A Policy Analysis of Teen Courts: A Look at Teen Courts as a Viable Alternative to the Juvenile Court System

Jon P. Mathieu

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A POLICY ANALYSIS OF TEEN COURTS: A LOOK AT TEEN COURTS AS A VIABLE ALTERNATIVE TO THE JUVENILE COURT SYSTEM

by

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Jon P. Mathieu
A POLICY ANALYSIS OF TEEN COURTS: A LOOK AT TEEN COURTS AS A VIABLE ALTERNATIVE TO THE JUVENILE COURT SYSTEM

Jon P. Mathieu, M.A.

Western Michigan University, 1999

Teen Courts are rapidly emerging as one possible solution to the escalating juvenile crime problem in the United States. From the initial court, started over 20 years ago in Texas, Teen Courts are now in 30 states, with over 250 programs. As the crime problem grows within this population, a need for alternative methods to the Juvenile Court has emerged. Moreover, to date, no formal evaluation has been conducted between United States Teen Courts for a comparative study. Therefore, I sought to explore the following issues: (a) the need for Teen Court implementation, (b) a rationale for Teen Court existence, (c) research and concepts on Teen Courts, (d) overview of Teen Court programs' successes and failures, and, finally, (e) a personal and critical review of Teen Courts in the United States, followed by recommendations for the future justice systems.

The information for this paper was comprised of personal interviews from members of the Kalamazoo Teen Court, books, and journals. Due to the invalidity of the data collected for this paper, analysis and a conclusion were inappropriate. Instead, this paper is designed to provide detailed information on a growing program.
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CHAPTER I

INTRODUCTION

With massive caseloads burdening the Juvenile Justice system, a program to adjudicate younger offenders was developed to aid in decreasing this problem. This program was called Teen Court. In an attempt to understand this newly forming program, this paper focuses on a policy analysis approach to comprehend the full range of why this Teen Court program was developed and what strides it has made to become a successful alternative to Juvenile Court. The main focus of the analysis will be on three Teen Courts: Kalamazoo, Michigan; Bend, Oregon; and Sarasota, Florida. These three courts were chosen due to their longevity (each one has been in existence for over 10 years) and their high level of success in curbing recidivism rates among juvenile offenders.

In an attempt to gain information on Teen Courts and why there is a need for them, the following issues will be explained to further understand this justice program: the answer to the question of why communities develop Teen Courts, a rationale for implementing Teen Courts, theories dealing with delinquency that are implemented by Teen Courts, secondary data on select Teen Courts, and finally, a conclusion that will contain a personal and critical review of the Teen Court program and its probability of becoming a viable alternative to Juvenile Courts for adjudicating first-time, less serious offenders.
Purpose of Paper

There have been no completed national studies to date that have specifically examined and discussed Teen Courts in the United States. However, in Paula A. Nessel's (1998) article, "Teen Court: A National Movement" she states that recognizing the need for more evaluative information about Teen Courts, the Office of Juvenile Justice and Delinquency Prevention awarded a major grant to the Urban Institute in 1998 to conduct a national evaluation of Teen Courts" (p. 9). This evaluation encompasses

the effect of handling young, non-serious law violators in a Teen Court rather than a Juvenile Court. In addition, the study will conduct a process evaluation of the Teen Court programs, exploring legal, administrative, and case processing factors that affect the ability of the programs to achieve their goals. Results will become available when the project is completed in the year 2000. (Nessel, 1998, p. 9)

This project is exciting, because it is the first of its kind and is long overdue. My paper illustrates the progression of the Teen Court program and the credibility it is gaining throughout the criminal justice field. I explore this new court program in detail, describe how it works, and discover the benefits it has on teen offenders and jurors as well as the community in which they reside.

Why Have a Teen Court?

Teen Courts are emerging as a promising method of adjudicating youths that have committed first-time, misdemeanor offenses. Teen Courts contribute to lower recidivism rates and divert less serious offenders away from Juvenile Courts. Focusing on juvenile misdemeanor offenders allows this system to concentrate on deterring these novice criminals from re-offending by rehabilitation and removal of their fresh criminal record. In her article "Teen Court," Sharon J. Zehner (1999)
states that "nationally, nearly 95 percent of the juveniles accepted into the Teen Court complete the program and do not re-offend within a 12 month period" (p. 5). This high rate of success illustrates the effectiveness that a Teen Court can have on a community if given the opportunity to develop. Moreover, in the states where Teen Courts are in existence, "youths who complete the program re-offend at a much lower rate than do youths tried and sentenced in Juvenile Courts" (Zehner, 1999, p. 1). Therefore, Teen Courts should receive more attention by criminal justice officials as a viable alternative to Juvenile Courts in order to help reduce the less serious criminal activity among juveniles.

Godwin, Steinhart, and Fulton (1996) state that Teen Courts "provide jurisdictions with an alternative method of sanctioning youthful offenders, whom the formal Juvenile Justice system often ignores due to the need to focus on more serious offenders" (p. 9). Due to increased activity in such areas as violent crime and drug use, the Juvenile Court is forced to spend its allotted time and resources to combat the more serious offenses. For example, Howard N. Snyder (1997) writes in "Juvenile Arrests 1996" that

the rate at which juveniles were arrested for murder peaked in 1993 at a level more than double that of the early 1980's. Following the 1993 peak, juvenile murder rates declined substantially in each of the next three years, for a total decline of 31 percent. (p. 5)

Although this decrease was significant, "the 1996 murder arrest rate was the lowest in the decade, but still more than 50 percent greater than the rate in the early 1980's" (Snyder, 1997, p. 5). Although the murder rate declined in the mid-1990s, it still remains at a high level and is taking more time and expense in the Juvenile Justice system to eradicate.
Another crime depleting the time and resources of the Juvenile Court is drug abuse among juveniles. According to Snyder (1997), “After more than a decade of stability, the juvenile arrest rate for drug abuse violations increased more than 70 percent between 1993 and 1996” (p. 8). With the increase in drug use and drug-related crimes, the Juvenile Court is faced with focusing its time and resources in decreasing this illegal activity, although within the past few years the trend of drug use among high school students has decreased. According to Sharon Cargo (1999), a “NIDA Notes” contributing writer, “Rates of increase in illicit drug use among the Nation’s high school students showed some signs of slowing down in 1996 and 1997, according to the National Institute on Drug Abuse’s (NIDA) ‘Annual Monitoring of the Future Study’” (p. 1). Although this is encouraging, drug use throughout this population is still substantial and will require continued effort and resources to control and reduce this problem. Therefore, with violent crimes and drug abuse monopolizing many of the Juvenile Courts’ resources, the need to find a court to adjudicate less serious crimes is evident. Thus, the creation of the Teen Court may give the Juvenile Court the needed time to handle the more serious offenders, by reducing their caseload in taking the less serious criminal cases. Furthermore, less serious offenses such as curfew violations and loitering are on the increase with little response from the Juvenile Court to help alleviate the problem. According to Snyder (1997), “After more than a decade of stability, the rate of juvenile arrests for curfew and loitering law violations nearly doubled between 1993 and 1996” (p. 8). With the Juvenile Court focusing more time and spending more money on the serious offenders, a need for a court specifically designed to adjudicate the less serious offenders is vital. In essence, the need for Teen Courts is evident for two reasons: non-recidivism effectiveness and decreased caseload for the Juvenile Court. Teen
Court should be viewed by the criminal justice system, not as a replacement for the Juvenile Court, but as a viable alternative to aid in the attempt to decrease juvenile crime.

Overview of Teen Courts

Teen Court, also known as Youth Court and Peer Court, has grown into a nationwide network of rehabilitation programs for juvenile offenders. Each program is tailored to meet the needs of a specific community. For example, the Florida Teen Court (1999) system Internet bulletin “Teen Court Information” declares that 250 Teen Court programs exist in 30 states today where they offer “an alternative to juveniles who commit misdemeanor offenses for the first time allowing them to receive sanctions from a jury of their peers and avoid a permanent record” (p. 1). Moreover, “offenders are held accountable for their actions and made aware of the consequences, not only to themselves but also to their families, the victims, and society as a whole” (Florida Teen Courts, 1999, p. 1). Juvenile offenders are required to have their parents in court in order for the Teen Jury to question them about their delinquent child. In essence, what makes this court special is that it was designed specifically for teen offenders to get a fair trial and be judged by a jury of their peers. Furthermore, it enables them to correct their criminal activities and avoid obtaining a permanent record. Godwin et al. (1996) state that the desired effect the Teen Court wants to have on the teen offender is: (a) to encourage juveniles in realizing that they will be held accountable for their criminal behavior, (b) to educate juveniles on the impact their actions have on themselves and others, (c) to build skills in juveniles by providing examples of how the legal system functions, (d) to learn how to communicate and resolve problems with fellow peers more effectively, and (e) to
provide a meaningful forum for juveniles to practice and enhance newly developed
skills (p. 3).

If the juvenile offender can internalize the goals presented by the Teen Court,
his or her chances of recidivating should decrease. It is hoped that “the skills learned,
combined with the education received on the legal and judicial system from
participating in Teen Court programs, can cause youth to rethink their views on
delinquent behavior and lead them to adopt more prosocial attitudes” (Godwin et al.,
1996, p. 3).

This next section will briefly discuss the three specific Teen Court systems
reviewed in this project: the Kalamazoo, Michigan Teen Court; the Bend, Oregon
Teen Court; and the Sarasota, Florida Teen Court. Although each court has been in
existence for over 10 years, it should be recognized that each court has formed its
structured system to fit its specific community’s needs. The shared goal of these Teen
Courts is to provide every opportunity for the juvenile offender to receive the
necessary education and rehabilitation in order to successfully complete their
programs and help them learn from their mistakes before they become repeat
offenders.

**Kalamazoo Teen Court**

The Kalamazoo Teen Court “is a non-formal court implemented to act as a
diversionary alternative for minors referred to the court for non-serious criminal
allegations” (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 1).
The following section describes the Kalamazoo Teen Court, eligibility issues, the
process for the offenders, and selection of the jury. This court was established in
1987 in order to take the less serious offenders, who would otherwise be sent to
Juvenile Court, and give them an open forum to be judged and sentenced by their own peers. According to Carol Wiseman (personal communication, December 12, 1997), an Intake Counselor at the Kalamazoo Teen Court, “as long as the offender accepts the responsibility for their crime and agrees to the sentence handed down by the jury and judge, they can complete their sentence and have their record wiped clean.” The key to this court is allowing the jury and the offender to participate in the process equally resulting in valuable life lessons for all parties involved.

One key aspect of the Kalamazoo Teen Court program is the involvement of teens in the court proceedings. According to the Kalamazoo Teen Court, “Twelve jurors from area high schools compose the decision-making body of this court” (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 1). These 12 members are asked to listen to an entire case, discuss the evidence, and render a verdict that will adequately fit the crime committed. Furthermore, they are given the task of structuring the verdict in a way that not only will punish the offender but help them as well. For example, when offenders commit a crime against another person, such as assault, not only must they apologize to their victim, but also they must enter a prescribed anger management program chosen by the jury. This form of justice not only helps the Teen Jury understand the legal process but shows the victim that engaging in illegal activities does not have to result in a legal reprimand. Rather, it can educate them with alternative methods to deal with their desire to engage in illegal actions.

Eligibility for Admittance Into Kalamazoo Teen Court. Juveniles between the ages of 12 and 17, who are first-time misdemeanor offenders and who automatically plead guilty to their actions, are eligible for participation in this program. It is
essential that the offenders admit their guilt in order for the process to run smoothly. The Kalamazoo Teen Court is in operation for the length of the school year. The court spends approximately 2 hours a week on each case, which leads to a limited amount of cases to be heard in this forum. After the offender pleads guilty, he or she is either placed with an Intake Counselor (an individual certified in Juvenile Justice who is responsible for interviewing juvenile offenders with their parents and deciding an appropriate sentence) or is remanded to the Teen Court (a court made up of 12 teen jurors, a teen defender, a teen prosecutor in conjunction with the assistance of a juvenile court judge or attorney). This decision is based on the recommendation of the Teen Court Coordinator (an educated individual skilled in counseling children and committed to helping juvenile offenders). The method of choosing which offender goes to Teen Court and which goes to an Intake Counselor is based not on the offense committed, but rather on the experience and judgment of the Teen Court Coordinator. If the offender is placed with an Intake Counselor, the first step is to review the case with the guilty party and the parents, and then the Intake Counselor decides the sentence, which could be a written paper to community service. At this point, teen offenders are faced with two choices: either heed the advice of the Intake Counselor and take the steps necessary to correct their illegal actions (the Intake Counselor is allowed to render a decision and dictate the terms of the sentence to the offender), or be remanded to the Teen Court and take their chances on a less forgiving panel of their peers. According to Carol Wiseman (personal communication, December 12, 1997):

Teen Juries are more likely to recommend a harsher sentence than the Intake Counselor. Teens who are in the jury like the idea of their new found power and begin to feel a moral obligation to make their peer offender pay a harsher price for their crime.
Therefore, it may be in the best interest for the teen offender to take the sentence handed down by the Intake Counselor. This not only assists the juvenile in starting his or her sentence immediately but leaves more time for Teen Juries to hear more cases. In essence, all teens that enter the Kalamazoo Teen Court Program must be first-time, misdemeanor offenders, who must enter a guilty plea in order to enter the system. Furthermore, depending on who reviews their case, the Intake Counselor or the Teen Jury, each offender will get an equal opportunity not only to rectify his or her criminal activity but seek the correct help in order to change his or her behavior.

**Ineligibility for Admission into Kalamazoo Teen Court.** According to the Kalamazoo Teen Court, the following reasons make juvenile offenders ineligible for the program:

1. Prior ward of the court in which they were removed from their homes due to delinquency or neglect (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 5).

2. Prior history of legally sufficient criminal offenses, in which the crime committed is considered a serious-level misdemeanor or felony charge. Such crimes include criminal sexual conduct (all degrees), armed robbery, felonious assault resulting in injury, incorrigible/runaway, school truancy, and larcenies over $100 (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 5).

3. Malicious destruction of property over $100 (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 5).

4. Extreme family dysfunction, in which the family has had a history of crime and abuse and neglect of the children. According to Wiseman (personal communication, December 12, 1997):
Children with families who have a history of crime are surrounded in an environment that is not conducive to a good moral background. Therefore, we know that these children if left inside the home will in most cases follow the example of older family members and continue in a life of crime.

Due to these factors, juvenile offenders who engage in any of the above mentioned crimes or are in a family prone for neglect or criminal behavior will be denied access to the program and be remanded to a higher court (Juvenile Court). The guidelines put in place by the Kalamazoo Teen Court are strict; however, these guidelines are there in order to ensure that offenders are placed in the appropriate court.

The Kalamazoo Teen Court was constructed to help first-time misdemeanor offenders choose between a sentence from an Intake Counselor or go to trial and be judged by a jury of their peers. Juvenile offenders are given the opportunity to rectify their criminal actions by completing a recommended sentence handed down by the Teen Jury, and if they complete this sentence, they will exit the program with a better understanding of the law, and more importantly, a chance to start over without the burden of a juvenile record.

**Bend, Oregon Teen Court**

In 1989, the city of Bend, Oregon started a Teen Court in order to help the Juvenile Court reduce its caseload and help the taxpayers save money. The result has been phenomenal. Paul Knobel (1995) states in his article “Bend, Oregon Teen Court Works Miracles Turning Around Youth Offenders” that “the department developed a youth diversion program for the yet-to-become hardened criminals that is so successful that 95 percent of the participants are never arrested again through their eighteenth birthday” (p. 1). The intention of the court is to “offer positive peer
pressure and life-changing counseling to teenagers’ first scrape with the law” (Knobel, 1995, p. 1). In addition, the cost effectiveness of this court compared to the Juvenile Court is another incentive for Bend officials to keep this court running. According to Knobel, “the current annual budget for the entire program: court sessions, counseling services and paperwork, etc., is $65,000. For about 400 kids going through the court this year, that amounts to only $163 per kid” (p. 1). Compare what it costs to send a child through Juvenile Court. Sharon J. Zehner (1999) states that it costs Juvenile Court approximately $3,000 to process one child, and it is evident that Teen Courts not only work but also save taxpayers money that can be spent on improving the Juvenile Justice system (p. 5).

Eligibility for Admittance Into the Bend Teen Court. Teens between the ages of 12 and 17, who are first-time misdemeanor offenders, are admitted to the Bend, Oregon Teen Court. To appear in this court, Sherry Pressler, the Teen Court Coordinator, must review the offenders’ records and decide whether they eligible for this program. If they are eligible, she will send a letter to the parents and offender with a date and time for them to appear at the court. Once in court, offenders are required to admit guilt to their crime and agree to complete a recommended sentence handed down by the Teen Jury. According to Pressler in Paul Knobel’s (1995) article, “In ten years all but three have agreed to do so” (pp. 1–2). Therefore, first-time misdemeanor offenders who admit their guilt then sign a contract accepting their sentence must carry it out to completion in order to have their record cleared. Knobel continues in saying that, “in Bend, the record is erased if the defendant is not re-arrested within six months after the completion of their sentence” (p. 2). Moreover, Pressler continues that “only about 5 percent of the youths who go through Bend’s
Teen Court re-offend. Most teenagers are sheepish about standing in front of their peers, and the wise guys end up getting the stiffest sentences” (Knobel, 1995, p. 4). In addition, “as part of the sentencing guidelines, the guilty party becomes a future jury participant for at least two or three cases judging an appropriate sentence for the next defendant” (Knobel, 1995, p. 2). Not only are these offenders given the chance to rectify their own criminal actions but they are also given the opportunity to sit on a Teen Jury in order to help other criminal youths. Pressler states that “about 80 percent of jurors are comprised of” juvenile offenders that have gone through the Teen Court system. “Most want to continue to be jury members for more cases” (Knobel, 1995, p. 2). In essence, in Bend, the Teen Court was constructed to help first-time offenders accept responsibility for their criminal actions and take advantage of the opportunity to rectify it by completing a recommended sentence. In addition, teen offenders are given the opportunity to serve on a jury to help other teen offenders get the needed help in order to help them refrain from engaging in crime. Therefore, not only do juvenile delinquents get the necessary help to aid them in curbing their criminal actions, but they also get an opportunity to help others in their same situation by serving on a Teen Jury. This proactive approach is one significant reason why the Bend Teen Court has such a high success rate when it comes to deterring repeat offenders.

Ineligibility for Admittance Into Bend Teen Court. The following criteria are reasons juveniles are not admitted into the Bend Teen Court program: juveniles who have a previous criminal record, in which they have committed a crime above a class C felony. Such crimes include armed robbery, felonious assault resulting in injury, criminal sexual conduct (all degrees), and larceny over $100.
Due to these factors, juveniles who commit the above crimes are denied access to the Bend Teen Court and are directly remanded to the Juvenile Court. Although these policies are strict, they are essential in helping the Teen Court adjudicate the offenders for which they are trained. In essence, these guidelines are implemented in order to ensure that the appropriate criminal gets placed in the appropriate court in order to get the best possible opportunity of receiving the needed means in which to curb his or her criminal activity.

The Bend Teen Court is an effective program at keeping its offenders from recidivating. This is accomplished through a strict entrance policy that lets first-time misdemeanor offenders plead guilty to their criminal charges and gives them an opportunity to rectify their crime without the burden of having a permanent juvenile record. In addition, the teen offender is required to participate on the jury, in which they will be involved in constructing a sentence that will help another juvenile offender rectify his or her criminal action. These two facets of the court have made a difference not only in keeping teens from re-offending, but also exposing the offenders and the jurors to the intricacies of how the law works. With this knowledge, it is left with the offender to choose which path to follow.

Sarasota Teen Court

The Teen Court in Sarasota, Florida is a nonprofit, tax-exempt organization. “Services are rendered at no expense to the offenders or volunteers who participate. The program was researched, developed, and implemented in December 1988 by the Junior League of Sarasota” (Teen Court of Sarasota, 1999, p. 1). This court was established to adjudicate first-time misdemeanor offenders between the ages of 10 and 17. In this court, the Teen Court Director establishes a pre-hearing with the
offenders and their parents in order to determine if they are eligible for Teen Court (eligibility is discussed further in this section). After a determination is made, teen offenders who have chosen to attend are given a time and date to appear with their parents. At this point, a sentencing hearing is set. A sentencing hearing “is conducted as a ‘trial’ for the purpose of allowing participants a ‘hands on’ educational experience in a courtroom” (Teen Court of Sarasota, 1999, p. 1). The jury, made up of teenagers, volunteers, and defendants, does not determine guilt or innocence at this point; it assesses fair consequences. The evidence is heard and introduced by the teen prosecuting and defense council, then the Teen Jury retires to deliberate. Upon reaching a decision, the Teen Jury recommends a sentence, and then the recommendation is given to the judge. After the sentence is read, the juvenile offender is given a time frame by the judge in which to complete his or her sentence. If the sentence is completed in the allotted time frame, the charges are dropped, and the record on the teen offender is expunged. This form of justice has several positive aspects such as, “the ability to interrupt the developing pattern of criminal behavior in juveniles by promoting self-esteem, motivation for self-improvement and forming a healthy attitude toward authority” (Hernando Teen Court, 1999, p. 1). In essence, this court gives juvenile offenders a way in which to learn from their mistakes and give them the necessary means in which to alleviate their criminal activity.

Eligibility for Admittance Into Sarasota Teen Court. Criteria for admittance to the Sarasota Teen Court involve being a first-time offender who has committed a misdemeanor offense between the ages of 10 and 17. Cases heard in Teen Court are crimes such as shoplifting, possession of alcohol, criminal mischief, and other forms of misdemeanor offenses. The offender must admit guilt to his or her offense and be
willing to fulfill a recommended sentence by a Teen Jury in a recommended time frame. A key to this court, as in other Teen Courts, is the use of parents in the court process. Teen Juries are allowed to ask parents questions about their child, and the parents are given an opportunity to speak on their behalf. After all their questions are satisfied, the Teen Jury recesses and returns with a written sentence. The key to the successful completion of the sentence is twofold. First, the court finds the parents responsible for ensuring their child completes their sentence in the allotted time frame, and second, if juvenile offenders fail to complete their sentence, they are directly remanded to the Juvenile Court, in which they will most likely be subjected to much harsher penalties than received in the Teen Court. These two factors make a strong impression on teen offenders and give them the needed encouragement to complete their sentences. In essence, the Sarasota Teen Court is a chance for these youthful offenders to complete a fair and achievable sentence without receiving a permanent juvenile record. Moreover, it is an opportunity for the parents of offenders to be more involved in their child’s life and help the child find more positive ways of spending his or her time.

Ineligibility for Admittance Into Sarasota Teen Court. Criteria that make juvenile offenders ineligible for Teen Court in Sarasota are the following: (a) juveniles who already have a juvenile record, and (b) juveniles who have committed a felony. These criteria are put into place in order to keep the appropriate offenders in the correct court program. As in Bend and Kalamazoo, this court is equipped to adjudicate only first-time, misdemeanor offenders. Therefore, by concentrating on this population, the Teen Court can be effective at keeping recidivism rates down. More importantly, this court process is a way of helping criminal teens cope with
their problems. Therefore, with the help of the court and their programs, coupled with parental support, these troubled teens have a chance to stop their criminal activity before it becomes a more serious issue.

In this next section, an overview of the Teen Court process will be discussed, from the construction of a Teen Court to choosing juries and court volunteers, and finally a discussion on the difference between being adjudicated by a Teen Court Jury versus an Intake Counselor. The attempt of this section is to clarify why these courts are constructed and show how each member is selected and what duties he or she has in the court process.

How to Construct a Teen Court

There are four basic components for constructing a Teen Court: sanctioning by a local Juvenile Court judge, a Teen Court Coordinator, a location to hold the proceedings, and funding. Each branch has an integral role in developing a Teen Court program. These four divisions are discussed in order.

Sanctioning by a Local Juvenile Court Judge

A local Juvenile Court needs time to construct alternative sentencing methods for a Teen Court that will be deemed fair and effective for the need of this court. In addition, the judge can also recommend sentencing guidelines and other pertinent information that could help the Teen Court run effectively. In essence, the juvenile judge is an excellent resource for a Teen Court to learn all the intricacies of how a court is effectively operated.
Teen Court Coordinator

Secondly, finding a coordinator who can effectively run a Teen Court is essential. All that is needed is an educated adult who is skilled in counseling children and committed to helping their community find positive solutions in decreasing crime among juveniles. For example, Paul Knobel (1995) states that “Sherry Pressler, an employee of the Bend Police Department, brought the idea to the police chief in 1986. She has run the court ever since—as its sole employee” (p. 1). Sherry Pressler is an excellent example of this type of commitment. During her tenure as the Teen Court Coordinator in Bend, Oregon, her court has reduced recidivism rates to a mere 5%. She equates the program’s success to “getting a person the first time they break the rules, and treat them individually” (Knobel, 1995, p. 3). The commitment and dedication of the Teen Court Coordinator cannot be underestimated, because he or she is the driving forces for a functioning Teen Court.

Location to Hold Court Proceedings

Third, a location, such as an official government site like a courtroom or city council chamber, brings authenticity to the court. Yet, this is not needed for most Teen Courts to get started. What is needed is a room that is equipped to handle both a court proceeding (a judge, 12 jurors, a prosecutor, a defender, and a place for the juvenile offender), and a jury room, where jurors can talk in private to deliberate. After a courtroom is established, the need to find funding for the program becomes the last obstacle for a Teen Court to get started.
school are chosen to participate as jurors in the Teen Court process. In addition, "there will be no minors before the court who are students of the school scheduled for jury duty" (Kalamazoo Juvenile Court Teen Jury Program, 1997b, p. 1). By selecting students from a different school to judge an offender who does not reside in the same school system, the fear of retaliation from the offender decreases, because they have no direct contact with the jurors outside the court. After the case is decided, both the offenders and jurors will return to their respective schools, in which it is unlikely that they will have any future contact with one another. The Teen Jury uses the following guidelines for sentencing (the jurors cannot actually impose sentence; this can only be done by the judge presiding over the case):

1. Using a sample questionnaire and their own questions, the jury can question the minor as to how the offense occurred, the minor's attitude toward home and school rules, remorse of the offense and overall attitude toward authority (see Appendix A).

2. If this questionnaire is sufficiently completed, the jury questions the parents. This is strictly at the parents' discretion, but it may help give the jury a better understanding of why the crime was committed.

After all questioning is complete, the parents and the minor are asked to leave the court, so the Teen Jury can begin deliberation. At this point, the Teen Jury evaluates all the information given to them by both the offender and the parents, then considers a viable punishment for the offender to reflect the crime. All decisions must be unanimous. Each jury is given a jury disposition report (see Appendix B), in which they include all pertinent information, including the juvenile offender's name, the charge, and the recommended punishment. After the Teen Jury has made their decision, they reveal their recommendation to the judge, who at this time asks for the
parents and the juvenile offender to return to the court for formal sentencing. "After the Teen Court proceedings and the disposition has been rendered, the original paperwork with the disposition form will be returned to the intake department for monitoring to ensure that the minor complies with the imposed sentence" (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 4). At this point, the juvenile offender has two avenues in which to proceed:

1. "If the minor complies with all the dispositional obligations within the time specified, the [Teen Court Coordinator] will submit the needed documentation for dismissal of the complaint" (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 4).

2. "If the minor fails to comply with the disposition, further court sanctions can ensue, with a strong recommendation for a formal court petitioning" (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 4).

Therefore, it is in the best interest of minors to comply with the Teen Court sentence, because it gives them a chance to rectify their criminal activities and, more importantly, not be burdened with a juvenile record. However, those who do not comply with their sentence face the certainty that they will have their day in court, not with a jury of their peers, but rather with an adult panel who are more likely to impose a harsher sentence. The juvenile offender can either use this court as a positive step toward correcting their criminal ways or become another statistic in the ever-increasing system of the Juvenile Court. Essentially, the decision is left to the juvenile offender about which path to choose.

Finally, the Kalamazoo Teen Court finds that the two apparent benefits to this program are "making the minor who has committed an act of delinquency accountable for his/her behavior with appropriate consequences, and students from
area high schools get a ‘hands on’ learning experience within the Juvenile Court system” (Kalamazoo County Juvenile Court Teen Jury Program, 1997b, p. 1). Moreover, the cost effectiveness of this program is a major benefit not only for the court system, but also the Kalamazoo taxpayers. This program saves thousands of dollars per year compared to the Juvenile Court, because mostly volunteers operate it. In essence, the Kalamazoo Teen Court is as important to the offenders as to the jurors, both of whom have the opportunity to learn valuable life skills, along with the Juvenile Court and the taxpayers, who receive less of a burden financially and administratively.

The final aspect of the Teen Court process is to decipher the difference between a teen being adjudicated by a Teen Jury versus an Intake Counselor. This issue is raised due to a concept called “double-booking.” Double-booking occurs when the court has booked too many cases for the day and is unable to serve them all. Therefore, this process consists of the Teen Court Coordinator placing one offender in the Teen Court while instructing another to be adjudicated through an Intake Counselor. Both processes are sanctioned under the Teen Court but are different in their approach. In this section, both approaches will be discussed in order to give a better understanding this method is used.

**Adjudication by an Intake Counselor**

The Intake Counselor is an employee of the court, who has the authority to review a case and use his or her own discretion when imposing sentence. In the Wiseman interview, the following procedures were said to occur in an intake session. First, offenders are read their Miranda rights. Then the police report is reviewed with the offender and his or her parents. The Intake Counselor asks for the offender’s
recollection of the circumstances of the offense. The Intake Counselor will interject, when necessary, asking the juvenile why he or she committed the crime and what factors could have prevented this activity. The Intake Counselor will then ask the parents their feelings on the case. He or she probes to see if there is any abuse or neglect going on inside the home. If satisfied with the answers, the Intake Counselor will impose one or more of the following recommendations on the offender:

1. A written essay explaining his or her actions, and if there was property or bodily harm, to write an apology to the victim.

2. Paid restitution to the victim. This money must be paid by the offender, not the parents. Therefore, the recommendation of seeking employment is suggested, and if the offender does not have a job, it is requested in order for the teen to complete his or her sentence.

3. Community service at a nonprofit organization. This can range from cleaning church parking lots to working in a soup kitchen for the poor. The reason for this action is to make the offender engage in a positive activity and learn some life skills that may help him or her in the future (C. Wiseman, personal communication, December 12, 1997).

The intake system exists to help take some of the scheduling pressure off the Teen Court. This method is to the benefit of the offenders, who may get a less severe sentence than if they would have faced a jury of their peers. According to Wiseman (personal communication, December 12, 1997),

Teen juries are more apt to impose harsher sentences than the counselors. Where counselors, who have had many years experience and can see the bigger picture when imposing sentence, the Teen Jury feels a moral obligation to make the offender pay for their crime.
The benefit for the offenders, who are adjudicated by the Intake Counselor, is that they will most likely receive a lighter sentence than the one they would have received in Teen Court. Furthermore, unlike the Teen Court, the parents can be asked any question the Intake Counselor deems necessary. This can lead to finding several issues such as child abuse, neglect or the inability of the parents to communicate effectively with their child. This more personal approach can give the counselor time to get to know the parents and the child and make the necessary suggestions to help both parties become better members of society. The one drawback to the Intake Counselor avenue is that the use of teen peer pressure is not present, and one of the most effective methods at keeping recidivism rates down is the use of peer pressure. Obviously, this cannot be accomplished in the intake system, so this is one minor obstacle that is substituted by the counselor’s experience and skills in dealing with children. In essence, the intake system is an alternative method for the Teen Court Coordinator to implement when the issue of double-booking occurs. Although, the intake system has the edge when it comes to personal attention, it still lacks the effectiveness of peer pressure that a Teen Jury possesses.

Adjudication by a Teen Jury

When teen offenders enter into a Teen Court, the first thing they notice is that it is operated by members of their own peer group. They will face a jury of 12 students from a different school, who are of the same age as they are. Moreover, they will be required to plead guilty to their offense and completely explain why they committed their crime. At this point, the Teen Court is given all the evidence and they go into a room to deliberate. If they find the defendant has little remorse for what he or she did, they can impose a harsh sentence, one that might not be fitting of
the crime, but fair in the eyes of these adolescent jurors. One such example of this happened in an Orange County, Florida courtroom as documented by Mike Schneider (1997) of the Associated Press. The question before the offender was, “Would you steal a shirt again if you knew you wouldn’t get caught?”

Zadria Garcia hesitated. Then with a smirk, the 14-year-old answered, “I don’t think so.” In a courtroom full of teenage prosecutors and defense attorneys, the six teenage jurors were not convinced. So, they sentenced Garcia to 36 hours of community service, a tour of a city jail and a 500-word essay on temptation—the maximum sentence possible. (Schneider, 1997, p. 1)

The answer the jury gave as to why they handed down such a harsh sentence was, “She didn’t care about what she did; there was no remorse” (Schneider, 1997, p. 1). Although the crime was not very serious, the Teen Jury took her attitude into account. This is a drawback to having teens judge other teens. Their ability to separate their job as a juror and their emotions can lead to harsher sentences.

On the positive side, the belief of having a Teen Jury is that “a youthful law violator will not continue to be an offender when a peer jury decides sanctions” (Florida Teen Courts, 1999, p. 1). The issue of peer pressure is a strong incentive when talking about the effectiveness of a Teen Jury. In most cases, Teen Juries can be more critical and hand out harsher sentences than Intake Counselors, because they feel they have an obligation to teach the offender a lesson. Although this may seem harsh, every offender who gets sentenced in this court also gets an opportunity to serve on the jury. Therefore,

through creative sanctions, which are designed not only as punitive actions but to educate and promote a better understanding and respect for the legal system, the offenders are forced to acknowledge their own behavior for what it is, which is the first step in rehabilitation. (Florida Teen Courts, 1999, p. 2)

In essence, a Teen Jury can be harsh, because they judge with their emotions more than experience. Although this can lead to stiffer penalties, the end result is that both
“the offender and teen juror are challenged to perform at the highest level of their ability and serves to educate them about the responsibilities of being a good friend, family member and citizen in today’s society” (Florida Teen Courts, 1999, p. 2). And what can be more important than teaching all members of the Teen Court some life skills that will help enhance their lives and make them better members of society?
CHAPTER II

RATIONALE FOR TEEN COURTS

What Makes Teen Courts Effective at Reducing Recidivism Rates?

Teen Courts on a national level have proven very effective at reducing recidivism rates among their offenders. This is accomplished with three criteria: building a court that is specifically designed for nonserious juvenile offenders, the use of peer pressure on teen offenders, and the use of rehabilitation programs to give juvenile offenders the needed help to aid in a positive life change. With these three building blocks coupled with a cost-effective program, Teen Courts can be a major influence on juvenile crime and stage a front in reducing recidivism rates among this population.

A Court for Nonserious Juvenile Offenders

According to Zehner (1999),

Teen Court is a program designed to eradicate juvenile crime which has proven effective in curbing crime committed by youths. In fact, states implementing Teen Court report a much lower recidivism rate among youth who have completed the programs than those who were convicted in Juvenile Court. (p. 1)

For example, according to Allison R. Shiff and David B. Wexler (1996), in their article, “Teen Court: A Therapeutic Jurisprudence Perspective,” “While juvenile courts have been in operation for years, Teen Courts are asserted to be a more effective means of deterring and rehabilitating youths who commit minor offenses”
The reason Teen Court is so effective is that it is designed specifically to adjudicate first-time, misdemeanor offenders in the attempt to curb their criminal behavior before it becomes habit forming. Shiff and Wexler state:

> These courts are intended to serve as effective intervention and prevention programs, with both a social and economic objective: to turn troubled kids around before they become hardened criminals and to reduce the number of criminals imprisoned at costs approaching $50,000 a year each. (p. 343)

In essence, Teen Courts, unlike Juvenile Courts, are effective at reducing recidivism rates, because they are structured specifically to accept less serious offenders and spend the needed time and resources to deter these juveniles from continuing in criminal activities.

**Use of Peer Pressure on Teen Offenders**

The use of peer pressure in a Teen Court is a key ingredient for success. According to Zehner (1999), “Teen Court is a program that uses the undeniable power of peer pressure as a positive, rather than a negative, force to help convince youthful trouble-makers that crime yields serious consequences” (p. 1). Moreover, according to The Honorable Ronald W. Lowe (1998), in his article from *The Michigan Bar Journal*, “Teen Court programs capitalize on peer influence. Formerly called ‘peer pressure’ it is recognized as a normal, healthy and necessary part of teen behavior as well as a powerful tool in helping redirect and solve problem behavior” (p. 800). Most often the term “peer pressure” is defined as a pressure for a juvenile to adhere to the same set of beliefs and actions of those in their same social system in the attempt to be accepted as part of the group. Therefore, Teen Courts use this same pressure to set a good example for juvenile offenders. For example, “rather than being reprimanded by an adult (i.e., a judge, probation officer or parent), teens are
held accountable by a jury of their peers” (Lowe, 1998, p. 800). In essence, it is believed that juvenile offenders will internalize the lesson learned from their peers that they do not condone criminal activity as a viable way in which to conduct their life. Moreover, “many offenders are surprised that the teen jurors seem less sympathetic than many adults and often impose penalties more severe than expected” (Lowe, 1998, p. 801). In essence, the Teen Jury may have a stronger impact on juvenile offenders, because not only do they belong to the same peer group, but they have less tolerance for their criminal actions.

According to Lowe (1998), “For those teens involved in the program (either as volunteers or offenders sentenced to serve as jurors), Teen Courts provide an opportunity for them to learn to work together more effectively” (p. 800). Furthermore, “youth volunteers assume roles that require a great deal of responsibility. They are entrusted to help plan and administer the program as well as to fairly judge their peers” (Lowe, 1998, p. 800). In essence, Teen Courts provide an opportunity for teens to take part in the criminal justice process, while giving teen offenders a chance to be judged fairly by their peers.

These real life experiences in the legal system go beyond merely educating them about the law. They often develop an attitude of “ownership” in the system. This results in teens (and eventually adults) that are more likely to defend against, rather than accept as gospel, unjust criticism of the system. (Lowe, 1998, p. 800)

Due to the negative image most teens have about the criminal justice system, through their parents and other influential leaders, they gain a first-hand look at the positive aspects that a court system can have. Furthermore, Lowe continues stating that “in addition, ‘life skills’ such as listening, problem solving, communication and conflict resolution are taught through training classes and practiced in the program” (p. 800). Hence, not only are teens getting a real life experience, both as jurors and offenders,
but are learning skills that will help them develop a better sense of the criminal justice system and more importantly skills that will help them throughout life.

**Rehabilitation Programs Used in Teen Court for Juvenile Offenders**

The next section introduces two diversion programs implemented by the Teen Court system to ensure that offenders are getting the opportunity to better themselves through rehabilitation. Those programs include the S.T.O.P. Program for stealing and the Gateway Adolescent Program for drug and alcohol abuse. These Kalamazoo Teen Court program objectives are comparable to other programs throughout the country.

**S.T.O.P. Program: Stop Taking Others’ Property**

Since 1989, referrals to police agencies and Juvenile Court involving the crime of shoplifting (or larceny) have increased at a steady pace. “Larceny is the unlawful taking and carrying away of personal property with intent to deprive the rightful owner of his property permanently” (Kalamazoo County Juvenile Court Teen Jury Program, 1997c, p. 2). There are several forms of larceny when dealing with juvenile offenders. The more serious forms of larceny are considered felonies, which are adjudicated in the Juvenile Court system. The forms of larceny/retail fraud that Teen Juries will face are: larceny under $100, larceny from a motor vehicle, larceny from a vacant building, larceny in a building, and larceny from the person.

“Annually, at least as far as court records show, these crimes are committed by first-time offenders” (Kalamazoo County Juvenile Court Teen Jury Program, 1997c, p. 1). As this problem increases amongst this population, a need to intervene is essential. Therefore, “in an effort to work with young people before they become
patterned offendors and in a firm, yet not overly reactive manner, the Special Services Department of the Juvenile Court developed the S.T.O.P. Program” Kalamazoo County Juvenile Court Teen Jury Program, 1997c, p. 1). This program was designed to help first time offenders who commit larceny or shoplifting from making their criminal actions into a lifetime habit. The following steps demonstrate the process of the Kalamazoo S.T.O.P. Program. First, the trained counseling volunteer meets and educates the child and the family about the crime of larceny and the consequences of re-offense. Then, the volunteer assesses the child’s remorsefulness, ability to understand right from wrong, and the likelihood of re-offense. From the assessment, the volunteer chooses one of three options as a recommendation for Court actions.

1. Closed—Most cases are handled this way. The volunteer feels that the child and family have handled the incident well, i.e., the child is sincere and remorseful, and the parents have mandated some punitive action of their own. The case will be closed with no further action or record of any action ever taking place.

2. 90-day hold—The Court will withhold judgment for 3 months to see if any further crimes are committed in that period if the child does not seem to show remorse, concern, or sincerity. If no further crimes take place, the case will be closed as in criteria #1; however, if other criminal acts take place during the hold period, the child will be ordered to a preliminary hearing on all charges.

3. Further action—The volunteer reports back to the S.T.O.P. Program Coordinator and the two decide on what formal action is appropriate if the parent and/or child refuse to meet with a volunteer, are verbally abusive or uncooperative during the visit, or if there are suspicions of child neglect or abuse.
According to the Kalamazoo S.T.O.P. Program (Kalamazoo County Juvenile Court Teen Jury Program, 1997c), the following consequences are the result of larceny/shoplifting on the retail:

1. On merchandise basis, $16,000,000,000 per year is stolen from retail merchants. Half of this amount, or $8,000,000,000, is taken by one or more forms of retail fraud.

2. $16,000,000,000 is 2 percent of the total gross profit made by retailers.

3. 2 percent of the retail gross in Kalamazoo County equals $37,000/day, 365 days per year.

4. One-half of all retail frauds perpetrated by amateurs are done by juveniles.

5. One of every three minors between the ages of 13 and 16 has been involved in stealing merchandise to some extent.

6. Retail losses are passed on to all customers, so in covering a 2 percent gross loss the average customer spends $300 yearly just to make up the deficit.

7. Small stores do not have the ability to cover losses that big chain stores do, so theft problems become very severe. The second largest reason for small retailers going out of business is theft community. (p. 8)

As evidenced from the above list, larceny affects everyone, from the retail stores to the consumers. Not only are large chains grossly affected by this crime, but also it is the second leading cause for bankrupting smaller businesses, which do not have the resources to combat this expensive crime. Therefore, as the S.T.O.P. Program volunteers make their assessment, they must take into consideration all these factors and must convey this information to the offender. The desired effect is to illustrate how theft can seriously paralyze the entire community. In essence, the volunteer needs to educate offenders on the seriousness of their crime and construct a sentence that will help them learn the inevitable consequences from their criminal activity.
The next program based in Kalamazoo, Michigan, that Teen Juries have at their discretion is the Gateway Adolescent Program. The intention of the program is to get the teen and his or her parents involved in the abuse recovery before it becomes a life-long addiction. The following section overviews the program.

**Gateway Adolescent Program: Substance Abuse**

The Gateway Adolescent Program was developed to educate and rehabilitate juveniles who are in the midst of abusing drugs and alcohol. Of the three courts examined in this paper, the following number of cases were adjudicated for the crime of possession of drugs. Between the years 1992 through 1995, the Bend, Oregon Teen Court had 22 cases involving possession of drugs, followed by Sarasota, Florida with 11 cases, with Kalamazoo, Michigan a distant third with 2 cases of possession. This program “provides a continuum of care specifically developed for the substance abusing adolescent population” (Kalamazoo County Juvenile Court Teen Jury Program, 1997a, p. 1). The goal of this program is to illustrate the downside of substance abuse and help the abuser realize that continued participation in this criminal activity can lead to more serious events such as prison, bad health or even death. In essence, this program represents an avenue in which the juvenile can learn to cope with their addiction and receive assistance in combating their substance problem. The Gateway Adolescent Program staff implements the following steps to help juvenile substance abusers:

1. Assessment—Assessment is the first step in understanding whether or not substance abuse is an issue for the adolescent. The assessment is about 1 to 1½ hours, and a parent or guardian is required to attend along with the adolescent. During the assessment, various issues are discussed as a way for the clinician to be able to have an understanding of what is going on in many areas of the adolescent’s life, so an appropriate recommendation can be made.
Time will be spent with the parent and adolescent individually and together. A urine screen is also part of the assessment.

2. Outpatient Care—Outpatient treatment is where the adolescent and a clinician meet once a week for 50 minutes per session. A small group that meets 1 or 2 hours may also be part of outpatient treatment. This is recommended when use is minimal and not affecting many areas of life. It may also be recommended for continuing care after completing intensive outpatient treatment. Parents may be asked to be involved in some sessions and/or groups as requested by clinicians.

3. Intensive Outpatient Group—Intensive outpatient group is a medium sized group of adolescents whose drug use has or is affecting many areas of life. Length of stay in group is variable; however, average is 4 to 7 weeks. Recovery skills, relapse prevention, 12 steps and completion of steps 1 to 3 is the focus. (Kalamazoo County Juvenile Court Teen Jury Program, 1997a, p. 1)

The Gateway Adolescent Program is designed to take all forms of substance abusers. In addition, this program offers a workshop called “Workshop—Adolescent Substance Abuse—What You Need to Know” for parents who feel their teens might be involved in drugs or alcohol. “This workshop was created for parents and their teens. It may be attended by people who want to be informed or are concerned about some adolescent behavior but not sure if it is substance related or not” (Kalamazoo County Juvenile Court Teen Jury Program, 1997c, p. 1). The Gateway Adolescent Program is a positive alternative for juveniles and their parents to find the needed information and treatment together to curb the juvenile offender’s substance abuse problems.

Benefits of the S.T.O.P. and Gateway Adolescent Programs

Both programs are designed to help juvenile offenders and their families find positive methods in which to cope with their problems. Parental involvement in both programs is vital. The parents are the focal point of change, and if they can be
involved and learn at the same rate as their child, any and all aspects of their child’s rehabilitation program usually leads to a more productive outcome.

Cost Analysis: Teen Court Versus Juvenile Court

According to Sharon J. Zehner (1999), low juvenile offender recidivism rates are comparable with the fiscal soundness of Teen Court. Nationally, communities spend on average approximately “$3,000 to process a child through the Juvenile Court system,” from arrest to probation, and conversely, it costs less than “$300 to process a child through Teen Court” (p. 5). Therefore, not only can the Teen Court provide an effective system that deters their offenders from recidivating, but also they achieve this at a lesser cost. Furthermore, Zehner states that Teen Courts also reduce the workload of the overburdened Department of Juvenile Justice. For example, the Bay County program in Oregon reduces the Juvenile Court caseload by more than 250 cases per year. Diverting first-time offenders charged with misdemeanors to Teen Court enables the department’s case managers to work more closely with multiple offenders and those youths charged with felonies. (p. 7)

In essence, the Teen Court system is a feasible program that not only keeps the cost down for prosecuting an offender, but also is a tool for the Juvenile Court to use in order help fight the escalating juvenile crime problem.
CHAPTER III

RESEARCH AND CONCEPTS ON TEEN COURTS

Theories of Delinquency Implemented by Teen Courts

When researching Teen Courts and delinquency, three distinctive theories can be used: the Bronfenbrenner Model of Human Development, the Behavioral and Cognitive Learning Theory, and the Labeling Theory. These three theories are essential in helping Teen Courts understand why juveniles commit crimes and what steps need to be taken in order to help these criminal teens receive the correct help to keep them from becoming career criminals. In essence, if a clearer understanding can be found as to why juveniles commit crimes, then Teen Court systems have a better chance in rehabilitating these juvenile offenders to prepare them to be more functional, productive members of society.

Bronfenbrenner Model of Human Development

This model studies individuals such as youth offenders and their parents, undergoing traumatic or stressful transition, in the context of a restorative culture or community. Robert J. Beck’s (1997) article, “Communications in a Teen Court: Implication for Probation,” defines Bronfenbrenner’s 1979 Model of Human Development as “an ecological transition occurs whenever a person’s position in the ecological environment is altered as the result of a change in role, setting or both” (p. 3). Therefore, Beck reveals that by committing a crime, the juvenile offender “has
become an offender in the eyes of the family and community and, therefore, has undergone change of role albeit a role that may be shed in time” (1997, p. 3). Furthermore, “when young offenders are introduced into the Peer Court, they now participate in a new setting, with the attendant potential for change” (Beck, 1997, p. 3). The key to this theory is in the offenders’ realization of their new role and the available opportunities in their communities to help them attain a newer, more positive status. For example, the Teen Court system is an avenue in which the offender and their families can receive the needed rehabilitation or counseling that will aid them in alleviating their criminal actions. It is imperative that not only the children but also the parents learn and develop from the experiences that the Teen Court provides. If the offender and family members can form a positive bond or relationship that helps them communicate more effectively, the chances of the juvenile continuing in a criminal lifestyle will most likely decrease.

Behavioral and Cognitive Learning Theory

Another theory contributing to the success of the Teen Court is the Behavioral and Cognitive Learning Theory. The Behavioral Learning Theory uses punishment to extinguish unwanted behaviors such as juvenile offense. The Cognitive Learning Theory promotes new self-understandings that lead to personal transformation and rehabilitation. Both theories are essential steps in helping the offender learn from their mistakes and finding the correct methods in which to deal with their criminal intentions. According to Beck (1997), “From a behavioral learning perspective, the peer court offers the potential for peer and parental sanctions to supplement societal sanctions as instruments for change” (p. 4). In this theory, the offender’s peers and parents are given the opportunity to compose a sentence that
will help the juvenile learn from his or her criminal activity. The important aspect of this sentencing is that the parents will be held accountable for their juvenile’s actions and may subject their child to harsher sanctions (remanded to Juvenile Court) if they fail to help the child complete his or her sentence in the Teen Court program. In essence, the Teen Court is instituted to help pass a sentence that will guide and educate the juvenile into rejecting a criminal lifestyle.

The Cognitive Learning Theory motivates understanding in what inspires juveniles to offend, and, more importantly, re-offend. According to Beck (1997),

> When peer jurors ask whether the offenders, before committing their offenses, had considered that they might be caught and punished, the answers reveal variable levels of self-awareness and moral intent. In appraising these understandings, the peer community is better able to calculate offenders’ degree of risk for committing future offenses and is in a better position to adjust its interventions accordingly. (p. 4)

Furthermore, it gives the offenders an opportunity to re-evaluate their criminal actions and help them learn a more moralistic approach to dealing with their criminal intentions.

**Labeling Theory**

According to Binder, Geis, and Bruce (1997), the Labeling Theory is based on “the supposition that human beings respond to the definitions placed upon their behavior by others, especially those who have power” (p. 153). For example, if someone is called a “bad boy” and treated as such, he comes to accept that image and will learn to behave in that manner that others have impressed upon him. Therefore, “the labeling process amplifies the phenomenon it is intended to suppress” (Binder et al., 1997, p. 154). In essence, once labeled a juvenile delinquent, it is up to the juvenile to take the appropriate steps in order to relinquish this label or to continue to
engage in the criminal activity that led to his or her being labeled. The decision is left to the juvenile which path to choose.

Teen Court uses a form of the Labeling Theory, in that it labels the juvenile offenders as “criminals” once they plead guilty to their crime; however, it provides the juvenile the appropriate means in which to shed this label. For example, once juvenile offenders plead guilty to the crime, a jury of their peers will recommend an appropriate sentence to fit their criminal action. Through performing community service or another recommended rehabilitation program in the stated time frame, they are given an opportunity to relinquish their label as a criminal. In essence, the Teen Court may have the ability to label juvenile offenders; however, they also give them the opportunity to abandon this label by completing a sentence that will rectify their criminal actions. As James W. Messerschmidt (1993) states, society will continue to label these juvenile offenders until they either refrain from continued criminal activity and prove themselves worthy of continuing in their communities as respectable members, or juvenile offenders must “accept their labeled identity as a deviant, and henceforth act in accordance with the societal reaction” (p. 4). It is left to the juvenile offenders how they want their communities to see them.

These three theories provide an insight into how Teen Court programs can study and understand how and why juveniles engage in criminal activity. By understanding why juveniles commit crimes, Teen Court programs can get a better perspective as to what steps need to be taken in order to help these juvenile offenders from re-offending. Ultimately, this is the desired effect the court systems want to have on juvenile offenders.

Another aspect of studying these theories is it can help the Teen Court to construct effective programs that will fit the needs of each juvenile offender in order
to curb his or her criminal behavior. No matter what the crime, if juvenile offenders and their families work hard and succeed in playing their parts in completing the recommended sentence, the opportunity to relinquish the juvenile offender's label as a "criminal" will follow.

**Current Studies on Teen Courts in the United States**

At this time, there is no known study that covers all Teen Court systems in the United States, but this is quickly changing. As stated in Chapter I, the Urban Institute had been awarded a major grant by the Office of Juvenile Justice and Delinquency Prevention to conduct a national evaluation of Teen Courts. What this represents is the emergence of how important and integral Teen Courts are becoming to the Juvenile Justice system. Moreover, with the beginning of a national research project on this subject, other smaller, statewide projects are being introduced. Brian T. Meehan (1998), in his article "Teen Courts Snap Young Offenders Into Line," informs that "in the next three years, the Oregon Youth Court Association will receive $300,000 in federal money from the Oregon Department of Transportation to develop a training video and manual to jump-start Teen Courts throughout the state" (p. 2). Therefore, not only are individual states getting involved in promoting the Teen Court concept but will contribute to the Urban Institute in gathering the needed information and statistics on their study to develop an overall review of the national Teen Court system in the United States.

The only statewide research project known at this time was conducted by the North Carolina Administrative Office of the Courts submitted to the North Carolina General Assembly. This research was conducted to review the history of the establishment of three Teen Court programs operating during 1994 through 1995.
The attempt was to describe their operations, to provide data on the juveniles processed and the cases handled, and to examine the measures relevant to the evaluation of effectiveness. However, this research has a severe limitation. Because two of the three Teen Courts were established in 1994, much of the data to measure the program's effectiveness was severely limited. The only data that could be analyzed were from their Cumberland County Teen Court, because it was established in 1993. Although this project was helpful in informing the North Carolina General Assembly about how a Teen Court operates and the key concepts and effects it can have on a community, it lacked the substantial backing of a longer, more exhaustive research project. Therefore, this project can be applauded for its insight into the study of Teen Courts. The future hope remains that more data can be collected to give a more informed analysis of these courts.

**Policies Developed for Teen Courts**

There are several policies the Teen Court has developed to make its program effective: the issue of indirect due process, consent, and insurance and liability policies to protect the Teen Court and every member involved. These policies are essential for a Teen Court to operate in today's society. Without them, the Teen Court can be subject to many unwarranted lawsuits that could fiscally damage or, worse, close down the court permanently.

**Due Process**

The first policy, due process, is an indirect requirement of the Teen Court, because juvenile offenders who enter this court have already agreed to admit their guilt. According to Godwin et al. (1996), "While Teen Courts are not required to
follow constitutional due process rules, most programs use lawyers, judges, juries and procedures that closely parallel their counterparts in formal Juvenile Court” (p. 29). Due process might not be a direct policy observed by the Teen Court, but it has an educational factor that can help the teens in the court understand how an actual court is operated.

Another factor on the issue of due process in the Teen Court system is that it helps the cases resolve more quickly by having juvenile offenders previously admit their guilt, so the appropriate sentence to fit the crime is the focus. Godwin et al. (1996) state that “judges, probation officers and school discipline authorities often are eager to trim their caseloads in their departments, especially where the calendars are crowded and the behavior in question is a ‘lightweight’ offense like possession of alcohol or truancy” (p. 30). In essence, by indirectly bypassing due process, the Teen Court can solely focus on constructing a sentence that will be both fair and educational to the juvenile offender. Furthermore, the quick processing speed for these less serious crimes can provide the courts more time to review more cases. The Teen Court was established to help offenders, who admit guilt, receive the help they need in a timely manner in order to become better members of society.

Consent and Consent Forms

The consent policy for Teen Court is very simple yet essential. Consent forms should be used to obtain the following two criteria: (1) to establish valid consent to participate in a Teen Court program, and (2) to protect the Teen Court and associated volunteers, agencies, or programs from misconduct and liability. (Note: Consent forms need not be detailed or legalistic. A judge or volunteer attorney who understands the juvenile diversion process and liability should be an excellent source
to construct a consent form.) According to Godwin et al. (1996), “Consent forms vary considerably among programs. Some use only short, terse agreements to enroll in the program, while others use multiple forms covering liability, confidentiality, sanctions, and other matters” (p. 30). Every juvenile offender and his or her parents are required to sign these forms. If this is not done and problems arise, the Teen Court could be liable for any misconduct or damages that may occur during the proceedings. Therefore, it is essential that all juvenile offenders and their parents complete a consent form before they are allowed to continue through the court process.

Another factor regarding consent is obtaining the correct form of consent. Godwin et al. (1996) state that “consent obtained from the minor and parents must be informed consent. It is good practice to have youth and parents sign consent forms together during the interview in which the forms and their meaning are fully explained and questions can be answered directly” (p. 30). By having the juvenile offender and the parents sign the consent form in the same room with a counselor, all questions can be answered and the consent form is guaranteed to be filled out correctly, which leaves little room for error and even less room for unlawful lawsuits.

**Insurance (Property and Vehicle)**

Insurance is another recommended line of defense against lawsuits and damages that could occur in a Teen Court. One form of insurance that Teen Courts should possess in order to protect their interests is Property Insurance or Business Premise Insurance. Godwin et al. (1996) include that insurance that “specifically covers vehicles may be used by the program, such as buses or vans that commute the juvenile offenders and Teen Juries to and from court” (p. 34). In essence, this form of
Insurance is a preventive measure in order to keep the buildings and the members of the court from being locked up in frivolous lawsuits, and keep the focus on adjudicating troubled juveniles.

Insurance (Liability)

A second form of insurance is Liability Insurance, which is provided by a separate policy that is priced according to the types of activities insured and the associated risk presented. Any community program that enlists volunteers faces special liability concerns. Therefore, liability insurance must cover three types of protection within a Teen Court: first, “provide protection of juveniles who engage in activities with adult volunteers; second, the program must protect the volunteers themselves from lawsuits, injuries, or damages that may result from program activities; finally, the program must protect itself” (Godwin et al., 1996, p. 35). Even though Teen Courts can purchase liability insurance for their court, it is a good idea to have a rigorous screening process for the volunteers, because “client protection is the main objective of any program that handles a caseload of minors; it is important to have adequate screening and interview procedures for program volunteers who interact with youth” (Godwin et al., 1996, p. 36). Furthermore, Godwin et al. conclude that “this is not a guarantee that nothing will ever go wrong, but it does serve some legal purpose by demonstrating the good faith and care taken by the organization to protect youth who participate” (p. 36).

Statistics on Success Rates of Teen Courts

In this section, select statistics on the following page will give some insight as to how effective these programs are within the United States combating recidivism.
Figure 1 indicates the percentage of nonrecidivism rates among 10 selected Teen Courts in the United States. The most successful program in the study was Durham, North Carolina at 100%. Two Teen Courts, Bend, Oregon and Odessa, Texas were second with a 95% success rate. This was followed by three Teen Courts with a 90% success rate (Kalamazoo, Sarasota, and Montgomery). The last four Teen Courts dipped below a 90% average, with Gila, Arizona and Buncombe, Florida averaging an 88% success rate, followed by Cumberland, North Carolina at 77% and Hernando, Florida at a respectable 75%. The average success rate of all 10 Teen Courts was 88.3% (883 divided by 10). Although this is lower than the national average of a 95% success rate, it still indicates an impressive rate of success for keeping first-time, misdemeanor offenders from re-offending.
Figure 1. Percentage of Nonrecidivism Rates of Select United States Teen Courts.
CHAPTER IV

TEEN COURT PROGRAMS: INDICATORS OF SUCCESS

The purpose of this project was to conduct a policy analysis of Teen Courts in the United States, specifically in Bend, Oregon; Kalamazoo, Michigan; and Sarasota, Florida. For these three courts, a secondary data analysis was conducted in order to give a more informed insight as to the number of juvenile cases adjudicated, the types of crimes committed, and the forms of sentencing used in these courts.

The second part of this chapter pertains to indicators of success for juveniles processed through a Teen Court. It is imperative to note that all juveniles are given an equal opportunity to succeed in this program; however, some juveniles may lack the self-motivation or parental involvement that it takes to complete the program. Therefore, by studying these indicators, Teen Courts gain a better idea as to what they need to improve upon in order to build successful programs.

Secondary Data Analysis of Kalamazoo, Bend, and Sarasota Teen Courts

The figures that follow illustrate the types of offenders these three Teen Courts adjudicate, the types of crimes committed, and the sentences imposed by the Teen Juries.

As represented in Figure 2, the number of cases adjudicated by the Bend, Oregon; Kalamazoo, Michigan; and Sarasota, Florida Teen Courts is shown. According to the “Youth Enhancement Services Monthly Report” prepared by Teen Court Coordinator Sherry Presser (1994/1995), the Bend Teen Court had the most
cases at 555 (pp. 1–2). Sarasota Teen Courts followed Bend at 507 cases (Teen Court of Sarasota, 1999, pp. 2–3). Finally, Kalamazoo was a very distant third with 43 cases adjudicated. (Note: This number was determined by the researcher from
information provided by the Kalamazoo County Juvenile Court Teen Jury Program. Kalamazoo Teen Court data was limited due to much of the data being erased by a court order—see Appendix C.) The average caseload a year among these three Teen Courts was 276.25 (1105 divided by 4).

In Figure 3, the graph represents the top five offenses committed in the Bend, Oregon Teen Court. The highest percentage of crime committed was theft/larceny at 67% (258 divided by 382). This was followed by criminal trespassing and assault at 10% (37 divided by 382), and, finally, minor in possession at 7% (28 divided by 382) and possession of drugs at 6% (22 divided by 382). As is evident, theft/larceny is a major crime heard in the Bend, Oregon Teen Court. It uses over half of the processing time of cases processed within the court and leaves less time to adjudicate other offenses.

Figure 3. Top Five Offenses Committed in Bend, Oregon by Juvenile Offenders.
Figure 4 illustrates the top five offenses committed in the Kalamazoo, Michigan Teen Court. As observed in the Bend, Oregon Teen Court, theft/larceny is the top crime committed at 63% (22 divided by 35) in Kalamazoo also. The next highest crime committed is shared between minor in possession and criminal trespassing at 11% (4 divided by 35). Completing the graph is assault at 9% (3 divided by 35) and possession of drugs at 6% (2 divided by 35). In Kalamazoo, the problem of theft/larceny is a major concern, because of its similar time use related to processing offenders as seen in the Bend Teen Court system.

In Figure 5, the graph introduces the five top crimes committed by juveniles in the Sarasota, Florida Teen Court. Unlike Bend, Oregon and Kalamazoo, Michigan Teen Courts, the Sarasota, Florida Teen Court adjudicates the crime of minor in
Figure 5. Top Five Offenses Committed in Sarasota, Florida by Juvenile Offenders.

possession at 44% (175 divided by 399) more than any other crime. Minor in possession is followed by theft/larceny at 40% (161 divided by 399). These two crimes command most of the court’s time (over 80% of all cases adjudicated in this Teen Court) and resources due to the large number of crimes committed in these areas. After these two crimes, there is a drastic decline in percentages with assault at 7% (28 divided by 399), followed by criminal trespassing with 6% (24 divided by 399), and, finally, possession of drugs at 3% (11 divided by 399). Unlike the Bend and Kalamazoo Teen Courts, Sarasota has two high percentage crimes being committed within their program. With these two crimes taking most of the time and resources of the Teen Court, other crimes and their offenders may not get the needed
attention in order to help them curb their criminal actions. This is a problem that all three Teen Courts face and will continue to fight as long as this population increases their involvement in crime.

Figure 6 initializes the top four sentences handed down to teen offenders by the Teen Jury in Kalamazoo, Michigan. Community service was the most prescribed sentence at 43% (14 divided by 33), followed by counseling with 24% (8 divided by 33). Restitution was the third most imposed sentence at 18% (6 divided by 33), followed by essay writing at 15% (5 divided by 33). These sentences are constructed by a panel of 12 jurors, who have total discretion as to the length and harshness of the sentence. Although these sentences require no jail time or a chance of facing a permanent record, the juvenile offender can face the reality of being remanded to the Juvenile Court in which they will face much harsher sanctions and a greater possibility of a permanent record.

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**Figure 6.** Top Four Sentences Imposed in Kalamazoo, Michigan by Teen Juries.
Figure 7 illustrates the four most imposed sentences in the Sarasota, Florida Teen Court. Counseling was the most common sentence in this court at 57% (507 divided by 894). This was followed by essay writing at 23% (212 divided by 894) and community service at a respective 20% (175 divided by 894). Unlike the Kalamazoo Teen Court, the Sarasota Teen Court had no sentences that involved restitution. This is one indication of Teen Courts differing from one another. As one Teen Court may need restitution in order to deter criminal behavior, another may have an alternative method or sentence that can have a more desired effect for that program. Every Teen Court’s foundation is similar, but their differences lie in the specifics of which of these methods will help juvenile offenders in their community.

![Figure 7](image)

**Figure 7. Top Four Sentences Imposed in Sarasota, Florida by Teen Juries.**

Although these graphs give an insight into the number of cases adjudicated in Teen Court, the types of offenses committed by teen offenders, and the variety of
sentences handed down by Teen Juries, this is only a select piece of the overall picture of Teen Courts in the United States. Therefore, these graphs should be viewed in this paper as a start to gaining further knowledge of Teen Courts and raising awareness for the need to study this program on a national level (as evidence of the recent research grant given to the Urban Institute).

Indicators of Success for Juveniles in the Teen Court Program

The following methods in this next section are indicators of success for juveniles who enter the Teen Court program. Family involvement, family counseling, touring boot camps and local jails, and school involvement are discussed. Therefore, if the juvenile offender and the families, schools, and communities are involved in his or her rehabilitation, the Teen Court program can result in success.

Family Involvement

Family involvement is one basic reason that teens succeed in this program. Parents are an integral part of ensuring that their child not only appears for the court date but also finishes his or her sentence in the recommended time frame. More importantly, the general concept of the Teen Court is that parents must be involved in all aspects of the child's adjudication process. Not only do the juveniles have their criminal life at stake, but the parents are also held responsible for ensuring that their child will complete the mandatory sentence. If the parents fail to do so, their child is directly remanded to the Juvenile Court in which he or she will await a much harsher penalty than the one received from the Teen Jury. In essence, the Teen Court makes completing a sentence a family affair, because everyone involved has something at
stake. The involvement of parents and the threat of going to Juvenile Court makes a
strong case for offenders to put forth their best effort in completing their sentence.

Family Counseling

Family counseling is another key component to the success of the Teen Court
system. For example, Sharon J. Zehner (1999) contributes that in Alaska,

all families must attend a 3-hour session with the staff of Anchorage
Children's Home, one of county's social service agencies. The counseling
sessions focus on helping families understand and cope with the Teen Court
process. At the conclusion of the mandatory session, the defendants and their
parents view a videotape titled *Life Inside*. The video provides a realistic view
of life in correctional institution and features narration by inmates sentenced
to state prisons for drug convictions or violent felonies. (p. 4)

This form of counseling is effective in allowing the juvenile to see first-hand the
results of criminal behavior. Furthermore, these sessions are an open forum for
parents and their children, under supervised care of a counselor, to discuss any issues
they may have about their current situation and comment on what steps need to be
taken in order to keep this type of behavior from reoccurring.

Touring Boot Camps and Local Jails

Touring prisons and boot camps is one of the most effective methods of
keeping juveniles from re-offending. According to Zehner (1999),

defendants touring the boot camps spend the first hour walking through the
facility and learning about the inmates' rigorous daily schedule. Afterwards,
defendants line up in the dormitory area, where several drill instructors
subject them to an hour of "in your face" shock incarceration. (p. 4)

At this point, aided with notes on each offender's behavior, the instructor begins
restructuring the teen's attitude with harsh undertones. In essence, the reason for this
session is to use the “scared straight” method on the juvenile offenders and give them a glimpse of what they may face if their criminal behavior continues.

Touring the local jail is another form of teaching juvenile offenders the result of their criminal activity. Zehner (1999) continues by mentioning that “defendants tour a local jail, where a video and brief onsite tours generally get the intended message across to younger, less-hardened defendants” (p. 4). For those who need a stronger message, a two-hour tour of the jail is arranged, and the offender is talked to by several inmates who give them details of what life is like in prison. After this session, “nearly all defendants emerge from this exercise visibly upset, including ‘street-smart’ teens who have repeatedly declared themselves unreachable” (Zehner, 1999, p. 5). In essence, these tours are designed to give the offender a glimpse of what their future holds if they do not change their criminal habits. Furthermore, it helps them realize that life gives them few chances, and the Teen Court can be the one chance they have to receive the help in order to alleviate their criminal behavior.

**School Involvement**

Next to parent involvement, schools who participate in this program play an integral role for helping criminal teens. Schools are the fabric that constructs the Teen Court. They organize and transport all teens involved in the court. Furthermore, because the court process is an after-school event, all those who participate from the school do so on their own time, which allows the juveniles to remain in class during the day and also signifies the value of their education.
CHAPTER V

CONCLUSION

This paper gave an insightful look at what Teen Courts are doing in today’s fight against juvenile crime. With the Teen Court’s ability to keep recidivism rates low and the cost of running a program having little financial burden, especially to the taxpayers, this program has proven to be a viable asset not only to the Juvenile Court but also to the entire criminal justice system. In addition, this court plays the role of an educator, one that provides teens with a “hands-on” look at who and what it takes to run an effective court program. Not only are teens learning about the court system in the United States but are gaining valuable skills that will help them throughout their lifetime. In essence, this court not only helps reduce recidivism rates among teens in their program, but also remains a fiscally sound program that aids its teen participants in forming skills that will stay with them throughout their life.

The conclusion of this paper is constructed into three parts. First, a personal and critical review is conducted on the overall state of Teen Courts in the United States. Second an examination of the strengths and weaknesses of implementing a Teen Court into a community is presented, and finally, speculations on the future of the Juvenile Court are discussed.

Personal/Critical Evaluation of Teen Courts in the United States

Since the first established Teen Court in Odessa, Texas in 1983, the growth of this program on a national level has dramatically increased. Today, over 250
programs are in operation with more emerging by the day. The reason for this is that Teen Courts are finally receiving recognition and funding in order to aid the Juvenile Justice system in curbing the recidivism rates within this criminal population. Therefore, the more Teen Courts gain recognition, the more they can be effectively analyzed in order to prove if they are worthy of continuing implementation in a community. In order to answer this question, one must look at the strengths and weaknesses of Teen Courts.

**Strengths of Implementing a Teen Court**

There are many positive factors in introducing a Teen Court into a community. Not only can the Teen Court effectively deter recidivism rates (95% national average of nonrecidivism), but also can be a fiscally sound program (compare $300 to process a Teen Court offender to the $3,000 to process a youth through Juvenile Court). Furthermore, Teen Courts can help decrease the caseload for an overburdened Juvenile Court. Teen Courts can take less serious offenders and adjudicate them in a court system that is built specifically for this function. This allows the Juvenile Court the needed time and resources to spend on the more serious offenders. These three aspects are strong reasons for a community to consider developing a Teen Court in order to decrease their juvenile crime rate.

**Weaknesses of Implementing a Teen Court**

The one weakness that hampers Teen Courts in the United States is the lack of communication among programs. Although each program is designed to fit the needs of their community, having other Teen Courts compare and trade information can prove very effective. Therefore, it is vital to open these lines of communications
through national conferences and studies that can make the exchanging of ideas accessible.

Speculation on the Future of the Juvenile Court System

Finally, I am speculating on the effectiveness of the Juvenile Court system. With its inflated budgets and inability to decrease recidivism rates among its offenders, Juvenile Court is soon becoming yet another overloaded bureaucracy in the criminal justice system if it does not consider some serious re-evaluations in its processes. Therefore, the need to explore other options has arisen in the wake of the apparent Juvenile Court inefficiencies. The following speculations include Teen Courts and Adult Courts covering much of the offender spectrum, and this section also includes suggestions as to how the Juvenile Court system can improve upon their efficiency and become a strongly defined program once again.

Teen Court Taking Less Serious Offenders

Throughout this paper, the Teen Court program has proven to be a viable asset to the Juvenile Court. It boasts high rates of success when discussing recidivism rates and is fiscally superior to the Juvenile Court. Therefore, if the Teen Court processes the less serious offenders and is decreasing the Juvenile Court caseload, along with being fiscally sound, more serious offenders are left to be seen in their system. However, the Adult Courts adopting younger offenders into their system challenges this idea.
Adult Court Taking More Serious Offenders

Due to an increase in violent crime among the juvenile population, the adult court is processing more juvenile offenders than ever before. Shay Bilchik (1998) states in his article "A Juvenile Justice System for the 21st Century" that "the growth of violent juvenile crime over the past decade has stirred significant debate over the viability and effectiveness of our juvenile justice system" (p. 1). Although juvenile violent crime rates have decreased in the last several years, the need to transfer these offenders to the adult court has increased. According to an article by the Honorable Leonard P. Edwards (1996), "getting tough on juvenile crime is a primary motivation for moving more cases to the adult criminal justice system" (p. 7). Therefore, if the Teen Courts adjudicate less serious offenders, and the adult courts process more serious offenders, the Juvenile Courts must burrow its way in between these growing systems and find new solutions in joining its surrounding partners to combat this issue of youth crime.

Recommendations to Aid in the Future of the Juvenile Court

The future of the Juvenile Court is unclear. However, it is evident that if this court wants to remain a contributing member of the criminal justice system, then more should be expected of this court. Bilchik (1998) introduces three recommendations that can aid the Juvenile Court into becoming a more effective tool in the fight against crime. The first recommendation is for "increased juvenile accountability. Juvenile offenders will be held accountable for their behavior, decreasing the likelihood of their development into serious, violent, or chronic offenders and tomorrow's adult criminals" (p. 6). Therefore, the Juvenile Court has
to do a better job of deterring juvenile offenders from committing crime in order to keep them from becoming career criminals. This can be accomplished by introducing stricter laws and punishment for juvenile crimes, especially for violent and other serious offenses. Furthermore, involve the community by having community-based prevention and treatment facilities, in which juveniles can obtain the rehabilitation and life skills needed to aid in their effort to become positive, functioning members of society. By passing harsher sentences to deter juvenile crime and constructing rehabilitation facilities to help juveniles work out their criminal behavior, the chance of a more effective Juvenile Court system is possible.

The second recommendation offered by Bilchik (1998) includes the decreased cost of juvenile correction facilities. It already costs on average $3,000 to process a juvenile offender through Juvenile Court. In addition, it can cost up to $30,000 to send a juvenile offender through a prescribed juvenile facility. Therefore, by applying the appropriate assessment and graduated sanctions and developing the required community-based resources should reduce significantly the need for high-cost beds in training schools and allow for their more extended use for the most serious and violent offenders.

(p. 6)

In essence, by reducing the number of beds used by the less serious offenders in a juvenile correction facility and sending them to more outpatient, community-based corrective facilities, more room will be made available for the more serious offenders (the juveniles who do not proceed to Adult Court), which will reduce the overall cost of incarceration.

The final recommendation introduced by Bilchik (1998) is increased program effectiveness. Knowledge exists about the characteristics of serious, violent, and chronic offenders and about what works in treatment and rehabilitation. However, more must be learned about what works best, and for whom, and under what circumstances to intervene successfully in the delinquent and criminal careers of juvenile offenders. (p. 6)
This can be accomplished by implementing follow-up research and strenuous evaluation processes of programs involved with the Juvenile Court systems. By constantly searching for better methods and rehabilitation programs, Juvenile Courts can help offenders receive the proper rehabilitation plus learn to budget their time in processing those offenders who are most in need. Although the Juvenile Court has much experience and research completed on juvenile crime, it is imperative they continue to evolve their programs, research procedures and laws in order to stay abreast with this vastly changing population of offenders. Therefore, “the only effective long-term response to the problem of juvenile delinquency and violence lies in improving the juvenile justice system and preventing delinquency before it occurs” (Bilchik, 1998, p. 6). This can be accomplished through “a balanced and responsive approach to juvenile crime, coordinating law enforcement, correctional treatment, and prevention resources in a cost-effective manner” (Bilchik, 1998, p. 6).

In conclusion, this study has shed new light on how Teen Courts have evolved and where they land in the ranks of the criminal justice system. Although this paper gives an insightful look into the concept of Teen Courts in the United States, it has only scratched the surface of what will be learned in the next several years. Therefore, it is hoped that the information gathered in this paper can be used to inspire and promote further studies on this subject.
Appendix A

Teen Jury Sample Questionnaire
Possible Juror Questions:

PETITION:

1. Explain the situation in your own words as it happened.
2. Why or how did you get involved with this situation?
3. What did you think would happen to you over this incident?
4. What do you think this jury should do to you?

FAMILY:

1. Do you live with both of your parents?
2. How old are you?
3. Do your parents expect accountability for your time and actions?
4. Are reasonable expectations set for you at home, school, etc.?
5. How do you relate to your family?
6. Do you have an established curfew?
7. Have you ever left home?

SOCIAL:

1. Do your parents approve of most of your friends?
2. Are any of your friends involved with the courts?
3. What do you plan to do in the next five years?
4. How do you occupy your free time?
5. How do you feel you get along with people?

SCHOOL:

1. Do you attend school? If so, where and what grade?
2. How well do you do in school?
3. Are you involved in extracurricular activities?
4. What are your likes and dislikes about school?
5. What are your goals after high school?
6. Have you ever considered quitting school?

PARENTS:

1. What problems, if any do you feel your child has?
2. Do you totally agree with the answers given by your child?
3. What do you feel the Court can do to assist your child and/or family?
Appendix B

Teen Jury Disposition Report
Kalamazoo County Juvenile Court
Teen Jury Disposition Report

Name of Minor: ___________________________ Date: ____________

Charge: ____________________________

Final Disposition (mark appropriate action taken):

_____ Essay: Length: _____________ Due Date: ________

Subject: ___________________________________________

_____ Letter of Apology: Length: ______________

Due Date: ______________

_____ Probation: Length: _____________

Curfew: Weeknights: _____________

Weekends: _____________

Report Day: __________________

Additional Terms:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

_____ House Arrest:

Terms:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

_____ Restitution: Monetary ---- Amount: $__________
Due Date: 

Community Service --- Number of Hours 
To Be Completed by: 

___ Referral to Youth Diversion Program

Reason:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Approved ________________________
Appendix C

Letter of Explanation
October 8, 1998

Mr. Jon Mathieu
Western Michigan University
Kalamazoo, MI 49008

Dear Jon,

This letter will serve as an explanation why some records were not available during your research on the Teen Jury Program at the Kalamazoo County Circuit Court, Family Division.

In accordance with Michigan Court Rule 5.925 and the Diversion Act of 1988, MCLA 722.821 et seq. all diversion records of minor children are to be destroyed within 28 days of the minor turning 17 years of age. Teen Jury is considered a diversion program thus all records of their Teen Jury appearance and other diversion records were expunged in accordance with the Court Rule. Even subsequent offenses by minors who participated in Teen Jury would have been expunged if these subsequent offenses did not result in a formal court adjudication.

The court has retained records in the past, mainly for research purposes but with the recent court unification we felt it was necessary to destroy these diversion records as there will be increased accessibility to our computer records by other Divisions of the Circuit Court.

Sincerely,

Frank Weichlein
Intake Supervisor
Appendix D

Human Subjects Institutional Review Board Approval
Date: 31 August 1999

To: Charles Crawford, Principal Investigator
Jon Matheiu, Student Investigator for thesis

From: Sylvia Culp, Chair

Re: HSIRB Project Number 99-06-07

This letter will serve as confirmation that your research project entitled "Policy Analysis of Teen Courts: A Look at Teen Courts as a Viable Alternative to the Juvenile Court System" has been approved under the expedited category of review by the Human Subjects Institutional Review Board. The conditions and duration of this approval are specified in the Policies of Western Michigan University. You may now begin to implement the research as described in the application.

Please note that you may only conduct this research exactly in the form it was approved. You must seek specific board approval for any changes in this project. You must also seek reapproval if the project extends beyond the termination date noted below. In addition if there are any unanticipated adverse reactions or unanticipated events associated with the conduct of this research, you should immediately suspend the project and contact the Chair of the HSIRB for consultation.

The Board wishes you success in the pursuit of your research goals.

Approval Termination: 31 August 2000
BIBLIOGRAPHY


