledge and frequent use of the web sites. However, youth court staff should set-up any online account and maintain ownership after members leave the program. Similarly, youth court staff should actively monitor any online representation of the youth court program to ensure appropriate use.

Rationale: Very few youth courts surveyed currently use social networking to recruit volunteers, while a majority use traditional “word of mouth” and public notices. Online social networking tools are free, provide access to a large number of young people, and allow for timely sharing of information, events, and creative message delivery to a diverse youth audience. These tools also allow youth courts to take advantage of young people’s social networks, which likely include friends who are not youth court participants, reside in other nearby communities, and attend different schools. Online tools also save costs associated with large mailings.

Examples: The Warren County Youth Court uses Facebook to communicate with members on a regular basis, providing up-to-date information about hearings, events, and news related to major court decisions across the country. Prospective members can use the youth court’s Facebook page to learn more about the program and ask questions of current members.

Practice Area Four: Referrals and Intake

A. Multiple referral sources

Recommendation: Pursue multiple referral sources. Common referral sources for New York State youth courts include:

- Departments of Probation
- Police departments
- Schools
- Family Courts
- Criminal Courts

A local referral committee, as suggested by the American Bar Association’s “Youth Cases for Youth Courts” (2006), can assist in regularly reviewing referral sources, eligible offenses, and case screening process.

Rationale: Multiple referral streams help to ensure steady case flow and a diverse caseload. Additionally, the survey of New York State youth courts found a statistically significant relationship between program budget and number of referrals; increasing referral sources can create additional avenues of funding and in-kind support from referring agencies. When considering adding more referral sources, youth courts should consider existing capacity, and whether any in-kind support provided by new referral sources will be sufficient to support any increase in caseload.

Examples: Over half of all youth courts surveyed receive referrals from police department arrests, departments of probation, and criminal courts. Other common referral sources for New York State youth courts include schools (administrators and school-based law enforcement), family courts and police department referrals other than arrests.

B. Conflicts of interest

Rationale: Develop and implement protocols to address situations in which members have pre-existing relationships with respondents, families, or victims that might affect their ability to be fair or neutral during a hearing. Responses could include the youth court declining cases or members removing themselves from cases, or training members to self-identify when those situations arise.

Rationale: Conflict of interest policies help to ensure that respondents view the youth court process as fair and believe that the process gives them an opportunity to be heard by an impartial body.

Examples: Many youth courts have informal practices to prevent conflicts of interest between members and respondents.

C. Case selection

Recommendation: Develop and implement protocols with referral sources regarding what cases should be referred to youth court. A few factors to consider include threat or danger to members and whether the offense is gang-related. Additionally, youth courts should decline to hear cases in which a respondent's unmet or under-addressed service needs would likely prevent him or her from successfully participating in youth court, such as drug/alcohol abuse, debilitating learning disabilities, or particularly complicated family dynamics.

Rationale: In seeking to remediate the offense under discussion, a youth court may not be able to address underlying problems that contributed to the respondent's actions. Youth court participation for these respondents will likely set them up for failure. Youth courts can ensure they are receiving appropriate cases by communicating with referral sources the capacity and resources of the youth court program to address underlying service needs. (Cases that are declined by a youth court are typically processed in the traditional manner by the referral sources.)

Examples: Several judges interviewed during the site visits related that their criteria for youth court referrals included assessments of the respondents' needs.

D. Respondent assessment

Recommendation: When possible, make use of information collected by referral sources during their initial assessments (e.g., YASI¹). Supplement unavailable or missing assessment information with youth court-conducted assessments of all youth court respondents to identify unmet or under-addressed social service needs. This assessment should cover as many of the following domains as possible:

- Type of offense
- Past offenses
- School attendance
- Special education needs
- Educational challenges and achievements
- Family environment
- Emotional/mental health concerns
- Substance use/abuse

Rationale: Assessment information can be used to inform sanctions that aim to support respondents in overcoming existing challenges. Youth courts can use assessment information to provide services or referrals to address unmet or under-addressed social service needs.

Examples: The Cattaraugus County Youth Court requests a range of information from respondents and their families, including the respondent's academic record, interests/hobbies, learning and/or physical disabilities that could affect the youth's ability to perform sanctions, and consequences already imposed by home and/or school. The Rochester Teen Court seeks information about the family's living situation, medical and psychological issues faced by the defendant, and any other challenges the defendant faces. The Red Hook Youth Court requests information about family environment, such as conflicts with family members and involvement with Family Court.

¹ YASI is a Youth Assessment and Screening Instrument used by all Departments of Probation in New York State, outside of New York City.

E. Social service referrals

Recommendation: To the extent possible, refer respondents and their families with unmet or under-addressed social service needs to resources within the community (regardless of whether the case is heard by the youth court). Common social service referrals include:

- Drug/alcohol use
- Family mediation
- Public assistance and similar benefits and services
- Counseling
- Tutoring/educational support
- Gang prevention/intervention
- Referrals to meet unmet medical/mental health care needs

Rationale: The majority of youth courts (and their parent organizations) are not equipped to provide social services directly, but are well-positioned to identify and help young people and their families who have needs that might otherwise go unaddressed. Additionally, youth courts can build a reputation for being a resource that connects young people and their families to local service providers in their communities.

Examples: Many youth courts refer respondents and their families to community resources.

F. Family Engagement

Recommendation: Strive to engage respondents' families throughout the youth court process. Encourage parents to attend hearings and, if possible, seek to address potential barriers to their attendance (e.g., scheduling conflicts, disinterest in proceedings). Throughout, staff should provide clear information to parents about the process, encouraging questions and feedback.

Rationale: By engaging families, youth courts can help develop parental support for their children's participation in the program. Parents can also play important roles in supporting their children's successful

completion of sanctions.

Examples: The Rochester Teen Court and Cattaraugus County Youth Court conduct a brief orientation session for parents before hearings, during which youth court staff describe the youth court process and answer any questions parents have.

G. Informed Consent

Recommendation: Develop a process and forms that ensure that parents and youth are fully informed about youth court before they consent to participate. Youth court staff should read consent forms to parents and youth to maximize comprehension; forms should be available in the primary language spoken by the parents. Forms should include:

- Parents' /respondents' responsibilities as youth court participants;
- Rights surrendered upon agreeing to participate in youth court; and
- Options (and/or consequences) if they choose not to participate.

Rationale: Programs are more effective when participants and their parents are fully informed about the process and their responsibilities.

Examples: Most youth courts from the site visits use forms that include some or all of the above information. For example, in the Cattaraugus County Youth Court, respondents and parents agree that information pertaining to their cases may be shared with staff involved in the completion of their cases, such as those at community service sites.

Practice Area Five: Hearings

A. Courtroom environment

Recommendation: Consider courtroom set-up carefully. The space should provide private areas where advocates and respondents can meet and where juries can deliberate out of earshot of respondents. The timing of hearings should ensure that respondents with different cases do not spend a lot of time together while awaiting their hearings.

Rationale: Courtroom set-up can support perceptions of fairness and confidentiality, and provide sufficient opportunity for youth advocates to prepare respondents for hearings.

Examples: In the Warren County and Cattaraugus County Youth Courts, youth advocates generally do not meet with respondents until the day of the hearing.

B. Jury service

Recommendation: Programs that use youth juries should consider creating jury service opportunities for non-youth court members. For example, youth courts can sanction respondents to jury service. Jury service also offers an opportunity for young people who have heard about the youth court to learn more about it; volunteers can serve as jurors simply by attending a court session and agreeing to abide by all youth court rules and regulations.

Rationale: Jury service offers an excellent opportunity to reintegrate respondents and engage a broader range of youth volunteers. Further, respondents can enrich deliberations by sharing their unique perspectives with other jury members. Acker et al. (2001) explain that the involvement of former offenders on youth court juries enables a “richer and more meaningful education about the legal system” (p. 209). Furthermore, holding a position of responsibility for enforcing social norms “expose[s] [them] to positive adult and peer role models during youth court training sessions and trials” (p. 209).

Examples: Nearly one-quarter of youth courts surveyed involve some volunteers as jurors only, either instead of or in addition to members who serve multiple roles. For example, the Town of Colonie Youth Court recruits volunteers who play two different roles: court members who are required to volunteer at least three hours per month for a minimum of a year and jury pool members who play a more limited role and can volunteer for service anytime. In the Rochester Teen Court, youth can volunteer as jurors; any person, aged 14 or above, is eligible to be a teen court juror if he or she participates in a brief orientation session. Over one-third of youth courts surveyed commonly impose jury service as a sanction. In the Cattaraugus County Youth Court, respondents are required to serve as jurors at least once as part of their sanctions.

Practice Area Six: Post-hearing Process

A. Meeting with respondents and families

Recommendation: Youth court staff should, whenever possible, meet with respondents and their families after hearings to review the process, answer questions, and develop a plan for the respondent to complete sanctions imposed by the court. Youth court staff can also use the opportunity to solicit feedback about the process from respondents and their families. In particular, youth court staff should measure perceived fairness of process, including preparation, hearing, and sanctions, and perceived treatment by members, using evaluation tools discussed in the “Program Evaluation” recommendations.

Rationale: Addressing any questions and concerns immediately after hearings will help ensure that respondents and parents understand and are able to comply with program expectations. Additionally, feedback on the program can be used to modify program practices to improve the experiences and outcomes for respondents and families.

Examples: Most youth courts visited meet with respondents and their families, when possible, after hearings.

B. Sanctions

Recommendation: Youth court sanctions should reflect restorative justice principles as much as possible. For example, community service hours can provide consistent and meaningful interactions with adults, opportunities for varied and valued tasks, and demonstrate to community members that young people can and do contribute to the community. Community service can also directly respond to the harm caused by the respondent’s behavior; for example, a respondent sanctioned for vandalism can be sanctioned to graffiti removal.

Rationale: Restorative justice principles support providing engaging, pro-social sanctions that repair harm done, respond to the needs of individual respondents, and are appropriate for the offenses committed.

Examples: According to the State-wide survey, the four sanctions used most by youth courts are community services, essay, letter of apology, and educational classes. Other sanction types used by New York State youth courts include:

- Jury duty
- Victim impact panels
- Discussion groups
- Assessment by social service provider

According to the National Association of Youth Courts, the most common sanctions applied by youth courts nationally are community services, oral/written apologies, essays, educational workshops, and jury duty. In the Red Hook Youth Court respondents can be required to attend workshops on decision-making and conflict resolution and a one-session, interactive workshop that focuses on what youth should do if stopped by the police. The workshop is conducted in partnership with local law enforcement. The Center for Youth, in partnership with the Rochester Teen Court, conducts workshops in which respondents learn decision-making skills and goal-setting, and explore how to address conflict when interacting with people in positions of authority.

C. Mentoring opportunities

Recommendation: Maximize opportunities to create mentoring opportunities between respondents and/or members and staff or other adults in the community. Youth court members can also serve as mentors to respondents while they fulfill their sanctions.

Rationale: Youth court participation provides mentoring opportunities for both respondents and members. Partnerships with community resources, such as attorney associations or institutes of higher education, can tap into low- or no-cost resources while strengthening a youth court program's local support.

Examples: In the Warren County Youth Court, staff encourage and support mentoring relationships between staff and respondents, and between respondents and an adult volunteer attorney. Nationally, 13% of all sanctions include a mentoring component. The Salt Lake Peer Court in Salt Lake City, Utah, includes a required peer mentoring component in its sanctioning process. One of the jury panelists serves as a peer

mentor to the youth offender while he or she completes the sanction the court assigns to increase the accountability of the offender while reiterating the investment of the court and the community in seeing the offender succeed.

D. *Group community service projects*

Recommendation: Organize community service projects, such as “service days,” that engage both members and respondents.

Rationale: Youth court members serve as positive role models for respondents, and can provide guidance and peer mentoring to respondents when working together on a group project. Group community service also serves to reduce the stigma respondents may feel is associated with performing a sanction in a public activity. Group community service projects can also reinforce restorative justice goals when they enable respondents to experience a “sense of accomplishment, closure, and community recognition” (Bazemore & Maloney, 1994, Balanced and Restorative Principles for Project Design section, para. 2). Additionally, the HFI study (2007) provided that by enabling respondents to work among non-respondent peers, respondents may be more inclined to “see themselves as meaningful and productive,” and then to act accordingly (p.7).

Examples: In the Warren County Youth Court, youth court members are encouraged to participate in numerous activities alongside respondents, including: weekly community service activities, special event days (including Law Day, Global Youth Service Day, and National Trails Day), and positive peer interaction days that are held approximately four times per year. The Town of Colonie Youth Court staff organize and manage community service projects in which youth court members participate alongside respondents.

Practice Area Seven: Program Evaluation and Data Management

A. *Program Evaluation*

Recommendation: Develop clear goals, objectives and outcomes, and use evaluation tools to measure success in meeting those targets. Program goals can include:

- Helping young people develop leadership skills, serve as peer leaders in their schools and communities, and develop a commitment to civic engagement;
- Encouraging respondents to take responsibility for their actions and repair harm caused by their behavior;
- Improving young people’s perceptions of the justice system and its agents;
- Reducing unlawful youth behavior such as vandalism, truancy, and harassment; and
- Forming community partnerships that support the youth court’s civic engagement and restorative justice goals.

Rationale: National research and guidelines emphasize the importance of program evaluation. A thoughtful and well-executed evaluation plan has multiple benefits. First, it assists staff in evaluating the program’s impact and adjust program processes (e.g., training, case management) to maximize effectiveness. Second, quantitative data demonstrating the program’s impact can be used to develop relationships with new community partners and referral sources. Third, youth courts can use the data to support funding requests—both by demonstrating the effectiveness of the program and by illustrating that the program has positive outcomes across multiple domains, thereby broadening the range of potential funders. For example, while the majority of youth courts surveyed require members to complete a bar exam prior to participation, a pre- and post-training evaluation can demonstrate gains in knowledge that are a direct result of training. This can help youth courts illustrate the program to be an effective law-related/civics educational program.

Examples: See **Tools for Program Evaluation** for a sample logic plan and evaluation tools. An evaluation plan can include:

- Surveys of members pre- and post-training that measure:
 - Attitudes towards the police, laws and the court system;
 - Involvement in after-school activities;
 - Attitudes and behaviors towards school and future goals;
 - Feelings of efficacy; and
 - Demographics.
- Surveys and/or structured conversations with respondents and parents after respondents complete their sanctions. Youth court staff should ask respondents and their parents about:

- Value of social service referrals, if applicable; and
- Likelihood to recommend youth court participation to other potential respondents/parents.
- Surveys of comparison groups that test whether any observed changes among members, respondents and/or parents are the result of youth court program participation.
- Requested feedback from partner agencies, including community service providers, social service agencies, and referral sources. Feedback should include:
 - For community service providers: quality and value of respondents' participation;
 - For social service agencies: Aggregate outcomes of referrals (e.g., how many respondents referred to the agency followed through, how many subsequently received services, how many parents/families received services); and
 - For referral sources: Satisfaction with program, including referral process, information sharing, case outcomes, and, if available, aggregate information on how many respondents re-offended.

B. Key data elements

Recommendation: Track a minimal set of data elements for all referrals and cases. In addition to tracking information to assist with case management, programs should record data that directly relate to programs' goals and objectives.

Rationale: Programs can better measure their efficacy and report on program outcomes by using a consistent set of data for all referrals and cases that aligns with key performance measures. Historically, New York State youth courts were provided with and used a single data management system, Team YC, provided through the United States Department of Justice Edward Byrne Grant program. However, Team YC is no longer maintained or supported. In the absence of a single data management system, individual youth courts must create and maintain their own systems to track core data.

Examples: See **Tools for Program Evaluation** for a sample logic plan and suggested data elements that correlate to common youth court program goals and objectives.

C. Document retention

Recommendation: New York State regulations require that youth courts retain all case records for six years after the case is closed or three years after the individual involved turns 18, whichever is later. N.Y. Comp. Codes R. & Regs. tit. 8, apps. H, I, J, and K. Youth courts covered by this regulation include any and all youth courts operated by units of county or local governments. Youth courts operated by other entities, including local or state courts or private groups, should follow this regulation unless otherwise directed by rule, regulation or practice. In no case should records be retained for a shorter period. After this period, youth court staff should shred all documents, being especially mindful of those documents that have sensitive information such as contact information, Social Security Numbers, or other identifiers for respondents, members and parents.

Rationale: Maintaining records for an appropriate period of time ensures the accountability of the youth court. Youth courts also have a duty to maintain the privacy of and protect respondents, parents, and members.

Examples: The regulations referenced above provide detailed direction that can be followed by all youth courts.

4. NEW YORK YOUTH COURTS IN CONTEXT: AN OVERVIEW OF RESEARCH AND RESOURCES

Introduction

Although youth courts have existed in some form since the 1930s, most youth court programs are relatively young,² the majority having been established in the 1990s or later. As the field has grown, with an estimated 1,100 youth courts now in existence nationally, so too has the body of written material that documents and supports their implementation (<http://www.youthcourt.net/>). Most importantly, evaluation research has begun to catalog youth court operations and measure the impact of youth courts on respondents, youth volunteers, and the communities in which the courts operate. This information can be extremely helpful for those currently planning and running youth courts, or considering undertaking a new project. Practitioners may also want to use this information to consider data tracking strategies within their own programs for evaluation purposes and in the interest of increasing their understanding of youth courts and their impact.

This section is designed to help practitioners by providing an overview of what we currently know about youth courts –what they look like across the country, the theory behind them, and what impact they actually are having. This section also describes some of the national resources that have been developed to support youth court practice.

What Youth Courts Look Like: A National Overview

A. Structure and Funding

There are four primary youth court models: (1) adult judge, in which an adult possesses the authority to rule on legal terminology and procedure while youth may serve as attorneys, jurors, clerks, bailiffs, and jurors; (2) youth judge, in which youth serve in the judicial role; (3) tribunal, in which youth attorneys present a case before a panel of youth judges who assess the case and assign sanctions without a jury; and (4) peer jury, where the decision-making body is a group of youth who ask questions in their roles as jurors, with either youth or adults initially presenting the case. While most youth courts follow one model, others

² According to a national study by the Urban Institute conducted in 1998, 67% of the then-existing youth courts nationwide started operating since 1994 (Butts & Buck, 2000).

combine different aspects of each of them.³ According to a national survey conducted in 2004 by the American Youth Policy Forum (AYPF), approximately 40% of youth courts used the adult judge model, 17% used the youth judge model, 8% used a youth tribunal, 26% used the peer jury model, and 9% used a combination of models (Pearson & Jurich, 2005).

Youth courts also vary by where they are based. They are most frequently held in actual courtrooms and are operated by a variety of entities including law enforcement agencies, other organizations affiliated with the justice system, government agencies, and private non-profit organizations (Schneider, 2008). According to the AYPF's national study, operating agencies of youth courts included juvenile justice agencies (44%), private non-profit agencies (30%), local government agencies (14%), schools (10%), and other agencies (2%) (Pearson & Jurich, 2005). Increasing numbers of youth courts, about 10% nationally, are now based in schools, with a particular focus on reducing detentions and suspensions (Pearson & Jurich, 2005). There are two school-based youth court "designs": (1) classroom design and (2) club design. Classroom design youth courts are implemented as a part of the school's curriculum and operate out of existing or elective classes in which a teacher serves as the youth court coordinator. Club design youth courts serve as an extracurricular activity and are not a part of the school curriculum (Vickers, 2004).⁴

In more than half the states that have youth courts, their structure and functioning are determined to some degree by state legislation.⁵ Common components of legislation include: delineation of program names (e.g., "teen court" or "peer court"); determination of whether programs are "dispositional" or

³ Some youth courts combine models based on the type of offense or the number of youth court volunteers present for a hearing. For instance, the Brookhaven Youth Court employs either a youth judge or peer jury model depending on the number of available youth court volunteers. See

Profiles of Select Youth Courts.

⁴ School-based youth courts may experience several unique challenges: conflict with the "fulfillment of state curriculum standards [that] results in a very full schedule during school hours," logistical issues that arise as a result of limited time, preserving confidentiality, and "the school administration's ultimate responsibility for discipline," which may conflict with allowing students to "accept a disciplinary role" (Nessel, 2002, p. 5). School-based youth courts also tend to hear a limited variety of offenses. Membership varies as well; some school-based youth courts draw from applicants, others randomly select students in study hall, and others select from a group of trained youth court volunteers.

⁵ Legislation provides for an improved sense of direction, accountability, and consistency that may preserve the general reputation of youth court programs, as well as help to legitimize youth court programming nationally. Statutory guidance can also ensure that programs are tailored to the needs of the local population (Heward, 2002).

“adjudicatory”; the types of cases that programs can hear; the role of traditional courts in the implementation of youth courts; the rights of the respondents⁶; the degree of requisite parental involvement⁷; the eligibility requirements for youth court participation and the choice of model to be employed; sentencing options; anticipated educational components of youth court programming; funding; and liability for those working in and sponsoring youth courts.

A study from 2002 found that 25 states provided some form of statutory guidance for youth court programming, and 21 states and the District of Columbia had youth court programs but no legislation (Heward, 2002). The legislation could be divided into four categories: (1) appropriations only; (2) laws identifying youth courts as a dispositional option for formal courts; (3) laws dictating some of the components described above; and (4) comprehensive statutes, dictating more of the parameters of youth court functioning. Overall, most statutory guidance for youth courts is fairly limited. A subsequent review of youth court legislation in 2006 found that the number of states with legislation had not changed, although there was some shift in emphasis. As of 2006, only 12 states had “comprehensive” legislation.⁸

Funding is essential for the sustainability of youth court programming and often dictates the progress of youth court development. While youth courts have existed in the United States for almost 80 years, only a handful of programs existed before 1990. The availability of federal money for youth courts led to a significant expansion in the 1990s.

In 1994, the National Highway Traffic Safety Administration (NHTSA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Substance Abuse and Mental Health Service Administration (SAMHSA) funded a youth court initiative, including a national survey of youth courts and

⁶ Rights include whether both the respondent and a guardian are required to consent to participation in the program, whether an appellate procedure is required, whether the respondent is required to present a statement during the hearing, whether the respondent must waive any rights of confidentiality, and whether the respondent is required to assume responsibility for the offense in order to participate in the program.

⁷ A review of legislation from 2002 found that “all comprehensive legislation require[d] parental involvement but the level of parental involvement varie[d]” (Heward, 2002, p. 27). For example, Alaska, Mississippi, Utah, and West Virginia all required consent of both the respondent and a guardian for participation. Legislation in Colorado, Texas, and Wyoming all required that parents be present when a youth entered a guilty plea before the court that had original jurisdiction over the offense.

⁸ “Comprehensive” legislation was defined as containing six or more areas of regulation. Regulated areas include whether the programs are adjudicatory or dispositional, the types of permissible offenses to be handled, dispositional options, and funding (Heward, 2006).

the publication of a resource guide.⁹ This funding also supported 13 regional training seminars and provided technical assistance to more than nine agencies developing youth courts (Nessel, 2000). In 1998, OJJDP funded a grant program to support youth court evaluation and training and subsequently, facilitated a national training and technical assistance program with the Departments of Transportation, Education, and Health and Human Services (Nessel, 2000). As a result of these investments, the number of youth courts nationwide increased from 50 programs in 1991 to 400 to 500 programs in 1998 (Butts, Hoffman & Buck, as cited in Nessel, 1998).

Currently, state and local governments provide most funding for youth courts (Butts & Buck, 2002; Heward, 2002, 2006), but funding continues to be a major challenge for most courts. Data from a 2004 national survey of youth courts found that 30.67% of surveyed youth courts operated on annual budgets under \$10,000, 68.3% operated on budgets below \$50,000, and 12.33% operated on annual budgets over \$100,000 (Schneider, 2008). These results are consistent with the findings of the Center for Court Innovation's survey of New York youth courts (See **Results from the New York State Youth Court Survey**).

B. Youth Court Operations

Case preparation and courtroom procedures vary among youth courts. Variations exist in how much time is provided for case preparation,¹⁰ the nature of the information made available to advocates in advance of hearings, who may testify during hearings, the use of cross-examination and objections, jury size, privacy of jury deliberations, requirements regarding unanimity of jury verdicts, involvement of former respondents in future youth court proceedings, sentencing options, and the implementation of an appeal mechanism (appeals may be brought to youth court supervisors or, in a few cases, to the local family court) (Acker, Hendrix, Hogan & Kordzek, 2001). Below we provide some data on variation in the key components of youth court practice.

⁹ According to a program summary of the Federal Youth Court Program, the OJJDP, NHTSA, and the Office of Safe and Drug Free Schools annually provided \$700,000 to the Federal Youth Court Program; the federal government has provided more than \$5 million to date. (<http://www.ojjdp.ncjrs.gov/programs/ProgSummary.asp?pi=23>)

¹⁰ For example, Acker et al. (2001) found that among New York State youth courts, time for case preparation varied from one hour to over two weeks.

1. Referral, Intake and Offenses

Ensuring a steady flow of referrals is essential for the continued functioning of a youth court. Referrals are most commonly provided by police departments, courts, prosecutors, juvenile justice departments, probation offices, schools, or other agencies outside of law enforcement with authority to assess eligibility of a given youth's problematic behavior. Referrals are not necessarily reserved for cases that would otherwise be sent to a traditional court or school administrator. For example, one study that incorporated interviews with referral agents found that although youth courts were intended to serve as diversion programs, many of the respondents referred to youth court would have otherwise been sent home with no more than a "stern lecture" (Harrison et al., 2001, as cited in Rasmussen, 2004, p. 618). As a result of these findings, some in the field have expressed concern about the potential negative impact of this net-widening, suggesting that it could lead to "unnecessary labeling" as delinquent some youths who would not otherwise come into contact with the justice system, which ultimately might increase the likelihood of subsequent arrests (Rasmussen, 2004, p. 618). The debate as to whether an expanded mission for youth courts prevents or promotes future offending is ongoing, and suggests the need for research to clarify whether youth courts should continue to hear cases that do not encapsulate clear-cut violations of the law.

Youth courts also vary in the types of offenses they will accept. In October 2006 the National Youth Court Database provided the percentages of youth courts nationwide that accepted the following types of offenses: theft (91%), vandalism (76%), alcohol (73%), disorderly conduct (73%), assault (67%), possession of marijuana (60%), tobacco (59%), curfew violations (50%), school discipline (45%), traffic violations (39%), truancy (39%), trespassing (38%), criminal mischief (30%), possession of drug paraphernalia (24%), other drug offenses (20%), harassment (21%), and fraud (8%) (www.youthcourt.net).

2. Youth Volunteers

A national survey of youth courts in 2004 found that each youth court works with an average of 121 youth and adult volunteers annually. Youth courts reported an average of 15 adult volunteers, 106 youth volunteers, and 19 youth volunteers who were former respondents. The average numbers of volunteer hours per youth court from adults and youth were 360 and 1700, respectively. Researchers in the study used these figures to estimate that there were approximately 133,832 volunteers participating in youth courts across the country on an annual basis (Schneider, 2008).

In order for youth courts to operate effectively, youth volunteers must be sufficiently trained and prepared to conduct hearings. The National Youth Court Guidelines (as cited in Butts & Buck, 2002) recommends an average of 16 to 20 hours of training for youth court volunteers prior to any court proceeding. Most youth courts use training curricula that focus on the law and legal procedures, sometimes incorporating training sessions with attorneys. Other frequent training topics include the roles and expectations of volunteers; overviews of the youth court process; hearing procedures; case preparation and questioning techniques; conflict resolution; and program services and sentencing options (Schneider, 2008, p. 11, citing Godwin Mullins, 2003). Some youth courts also require trained students to pass a written test (“bar exam”) prior to participating on the court (Butts & Buck, 2002).

3. Sanctions

The youth court experience extends beyond the hearing; respondents receive and are required to comply with their assigned sanctions. Common sanctions employed by most youth courts include community service, oral/written apologies, essays and educational workshops. Based on the data compiled by the National Association of Youth Courts in 2006, the following reflects the percentages of youth courts nationwide that used various types of sanctions: community service (99%), oral/written apologies (94%), essays (92%), educational workshops (73%), jury duty (73%), restitution (61%), alcohol/drug assessment (57%), curfew (46%), tutoring (37%), counseling (37%), drug testing (31%), victim awareness classes (29%), victim/respondent mediation (28%), peer mediation (23%), jail tour (22%), observing youth court (14%), mentoring (13%), and suspending of a youth’s driver’s license (9%) (<http://www.youthcourt.net/>). Earlier studies had similarly found that the most common sanctions applied by youth courts were (in order, based on percentage of youth courts reporting that they impose the selected sanctions “often” or “very often”): community service, victim apology, written essay, youth court jury duty, and drug/alcohol class or other class (Butts & Buck, 2000; Butts, Buck, & Coggeshall, 2002).

School-based youth courts have some greater flexibility in sanctioning, as they can use detentions, in-school suspension, Saturday school attendance, fines for parking violations and tutoring, in addition to the sanctions more commonly used by non-school-based youth courts.

Measuring the Impact of Youth Courts

A. Predicting Success: Theoretical Models

There are a number of theories supporting the use of youth courts to reduce juvenile delinquency, most as yet untested. The Urban Institute's Evaluation of Teen Courts (ETC) Project highlighted seven theoretical perspectives underpinning the development of youth courts: (1) peer justice; (2) procedural justice; (3) specific deterrence; (4) labeling theory; (5) restorative justice and repentance; (6) law-related education; and (7) skill building (Butts et al., 2002). Each of these, plus an additional theory, "reintegrative shaming", is discussed briefly below.

The impact of positive peer pressure is among the most often-cited justifications for the youth court approach. "Peer justice" lets "pro-social" peers employ positive peer pressure to "propel youth toward law-abiding behavior" (Butts et al., 2002, p. 9). Peer-mandated sanctioning is seen as more effective for youth than that imposed by adults because peers are as likely to promote positive as negative behavior, making their choice more compelling to other young people (Forgays & DeMilio, 2005; Godwin, Steinhart & Fulton., 1998). Forgays and DeMilio (2005) refer to social control and social learning theories. A social control theory predicts that "a peer-mandated sentence has greater potential to control the offender's future behavior than one handed down by adults" (p.108), and social learning theorists suggest that adolescents are most likely to consider their peers to be role models. Programs that have "social consequences that are sanctioned by peer models may have the greatest potential for reducing juvenile crime" (Forgays & DeMilio, 2005, p.108). Young people who are forced to admit guilt publicly before their peers, accept a sentence provided by their peers, and who then enjoy "positive reengagement with a peer group" may be empowered going forward to "engage in positive social behavior" (p. 108).

Those who site a "procedural justice" rationale for youth court suggest that the model promotes compliance because youth will be more likely to view the proceedings as fair. Since respondents have "ample opportunity to contribute their views and to see that they are treated just like other youth" (Butts et al., 2002, p. 9), they will accept and comply with the sanction, regardless of its level of severity, and will be less likely to recidivate.

Because youth courts can address an infraction relatively quickly, compared to typical courts, they are also believed to more effective at "specific deterrence." Applying a cost/benefit analysis to prohibited behavior, specific deterrence theorists suggest that deterrence will result where the costs of a legal infraction to a respondent outweigh the benefits (Butts et al., 2002). The cost is more readily calculated

when it is certain and swift, and its severity is appropriate to the infraction. Cost does not necessarily equal a more severe punishment, but can refer to a faster consequence that is directly connected with the prohibited behavior. Youth courts have the virtue of speed as well as proportionality.

The labeling theory approach holds that young people will fare better in youth court because, unlike in a formal court proceeding, youth court respondents are not identified as “delinquent” or “criminal.” Such labeling can lead to altered self-perceptions causing individuals to act according to these assigned labels in the future (Butts et al., 2002), and to become “offenders” or “delinquents.” Without this assigned identity, young people participating in youth courts can live up to more positive kinds of expectations.

Restorative justice and repentance theories posit that individuals will

respond better to a legal process that draws upon the community rather than the court system to express social condemnation of the offense, encourages respondents to feel ashamed of their behavior without stigmatizing them, elicits their repentance, and provides a means for them to repair any damages they caused (Butts et al., 2002, p. 9).

Forums such as youth courts use sanctions that incorporate opportunities for respondents to “repair the harm they caused, either to specific victims or to the community in general” (p. 9), and thus respondents should ultimately have better outcomes.

Youth may also be deterred by youth court participation from engaging in prohibited behavior because youth courts promote a sense of citizenship and civic responsibility. Youth exposed to this kind of law-related educational programming, who gain a greater appreciation for the justice system and the force of law as a means of resolving conflict, may have a greater likelihood of being law-abiding in the future (Butts et al., 2002, p. 9).¹¹

A skill-building perspective suggests that the development of life skills—such as conflict resolution, interpersonal communication, public speaking, and group problem solving—will encourage good behavior. Youth courts help respondents develop this kind of competency, which will ultimately help them become productive members of society (Godwin et al., 1998).

¹¹ Acker et al. (2001, citing Shiff & Wexler) also recognized the role that legal education plays in “presumably help[ing] engender a commitment to law-abiding norms” and suggest that “active participation in the legal process is thought to help educate young people about the law, inspire a commitment to legal values, and not only ‘inoculate’ nonoffending and offending youths against future violations, but more generally to help instill resiliency and coping skills” (p. 200).

Finally, the value of “reintegrative shaming” is another reason why youth courts may work, particularly programs that “reintegrate” respondents by providing them with opportunities to serve as jurors in subsequent youth court hearings (Acker et al., 2001). Holding positions of responsibility for enforcing social norms “expose[s] [them] to positive adult and peer role models during youth court training sessions and trials” (p. 209) and enforces the idea that it is the behavior that is unacceptable, not the individual. While respondents are “shamed” when facing their peers during the youth court proceeding, they are subsequently “reintegrated” into the community through jury service.

B. Youth Court Outcomes: Evaluation Data

While theories of success abound, and anecdotal information is very promising, evaluation research on youth courts remains limited. The section below reviews the results of existing evaluations of youth courts, looking at what we know about key outcome measures. The United States Department of Juvenile Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) has funded three national studies of youth courts: (1) “The Impact of Teen Court on Young Offenders” (Butts, Buck, & Coggeshall, 2002) (“The ETC Project”); (2) “Youth Court: A Community Solution for Embracing at Risk Youth” (Pearson & Jurich, 2005) (“AYPF study”); and (3) “Youth Courts: An Empirical Update and Analysis of Future Organizational and Research Needs” (Schneider, 2008) (“HFI study”). Most other research has focused on individual youth court programs and a handful of studies have attempted to assess statewide programming.

1. Outcomes for Youth Court Respondents

As noted above, there are many theories about why youth courts will produce positive outcomes for young people. Available research suggests that youth courts may be successful in dissuading youth from participating in undesirable behavior as sanction completion rates are high, as is respondent satisfaction with their experiences. Respondents also appear to develop a heightened appreciation of the law, improved relationships with their parents, and other similarly positive outcomes. Evidence also suggests that youth courts are inexpensive in relation to other adjudicatory options, reduce the caseloads of traditional courts, are supported by their communities, and benefit youth volunteers. Compared to the outcomes for youth processed by traditional courts, evaluative conclusions focusing on recidivism as a measure of success appear promising but not conclusive.

a) Program/Sanction Completion

Both national and statewide evaluations have found that the majority of youth court respondents successfully complete their sanctions imposed.

The AYPF study found that 89% (34,083) of respondents completed their peer-imposed sanctions. There was no significant variation in rates of completion among youth court models, nor was there any correlation between the length of time a program had been in existence and the rate of completion. Furthermore, programs in existence for as little as two years were able to achieve almost perfect success rates (Pearson & Jurich, 2005).

According to the 2008 HFI national study, approximately 97,600 youth from over 1,255 courts nationwide completed their service within one year of their sentence (Schneider, 2008). The same study found a sanction completion rate of 86.3% for all youth whose referrals were accepted and heard by youth courts (youth courts, on average, accepted 89.6% of referred cases, of which 96.6% entered programs) (Schneider, 2008, p.16).

Statewide studies also found strong sanction completion rates. A study of youth courts in Kentucky¹² between 1994 and 1997 found a sanction completion rate of 71.4% (234 total cases) (Minor et al., 1999). Kentucky respondents who were sentenced to community service were .35 times more likely to complete their sanctions as compared to those who received a different kind of sanction. Similarly, surveys of youth courts in New York and Maryland showed sanction completion rates of 71% and 85% respectively (Acker et al., 2001; Stickle et al., 2008).¹³ A recent study of a youth court in Xenia, Ohio found that 603 of the 635 participating respondents completed sanctions. Of those, 523 respondents completed sanctions within 12 weeks (Norris, Twill, & Kim, 2010).¹⁴ Youth court respondents had a 95% program completion rate; program completion for a comparison group¹⁵ was 85.5% (Norris et al., 2010).

¹² The respondents participating in the state-wide Kentucky teen court program came only from judges who saw youth after a plea or finding of guilt in the juvenile division of district court. This means that most of this court's referrals involve youth who have already been adjudicated for past offenses. (Minor, Wells, Soderstrom, Bingham, & Williamson., 1999).

¹³ At least one individual youth court study, of a program in New Mexico, was able to examine some of the factors affecting completion rates in the court. Of 126 total referred youth considered in the study, 26.4% did not complete their sanctions. Those who were referred to the youth court for shoplifting, the most commonly referred offense, were least likely, compared to those referred for other kinds of offenses, to complete their youth court sanction. High school students were less likely than middle school students to comply with their youth court sanctions (Harrison, Maupin & Mays, 2001).

¹⁴ The youth court used for this study only accepted cases of first-time offenders who committed status offenses and was "post-adjudicatory," meaning that respondents were required to admit guilt prior to participation. A guardian was also required to participate. The respondents participated in the youth court between the years of 1999 and 2004. Furthermore, all respondents

b) Recidivism

Evidence on recidivism outcomes for youth courts is less clear cut, but the results so far have been promising if not conclusive. Drawing definitive conclusions is difficult as studies, and youth courts, vary in how they measure recidivism, and comparisons among youth courts and comparison groups are difficult, given the different court models and different types of cases. Considering how important recidivism is as a marker of the success of any criminal justice program, this area is a critical one for future research.

The HFI study included a review of research on recidivism, but found that only three previously published studies used appropriate comparison groups to measure the impact of youth courts on recidivism, and the results were mixed (Schneider, 2008, p. 23). Among those three studies was a 1987 study of a youth court in Columbia County, Georgia that served as a diversion program under that state's informal adjustment code. Youth court respondents were compared to youth in a nearby county¹⁶ who entered the traditional system of informal adjustment. Results from this study indicated a slightly lower but not statistically significant rate of recidivism among youth court respondents: 9.6% of youth court respondents who were participating for a second time re-offended and 12% of the comparison group re-offended. Of those with no prior offenses, recidivism rates were 2.3% for youth court respondents and 10.4% for those who entered the traditional justice system (Seyfrit, Reichel & Stutts, 1987).

The ETC Project, which conducted an in-depth study of four youth courts, using control groups of similarly situated youth,¹⁷ placed a strong focus on recidivism as a measure of youth court success by

were required to serve in four weekly youth court sessions following their own hearings (Norris et al., 2010, p. 6). The comparison group was derived from youth referred to a "regular diversion program" (diverted from the regular juvenile court) from the same community between the years 1997 and 1998 (Norris et al., 2010, p. 6). The comparison group varied not only in timing, but also in age and gender, with the majority of the members in the comparison group being between the ages of 13 and 15, and male. Youth court respondents also had more referrals for non-theft offenses as compared to those who entered the regular diversion program.

¹⁵ The comparison group was comprised of youth who participated in a diversion program in existence prior to the youth court's inception between 1997 and 1998.

¹⁶ In selecting the county to compare youth, the authors were careful to ensure similar docket procedures for recording juvenile offenses, similar population size and composition, and similar distance to both an army post and a metropolitan statistical area (Seyfrit, 1987). The "major difference" between the counties was racial balance of their populations.

¹⁷ The ETC Project used findings from a national survey conducted by the Urban Institute in 1998 to select the four youth courts that they used in this more in-depth study. These four programs were derived based on certain shared criteria: (1) willingness to

comparing outcomes for “treatment groups” comprised of respondents in youth court with “non-equivalent comparison groups” comprised of youth who went through each community’s traditional juvenile justice system (Butts et al., 2002, p.13). Two of the youth court sites studied presented “significantly lower rates of recidivism” in comparison to control groups, although differences for the other sites were not statistically significant.

Overall, studies of individual youth courts have found wide variations in recidivism rates, within and among different programs, depending on the length of time over which recidivism was measured, the number of respondents considered, the types of cases heard, and youth court model implemented, among other factors. The Kentucky study¹⁸ found that 31% of youth court participants recidivated at least one time during the year following their youth court experience. Of those, 41% had a second court appearance and 48.8% returned for a third time (Minor et al., 1999). Respondents who were issued an imposed curfew as a sanction were 2.7 times more likely to recidivate than those receiving other kinds of sanctions (Minor et al., 1999, p. 474). In a study of a youth court in Illinois, recidivism rates for participants were 12% after one year and 19% after two years (Rasmussen, 2004).¹⁹ That rate increased steadily until four years post-sanctioning. A 2004 study of youth court programs in Maryland found that 18 youth recidivated at least once within 18 months of sanctioning in youth court as compared to 12 in a comparison group processed by the state’s Department of Juvenile Services (DJS) (Stickle et al., 2008). The same study revealed a 32.1% re-arrest rate for youth court respondents compared to a 25.5% rearrest rate for DJS youth²⁰. A study of a youth court in Ana County, New Mexico found a 25.3% recidivism rate between the years of 1994 and 1998.²¹ Of the 350 respondents who completed their sanctions, the recidivism rate was 22.6%. Those who did not comply with their sanctions had a recidivism rate of 32.3 % (Harrison et al., 2001). The 2010 study in Ohio found that recidivism outcomes for youth court respondents and the comparison group were “statistically equal” (Norris et al., 2010, p. 15).

participate in the project; (2) possession of a large enough caseload to provide a sufficient sample size; (3) operational for at least three years; (4) use of varied courtroom models; and (5) geographic diversity (Butts et al., 2002).

¹⁸ There was no comparison group for this study.

¹⁹ There was no comparison group for this study.

²⁰ Limitations of this study are noteworthy: youth court respondents were slightly older than those responding from the DJS group. Furthermore, the sample size was very small, with only 83 youth court respondents and 85 youth processed through DJS (Stickle et al., 2008).

²¹ There was no comparison group for this study.

Some studies have also attempted to find predictors of recidivism. For example, one study found that young male respondents who received a comparably greater number of community service hours as a sanction were most likely to re-offend (Rasmussen, 2004). According to the ETC Project, youth who reported “high social bonds and more pro-social attitudes” from their pre-youth court experience were less likely to re-offend (Butts et al., 2002). The New Mexico study found that gender, age, and prior history of offending also had statistically significant relationships to recidivism: 25% of the youth court respondents recidivated, and, of those, 73% were male, and most were between 12 and 16 years old.²² The authors also found, surprisingly, that those who were most compliant with past sanctions were also the most likely to recidivate.²³ The Ohio study also found relationships between recidivism rates and gender (in addition to there being fewer female referrals to youth court in the first place, female respondents were also found to present lower rates of recidivism²⁴), nature of the imposed sanctions (more severe sanctions led to increased recidivism), age (younger respondents were more likely to recidivate and to do so sooner than their older counterparts²⁵), and time (as youth aged, the rate of recidivism increased, but at a slower rate over time).

²² The ratio of male:female respondents was 62.1% male and 37.9% female (Harrison et al., 2001).

²³ 33% (N=40) did not complete their sanctions and did not recidivate. 65% (N = 79) recidivated despite having also completed their previously assigned sanctions. A debate exists as to whether respondents in youth courts should necessarily be limited to first-time offenders. In a 2005 report based on research conducted in 2000 to 2001, Forgays and DeMilio challenged the notion that first-time respondents were the most appropriate target group for youth court adjudication. The authors conducted a study of the effectiveness of exposing repeat respondents to youth court proceedings by comparing outcomes of 26 youth court respondents with at least one prior offense, with a sample of 26 first-time “court diversion” offenders (Forgays & DeMilio, 2005). All of youth court participants in the study had a previous arrest and sentence through the county’s “court diversion” program to measure “whether the sentence completion and reoffense rates for the Teen Court youth offenders differ[ed] from those of the court diversion [program] offenders” (p. 111). The authors used a standardized personality assessment to interpret respondents’ self-views and also conducted post-sentence interviews to better understand respondents’ opinions of the youth court experience. The authors found that second-time offenders exhibited high rates of sentence completion and low rates of recidivism, as measured six months post-hearings. These findings were contrary to earlier studies that suggested that second-time offenders would be more likely to re-offend.

²⁴ “Boys had a greater probability of reoffending at about 180 days...girls were less likely to reoffend and took longer to do so, relative to boys, and this difference was highly significant,” (p. 10).

²⁵ “An increase of [one] year of age at intake produced a nearly 21% reduction in recidivism” (p. 15).

c) Other outcomes

Although recidivism is often the focus of evaluators seeking to measure youth courts' success, studies have also taken into consideration other measures for determining the impact of these programs on young people. A number of studies have looked at respondents' satisfaction levels and perceptions of fairness. In its study of four youth courts representative of different geographic regions, the ETC Project found that respondents in all four programs had high levels of satisfaction with the proceedings of the court. Most respondents believed their hearings were fair, that they had enough opportunity to express themselves, that they were treated with respect and that the staff and volunteers respected their legal rights. In the 2001 New Mexico study, all of the respondents agreed that the jury had been "consistent and reasonable in sentences" and all also indicated that their attitudes improved as a result of their youth court experiences (Harrison, et al., 2001, p. 259).

Other studies have looked at perceptions of change on the part of youth court participants. The AYPF study asked youth court practitioners to assess the contributions that they felt youth court had on participants' future social behavior. Results from that survey indicated that 96% felt youth court resulted in positive peer pressure, 91% agreed that respondents gained increased knowledge of responsible citizenship and understanding of the law, 84% agreed that youth court offered an opportunity to discuss thoughts/feelings, and 81% agreed that youth court enabled youth to avoid labeling (Pearson & Jurich, 2005, p.19). A survey of respondents in a New York court found that 90% of referred youth considered the experience to have enhanced their understanding of the legal system, improved their behavior, and made them feel more responsible, and 95% felt that their youth court experience helped them to "make more thoughtful decisions." In addition, 58% agreed that youth court improved their communication with parents, and 50% reported better grades.²⁶

2. Outcomes for the Justice System and the Community

While improving outcomes for youth has always been the primary goal of youth courts, they have also been seen as a potentially cost-effective alternative to traditional courts, serving the function of both reducing costs and promoting civic responsibility. A number of studies have tried to measure these kinds of effects as well.

²⁶ Butts & Buck (2000) caution that these results may not be a fair representation of respondents because the survey received such a low response rate that it is likely that it may have only been returned by those who were most-compliant and previously pro-social.

a) Cost savings

While there is limited information on the cost effectiveness of youth courts, most youth courts operate on a very small budget, which results in minimized costs from diverting cases from the traditional court system and reduced law enforcement costs as well. The HFI study found that 31% of youth courts operated on budgets that were less than \$10,000 (Schneider, 2008). Only 13% were found to operate at budgets over \$100,000 and, overall, 68% function on budgets less than \$50,000.²⁷ Youth courts spent, on average, \$430 per youth volunteer served and approximately \$480 for each respondent who successfully completed his or her sanction (Schneider, 2008). While not all youth court respondents would have entered the traditional juvenile justice system, these costs compare favorably with admittedly approximated costs of other non-youth court juvenile justice programs, which range from \$21,000 to \$84,000 per case (Pearson & Jurich, 2005) and the average cost of incarcerating a young person for one year, about \$43,000, or about \$117 per day (Schneider, 2008).

b) Caseload management

Youth courts have been found to reduce the caseloads of traditional courts. Of the programs participating in the AYPF study, 54% (198) tracked juvenile arrests in their communities. In these programs, 9.2% (22,953 youth) had been diverted from the formal justice system to youth court. Programs in jurisdictions that had more than 10,000 juvenile arrests received referrals for over 1,000 respondents in the previous year. Looking at these figures in the context of national juvenile justice system caseloads, the study concluded that having youth courts in more of these communities would both ensure that juveniles who were arrested would face consequences for their actions and help reduce the backlog in the juvenile courts, preserving the courts' ability to process the most severe cases (Pearson & Jurich, 2005, p. 11).

c) Community benefits

Youth courts are designed to promote community cohesion, giving young participants an early appreciation for the legal system, improving relationships between community members and the court system, and promoting civic mindedness and volunteerism (Butts & Buck, 2002). The benefits of youth court can also

²⁷ 16% operated on budgets from \$10,000 to \$20,000; 6% had budgets of \$20,000 to \$30,000; 7% had budgets of \$30,000 to \$40,000; 9% had budgets from \$40,000 to \$50,000; 6% operated on budgets from \$50,000 to \$60,000; 5% had budgets from \$60,000 to \$70,000; 4% operated on budgets from \$70,000 to \$80,000; 2% operated on budgets from \$80,000 to \$90,000 and from \$90,000 to \$100,000 (Schneider, 2008).

be quite direct: the HFI study reported that youth sanctioned to community service in youth courts across the country (the most frequent type of sanction assigned) served a total of 1,734,771 hours of community service over the course of one year (Schneider, 2008).

3. Outcomes for Youth Volunteers

By assisting their peers to see the cause and effect of their actions, youth court volunteers choose to spend their time giving back to their community, reinforcing values of civic responsibility and leadership (Pearson, 2003). According to the HFI study, the average youth court used 106 youth volunteers, including an average of 19 former respondents (Schneider, 2008). Through training and participation in youth court proceedings, youth volunteers develop skills in critical thinking, public speaking, and advocacy. As advocates, they learn to counsel and serve as positive role models (Pearson, 2003). Furthermore, exposing youth participants to peers from diverse backgrounds offers opportunities to develop conflict-resolution and effective group decision-making skills (Godwin et al., 1998). Youth courts also provide leadership opportunities for those youth who do not excel in athletics or academics (Pearson & Jurich, 2005), resulting in heightened self-esteem. Finally, youth volunteers may feel more appreciated by other members of the community who may appreciate that youth are capable of providing such a valuable resource (p. 9).

In September 2004, the National Youth Court Center compiled reflective essays from youth court volunteers, staff, and parents. Youth court volunteers reflected on their interest in serving on youth court, the training they received, and what they gained from the experience. In one essay, a youth court member reflected on the impact his role has on society:

I loved (and still love) the idea that I could not only act as an attorney and argue my case in front of a group of people, but also have a tangible effect on the sentence of an actual offender...I take pride in having a noticeable influence on the sentence returned by the jury (Serving Communities, Changing Lives – Youth Court Success Stories, Vol. 1, 2004).

Other essayists include a 17-year-old youth court volunteer from Massachusetts who spoke about the influence her involvement in youth court had on her future goals:

To see a child move from the wrong path to the right path and to know that you helped them is one of the best feelings in the world. This program changed my life because it gave me an experience that no other program ever could. It showed me the compassionate side of the system; it gave me experience as a lawyer in a courtroom, and above all opened my eyes to a career I have a passion for (Serving Communities, Changing Lives – Youth Court Success Stories, Vol. 1, 2004).

Other essayists wrote about how youth court improved their communication and leadership skills, how youth court taught them to educate others about offenses like drinking and driving, as well as the value of helping others improve their lives, and how participating in youth court helps prepare volunteers for college (Serving Communities, Changing Lives – Youth Court Success Stories, Vol. 1, 2004).

4. Outcomes for Families

Youth courts are also positioned to offer additional services to youth and their families. Various guides recommend becoming familiar with local resources to benefit respondents, “victims,” and families (Godwin et al., 1998). For example, the American Bar Association recommends that practitioners be sensitive to the respondent and family needs in cases involving truancy, suggesting that these participants be prepared to “connect respondents and their families to appropriate services through the disposition” (American Bar Association, 41). The National Guidelines similarly acknowledge that youth courts incorporate an objective to “institute services...that offer maximum benefits to meet the needs of respondents, respondents families, victims, and the community...” (Godwin et al., 2000, p. 65), and specifically include a guideline recommending that youth courts “outline the types of adjunct services [they] will provide to and for youth volunteers, respondents’ families, victims of crime, and the community” (p. 77). Other authors also refer to the impact that youth courts offer families in providing “a chance to re-engage in a positive dialogue with their children, and to learn with them more about the justice system” (Pearson & Jurich, 2005, p. 6). Parent contributors to the set of reflective essays gathered by the National Youth Court Center echo a general sentiment of appreciation of the service youth court offers to families. For example, after a respondent was sanctioned to attend parent/child mediation, his mother shared: “I thought I knew how to communicate with my son, but I didn’t. This really helped” (Serving Communities, Changing Lives – Youth Court Success Stories, Vol. 1, 2004). Another parent who participated in a youth court in New Mexico shared:

When I talk to others in the community, it seems to be a consensus opinion that [youth] court has a positive impact on all of us. Our future is vested in programs such as [youth] court which help strengthen and promote the growth of our teens (Serving Communities, Changing Lives – Youth Court Success Stories, Vol. 1, 2004).

Other parents remarked on the demonstrable benefits that youth court contributed in offering their children an opportunity to develop a concern for the welfare of their communities, understand their personal responsibilities, and establish career goals in the field of law (Serving Communities, Changing Lives – Youth Court Success Stories, Vol. 1, 2004).

Questions for Future Research

Research on youth court programs has begun to provide useful information about the diversity of youth courts around the country, the impact they are having, and ways to increase their success rates. Many questions regarding effective youth court practice remain unanswered:

- **Support for youth courts:** Do states with statewide youth court associations or state legislation that earmarks youth court programming have more stable funding sources?
- **Youth court operations:** Do certain operational decisions result in more “successful” programs as measured by reduced rates of recidivism or improved learning on the part of youth volunteers?
- **Impact on re-offending:** What impact does youth court participation have on future offending by respondents? Does participation affect future justice system involvement (e.g., avoidance of a criminal record, avoidance of a referral to court for a juvenile delinquency offense)?
- **Over-inclusivity:** Should youth courts handle offenses that are not strict violations of the law? Do youth courts that hear offenses that would otherwise go unaddressed contribute to a detrimental “net-widening effect” ?
- **Sanctions:** Does the use of certain sanctions result in lower rates of recidivism? Does faster compliance with sanctions result in reduced rates of recidivism? Do youth courts that partner with local agencies for administration of sanctions such as community service enjoy a greater fulfillment of restorative justice goals?
- **Case selection:** Do certain case variables (gender, age, type of offense, offense history, parental involvement, etc.) affect the likelihood that a respondent will benefit from youth court? If so, should the youth court referral process consider potential benefit to the respondent?
- **Broader benefits of youth court:** What are the short- and long-term benefits to respondents, communities, and youth volunteers beyond recidivism?

Resources for Youth Courts

A. National and Statewide Youth Court Organizations

National and statewide youth court organizations provide supplementary support and materials to youth court practitioners on national and local levels. In 1999, OJJDP provided funding for a National Youth Court Center (NYCC), to be housed at the APPA to “[provide] training, technical assistance and resource materials to developing and existing youth courts” (Vickers, 2000, p. 1). In fulfilling this mission, the NYCC created a database of youth courts and a web site, www.youthcourt.net, to provide useful information to youth court practitioners. The NYCC also published national guidelines for youth courts (Vickers, 2000).

In 2007, the National Association of Youth Courts (NAYC) was established with support from OJJDP; it has since inherited much of the data and resources compiled by the NYCC, including responsibility for managing and updating www.youthcourt.net. The mission of NAYC is to “to represent and serve local, state and national youth court, teen court, peer court and student court efforts” (www.youthcourt.net). As of October 2006, approximately 1,127 youth courts were operating in 49 states and the District of Columbia (www.youthcourt.net).

Statewide associations have formed in several states including Alaska, Florida, Illinois, New York, Utah, and Wisconsin. Statewide associations tend to be organized in one of three different ways: “(1) as a formalized self-governing association; (2) as a formalized group under a state or statewide agency/organization, or (3) or as an informal networking group” (Mullins & Dunlap, 2004, p. 93). Ten states were considered to have self-governing organizations, defined as being membership-based with elected officers.²⁸ Many of these groups have obtained 501(3)(c) status. Five states were considered to have “formalized” organizations, defined as a statewide network “coordinated or managed by a state-level government or nonprofit organization” (p.96).

B. Youth Court Resources: Implementation Guides

The widespread introduction of youth courts in the 1990s led to the development of several implementation guides. Notwithstanding the relative dearth of empirical research validating the youth court model, a range of resources were published to help establish new youth courts across the country. Several

²⁸ The authors characterized the New York State Youth Court Association, Inc., as a formalized, self-governing organization.

comprehensive guides are available via the National Association of Youth Courts web site: (1) *Peer Justice and Youth Empowerment: An Implementation Guide for Teen Court Programs*, by Godwin, Steinhart, and Fulton; (2) *National Youth Court Guidelines*, by Godwin, Heward, and Spina, developed in conjunction with the National Youth Court Center (NYCC); and (3) *Youth Courts Young People Delivering Justice*, developed by Margaret Fisher for the American Bar Association in 2002. The NAYC Training and Technical Assistance Committee also published *Youth Court 10: Creating a Successful Youth Court Program*. Other sources discussed here include a bulletin published by the American Bar Association Division for Public Education in 2004, entitled “Youth Court Training for Results,” “Street Law for Youth Courts,” and a desktop guide published by the American Bar Association in 2006 entitled “Youth Cases for Youth Courts.”

Peer Justice and Youth Empowerment: An Implementation Guide for Teen Court Programs was published under a collaboration of the National Highway Traffic Safety Administration (NHTSA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the American Probation and Parole Association (APPA) in 1996 and was revised in 1998. The guide primarily promotes the use of youth courts to address underage drinking and driving and provides guidance on organizing community resources, relevant legal issues, and program development and operations.

In 2000, the NYCC published *National Youth Court Guidelines*. The authors, with the assistance of an advisory committee of experienced youth court practitioners, and in consultation with over 60 youth court professionals involved with existing or developing programs, developed a set of guidelines that addressed program planning and community mobilization, staffing, funding, legal issues, the referral process, program services, sentencing options, recruitment and management of volunteers, volunteer training, operations and case management, and program evaluation. Each guideline met a five-part test: (1) is it feasible to expect youth courts to implement the guideline? (2) is the guideline adaptable to all youth court program models? If not, then are there provisions set forth?, (3) is the guideline based on a promising practice, sound principle, or commonly accepted standard or theory?, (4) does the guideline promote program accountability?, and (5) does the guideline give a sense of what immediate or intermediate outcomes to expect?

Youth Courts Young People Delivering Justice (2002) was part of a series of guides created by the American Bar Association (ABA). The publication was prepared under a grant from the OJJDP and was published as part of an ABA initiative to encourage justice system reforms. This guide was developed “to support and enhance the quality of youth courts” (p. 5) and provides information regarding federal and national support for youth courts, referral sources and case-types, models, funding, effectiveness, law-

related education (LRE) of youth court volunteers, current legislation, national youth court guidelines, and community sources for collaborative efforts. The publication also includes a timeline for creating a youth court, a description of challenges faced by youth courts, and examples of youth courts in various settings (e.g., juvenile justice, community, schools), and it provides profiles of youth court associations in several states (Fisher, 2002).

In October 2006, the American Bar Association published “Youth Cases for Youth Courts” about youth court referrals. This guide includes information about setting up a referral committee and factors to consider when selecting appropriate cases, and it highlights challenges that may arise from specific types of referrals. In that same year, the NYCC published “Street law for Youth Courts” to help youth court programs develop LRE programs as sentencing options and to train youth court volunteers.

Most recently, in 2004, the NAYC Training and Technical Assistance Committee produced a general guide for youth courts entitled *Youth Court 101*. The guide offers advice on community mobilization, management and funding operations, and establishing a budget. It also covers information regarding referrals, hearings, policies, and procedures regarding volunteers, disposition, monitoring compliance, maintaining records and ethics and confidentiality. Further, *Youth Court 101* offers assistance for designing creative sanctions, managing publicity, evaluating program performance, and working with state associations.

5. RESULTS FROM THE NEW YORK STATE YOUTH COURT SURVEY

The Center for Court Innovation developed and distributed a survey to all known youth courts operating in New York State. The survey requested data pertaining to operations, funding, case processing, and youth participation (see **Appendix B: New York State Youth Court Survey**). Fifty-eight youth courts from around the State responded to the survey, for a response rate of 63% of known and active New York youth courts.

Methodology

The Center used several sources to identify existing youth courts in New York State, including directories from the National Association of Youth Courts, the Association of New York State Youth Courts, the New York State Youth Court listserv, and the Center's 2007 New York State Youth Court Summit. All youth courts received the survey by mail, and by fax and E-mail/listserv (when available). The Center then conducted follow-up outreach to all recipients by phone and E-mail several times over a two-month period. Youth courts were able to submit responses by mail, by fax, or on-line web-based survey software. Fifty-eight youth courts completed the survey, 18 were identified as no longer in operation, and 26 did not respond to outreach.

Survey results

Background

Youth courts have developed steadily over the past three decades. The oldest existing youth court that responded to the survey was the Oneida City Youth Court, founded in 1975. Since then, youth courts have developed throughout the State in response to local interest, national trends, and State-wide developments.²⁹

²⁹ In late 1990s, the New York State Division of Criminal Justice Services (DCJS) allocated a significant sum for the development and expansion of youth court programs across the state. Through this initiative DCJS identified 30 sites particularly well positioned to support a youth court program; conducted a day-long training session for site representatives; and provided \$37,000 to each site. (Programs were expected to supplement this initial funding through ongoing fundraising efforts independent of DCJS.) DCJS also developed and distributed an information management database, TEAM YC, to support the programs' operations and evaluation. Subsequent to this initial launch of 30 youth courts (all of which are still in operation), DCJS established funding opportunities for other existing or newly created youth court programs. As a result, the number of youth courts in New York State increased from 30 in 1997 to approximately 120 a few years later. The DCJS initiative funded

Growth of Youth Courts in New York State

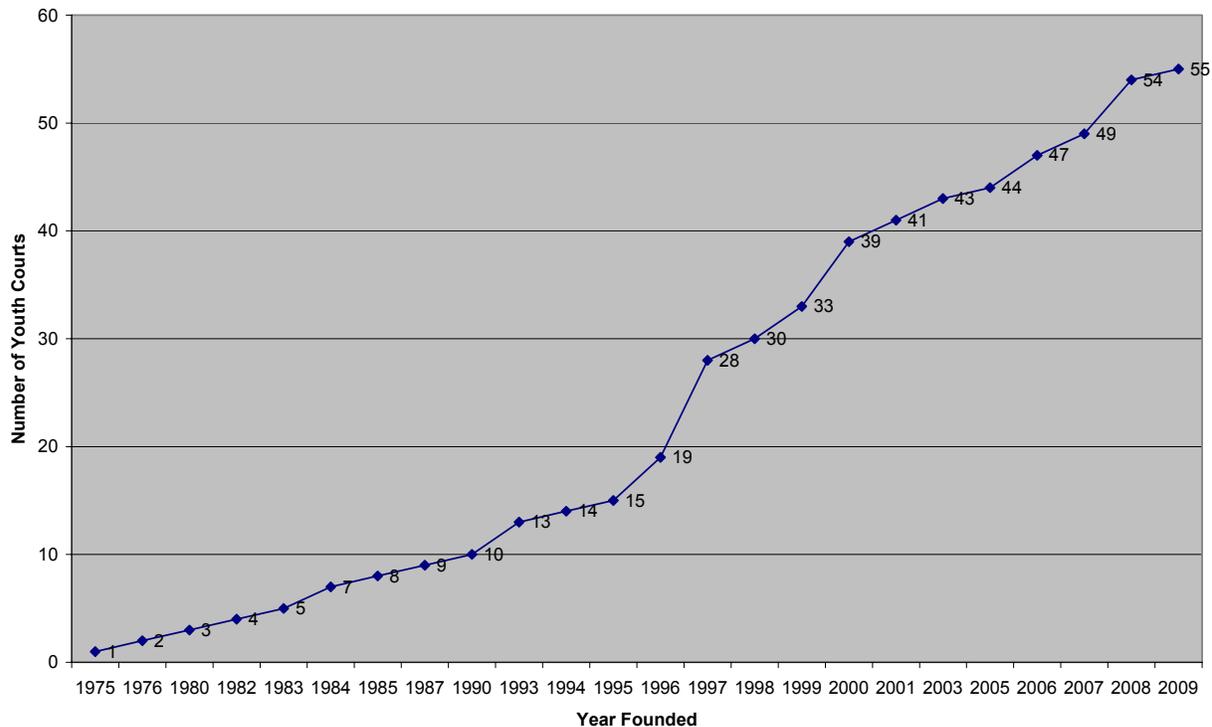


Chart 1: The number of youth courts has grown steadily over the past three decades.

New York State youth courts serve a mix of rural, suburban, and urban communities.

- **Communities served:** Twenty-nine percent of youth courts surveyed reported serving more than one community type; 50% serve rural communities, 62% serve suburban communities, and 31% serve urban communities (N=58).
- **Models used:** In New York State, the majority (84%) of youth court programs use a youth judge model, in which young people fill all courtroom roles.

new youth courts that operated according to DCJS protocol for four years; after four years, youth courts were expected to seek support from other sources, such as police departments or departments of probation.

- This is in contrast to national trends, in which the majority of youth courts use an adult judge model;³⁰ in New York State, only 2% use an adult judge model. Other models used are: peer jury model (12%) and youth tribunal³¹ (29%).
- Twenty-six percent of surveyed youth courts report using more than one model in their programs (N=58).

Budget and Funding

New York State youth courts operate on limited funds provided by a variety of sources, and are run by a range of parent organizations.

- **Operating budgets:** The majority of youth courts (69%) have an annual operating budget of \$50,000 or less.

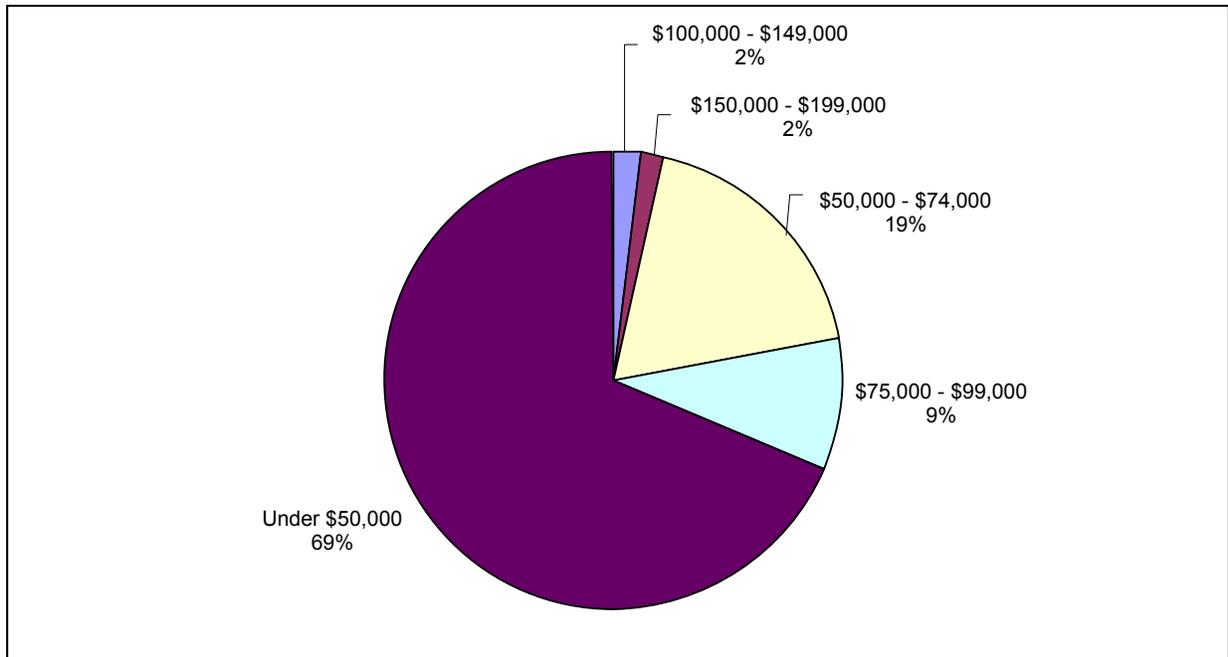


Chart 2: The majority of youth courts operate on annual budgets of \$50,000 or less.

- **Staffing:** Staffing structures reflect the low operating budgets.
 - Ninety-six percent of youth courts surveyed operate with one or no full-time staff, utilizing part-time staff and volunteers.
 - The number of adult volunteers used by youth courts range from none to 25 (N=55).

³⁰ The predominance of the youth judge model can be traced to training provided through the DCJS initiative, which promoted the use of this model.

³¹ In a youth tribunal, a case is presented to a panel of youth judges. There is no jury.

- **Parent organizations:** Surveyed youth courts report being run by several different types of entities: independent non-profit or charitable organization (30%), youth bureau (23%), police department (23%), school/board of education (8%), probation department (6%), or criminal or family court (2%) (N=53).
- **Funding sources:** The majority of youth courts receive funding from local government (74%).
 - Youth courts also receive funding from state government (45%), individual donors (15%), federal government (9%), and other sources (23%) such as local school districts and foundations (N=47).

Referrals and Offenses

Youth courts typically receive referrals from a variety of sources and hear a diverse range of offenses. There is a relationship between the size of a youth court’s budget and the number of referrals it receives.

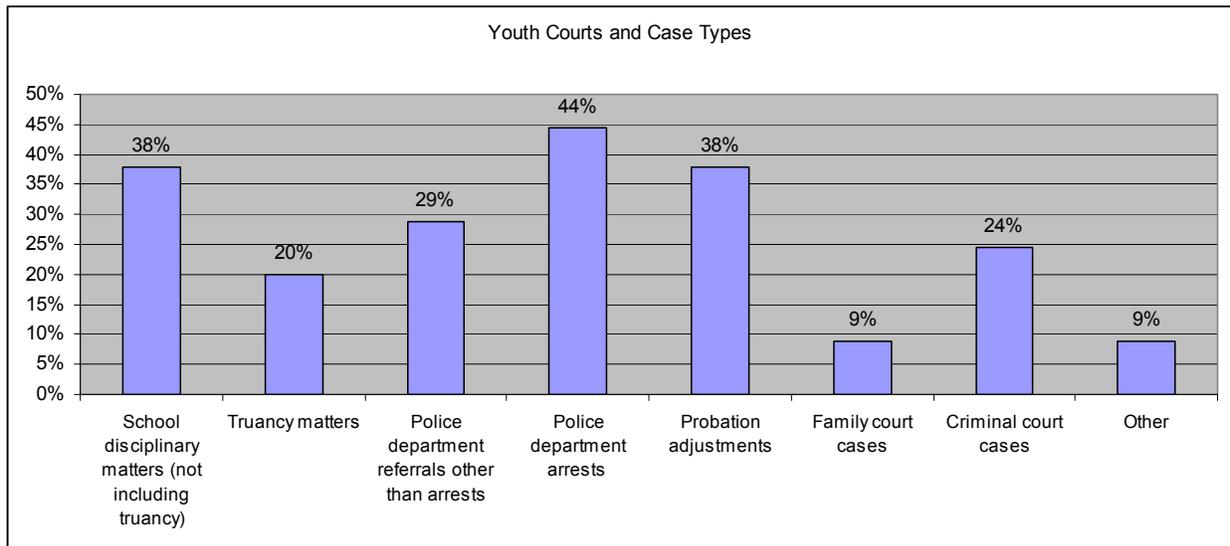


Chart 3: Youth courts receive referrals from a range of sources. For example, 44% of youth courts reported that local police departments refer arrests to their youth courts, and 38% reported that departments of probation refer adjustment cases to their program.

- **Referral sources:** Youth courts receive referrals from a range of sources.
 - Police department arrests (44%), adjustment cases from departments of probation (38%), and school disciplinary matters (38%) were the most frequently cited types of referrals.
 - Sixty-two percent of youth courts surveyed received referrals from two or more sources (N=45).
- **School-based offenses:** Of the 68% of surveyed youth courts that reported hearing school-based offenses, 40% hear truancy cases and 58% hear offenses other than truancy.

- **Criminal/juvenile offenses:** Fifty-four of the 58 surveyed youth courts reported that they hear criminal or juvenile offenses (some of which originate in schools). The following chart describes how many youth courts hear various criminal or juvenile offenses:

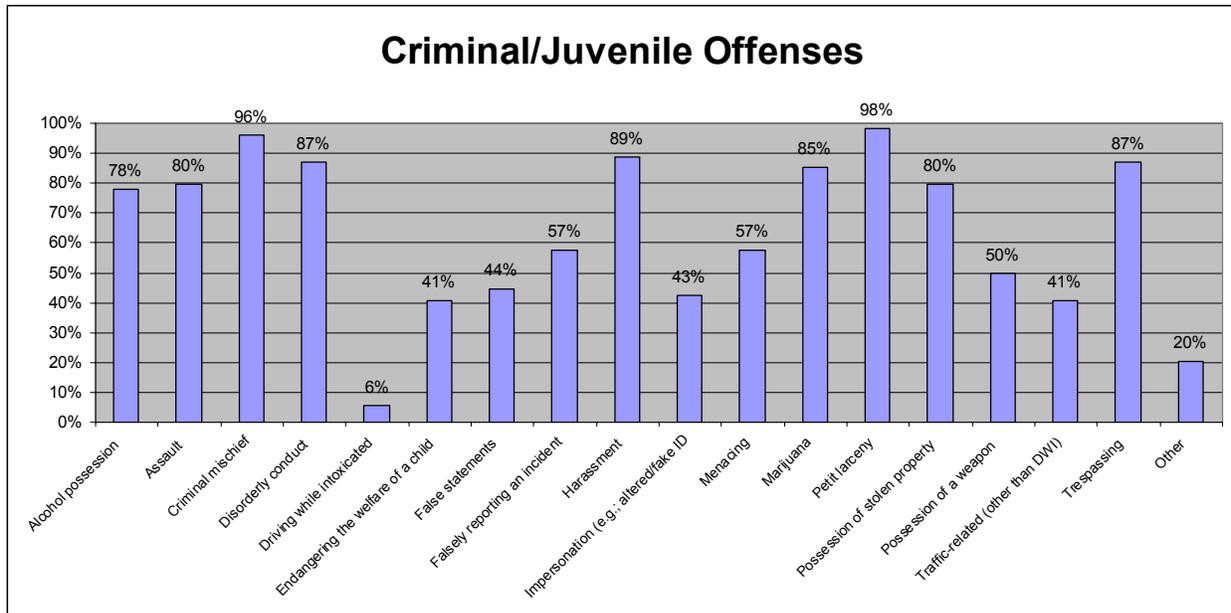


Chart 4: Youth courts that receive criminal and/or juvenile referrals hear a range of offense types.

- Over two-thirds of youth courts that receive criminal and/or juvenile offense referrals hear the following types of cases: alcohol possession (78%), assault (80%), criminal mischief (96%), disorderly conduct (87%), harassment (89%), marijuana (85%), petit larceny (98%), possession of stolen property (80%), and trespassing (87%).
- **Number of referrals:** The number of referrals received by youth courts range greatly.
 - In 2008, 29% received 0 to 24 referrals, 39% received 25 to 49 referrals, 7% received 50 to 74 referrals, 5% received 75 to 99 referrals, and 18% received 100 or more referrals. The greatest number of referrals received by a youth court was 597, of which 177 cases were heard by the youth court (N=41).
 - There is a statistically significant ($p < .01$) relationship between program budget and number of referrals. The average number of referrals for programs whose budgets were under \$50,000 (N=26) was 31.62, compared to the average of 134.21 for those with a budget over \$50,000 (N=14).
 - For the vast majority of youth courts (94%), respondent participation in the program is voluntary (N=51).

Sanctions

The types of sanctions used by youth courts reflect national trends and highlight the underlying restorative justice principles of youth court programming.

- **Sanction types:** The four sanction types most commonly used by youth courts are: community service (100%), letter of apology (96%), essay (88%), and education classes (54%). Other sanctions used are counseling (46%), curfew (16%), drug screening (27%), jail visit (30%), jury duty (36%), mediation (21%), and victim impact panel (13%) (N=56).
- **Goals:** When asked about the goals in determining sanctions for respondents, the majority of survey respondents rated each of the following as “extremely important” (N=54):
 - Deterring the respondent from committing the same offense again (63%);
 - Proportionality (fitting the consequence to the offense) (62%);
 - Protecting the community (59%); and
 - Rehabilitation of respondent (55%).
 - The majority of survey respondents rated “Paying back the community” as “extremely important” (47%) or “very important” (47%). Fifty percent of survey respondents rated “General deterrence of offenses in the community” as “extremely important” and 33% rated it as “very important.”

Case outcomes

Despite restricted budgets and resources, youth courts report high rates of compliance by respondents and accountability measures by staff.

- **Compliance:** Of cases heard in 2008, on average 87% of respondents successfully completed all sanctions imposed by youth court programs (N=47).
- **Accountability:** When a respondent does not successfully complete sanctions, the majority of youth courts reported that they notify the referral source (83%) and/or take other action (27%), such as forwarding the case to probation or family court (N=48).
- **Outcomes:** For cases that originate in criminal court or family court, or from a referral from a department of probation, youth courts reported the following outcomes for respondents who successfully complete all sanctions imposed by the youth court: adjournment in contemplation of dismissal (ACD) (35%), probation adjustment (35%), and/or vacating the referral from the respondents’ records (50%) (N=34).
- **Tracking recidivism:** Fifty-eight percent of youth courts reported that they sometimes or always follow up with respondents after their participation in the program is over to learn about subsequent offenses (N=53).
 - Of those that sometimes or always follow up with respondents, the majority do so by communicating directly with the referral source (60%).

- Other methods of follow-up are communicating with other partner(s) (e.g., law enforcement, school administrators) (37%), self-reporting by former respondents by survey (33%), self-reporting by in-person interview (20%), and self-reporting by phone interview (10%) (N=30).

Youth Participation

Volunteer youth participation is a key component of youth court programs.

- **Number of volunteers:** Youth courts reported that they engage a large number of young people as youth volunteers in their programs, with several programs reporting at the time of the survey over 100 members.
 - The average number of active members ranged from four members to 175 members, with 50 members being the most frequently reported number (N=41).
- **Roles:** All youth courts reported that youth volunteers participate in a range of capacities within the program.
 - Twenty-eight percent of youth courts reported that they also engage some youth as jurors only (N=46).
 - Twenty-four youth courts reported that, in 2008, one or more respondents became youth court members or jurors after their cases were over.
- **Recruitment:** Youth courts use a variety of sources and methods to recruit youth volunteers.
 - The three most popular methods are outreach to staff at schools and organizations (87%), presentations at schools (79%), and word of mouth (77%).
 - Other methods used by a third or more of youth courts are presentations at community-based organizations and public notices (e.g., fliers, posters, advertisements).
 - A small number of youth courts reported using other methods such as social networking web sites (e.g., Facebook and MySpace) and advertisements on local television or radio (N=47).
- **Selection and training:** Youth courts use a variety of selection methods and criteria for selecting members.
 - Eighty-nine percent use participation in training, 74% use a written application, and 65 percent use a bar exam.
 - Other methods used include academic performance (35%), individual interviews (31%), and group interviews (9%) (N=54).
 - Member trainings most often occur annually (64%); several courts conduct trainings semi-annually and a few conduct trainings quarterly or on another schedule (N=45).
 - The number of training hours required for members varies greatly, from over 30 hours (11%) to one to five hours (2%). The most commonly reported number of required hours was 16 to 20 hours (36%) (N=45).

Program challenges

Funding and lack of referral sources were the most frequently cited program challenges.

- **Funding:** As one youth court described the challenge, “The principal barrier is program funding. Due to budget cuts at the state and county level, funding has become rather tenuous. We continue to look for state and federal monies to provide stable funding.” Another youth court stated “Funding has been challenging every year and takes up a great deal of the program director’s time.”
- **Lack of referrals:** Cited reasons for a shortage of referrals included too few cases meeting the youth court’s selection criteria, reluctance from respondents’ parents, and difficulty getting referrals from specific sources such as schools or departments of probation.
- **Other challenges:** Other challenges reported by youth courts included a need for more sanction options, such as free or low-cost educational classes, drug testing and counseling; more community service sites, especially for younger respondents; more adult volunteers; youth court volunteers being involved in many after-school activities with competing schedules; and engagement of returning members during trainings.

6. INDEX OF RESOURCES FOR YOUTH COURT PRACTITIONERS

§ = Article available with membership from online database.

Youth Court Basics	
Background on Youth Courts	<p>Web site providing background information about youth court programs and their merits.</p> <p><i>http://www.streetlaw.org/en/Page.youthcourts_background.aspx</i></p>
National Association of Youth Courts	<p>Web site of the National Association of Youth Courts. Includes a clearinghouse for information pertaining to youth courts, such as curriculum resources, publications, and youth court program web sites.</p> <p><i>http://www.youthcourt.net</i></p>
National Youth Court Center	<p>Overview of the National Youth Court Center established by the Office of Juvenile Justice and Delinquency Prevention.</p> <p><i>http://www.ncjrs.gov/pdffiles1/ojjdp/fs200007.pdf</i></p>
Serving Communities, Changing Lives: Youth Court Success Stories	<p>Essays about the experiences of youth volunteers, respondents, staff, and parents involved in youth court programs.</p> <p><i>http://www.youthcourt.net/component/option,com_docman/task,doc_download/gid,122/Itemid,6/</i></p>
The Sudden Popularity of Teen Courts	<p>Article outlining the history of youth court programs in the United States, the most commonly used youth court models, state legislative support, and the efficacy of youth court programs compared to the regular court process.</p> <p><i>http://www.urban.org/publications/1000262.html</i></p>
Teen Courts: A Promising Prevention Strategy?	<p>Transcript of a radio conversation with Dr. Jeffrey Butts covering the merits and potential weaknesses of youth court programs.</p> <p><i>http://www.urban.org/url.cfm?ID=900356&renderforprint=1</i></p>

Youth Court: Civic Engagement and Character Education Through Juvenile Accountability	<p>Report from a forum on the youth judge model and analysis from a panel of youth court experts.</p> <p>http://www.aypf.org/forumbriefs/2001/fb120301.htm</p>
Youth Courts: A National Youth Justice Movement	<p>Article on the youth court model, court procedure and participation, and case and sentence types. Profiles the Colonie Youth Court in New York State.</p> <p>http://www.thefreelibrary.com/Youth+Courts:+A+National+Youth+Justice+Movement.+%28CT+Feature%29.-a081223404</p>
Youth Courts: A Path to Civic Engagement	<p>Policy brief highlighting the relationship between youth court programs and civic engagement. The brief outlines the basic structure and function of youth courts and addresses the service learning opportunities that these programs provide.</p> <p>http://www.youthcourt.net/component/option,com_docman/task,doc_download/gid,121/Itemid,74</p>
Youth Courts as Service Learning	<p>Article connecting youth court programs and the importance of service learning as a central feature of a democratic education. The article also provides general information about the structure, function, and evaluation of youth courts.</p> <p>http://www.cjf-usa.org/service-learning-network/9_3-youth-courts.html</p>
Resources for Youth Court Practitioners	
American Bar Association Division for Public Education Bulletin 26	<p>Technical assistance bulletin for youth court practitioners outlining youth volunteer training, designing a training agenda, timing lessons, working with community resource people, and evaluating a training program.</p> <p>http://www.abanet.org/publiced/tab26.pdf</p>
Correcting Crooked Paths: Youth and Communities in Partnership for Justice	<p>Informational and instructional kit developed to assist youth courts in planning, conducting, and promoting community projects and activities to be held during National Youth Court Month.</p> <p>http://www.youthcourt.net/component/option,com_docman/task,doc_download/gid,120/Itemid,74/</p>

Effective Strategies for Searching for Youth Court Funding and Writing Grants	<p>Web page with information about funding sources for youth court programs.</p> <p>http://www.youthcourt.net/content/view/32/14/</p>
Getting the Most Out of the Deliberation Process: Internet Lessons	<p>Operated by the National Association of Youth Courts, this site provides training lessons for youth courts to adapt to their particular program needs. The lessons focus on selecting sanctions that help youth court members arrive at fair, constructive, and restorative conclusions. (Free site registration required.)</p> <p>http://www.youthcourtraining.net/</p>
Giving Back: A Community Service Learning Manual for Youth Courts	<p>Manual for youth court program staff on the importance of service learning. Includes a series of projects designed to educate youth about service learning.</p> <p>http://www.crfc.org/pdf/ycourt1.pdf</p>
Global Youth Justice	<p>Web site of the Global Youth Justice organization providing information for youth court programs including important publications, trainings and events, and funding and grant opportunities.</p> <p>http://www.globalyouthjustice.org/</p>
Guide for Implementing the Balanced and Restorative Justice Model	<p>Funded by a grant from the Office of Juvenile Justice and Delinquency Prevention, this guide outlines the components of the Balanced and Restorative Justice Model and provides information about the most effective ways to integrate it into appropriately positioned programs.</p> <p>http://ojjdp.ncjrs.gov/pubs/implementing/contents.html</p>
Information for New Program Coordinators	<p>Web page within the National Association of Youth Courts web site providing information specific to new coordinators of youth court programs, including frequently asked questions.</p> <p>http://www.youthcourt.net/content/view/6/13/</p>
Knox County, Illinois, Teen Court Procedures Manual	<p>Table of contents with links to the Knox County Teen Court Procedures Manual. The manual contains information for program volunteers, job and role descriptions, an attorney's guide, and teen court forms.</p> <p>http://library.thinkquest.org/2640/htmldocs/bookem/procedures.html</p>

<p>Make a Friend—Be a Peer Mentor</p>	<p>Publication that lays out the information necessary to implement a successful mentoring program and addresses questions about who can start a mentoring program, how they can do so, and some of the rewards of doing so.</p> <p><i>http://www.ncjrs.gov/pdffiles1/171691.pdf</i></p>
<p>Making Evaluation for Youth Court Simpler Using Performance-Based Measures</p>	<p>Teleconference from the National Association of Youth Courts outlining strategies for youth court program evaluation that employ performance-based tools.</p> <p><i>http://www.youthcourt.net/content/view/31/14/</i></p>
<p>Making Youth Court as Effective as Possible</p>	<p>Article providing an overview of the youth court model based on youth court programs in Kentucky, offering suggestions for other youth court programs.</p> <p><i>http://www.abanet.org/publiced/tab25.pdf</i></p>
<p>Mentoring—A Proven Juvenile Delinquency Prevention Strategy</p>	<p>Article discussing the federal role in promoting mentoring, private organizations that do the same, and statistical evaluations that support the asserted success of many mentoring programs.</p> <p><i>http://www.ncjrs.gov/txtfiles/164834.txt</i></p>
<p>National Youth Court Guidelines</p>	<p>Comprehensive set of guidelines for youth court implementation. Includes chapters on community mobilization, staffing, funding, legal issues, identifying a respondent population and establishing a referral process, and program services and sentencing options. Each guideline is accompanied by a rationale and tips for implementation.</p> <p><i>http://www.youthcourt.net/component/option,com_docman/task,doc_download/gid,118/Itemid,67</i></p>
<p>Peer Justice and Youth Empowerment: An Implementation Guide for Teen Court Programs</p>	<p>Guide describing the history and effectiveness of youth courts. Also provides information on community organization, program development and design, recruiting and training of volunteers, program evaluation, and legal issues for youth court practitioners.</p> <p><i>http://ojjdp.ncjrs.gov/publications/peerjustice.html</i></p>

Resources and Information about Youth Courts Nationwide	<p>Resources for youth court programs including frequently asked questions and information about particular organizations, publications, useful web sites, books, and videotapes.</p> <p><i>http://www.whatkidscando.org/archives/featurestories/CourtsResources.html</i></p>
Sample Forms for Daily Program Operation	<p>Sample forms for common youth court operations, such as the referral process; hearings; program management; volunteer recruitment, training and management; program services and sentencing options; and evaluation resources.</p> <p><i>http://www.youthcourt.net/content/view/92/16/</i></p>
Selected Topics on Youth Courts: A Monograph	<p>Monograph including articles about how youth courts address truancy, underage drinking, and other substance abuse school-based offenses; building culturally relevant youth courts in tribal communities; and guidelines for media access to youth court proceedings.</p> <p><i>http://www.aidainc.net/monograph.pdf</i></p>
Service Learning Manual for Youth Courts	<p>Link to a service learning manual with lesson plans for youth courts developed by the Constitutional Rights Foundation Chicago.</p> <p><i>http://www.crfc.org/youthcourts.html</i></p>
State and Local Youth Justice Web sites	<p>Within the Global Youth Justice web site, a comprehensive list of state and local youth justice web sites that offer additional resources for youth court programs.</p> <p><i>http://www.globalyouthjustice.org/Youth_Websites.html</i></p>
Street Law for Youth Courts: Educational Workshops	<p>Fifteen lessons to be used by youth courts when training youth volunteers and respondents. Includes information on how to integrate law-related education into youth court programs, lesson plans, and other resources.</p> <p><i>http://www.youthcourt.net/component/option,com_docman/task,doc_view/gid,132/Itemid,74/</i></p>
Teen Court: A National Movement - Resources	<p>Comprehensive list of resources for youth court programs from the American Bar Association. Includes references to books, training manuals, videotapes web sites, and frequently asked questions.</p> <p><i>http://www.abanet.org/publiced/youth/teencourts_resources.html</i></p>

Young People Delivering Justice	<p>An “action kit,” provided at the 4th Annual National Youth Court Month, that offers support for practitioners seeking to implement activities for National Youth Court Month.</p> <p>http://www.youthcourt.net/component/option,com_docman/task,doc_view/gid,116/Itemid,67/</p>
Youth Cases for Youth Courts - Desktop Guide	<p>Guide for youth court referrals including how to identify appropriate sources, how to establish an advisory group and a local referral committee, how to decide which referrals to accept, how to maintain communication with referral sources, and how to expand referral options.</p> <p>http://www.abanet.org/publiced/youthcases_youthcourts.pdf</p>
Youth Court: A National Movement	<p>Technical assistance bulletin including a description of youth courts, the growth of youth courts, and steps for implementing a youth court.</p> <p>http://www.abanet.org/publiced/tab17.pdf</p>
Resources from Youth Court Programs	
Jacksonville, Florida, 4th Judicial Circuit's Teen Court	<p>Video about the 4th Judicial Circuit's Teen Court Program in Jacksonville, Florida. Includes interviews with program participants and staff, and a mock hearing of a juvenile going through the teen court process.</p> <p>http://studio15inc.com/tcvid.html</p>
The Knox County, Illinois, Teen Court	<p>Award-winning web site of the Knox County Teen Court that walks visitors through the teen court process and offers a statistical analysis of the merits of the program. The site also makes available for purchase the Knox County Teen Court Video.</p> <p>http://library.thinkquest.org/2640/</p>
New York’s Syracuse City School District Student Court: A School-Based Youth Court Making the Grade	<p>Interview between Mistene Vickers, research assistant for the National Youth Court Center, and Judy Wolfe, coordinator of the Syracuse City School District Student Court Program, covering the basics of the Student Court Program including participation criteria, cases types, and case sources.</p> <p>http://www.youthcourt.net/component/option,com_docman/task,doc_view/gid,99/</p>

“Teen Court”	<p>A video documentary following the director of and a participant in a teen court program in Watts, South Los Angeles, California.</p> <p>http://www.torobravo.us/teencourt/</p>
Watauga, Texas, KHW Teen Court	<p>Web site for the KHW Teen Court in Watauga, Texas. Presents a video about the Teen Court that includes footage of courtroom proceedings, interviews with members, and explanations about the structure and function of the program.</p> <p>http://www.ci.watauga.tx.us/courts/TeenCourt/TCPhotos.htm</p>
National Evaluation	
The Impact of Teen Court on Young Offenders	<p>Report from the Evaluation of Teen Courts Project (ETC), which studied four youth courts in different states to measure attitudes and recidivism outcomes of over 500 referred youth offenders.</p> <p>http://urban.org/publications/410457.html</p>
Teen Court Jurors’ Sentencing Decisions	<p>Article discussing national research indicating that while youth jurors demonstrated poor recollection of case information, sentences were still based upon evidence and jurors expressed a commitment to rehabilitation.</p> <p>http://www.sagepub.com/spohnstudy/articles/6/Greene.pdf</p>
Teen Courts in the United States: A Profile of Current Programs	<p>Fact sheet discussing program characteristics, program administration, and case characteristics of youth court programs gathered from a 1998 national survey conducted by the Urban Institute.</p> <p>http://www.ncjrs.gov/pdffiles1/ojdp/fs99118.pdf</p>
Teen Courts: A Focus on Research	<p>Bulletin describing established youth court program characteristics and challenges faced by youth courts. Also summarizes the available evaluative literature.</p> <p>http://www.urban.org/UploadedPDF/1000233_teencourtsfocus.pdf</p>
Youth Court: A Community Solution for Embracing At-Risk Youth	<p>Report on the findings of a nationwide survey of 365 youth court coordinators, providing an overview of programs, and their characteristics and benefits.</p> <p>http://www.aypf.org/publications/Youth%20Court%20-%20A%20Community%20Solution.pdf</p>

<p>Youth Courts: An Empirical Update and Analysis of Future Organizational and Research Needs</p>	<p>Article discussing a national study of youth court program outcomes, operations, and administrations, including additional information about youth in the juvenile system, costs of the juvenile system, and the philosophy of youth courts.</p> <p>http://hamfish.org/Publications/Serial/HFI_Youth_Courts_Report.pdf</p> <p>§</p>
<p>Local and Regional Evaluation</p>	
<p>An Experimental Evaluation of Teen Courts</p>	<p>Study of recidivism and attitudes of youth processed by four Maryland youth courts as compared to those processed by the traditional court system. Outcomes indicated unfavorable results regarding the effectiveness of youth courts.</p> <p>http://www.springerlink.com/content/h0712p72644u1702/fulltext.pdf</p> <p>§</p>
<p>A Teen Court Evaluation with a Therapeutic Jurisprudence Perspective</p>	<p>Report on a study that found youth court ineffective for respondents within a therapeutic justice perspective. Study subjects were from a local, newly developed youth court serving a medium-sized Midwestern urban area.</p> <p>http://www3.interscience.wiley.com/journal/96516680/abstract</p> <p>§</p>
<p>Building a Better Youth Court</p>	<p>Article discussing results from a survey conducted among youth courts in New York State, focusing on differences and similarities in the areas of objectives, target populations, and operational procedures.</p> <p>http://www3.interscience.wiley.com/journal/118988237/abstract</p> <p>§</p>
<p>Communications in a Teen Court: Implications for Probation</p>	<p>Article discussing a study of interactions in a youth court, examining the use and efficacy of a question and answer approach among adults, youth volunteers, respondents, and parents.</p> <p>http://heinonline.org/HOL/LandingPage?collection=journals&handle=hein.journals/fedp ro61&div=67&id=&page=</p> <p>§</p>

<p>Is Teen Court Effective for Repeat Offenders? A Test of the Restorative Justice Approach</p>	<p>Article discussing a study that found higher sentence completion rates and lower recidivism for Whatcom County Youth Court participant repeat offenders, in comparison with first-time offenders in a court diversion program.</p> <p>http://ijo.sagepub.com/cgi/content/abstract/49/1/107</p> <p>§</p>
<p>Peer Juries as a Juvenile Justice Diversion Technique</p>	<p>Article comparing the effectiveness of a Georgia youth court operating under the authority of that state's informal adjustment code with the "peer jury" process (whereby youthful offenders participate in a hearing conducted by a jury of their peers).</p> <p>http://yas.sagepub.com/cgi/pdf_extract/18/3/302</p> <p>§</p>
<p>Predictors of Juvenile Court Actions and Recidivism</p>	<p>Article discussing a study of first-time youthful offenders referred to a midwestern county juvenile court between January and June of 1990. The study measured recidivism over two years following initial referral and considered referral offense, age, gender, ethnicity, and custodian.</p> <p>http://cad.sagepub.com/cgi/content/abstract/43/3/328</p> <p>§</p>
<p>Sentence Completion and Recidivism Among Juveniles Referred to Teen Courts</p>	<p>Article discussing sentence completion and recidivism of youth referred to a Kentucky youth court, indicating that over 70% of referred youth completed sentences and that the recidivism rate was less than 33% for one year following referral.</p> <p>http://cad.sagepub.com/cgi/content/abstract/45/4/467</p> <p>§</p>
<p>Smells Like Teen Spirit: Evaluating a Midwestern Teen Court</p>	<p>Article discussing analysis of the Greene County Teen Court in Xenia, Ohio, finding no difference in likelihood to recidivate between teen court participants and regular diversion participants, although program completers were half as likely to reoffend as non-completers.</p> <p>http://cad.sagepub.com/cgi/content/abstract/0011128709354037v1</p> <p>§</p>

<p>Teen Court Referral, Sentencing, and Subsequent Recidivism</p>	<p>Eight-year study analyzing the impacts of demographics and sentence content on recidivism in one Illinois youth court.</p> <p>http://cad.sagepub.com/cgi/content/abstract/50/4/615?ck=nck</p> <p>§</p>
<p>Teen Court: An Examination of Processes and Outcomes</p>	<p>Article discussing a study of recidivism in a New Mexico youth court that found a 25% rate of recidivism over four years, considering gender, age, prior referral, completion of youth court program, custodian, and severity of youth court sanction.</p> <p>http://cad.sagepub.com/cgi/content/abstract/47/2/243</p> <p>§</p>
<p>Teen Court: Is it an Effective Alternative to Traditional Sanctions?</p>	<p>Article about a study involving youth referred to an Arlington, Texas, teen court and a comparison group matched on demographic characteristics and offenses. Twenty-four percent of teen court defendants recidivated, compared with 36% of the comparison group.</p> <p>http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=166154</p> <p>§</p>
<p>Legislation</p>	
<p>An Update on Teen Court Legislation</p>	<p>Bulletin offering an overview of youth court legislation by state and degree of regulation. Presents considerations for the development of new youth court legislation.</p> <p>http://www.youthcourt.net/component/option,com_docman/task,doc_view/gid,134/Itemid,74/</p>

The Organization and Operation of Teen Courts in the United States	<p>Article offering a comparative analysis of existing United States youth court legislation and factors giving rise to youth court legislation.</p> <p>http://www.youthcourt.net/component/option,com_docman/task,doc_download/gid,70/Itemid,11/</p>
Policy	
Delinquents or Criminals? Policy Options for Young Offenders	<p>Article recommending policy reformation supporting the creation of more specialty courts for youth.</p> <p>http://www.urban.org/publications/307452.html</p>
Policymakers Support Youth Court Growth	<p>Policy brief incorporating information from interviews with various youth court practitioners and policymakers. Provides a compilation of recommendations from programs across several states and federal agencies.</p> <p>http://www.youthcourt.net/component/option,com_docman/task,doc_download/gid,133/Itemid,72/</p>
Restorative Justice	
Rehabilitating Community Service: Toward Restorative Service Sanctions in a Balanced Justice System	<p>Article recommending changes in the use of sanctioned community service work to achieve improved rehabilitative results as dictated by restorative justice principles.</p> <p>http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=148331</p> <p>§</p>
Restorative Justice Online	<p>Web site providing comprehensive information about restorative justice and discussion forums. Of particular note is the Lecture Hall section, which offers resources for students and teachers interested in learning more about restorative justice.</p> <p>http://www.restorativejustice.org/</p>

7. PROFILES OF SELECT YOUTH COURTS

Introduction

Between July and October 2009, the Center for Court Innovation conducted site visits of eight youth court programs across New York State. The Center selected sites that are well established, hear a substantial number of cases annually, and represent the diversity of New York State. During the visits, Center staff met with a range of people who play critical roles in the programs—including youth court program staff, partners, and youth participants—to learn more about the practices and impacts of the programs. The lessons learned from the site visits, as well as documents and materials used by the programs, informed and support the Recommended Practices. Youth court practitioners are welcome to contact the programs directly for more information:

Brookhaven Youth Court

Janet Wohlars, Coordinator
(631) 451-8022
brookhavenyouthcourt@bgcbellport.org

Red Hook Youth Court

Ericka Tapia, Coordinator
(718) 923-8263
tapiae@courtinnoation.org

Cattaraugus County Youth Court

Laurie Peterson, Coordinator
(716) 938-2617
ljpeterson@cattco.org

Rochester Teen Court

Cookie Waller, Manager
(585) 428-4186
cwaller@courts.state.ny.us

Town of Colonie Youth Court

Violet Colydas, Director
(518) 782-2638
colydasv@colonie.org

Syracuse City School District Student Court

Judy Wolfe, Program Supervisor
(315) 435-6345
jwolfe@scsd.us

City of Elmira Youth Court

Luanne Strauser, Coordinator
(607) 737-5802
lstrauser@cityofelmira.net

Warren County Youth Court

Katherine Chambers, Director
(518) 746-6059
warrenctyhcrt@yahoo.com

Brookhaven Youth Court

Interviews Conducted

Janet Wohlers, Coordinator

Sherry Stein, Executive Director, Brookhaven Youth Bureau³²

Erica Devaney, Program Manager, American Red Cross Juvenile Division

Ed Goldsmith, Supervising Probation Officer, Suffolk County

Annalise, Member, Brookhaven Youth Court

Rocco, Former respondent, Brookhaven Youth Court

Teri, Parent of former respondent, Brookhaven Youth Court

Program Description

The Brookhaven Youth Court, established in 1997, serves a suburban community of nearly 500,000 in Suffolk County. The town's Youth Bureau established the program in partnership with the Boys and Girls Club, a not-for-profit organization. The program remains a project of the Boys and Girls Club, with its office located in Brookhaven Town Hall. It holds hearings once a week, year round. Over the past three years, the Brookhaven Youth Court has held, on average, 49 hearings annually.

Recruitment, Training, and Selection of Members

The Brookhaven Youth Court primarily recruits volunteers from 18 high schools located in the Town of Brookhaven. Program staff communicate with school administrators shortly before the beginning of the academic year to coordinate recruitment. Staff work to accommodate the needs of each individual school in the recruitment process; they conduct presentations at some schools, send informational materials to others, and send youth volunteers to do presentations for their peers in others. While a number of schools participate in recruitment, a few schools usually account for the majority of youth court members.

High-school students enrolled in school in Brookhaven Town are eligible to become members. The program has a total of approximately 100 members at a time and trains between 30 and 40 new members

³² Youth Bureaus administer NYS Office of Children and Family Services (OCFS) grant funding to promote positive youth development, increase youth developmental assets, and decrease juvenile delinquency. There are over one hundred Youth Bureaus in New York State.

per year. Members are divided into five teams of 20 and are expected to attend assigned hearings or call the program coordinator to explain anticipated absences. The Brookhaven Youth Court also has a youth board comprised of 16 to 18 volunteers who have demonstrated commitment to the program. The youth board meets on a quarterly basis and provides feedback and recommendations about the program to youth court staff.

Youth court members receive 30 hours of training. Training is overseen by staff and involves visits from volunteer experts, including representatives from the Departments of Correction and Probation, local law enforcement, the Suffolk County Commissioner of Jurors, and attorneys. If a trainee misses more than two sessions, youth court staff will speak with the trainee about his or her commitment to the program. Most training sessions are conducted in lecture format, but youth court staff strive to incorporate small group work and give trainees the opportunity to ask questions of volunteer trainers. Beyond the formal training program, members are encouraged to participate in a jail tour.

Incentives for Participation

The Brookhaven Youth Court offers senior members who are planning to go to college the opportunity to apply for a \$100 scholarship during their senior year. Youth court members raise most of the money necessary to support the scholarship through fundraising efforts during the year, such as raffles and bake sales.

Brookhaven Youth Court members also have the opportunity to participate in trips during the year. Members are able to fulfill school community service requirements through their work with the youth court.

Referrals, Intakes, Hearings, and Sanctions

The Brookhaven Youth Court receives all of its referrals from the Department of Probation, which offers some young people the opportunity to participate in youth court as a condition of adjustment.³³

Respondents are typically first-time offenders under 16 years old who face misdemeanor charges.

Youth court staff reach out to teenagers who are referred to youth court shortly after referral and conduct intakes for all young people who are willing to participate. At intake, young people and their parents must sign an agreement to participate in the process and to abide by potential sanctions. They also

³³ The program has explored the possibility of receiving referrals from schools in the Town of Brookhaven, but has not reached a point where it receives a steady stream of referrals from schools.

receive information regarding additional resources available in Brookhaven, such as counseling and youth services; youth court “guidelines,” which provide a detailed description of the hearing process; and a copy of a magazine article that describes youth court. Respondents must acknowledge responsibility for the activity that led to the referral in order to participate in youth court. The youth court coordinator, who is a licensed social worker, conducts most intakes. The program also relies on information regarding respondents gathered by the Department of Probation during its intake.

Youth court members receive information³⁴ about cases to which they have been assigned approximately two weeks before the scheduled hearing date. The lead defense attorney is expected to contact the client prior to the hearing to prepare.

The program employs a youth judge or peer jury model, depending on the number of volunteers available for hearings. Defense attorneys, prosecuting attorneys, and jury members can all ask questions during hearings. Advocates are not allowed to object to questions posed during testimony. The respondent and his or her parents testify at hearings; the program also makes a concerted effort to encourage victims and other prosecution witnesses to testify. After all testimony has been provided, defense and prosecuting attorneys make closing arguments during which they recommend sanctions to the jury. Youth court hearings are not open to the public.

At the conclusion of the hearing, the jury deliberates until it reaches a unanimous decision with respect to sanctions. All respondents must participate in a peer discussion group and do jury service at least once as part of their sanctions. Other sanctions typically imposed on respondents include performing between five and 35 hours of community service, attending counseling sessions, participating in a visit to the county jail,³⁵ and writing essays or letters of apology.

For nearly ten years, the Brookhaven Youth Court has partnered with the American Red Cross in Brookhaven to provide community service opportunities for the majority of its respondents.³⁶ When respondents agree to participate in the Brookhaven Youth Court process, they must consent to perform

³⁴ Prosecution and defense attorneys receive the same information regarding cases, including a copy of the police report and the youth court intake form.

³⁵ Visits to the county jail are part of the Suffolk County Sheriff’s Office YES Program (Youth Enlightenment Seminars) and are conducted by Community Relations Unit officers at the Riverhead County Correctional Facility. Visits consist of a lecture by the officers, a tour of three housing tiers, and presentations by several inmates who share their personal stories and experiences in the facility.

³⁶ The Red Cross does not work with youth court respondents who are under 14 years old.

community service through the Red Cross Juvenile Division and are encouraged to perform at least five hours prior to their hearing. The Red Cross partners with 500 community-based organizations and agencies throughout Suffolk County to offer respondents a broad range of community service opportunities.

Budget, Staffing, and Other Resources

The Brookhaven Youth Court has an annual budget of approximately \$71,000. The Brookhaven Youth Bureau is primarily responsible for conducting fundraising necessary to support the program; it has obtained support from a combination of local, state, and federal sources. The program has one full-time employee and one part-time employee. The program also has an advisory board, the advisory board played a more active role in the ongoing activities of the youth court in its early years. Currently, board members provide advice to youth court staff on an informal basis.

Cattaraugus County Youth Court

Interviews conducted

Laurie Peterson, Coordinator

Mark Schultz, Principal, Pioneer Central Schools

Devine Leacock, Deputy, Cattaraugus County Sheriff's Office

Joseph Sherwood, Deputy, Cattaraugus County Sheriff's Office

Ray Green, Juvenile Probation Supervisor, Cattaraugus County Department of Probation

Patsy Magara, Adult volunteer, Cattaraugus County Youth Court

Jill, Member, Cattaraugus County Youth Court

Deb, Parent of former respondent, Cattaraugus County Youth Court

Program Description

The Cattaraugus County Youth Court was established in 1997. It serves rural communities throughout Cattaraugus County. It has been operated out of the Cattaraugus County Youth Bureau since its inception. The program holds hearings three times per month; in order to be accessible to as much of the county as possible, the location of the hearings alternate between two sites. Over the past three years, the Cattaraugus County Youth Court has held, on average, 53 hearings annually.

Recruitment, Training, and Selection of Members

The program recruits members primarily through schools. Youth court staff visit government and global studies classes at local middle schools and high schools; they also rely upon word of mouth from current youth volunteers. The program also advertises at local youth centers and, on occasion, in newspapers. Young people in the seventh through twelfth grades can volunteer for youth court; most members are between 13 and 16 years old.

The program generally conducts two or three training cycles per year, with 10 to 24 young people at a time. They are scheduled on an as-needed basis and program staff strive to rotate the location of trainings to make the program accessible to youth from throughout the county. The training program consists of 20 hours of training conducted in nine sessions by youth court staff. Program staff offer make-up

sessions for participants absent from scheduled training sessions. After the initial training, members participate in supplemental practice sessions and workshops on a regular basis.

Incentives for Participation

Youth court members can use their participation in the program to fulfill school or other community service requirements. Members also participate in periodic membership appreciation events, including annual induction, recognition, and graduation ceremonies.

Referrals, Intakes, Hearings, and Sanctions

The Cattaraugus County Youth Court receives the majority of its referrals from the Department of Probation. A small number of referrals come directly from schools and law enforcement officers. The youth court accepts referrals that are either misdemeanor or violation level offenses.

Upon receipt of a referral, youth court staff send the family a letter with information about the program. The letter requests that the family contact youth court staff as soon as possible to set up an intake appointment. If a family fails to follow up within five days, youth court staff request that staff from the Department of Probation contact the family to urge them to participate.

Youth court staff conduct intake interviews with respondents and their families, obtaining information about the incident that led to the referral and about the respondent in general. Such information may include academic record, interests/hobbies, learning and/or physical disabilities that could affect the youth's ability to perform sanctions, and consequences already imposed at home and/or by the school. Staff also prepare parents to be witnesses at the youth court hearing. Respondents and their parents must sign consent forms to participate in the youth court process. Respondents must acknowledge responsibility for the conduct that led to the referral, sign an agreement to participate in the program, and agree that information pertaining to their cases may be shared with persons involved in the completion of their cases, such as staff at community service sites. In the agreement, respondents also acknowledge that the Department of Probation will not pursue a case in family court if the respondent completes youth court sanctions; however, if the respondent fails to complete sanctions, the youth court will return cases to Probation for further action.

The Cattaraugus County Youth Court follows a youth judge model that uses a youth jury. Juries typically are comprised of nine jurors. Respondents are required to serve as jurors at least once as part of their sanctions. Jury service also offers an opportunity for young people who have heard about the youth

court to learn more about it: volunteers can serve as jurors simply by attending a court session and a briefing on procedures and signing a “jury code of ethics,” which details confidentiality, impartiality, and expectations for jurors. On average, six volunteers serve solely as jurors annually.

Advocates and youth judges receive information regarding cases to which they are assigned several days before scheduled hearings. Advocates assigned to represent the respondent typically do not have direct contact with their clients before the hearing day, but they meet with their clients immediately prior to the hearing to discuss the case.

Respondents usually do not testify at youth court hearings, but they must prepare written statements to be read in court, describing what they have learned from their experiences, what they would do differently if faced with the same circumstances again, and to whom they believe they owe an apology. Parents or guardians often testify. There are rarely additional witnesses, but advocates sometimes read victim impact statements. Advocates and the judge can ask questions, and after witnesses testify and the jury hears all statements made in connection with the case, youth advocates make closing statements during which they summarize their case and offer recommendations for sanctions. After the hearing, the jury deliberates until it reaches a consensus decision with respect to appropriate sanctions. Youth court hearings are not open to the public.

The youth court has formal guidelines for sanctions. In addition to their statement read in court, all respondents must serve on a jury at least once. Respondents whose cases involved substance abuse must undergo drug screenings. There is a mandatory educational workshop about theft for respondents whose offenses have included stealing. All respondents are sentenced to at least ten hours of community service, which is suspended pending successful completion of other sanctions. These ten hours are in addition to any sanctioned community service; however, respondents under 12 years of age are not assigned additional community service. Sanctions always include letters of apology, and may include restitution when established by Probation and victim prior to the hearing.

Respondents and their families usually make arrangements directly with community-based organizations to complete community service sanctions. Proposed projects must be reviewed and approved by youth court staff.

Budget, Staffing, and Other Resources

The Cattaraugus County Youth Court's annual budget is approximately \$35,000. Historically, support has come from legislative member items and Secure Our Schools (SOS) funding,³⁷ supplemented by support from the county. The youth court has one part-time staff person. The program's budget does not cover the cost of office space, which is absorbed in the Cattaraugus County Youth Bureau's budget. The program also uses donated space in two local courthouses to conduct hearings. The program receives support from parents of members who volunteer five hours per month. The program receives additional support from schools, which provide space for recruitment, training, and event nights.

³⁷ The Secure Our Schools (SOS) grant program is a program of the United States Department of Justice Office of Community Oriented Policing Services. It provides funding to local governments to assist with the development of school safety resources.

Town of Colonie Youth Court

Interviews Conducted

Violet Colydas, Director, Town of Colonie Youth Court

Javier Martinez, Program Assistant, Town of Colonie Youth Court

Hon. Andrew Sommers, Town Justice, Town of Colonie

Colleen Breslin, Intake/Diversion Supervisor, Albany County Department of Probation

Patty Lockart, Victim Specialist, Colonie Police Department

David Hamilton, Parent of former respondent, Town of Colonie Youth Court

Town of Colonie Youth Court members

Program Description

The Town of Colonie Youth Court, established in 1993, serves a suburban community of 80,000 near Albany. The program was established as an independent charitable, not-for-profit corporation, but the Town of Colonie assumed responsibility for it in 2005. It holds hearings once a week, year round. Over the past three years, the Town of Colonie Youth Court has held, on average, 74 hearings annually.

Recruitment, Training, and Selection of Members

The Town of Colonie Youth Court program recruits primarily in local schools. Program staff meet with school administrators in local schools before the beginning of each academic year to plan for recruitment. Schools post information about the program and make school-wide announcements during the first week of the academic year.

Volunteers play two different roles: court members and jury pool volunteers. Court members volunteer at least three hours per month for a minimum of one year. Young people in ninth through eleventh grades may join the youth court as members. Members can serve on the court through twelfth grade. Jury pool volunteers, who must be in the seventh grade or above, can serve anytime as a part of the 300-person jury pool. In addition to recruiting jurors through posters in schools, the Town of Colonie Youth Court asks all court members to recruit three to five jurors as part of their commitment to the program.

Youth court members receive 23 hours of training during an eight-week period. The program conducts one training cycle per year. Program staff facilitate training sessions and recruit judges, law enforcement officials, probation officials, attorneys, and academics to participate. Basic information is conveyed to trainees in sessions conducted in lecture format, but trainees also work in small groups to do experiential sessions, including jury deliberations and mock hearings. Trainees must attend all training sessions in order to become youth court members. When a young person misses a training session without an adequate excuse, he or she is typically dismissed from the program. The program generally trains a total of 40 to 50 teens annually.

Incentives for Participation

Youth court members can use their participation in the program to fulfill school or other community service requirements. They participate in periodic membership appreciation events, including annual graduation ceremonies. On occasion, members receive promotional products in recognition of their contributions to the program.

Referrals, Intakes, Hearings, and Sanctions

The Town of Colonie Youth Court receives referrals from three sources: the Town of Colonie's three town justices, the town police department, and the county probation department. Judges refer 16 to 18 year olds who have been charged with nonviolent misdemeanors and violations. The Albany County Department of Probation and the Colonie Police Department work together to coordinate referrals of young people under the age of 16 who are charged with misdemeanors and violations. Police officers make many referrals to the youth court directly upon arrest.³⁸ The department of probation also makes referrals to the youth court as a condition of adjustment.

Youth court staff conduct intake interviews during which they collect detailed information regarding the incident that led to the referral, the respondent's home life, academic interests, school performance, employment, and other community involvement. In order to participate in youth court, respondents must acknowledge responsibility for the conduct that led to the referral. Prior to participation, respondents and parents/guardians also sign three forms: Parental/Guardian Authorization Release,

³⁸ Youth court staff have provided in-service training to police officers about the process for referring cases to youth court and identifying cases that are appropriate for referral.

Release of Liability and Permission to Share Confidential Information, and Advice of Rights and Consent to Participate in Youth Court.

The Town of Colonie Youth Court follows a youth judge model, with a jury drawn from the pool of 300 volunteers and some respondents. The program has over 100 members who are assigned to six-person teams that receive cases on four-week rotations. At least one week before the hearing, the six members assigned to a case receive a detailed description of the incident (gathered during the intake interview), and other basic information regarding the respondent. Members assigned to the role of defense counsel are expected to contact the respondent to discuss the case and prepare for the hearing. The victim advocate is expected to communicate with the victim of the conduct that led to the youth court referral (e.g., law enforcement officials, representatives of businesses harmed by theft, and parents) before the hearing.

The respondent and his or her parents/guardians typically testify at youth court hearings. Victims are encouraged to testify as well; if the victim is unwilling or unable to testify, the victim advocate generally reads a statement provided by the victim or makes a statement regarding the impact of the conduct that led to the referral. Prosecution and defense attorneys and the judge are allowed to question witnesses. After the testimony, the advocates (“defender” and “prosecutor”) make closing statements during which they summarize their cases and offer recommendations for sanctions. Youth court hearings are closed to the public.

Immediately after each hearing, the jury deliberates until it reaches a unanimous decision with respect to appropriate sanctions. Sanctions typically include community service, educational classes, jury service, essays, and written letters of apology. Youth court staff organize and manage community service projects in which respondents participate. From time to time, youth court members participate in community service projects alongside respondents. Respondents engage in service activities for five hours on Saturdays; they are supervised by youth court staff and work on projects at various community-based organizations, including local churches and a food bank. Respondents are also required to attend a two-hour educational class; classes cover a variety of topics such as shoplifting prevention, resisting peer pressure, and drug/alcohol rehabilitation.

Budget, Staffing, and Other Resources

The Town of Colonie Youth Court has an annual budget of \$80,000, which is part of the Town of Colonie's budget. The program has one paid full-time staff member and one paid part-time staff member. In addition

to paid staff, the program has approximately 25 unpaid adult volunteers who assist with the annual training program, including judges, college professors, members of the community, assistant United States attorneys, and probation officers. The town covers the cost of the program's office space at the Town of Colonie's Public Safety Building, where it also uses courtroom space for trainings and hearings.

City of Elmira Youth Court

Interviews Conducted

Luanne Strauser, Coordinator

Hon. David Brockway, Chemung County Family Court Judge

Scott Drake, Chief of Police, Elmira Police Department

Joseph Kain, Captain, Supervisor of Detective Bureau, Elmira Police Department

Kitty Ravert, Youth Leader, Southside Alliance Church

Julia, Tiffany, and Erica, Members, City of Elmira Youth Court

Program Description

The City of Elmira Youth Court was established in 1997 and serves the City of Elmira, which has a population of 31,000. The youth court is integrated into the city's police department. The program holds hearings twice weekly, year round. The youth court has office space, conducts trainings, and holds hearings at City Hall. Over the past three years, the City of Elmira Youth Court has held, on average, 272 hearings annually.

Recruitment, Training, and Selection of Members

The program recruits members at local schools. Program staff make presentations to social studies classes in local middle schools and high schools, both within the City of Elmira and in surrounding suburban communities. Members also recruit friends and classmates. The program also advertises in a local newspaper. The program generally has over 100 applicants who complete training each year.

Young people who are in the seventh through twelfth grades are eligible to participate in the youth court; however, twelfth graders are not eligible to participate in the training and become members. Most youth court members are in the eighth and ninth grades; they are eligible to serve on the youth court until they graduate from high school. All applicants must complete a seven-week training program, complete homework assignments, and pass a bar exam. Youth court staff interview all applicants who pass the bar exam; staff select and check references for those applicants who score the highest on their homework, bar exam, and interview.

Youth court staff coordinate and conduct much of the training, but other experts participate as well. For example, a local family court judge often participates in training sessions, as do representatives of the Department of Probation, law guardians, defense attorneys, assistant district attorneys, and school resource officers. Trainees also participate in a mock trial and a two-hour conflict resolution training conducted by a local non-profit organization. Much of the training is conducted in lecture format, but youth court staff attempt to incorporate interactive elements when possible. The program runs one training cycle per year.

Youth court members are scheduled to participate in hearings once per month. If a member has a conflict that prevents him or her from attending hearings, he or she is expected to contact another member to fill in. On average, 60 to 80 teens typically participate in training sessions; of those, approximately 20 to 30 are selected to become members of the youth court.

Incentives for Participation

Youth court members can use their participation in the program to fulfill school or other community service requirements. They participate in periodic membership appreciation events, including annual graduation ceremonies. On occasion, youth court staff provide food for members during hearings.

Referrals, Intakes, Hearings, and Sanctions

Nearly all cases are referred to the youth court from the police department, but occasionally school administrators and parents refer cases as well. Police officers refer young people who are stopped for behavior that could constitute a misdemeanor or violation. On rare occasions, police refer young people who are stopped for behavior that could be a felony.

Upon receipt of a referral, youth court staff reach out to the respondent and his or her family to follow up. Youth court staff conduct intake interviews with those respondents and their parents who are willing to participate in the process. These interviews typically take place a week before the scheduled hearing. Most respondents who participate in youth court acknowledge responsibility for the actions that led to the youth court referral, but the program does not require that they do so. Respondents who refuse to acknowledge participation in the conduct that led to the referral may request a fact-finding hearing, but

this rarely occurs. Respondents who acknowledge participation in the conduct that led to the referral but do not accept responsibility for the charges are allowed to plead not guilty at the hearing.³⁹

Youth court members receive a copy of the police report for cases to which they are assigned before the scheduled hearing. Staff provide additional information regarding the respondent and the circumstances of the case orally as youth court members prepare for hearings. Members responsible for developing and presenting the case against a respondent are known as “facts attorneys.” Members responsible for representing the respondent are known as “law guardians.” Law guardians meet with their clients immediately before the hearing, to discuss the circumstances that led to the referral.

Youth court hearings are held in the Small Claims courtroom located in Elmira’s City Hall. A panel of three youth judges presides over hearings. Only facts attorneys and judges are allowed to ask questions during the hearing. Respondents are typically the only witnesses. After they have provided their testimony, the facts attorney and the law guardian have an opportunity to make closing arguments and recommend appropriate sanctions to the tribunal. On hearing nights, the youth court hears several cases back-to-back; when all cases have been heard, the judges deliberate to reach consensus regarding appropriate sanctions. Youth court staff facilitate discussions among the judges and sometimes provide additional information regarding special circumstances that might be relevant to the panel’s decision regarding appropriate sanctions.

Sanctions typically include community service;⁴⁰ participating in a full-day visit to the Five Points Correctional Facility, made possible through the Youth Assistance Program;⁴¹ writing essays and letters of apology; attending educational classes;⁴² and restitution.

³⁹ According to youth court staff, in most of these cases respondents who initially plead not guilty change their plea to guilty at the conclusion of the hearing.

⁴⁰ The City of Elmira Youth Court has relationships with local community-based organizations that supervise community service activities performed by some respondents. In addition, the Police Department itself runs a community service program for youth court respondents. (Typically, respondents for whom transportation to and from community service represents a challenge and who require a high level of supervision are assigned to complete their community service through this program.)

⁴¹ Through this program, coordinated by the prison's counseling program, inmates meet with young visitors and speak about their own backgrounds and the decisions that led them to their current circumstances. Visitors also have an opportunity to tour the facility and eat a meal there. Youth court members are also encouraged to participate in the program, to provide them with a better sense of what it offers for respondents. There are 22 Youth Assistance Program sites in correctional facilities across New York State.

Budget, Staffing, and Other Resources

The City of Elmira Youth Court's 2009 budget was \$117,000.⁴³ The program is fully funded by the Elmira Police Department.⁴⁴ The budget covers the salary of one full-time employee, one part-time secretary, and two part-time retired police officers. The budget does not include rental of office space and space used by the City of Elmira Youth Court for trainings and hearings located in City Hall, which is covered by the Police Department.

⁴² The police department conducts a series of five one-hour classes covering issues such as peer pressure, anger management, compulsory education laws, and emerging trends in crimes committed by youth, including sexting.

⁴³ The budget for 2010 is \$109,000.

⁴⁴ While the City of Elmira Youth Court handles cases involving respondents referred by law enforcement offices in neighboring communities within Chemung County, those communities historically have not provided financial support for the program. The program is currently in discussions with law enforcement agencies in other towns within Chemung County regarding financial support for the program.

Red Hook Youth Court

Interviews Conducted

Ericka Tapia, Youth Court Coordinator (former Red Hook Youth Court member)

Shanté Martin, Youth Programs Director, Red Hook Community Justice Center (former Red Hook Youth Court coordinator and member)

Hon. Alex Calabrese, Judge, Red Hook Community Justice Center

Albert Barnes, ReServe Volunteer

Shaneequa McPherson, Volunteer, AmeriCorps (former Red Hook Youth Court member)

Patrice, Shanece, and Desiree, Members, Red Hook Youth Court

Joe Pinto, Executive Director, Adams Street Foundation

Diana Levy, 9th Grade Services Coordinator, Urban Assembly School for Law and Justice

Program Description

The Red Hook Youth Court, established in 1998, serves Red Hook and surrounding neighborhoods in Brooklyn, New York. The program is a project of the Center for Court Innovation, a public-private partnership that conducts research and tests new ideas to help the justice system reduce crime, help victims, and strengthen public confidence in justice. The program is located at the Red Hook Community Justice Center, a community court that hears criminal, housing, and family court matters. Over the past three years, the program has heard an average of 150 cases annually.

Recruitment, Training, and Selection of Members

The program recruits members through formal and informal presentations at approximately 15 local high schools. Young people aged 14 to 18, enrolled either in high school or a GED program are eligible to participate. Members are eligible to remain on the youth court for multiple years, until they graduate from high school or receive their GED. Members who have several years of experience act as mentors to newer volunteers.

The youth court trains between 50 and 60 interested teens per year. All members must complete an eight-week, 40-hour training program, and must be between 14 and 18 years old and enrolled in school. Youth court staff coordinate the training program, but rely on adult volunteers, including the judge at the

Red Hook Community Justice Center, representatives from the district attorney's office, attorneys, and other court personnel to conduct portions of the training. Youths who miss more than two training sessions are ineligible to become youth court members. On occasion, youth court members participate in workshops after they have completed their training; staff members have expressed interest in developing a ten-month-long workshop program that would provide additional opportunities for ongoing training of members.

In addition to completing the training, youth interested in joining the youth court must take a bar exam, complete a written application, and participate in a group interview process. Members are accepted from the pool of eligible applicants based on attendance, participation, and bar exam score. The youth court typically has between 17 and 25 members, who are responsible for attending sessions two afternoons/early evenings per week.

Incentives for Participation

Red Hook Youth Court members receive stipends of \$100 per month for active participation in the program. In addition, youth court members can use their participation in the program to fulfill school or other community service requirements. They participate in periodic membership appreciation events, including annual graduation ceremonies.

Referrals, Intakes, Hearings, and Sanctions

The Red Hook Youth Court receives referrals from local police precincts, the Department of Probation, the Red Hook Community Court,⁴⁵ and local schools. Youth court staff conduct intakes for all youths referred to the program who agree to participate in an intake. During the intake interview, youth court staff gather a substantial amount of background information about the respondent, including his or her school situation, home environment, personal circumstances, and future plans. The intake typically takes place on the same day a respondent is scheduled to have his or her hearing. The respondent meets with his or her advocate immediately after intake to prepare for the hearing. A respondent must acknowledge responsibility for the actions that led to the referral in order to participate in youth court.

⁴⁵ The Red Hook Community Justice Center is a multijurisdictional court that hears criminal, family and housing court cases from Red Hook and nearby neighborhoods.

Youth court members comprise the jury. Jurors, the judge, the bailiff, and advocates (the Youth Advocate, who represents the respondent, and the Community Advocate) can ask questions during hearings. Only respondents testify at hearings.

Red Hook Youth Court hearings are open to the public. Immediately after each hearing, the jury deliberates to reach a unanimous decision regarding sanctions. Sanctions typically include attending a workshop,⁴⁶ community service, and written apologies or essays. The program also encourages respondents and their families to get involved in other programs and to access other supports available at the Red Hook Community Justice Center and in the community, such as mentoring, GED programs, health clinics, educational workshops, and summer youth employment programs.

Budget, Staffing, and Other Resources

The Red Hook Youth Court has an annual budget of approximately \$150,000. The program receives funding from several sources, including the New York City Council. It has two full-time staff members. The program receives additional support from adult volunteers who work through AmeriCorps and ReServe. Space is donated by the Justice Center.

⁴⁶ Respondents can be required to attend workshops on decision-making and conflict resolution, and a one-time interactive workshop that focuses on what youth should do if stopped by the police. This workshop is conducted in partnership with local law enforcement.

Rochester Teen Court

Interviews Conducted

Cookie Waller, Manager

Hon. Frank Geraci, Judge, Monroe County Court

Hon. Roy Wheatley King (Ret.), Former Supervising Judge, Rochester City Court, Teen Court Advisory Board Member

Virgil Ross, School Resource Officer, Rochester Police Department

Victor T. Saunders, Director, Pathways to Peace

Lauren Staffield, Center for Youth Services

Tamika Little, Center for Youth Services

William Skinner, Volunteer, AmeriCorps

Program Description

The Rochester Teen Court was established in 1997. It currently operates as a project of the Center for Youth, an independent not-for-profit organization. The Teen Court serves the City of Rochester and surrounding suburban communities. Over the past three years, the Rochester Teen Court has heard an average of 105 cases per year.

Recruitment, Training, and Selection of Members

The Rochester Teen Court seeks to engage a large and diverse group of young people from Rochester and surrounding communities. Teen court staff conduct outreach to schools, youth programs, and youth serving community-based organizations. The program gives interested young people the opportunity to participate on two levels. Youths who are curious about the program can volunteer as jurors, which requires a limited time commitment and gives them a sense of how the program works. Any person, aged 14 or above, is eligible to be a teen court juror if he or she is willing to participate in a brief orientation session. Teens who decide to volunteer as advocates must complete a six-hour training and pass a bar exam. Teen court staff conduct most of the training, supplemented by law enforcement personnel as needed. Members also are expected to participate in three-hour follow-up training sessions held three times a year.

Incentives for Participation

Teen court members can use their participation in the program to fulfill school or other community service requirements. They participate in periodic membership appreciation events, including annual graduation ceremonies.

Referrals, Intakes, Hearings, and Sanctions

The majority of cases heard by the Rochester Teen Court are referred by Rochester City Court and town courts from a number of suburban communities surrounding Rochester. Judges refer first-time offenders between the ages of 16 and 18 who have been charged with misdemeanors and violations. School resource officers assigned to Rochester's high schools also refer a limited number of cases to the teen court by a formal process through the City Court.⁴⁷ All young people referred to the Teen Court receive adjournments in contemplation of dismissal (ACDs); charges are dismissed if they successfully complete the teen court process within six months.

Teen court staff conduct a preliminary intake immediately after arraignment, during which they describe the teen court process and answer questions from respondents (referred to as “defendants”) or their parents. In order to participate in the Rochester Teen Court, a respondent must acknowledge responsibility for the actions that led to the referral. Respondents and their parents have to sign a waiver that contains an admission of guilt. Teen court staff conduct a brief interview at intake, during which they seek information regarding the respondent and his or her family, including the family’s living situation, medical and psychological issues faced by the respondent, and any other challenges the youth faces.

Teen attorneys receive information regarding cases to which they are assigned at least one week before scheduled hearings and are expected to prepare their cases before the hearing. Attorneys representing respondents are expected to contact their clients before the hearing to prepare.

The Rochester Teen Court holds two hearings per month and meets year-round. During each hearing night, the program hears between eight and 16 cases. An adult judge (typically a city court judge or town judge from one of the communities surrounding Rochester) presides at hearings. Teen court members assume all other courtroom roles in hearings, including prosecuting and defense attorneys, bailiff, deputy, and jurors. Respondents always testify at teen court hearings. Their parents, who are strongly encouraged

⁴⁷ The program has been exploring the possibility of expanding to receive referrals on school disciplinary matters from school administrators.

to attend hearings, sometimes testify.⁴⁸ Law enforcement officers also are encouraged to testify. On occasion, victims and witnesses also testify. Teen court advocates (called “prosecution” and “defense”) begin hearings by offering opening statements and then play a leading role in questioning witnesses. Adult judges also question witnesses. Some judges permit members of the jury to ask questions as well. Teen court hearings are open to the public.

Teen court juries deliberate immediately after hearings and must reach unanimous decisions regarding appropriate sanctions. Sanctions must include jury service and an assessment conducted by social work staff at the Center for Youth. In addition, they typically include between five and 50 hours of community service; enrollment in educational programming, including GED programs or high school; drug screening; writing essays and letters of apology; and attending one of two behavioral workshops.

Budget, Staffing and Other Resources

The Rochester Teen Court has an annual budget of approximately \$125,000, which includes in-kind support. The New York State Court system covers the cost of the Teen Court's office and training space, located in the Rochester Hall of Justice. The Teen Court has two full-time employees. The program actively seeks additional support from long- and short-term volunteers, including adult judges, alumni, adult family members of teen court members, and adults participating in the AmeriCorps program.

⁴⁸ Teen court staff conduct a 45-minute training for parents of respondents, during which they describe the teen court process and answer any questions parents have.

Syracuse City School District Student Court

Interviews Conducted

Judy Wolfe, Program Supervisor

Jim Palumbo, Principal, Fowler High School

David Voltz, Teacher, Fowler High School

Janice Herzog, Director of External Affairs, Syracuse University School of Law

Jimmie McCurdy, Criminal Justice Fellow and 2009 Graduate of Syracuse University School of Law

David and Michael, Graduates, Fowler High School and Syracuse City School District Student Court

Program Description

The Syracuse City School District Student Court program, founded by the Syracuse City School District in 2001, currently operates in four high schools in the city of Syracuse. While it began as an after-school program, the student court has transitioned over the past several years to be integrated into upper-level law electives at participating schools. For example, students at Fowler High School participate through the school's business law class, a one-semester elective open to juniors and seniors. The program has heard an average of 58 cases in each of the last three years.

Recruitment, Training, and Selection of Members

The program recruits members through word of mouth. Interested high school juniors and seniors enroll in the elective at their school. There are generally between 20 and 25 students in each class. Depending on the school, student court may be offered in connection with a law or government class for either one semester or two semesters. Students receive 30 hours of training at the beginning of the semester. This is provided by a combination of people, including the classroom teacher and law fellows from Syracuse University School of Law. After that, students spend one 80-minute classroom session per week participating in student court. These sessions consist either of ongoing training, hearings, guest speakers, or a law-related educational session with the law fellows.

Incentives for Participation

Students receive educational credit for participating in the elective class. They attend law-related assemblies; field trips to the courts, county jail, and law school; and interact with persons in their community who work in various criminal-justice-related fields.

Referrals, Intakes, Hearings, and Sanctions

The student court program handles cases involving violations of the school disciplinary code and truancy. Deans receive referrals from teachers and then determine which cases are appropriate for referral to the student court. The student court is included in the school disciplinary code as a diversion from traditional disciplinary action. Typically, referrals involve the following types of incidents: use of cell phones or portable music players in class; insubordination; skipping classes; smoking on school premises; and truancy. Upon receipt of a referral from the dean, the student court coordinator does a brief intake interview with the respondent.

When the court is in session, student advocates representing the defense and prosecution present their cases to panels comprised of three youth judges. Also present in the courtroom are a clerk and a bailiff. Teachers try to rotate students through all of the roles. The respondent has an opportunity to testify before the court; otherwise, the defense advocate speaks on the respondent's behalf. Teachers who have made the referral to the student court often are asked to testify as well. Parents/guardians are notified of student court proceedings involving their children, but rarely attend hearings involving high school students.⁴⁹

Student court sanctions typically include community service, which is conducted in school; tutorial assistance; participation in peer groups; writing essays and letters of apology; weekly progress reports from teachers; and referrals to additional supports and services available at the school and in the community.

Budget, Staffing, and Other Resources

The program's annual budget of \$75,000 covers one paid full-time staff member, who is employed by the Syracuse City School District. The program also receives support from four, third-year law students on fellowship from Syracuse University College of Law.

⁴⁹ The program also handles a small number of referrals from middle schools. Parents are asked to attend these hearings and testify, on occasion. However, for most respondents, who are in high school, parents are not involved.

Warren County Youth Court

Interviews Conducted

Katherine Chambers, Director

Hon. Michael Stafford, Town Judge, Town of Lake George

Kate Hogan, District Attorney, Warren County

Robert Iusi, Director of Probation, Warren County

Joseph W. Bethel, Chief of Police, Warren County

Josh Milton, Director, City of Glens Falls Recreation Department

David Saffer, Executive Director, Council for Prevention of Alcohol and Substance Abuse for Warren and Washington Counties

Margaret Singh Smith, Director, Warren County Youth Bureau

Chauncey, Member, Warren County Youth Court

Jeremiah, Respondent, Warren County Youth Court

Program Description

The Warren County Youth Court, established in 1999, serves rural and suburban communities throughout Warren County. The Warren County Youth Bureau spearheaded the effort to establish the program, which has been operated by the Council for Prevention of Alcohol and Substance Abuse, a local not-for-profit organization, since its inception. The program holds hearings once a week, year round. Hearings are held in two different locations to best serve the entire county. Over the past three years, the Warren County Youth Court has held, on average, 68 hearings annually.

Recruitment, Training, and Selection of Members

The program recruits members through presentations to local school districts, public service announcements, and by word of mouth. Young people enrolled in the seventh through twelfth grades can volunteer, but must be in at least the ninth grade to become full members. Younger volunteers may complete the full training, but are limited to serving as jurors and in the role of bailiff. The program generally trains between 35 and 40 members per year.

The Warren County Youth Court conducts one 16-hour training course for members each year. The training is conducted during the fall; there are two full-day weekend sessions and three to four additional evening sessions in October and November. In addition to the annual member training, the program conducts three or four three-hour sessions to train jurors each year. Youth court staff coordinate the training program. Many professionals volunteer time to participate in the training: local judges, law enforcement officials, the county commissioner of jurors, a prosecutor, a defense attorney, members of the probation department, loss prevention or security professionals from local businesses, and a number of local attorneys in private practice. The format of training sessions varies. Basic information regarding youth courts and the criminal justice system is conveyed by lecture, while most other sessions require active participation by trainees. Program staff work to make trainings engaging through integration of games and role play activities. Program staff offer make-up training sessions for participants who miss one or more of the scheduled sessions. At the end of training, all trainees must take a "binder quiz" and participate in a mock trial. No one can become a full member of the youth court without successfully completing these two requirements.

In addition to the formal training program, youth court members are encouraged to participate in numerous activities alongside respondents, including weekly community service activities; special event days, such as law day, global youth service day, and national trails day; and "Positive Peer Interaction" days,⁵⁰ which are held approximately four times per year.

The program also offers a three-hour-long training for jurors three to four times per year. The jury training provides background information regarding youth courts, a brief history of the jury system, and role play activities that require trainees to deliberate on mock juries. Trainees also watch *It's Your Turn*, a video produced by the Office of Court Administration that is shown to hundreds of thousands of adult jurors across New York State every year, and they must successfully complete a quiz based on the video.

⁵⁰During Positive Peer Interaction (PPI) days, members and respondents jointly participate in community service and an activity. PPI days require cooperative interaction, provide a service to the community, and seek to erase the distinction between "good kids" and "bad kids" by rewarding all participants for their contributions. A primary partner of PPI days is the local North American Football League team, the Glens Falls Greenjackets. The players, who range in age from late teens to early thirties, work alongside the volunteers and respondents, act as role models and mentors, and demonstrate the value of providing service and making good life decisions.

Incentives for Participation

Youth court members can use their participation in the program to fulfill school or other community service requirements. They participate in periodic membership appreciation events, including annual graduation ceremonies. On occasion, the program provides food before hearings and members receive promotional products in recognition of their contributions to the program. The program also gives a "Protector of Justice" award to the member who serves the most during the year. High school seniors in the program who are going to college are eligible to apply for a scholarship, which is funded by the county's Victim Impact Panel.

Referrals, Intakes, Hearings, and Sanctions

The Warren County Youth Court receives referrals from local judges in Town and Village Courts, a City Court, and from the Warren County Department of Probation. In general, the youth court handles low-level, nonviolent misdemeanors, such as petit larceny, disorderly conduct, criminal mischief, harassment, resisting arrest, underage drinking and unlawful possession of marijuana. Referrals from the Town and Village Courts and the City Court are criminal offenses and violations, traffic violations, and violations of village codes (such as curfew). Judges generally consult with assistant district attorneys to determine whether cases involving 16 to 18-year-olds are appropriate for youth court. Young people referred by Town and Village Court judges receive adjournments in contemplation of dismissal, pending successful completion of the youth court process.

The Department of Probation refers Person in Need of Supervision (PINS)⁵¹ violations and juvenile delinquency cases. Young people referred by the department of probation receive referrals to youth court as a condition of adjustment. In 2008, the program also began to receive referrals involving truancy from the department of probation. All respondents are required to sign a referral form in which they consent to participate in youth court; parents and guardians are asked to release information about their child and their child's case for confidential information sharing.

Youth court staff conduct intakes for young people referred to the program within two or three weeks of receiving the referral. During the intake, youth court staff obtain information from the respondent

⁵¹ In New York State, local probation departments can provide services and supervision to young people whose parents/guardians voluntarily seek assistance in response to problematic behavior. PINS cases involve youths under the age of eighteen who show a pattern of disobedience, running away, curfew violations, drug or alcohol abuse, violent behavior or severe school truancy.

regarding the incident that led to the referral, prior criminal history, history of aggression or violence, and drug and alcohol use.

Youth court members sign up to participate in hearings. Staff encourage members to participate in at least one session per month. Members must sign up in advance to be advocates (called “prosecution” and “defense”) and jury foreperson. Youth court staff deliver case materials to members assigned to the roles of prosecution and defense attorneys at their schools one week before each hearing. These materials generally include most information obtained by youth court staff regarding the respondent and the offense, including the statement made by the respondent at intake, parental comments made at intake, and paperwork provided by the referral source (including the YASI assessment document⁵², statements given at the time of arrest), and, where relevant, school attendance reports and progress reports. Youth advocates are expected to prepare in advance, but defense counsel generally does not meet with the respondent until the day of the hearing. Before hearings begin, defense counsel takes as much time as necessary to meet with the respondent; all advocates have enough time to finish case preparation.

The program uses either a youth judge or a tribunal model, depending on the number of volunteers available for sessions. Regardless of the model used, respondents must testify. Other witnesses, including parents or guardians, victims, and law enforcement officers, are allowed to testify as well. Hearings begin with opening statements by the advocates, followed by witness testimony. The prosecutor and the defense attorney may ask questions of all witnesses. When all testimony has been given, the advocates give closing statements summarizing their cases and making recommendations for sanctions. Youth court hearings are not open to the public. After the hearing, the jury deliberates until it reaches a unanimous decision with respect to appropriate sanctions. Sanctions typically include community service, jury service,⁵³ educational classes,⁵⁴ a written reflection, a letter of apology or essay, or attending a victim impact panel session.

⁵² YASI is a Youth Assessment and Screening Instrument used by all Departments of Probation in New York State, outside of New York City.

⁵³ All respondents must serve on juries in at least two youth court hearings.

⁵⁴ Jurors can require respondents to participate in any of the following classes as part of their sanctions: drug and alcohol awareness (all respondents must attend this two-hour session), conflict resolution, decision making, peer pressure, theft, anger management, traffic safety, or smoking cessation.

Budget, Staffing, and Other Resources

The Warren County Youth Court has an annual budget of approximately \$100,000. The Warren County Youth Bureau has primary responsibility to obtain support necessary to operate the program. The program currently is supported by funds from the following sources: OCFS Special Delinquency Prevention (SDPP), TANF, Warren County, Stop DWI, and the Town of Queensbury. In addition to monetary support, the program receives substantial in-kind support from the Council for Prevention of Alcohol and Substance Abuse. The Warren County Youth Court employs three staff: one full-time director and two part-time coordinators. The program receives further support from a local attorney in private practice who volunteers several hours per month, attends youth court sessions, and assists volunteers in case preparation.

8. TOOLS FOR PROGRAM EVALUATION

As discussed in these Recommended Practices, youth courts will benefit from developing clear goals, objectives, and outcomes, and from using evaluation tools to measure success in meeting those targets. The following tools are provided as sample documents to assist practitioners in developing evaluation processes for their programs or in reviewing and refining existing evaluation tools.

Logic Model

A logic model is a tool used by program managers and evaluators to articulate how programs use resources and processes to produce desired results. A logic model can be helpful when planning and designing a program, and when creating outcomes for evaluation purposes. It can also be useful for describing a program and targeting and clarifying goals, especially to funders and other stakeholders.

There are different ways to organize a logic model; we have provided an example for a sample youth court program. It shows logical linkages among goals, resources, activities, outputs, and outcomes, and can be adapted as needed. For example, the sample includes many different referral sources, some of which may not apply to your youth court.

- **Goals** are the targeted ambitions of the program. They define the purpose of the program, such as “to educate young people about the justice system” or “to provide an alternative response to youth crime in the community.”
- **Resources** are materials, assets, and capital used by the program. Examples include money, staff, equipment, community partners, facilities, curricula, and time.
- **Activities** are the work and tasks that the program does with the available resources. These are the essential, recurring components of the program that are required to obtain intended results. Examples include recruitment efforts, member trainings, and hearings.
- **Outputs** are the tangible results of the activities, and are typically accounted for by quantitative results, such as the number of students who participated in a training or the number of hearings held. For qualitative information, such as respondents’ satisfaction with the youth court process, the use of surveys or other instruments allows the program to express results as an output (e.g., “90% of respondents were satisfied with their youth court experiences”).

- **Outcomes** are the impacts the program has as a result of its activities and outputs, and are how the program will seek to meet its goals. Outcomes can be short-term (e.g., increased awareness or knowledge), medium-term (e.g., change in behavior or policies), or long-term (improved overall social, economic, or environmental conditions).

Surveys

The sample surveys included in this manual can be adapted to help evaluate your youth court program.

Member survey

The member survey is designed to be distributed as a pre- and post-participation instrument. Administered to members before they start youth court training and again at the end of either the training period or program participation, the survey can be used to track changes in members' attitudes about the police, the court system, and laws, as well as in measures of civic engagement and feelings of efficacy.

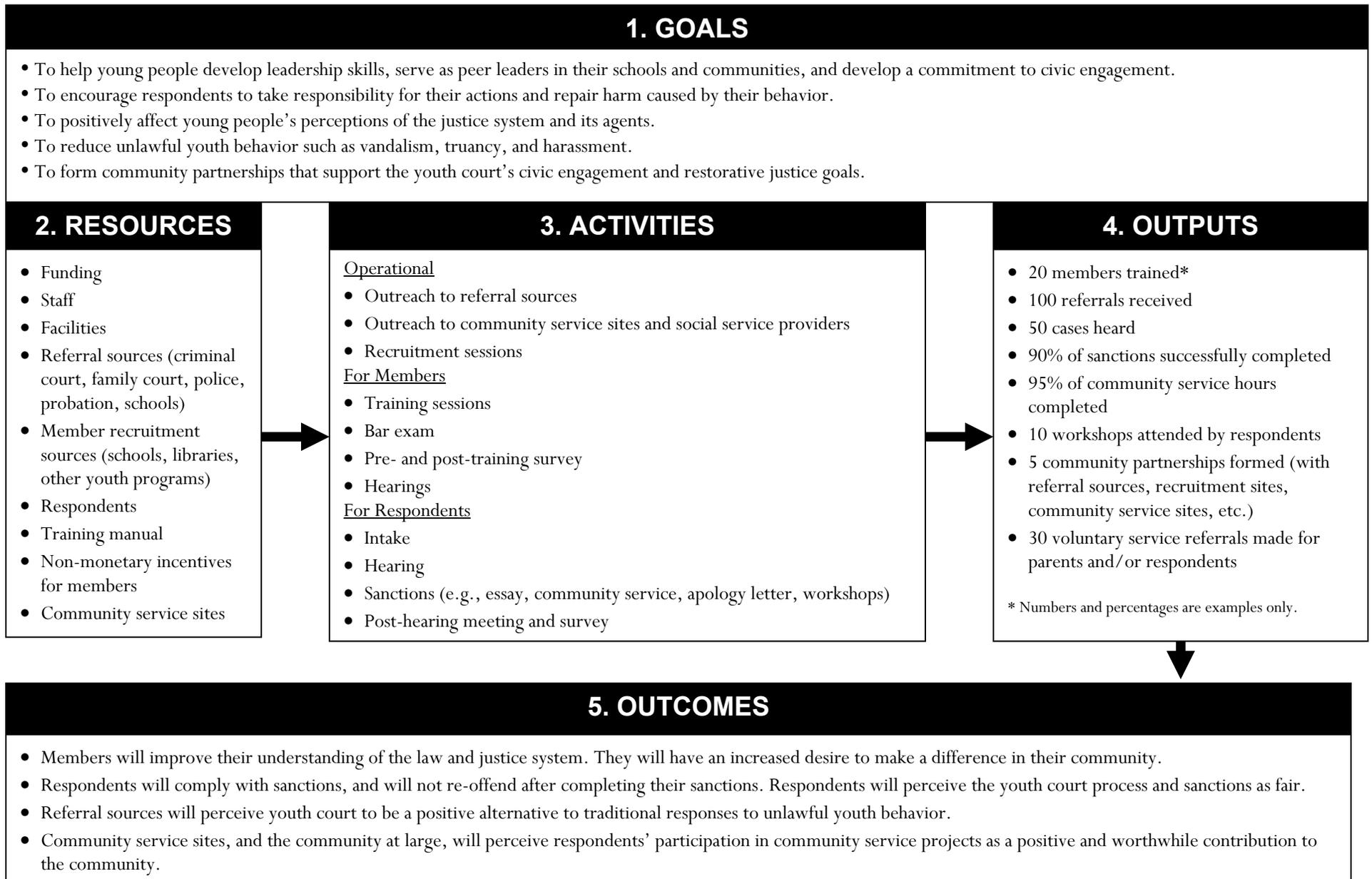
Respondent and Parent/Guardian surveys

The respondent and parent/guardian surveys are intended to be distributed immediately following hearings. The surveys are designed to measure whether respondents and parents/guardians thought the process and sanctions were fair, whether they understood the process, and whether they would recommend youth court to other young people and families.

Youth Court Sample Respondent Tracker Spreadsheet

We suggest youth courts track compliance as one of their key performance measures. Additionally, it is helpful to track, and be able to report on, referral sources, types of offenses, and types of sanctions assigned. We have designed a sample Microsoft Excel spreadsheet that can be used to track key these indicators. Download a free copy of the file at www.courtinnovation.org/youthcourts.

Sample Logic Model



YOUTH COURT Sample Member Survey

ID #: _____

Date: _____

Please answer the questions below honestly. Do NOT write your name on this survey.

The questions in this section are about your feelings towards various criminal justice agencies in your community. There are no right or wrong answers. We are interested in your opinion for research purposes and to help improve our program.

1. The police do a good job.

Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree

2. I trust the police.

Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree

3. The police have a role in keeping my community safe.

Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree

4. The police in my neighborhood make decisions about people based on race.

Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree

5. The court system is fair.

Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree

6. I trust the court system to make the right decisions.

Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree

7. Laws are intended to protect people.

Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree

8. Laws protect only adults.

- Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree

9. Laws are enforced more when some people break them than when others do.

- Strongly agree Agree Somewhat agree Somewhat disagree Disagree Strongly disagree
-

The following questions are about any recent interactions you may have had with the police.

Remember, your answers have no impact on your participation in the program.

10. I have been stopped by the police within the last 12 months. Yes No

→ If yes, how many times? _____

11. I have had a positive experience with a police officer in the last 6 months. Yes No

12. I have had a negative experience with a police officer in the last 6 months. Yes No

The following questions are about school, your future plans, and your feelings about yourself and your community.

13. When school is in session, I attend regularly.

- Strongly agree Agree Neutral Disagree Strongly disagree

14. I plan to attend and graduate from college.

- Very likely Likely Somewhat likely Somewhat unlikely Unlikely Very unlikely

15. I am a good leader.

- Strongly agree Agree Neutral Disagree Strongly disagree

16. I know at least one adult who is a leader in my community.

- Strongly agree Agree Neutral Disagree Strongly disagree

17. I feel that I am able to take action to help when I see problems in my neighborhood.

- Strongly agree Agree Neutral Disagree Strongly disagree

18. My actions have an impact on my community.

Strongly agree Agree Neutral Disagree Strongly disagree

19. Teenagers can have a positive impact on their communities.

Strongly agree Agree Neutral Disagree Strongly disagree

20. I stand up for what I believe in.

Never/rarely Sometimes Often Almost always

21. I am helping to make my community a better place.

Never/rarely Sometimes Often Almost always

22. I am serving others in my community.

Never/rarely Sometimes Often Almost always

23. Have you ever thought about a career in the justice system? (Check all that apply.)

- Judge
- Lawyer
- Police Officer/Court Officer
- Probation Officer
- Other court personnel

Thank you for completing this survey!

Youth Court Sample Respondent Survey

Date: _____

Please take a few minutes to complete the following survey about your youth court experience. Your responses help us to strengthen our program and better serve local families. There are no right or wrong answers, and your survey is anonymous. Please answer each question honestly.

1. My hearing was fair.

Strongly Agree Agree No Opinion Disagree Strongly Disagree

2. The teens on the court treated me with respect.

Strongly Agree Agree No Opinion Disagree Strongly Disagree

3. Do you think the outcome of the hearing (the sentence) was fair?

Too Lenient Fair Too Harsh

4. Did you feel that you had enough opportunities and time to be heard?

Yes No

5. After youth court staff explained to you what was going to happen during your hearing, did you have a clear understanding of what was expected of you?

Yes No

6. Were all of your questions answered?

Yes No

7. If a friend of yours got into trouble with the law, would you recommend that he or she go to youth court?

Yes No

8. Will the youth court make a difference (large or small) in your life?

Large Difference Some Difference Small Difference No Difference

9. How will the youth court make a difference in your life?

10. Is there anything else you would like to share?

Youth Court Sample Parent/Guardian Survey

Date: _____

Please take a few minutes to complete the following survey about your child's youth court experience. Your responses help us to strengthen our program and better serve local families. There are no right or wrong answers, and your survey is anonymous. Please answer each question honestly.

1. My child's hearing was fair.

Strongly Agree Agree No Opinion Disagree Strongly Disagree

2. The teens on the court treated my child with respect.

Strongly Agree Agree No Opinion Disagree Strongly Disagree

3. Do you think the outcome of your child's hearing (the sentence) was fair?

Too Lenient Fair Too Harsh

4. Did you feel that your child had enough opportunities and time to be heard?

Yes No

5. After youth court staff explained what was going to happen during the hearing, did you have a clear understanding of what was expected of your child?

Yes No

6. Were all of your questions answered?

Yes No

7. If another teenager you know got into trouble with the law, would you recommend that he or she go to youth court?

Yes No

8. Will the youth court make a difference (large or small) in your child's life?

Large Difference Some Difference Small Difference No Difference

9. How will the youth court make a difference in your child's life?

10. Is there anything else you would like to share?

Youth Court Sample Member Survey Sample Scoring Sheet

For Questions 1 – 9

Coding:

For questions 1 – 3 and 5 – 7, code the responses as follows:

1 = Strongly Agree

2 = Agree

3 = Somewhat Agree

4 = Somewhat Disagree

5 = Disagree

6 = Strongly Disagree

For questions 4, 8, and 9, code the responses as follows:

6 = Strongly Agree

5 = Agree

4 = Somewhat Agree

3 = Somewhat Disagree

2 = Disagree

1 = Strongly Disagree

Scoring:

For questions 1 – 9, for each question, average the responses of all members. A lower average indicates a more positive view of the police, law, or court, depending on the question.

If the survey is given before and after participation in the youth court program, compare the average scores for each question pre- and post-program. If your program seeks to improve members' attitudes towards the police, law, and the courts, a lower average for each question after participation would indicate a positive change.

Youth Court Sample Respondent Tracker Spreadsheet

We suggest youth courts track compliance as one of their key performance measures. We have designed a sample Microsoft Excel spreadsheet that can be used to track key these indicators. The spreadsheet contains the following fields:

- Respondent's Name
- Respondent's Date of Birth
- Referral Source (dropdown menu lists possible referral sources)
- Date of Hearing (this allows you to be able to report on caseload per month, quarter, or year)
- Offense #1 (dropdown menu lists possible offenses)
- Offense #2 (dropdown menu lists possible offenses)
- # of Community Service Hours Assigned
- Community Service Dates
- Community Service Completed? (dropdown menu lists Yes, No, Partially)
- Essay Topic Assigned
- Date Essay Due
- Essay Completed? (dropdown menu lists Yes, No)
- Apology Letter Assigned (dropdown menu lists Yes, No)
- Apology Letter Completed (dropdown menu lists Yes, No)
- Workshop Assigned (dropdown menu lists possible workshops)
- Workshop Date
- Workshop Completed (dropdown menu lists Yes, No)
- Case Status (dropdown menu lists Closed Successfully, Open, and Unsuccessfully Closed)

Dropdown menu lists, which make for cleaner data, can be changed to adapt to the specifics of your program. If a specific sanction is not assigned, you can leave the corresponding cells blank.

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