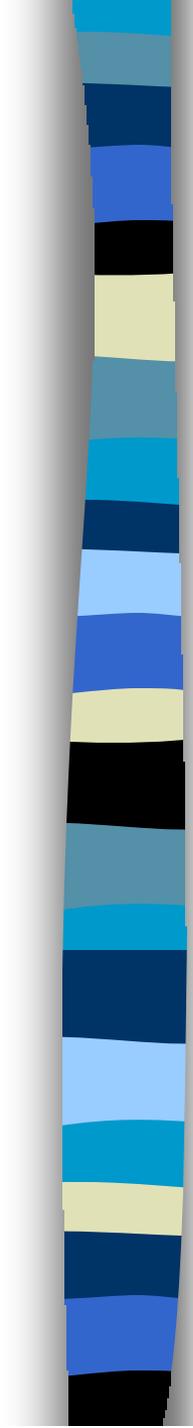




# School-Based Youth Courts

Office of the Attorney General Kwame Raoul



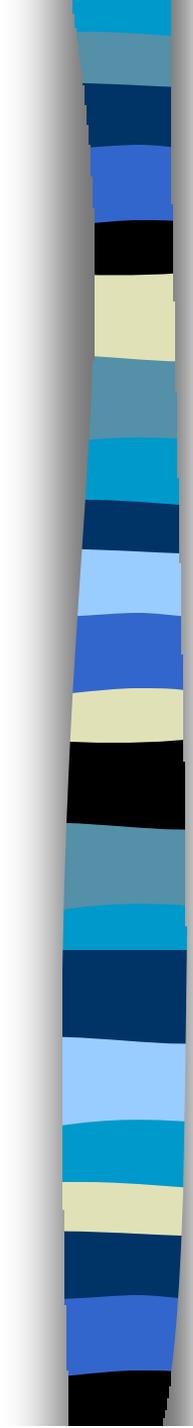
# Traditional School Discipline

- Definite consequences for failure to follow rules
- Predetermined punishment for the violation of rules
- Often excludes rather than includes students in school- suspension and expulsion

# Balanced and Restorative Justice

An Alternative to  
Traditional Discipline

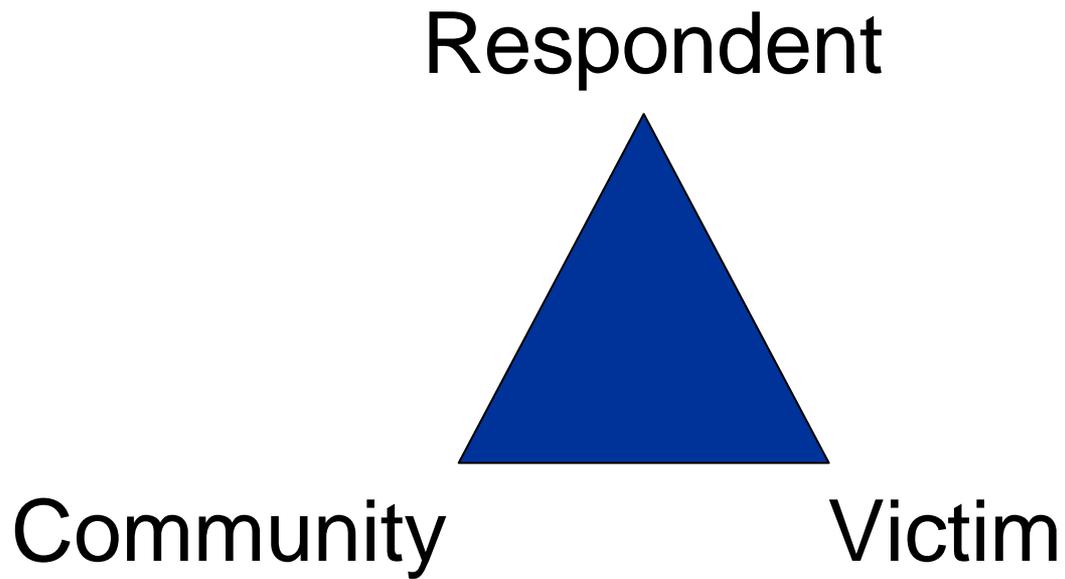


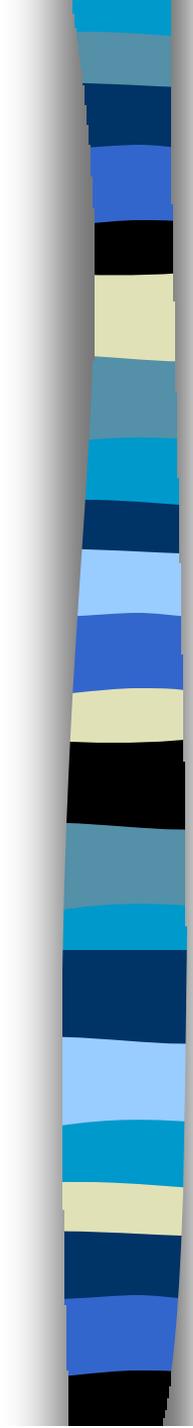


# BARJ Principles

- Repair the harm caused to the victims and community
- Build on strengths & improve competencies
- Victims provided opportunity to participate
- Focus on community safety

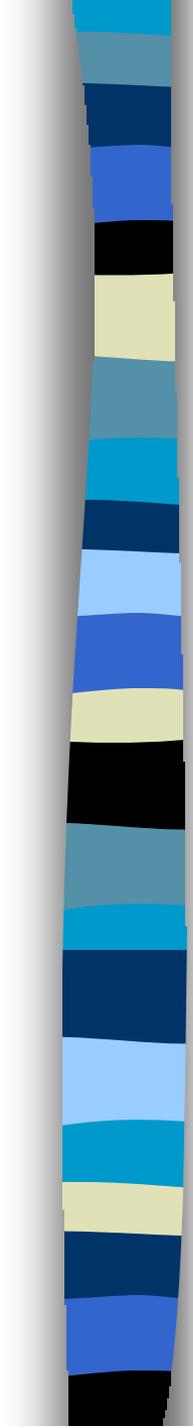
# 3 Stakeholders of BARJ





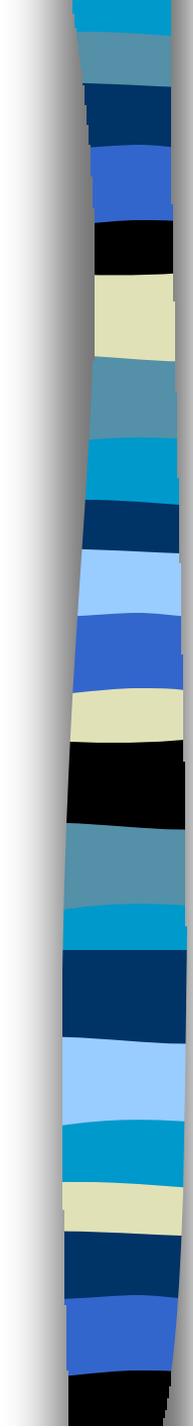
# 3 Goals of BARJ

- Accountability
- Community safety
- Competency development



# Accountability

The respondent must repair the harm to individual victims and the community.



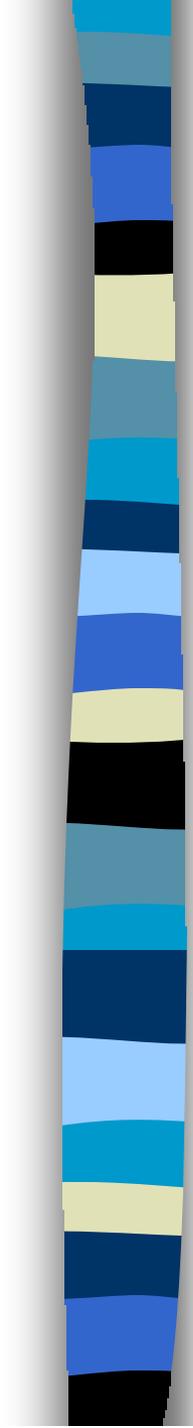
# Community Safety

The school and outside community are protected and involved in the agreement.

# Competency Development

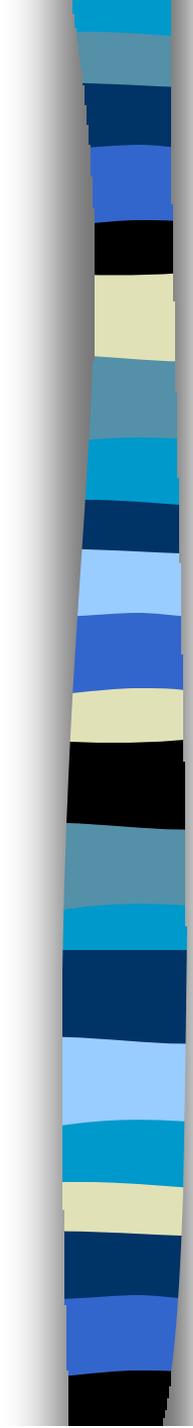
Respondents are given opportunities to increase their skills.





# Benefits of BARJ

- Cost-effective program
- Inclusive than exclusive- keep kids in school
- Broader involvement -community and victims
- Greater satisfaction with process by all involved
- Greater likelihood of successful completion
- Reduced frequency and severity of further negative behavior



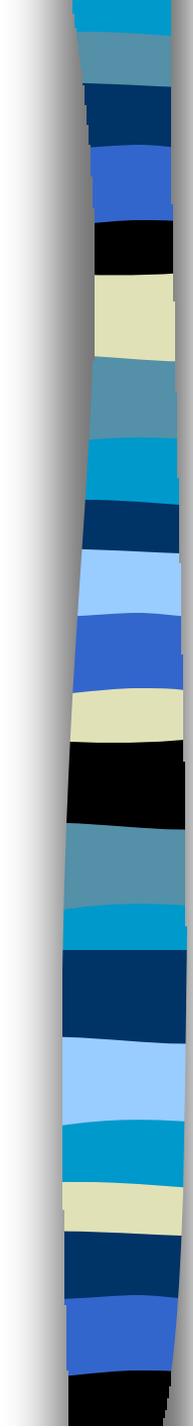
# Using BARJ

- Youth courts or peer juries are programs that use its principles
- The Illinois Juvenile Justice Reform Act of 1998 adopted BARJ for the state's juvenile justice system
- Philosophy can be to respond to crime, misconduct, or other conflicts

# YOUTH COURTS:

## Youth Administering Justice

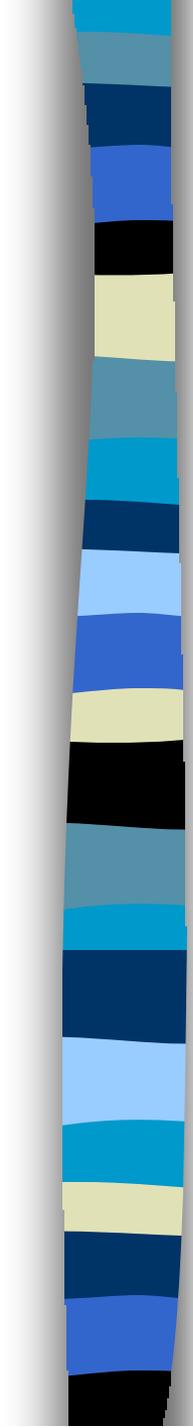




# What are youth courts?

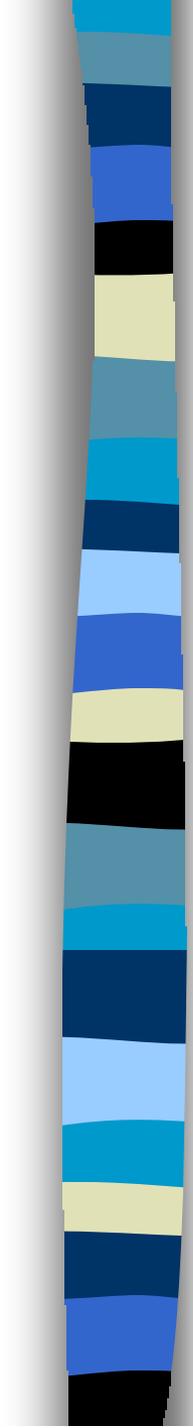
Youth administer justice to their peers who have committed a crime or act of misconduct.

- Most youth courts handle crimes, but schools can also use them to handle misconduct.



# Common Elements

- Voluntary participation
- Admit guilt
- Non-serious offenses
- Youth lead
- Adult moderator
- Oath of confidentiality
- Also called peer juries or teen courts



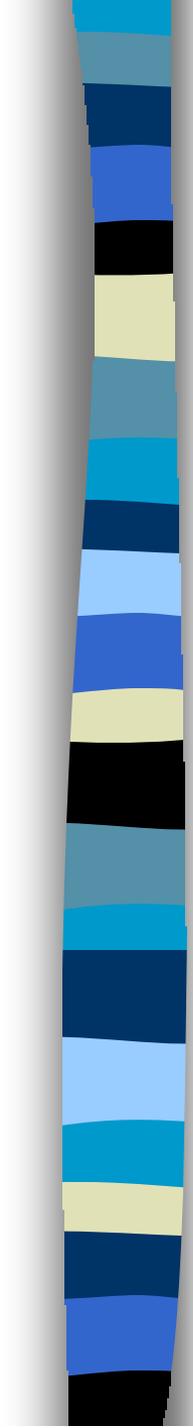
# Youth Courts Handling Rule Violations

<b>Alternative</b>	To tradition discipline (i.e., detention, suspension)
<b>Operating Agency</b>	Schools
<b>Misconduct</b>	Against school rules Truancy, minor fighting, cheating, smoking
<b>Responses</b>	Community service, apology letters, counseling, mentoring, tutoring, extra-curricular activities

# 4 Youth Court Models

- Peer Jury
- Youth Judge
- Adult Judge
- Youth Tribunal

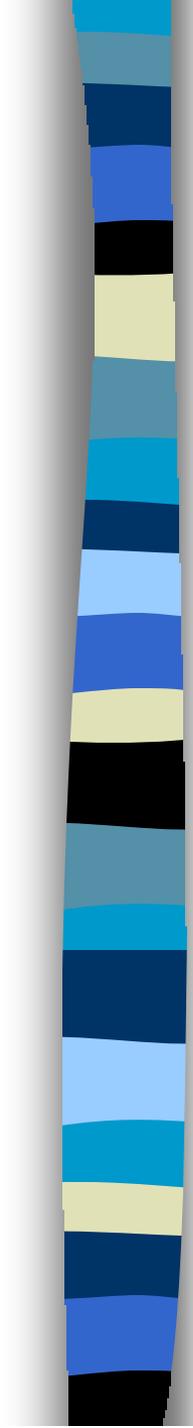




# Collaboration

## **Youth courts can involve the following:**

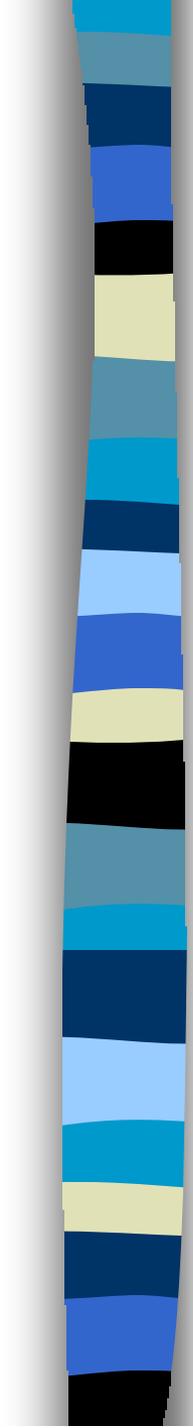
- Youth
- Schools
- Community members and groups
- Social service agencies
- Business owners



# Referral Process

Need to determine:

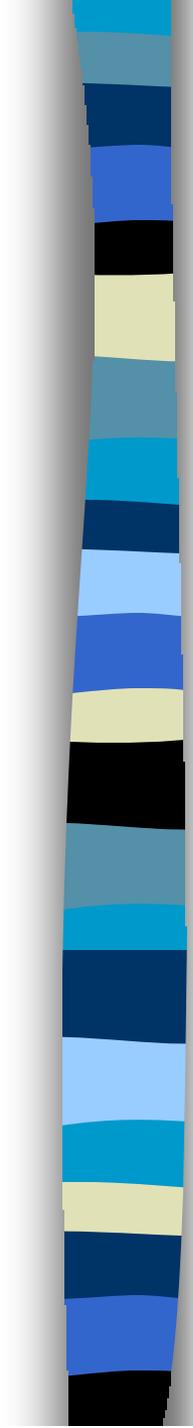
- Types of misconduct that the youth court can hear
- a person to refer cases to peer jury, such as a school disciplinarian or other school staff



# Hearings

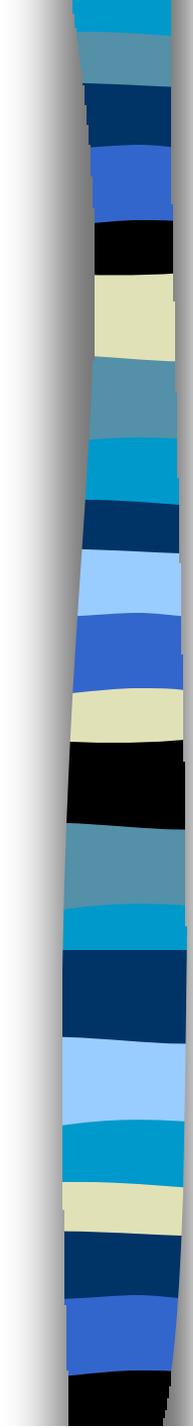
Need to select:

- An adult coordinator to oversee the process
- a room in school that ensures privacy
- a time, usually after school
- number of hearings- depends on referrals
- A written oath of confidentiality
- An opening statement explaining the youth court process



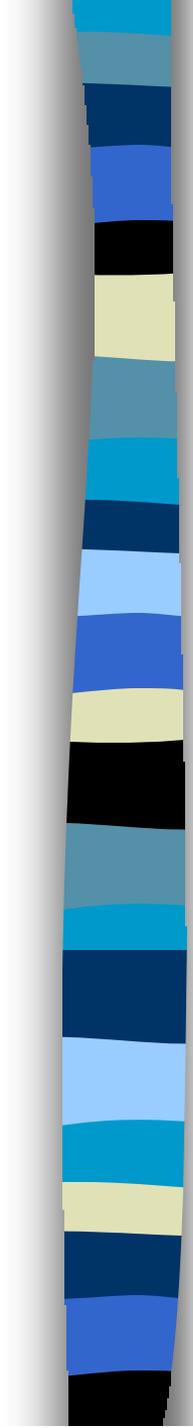
# Deliberation

- Respondent leaves room
- Jurors determine agreement
- An adult oversees deliberation and guides when necessary
  
- Determine if agreements must be unanimous or majority rule



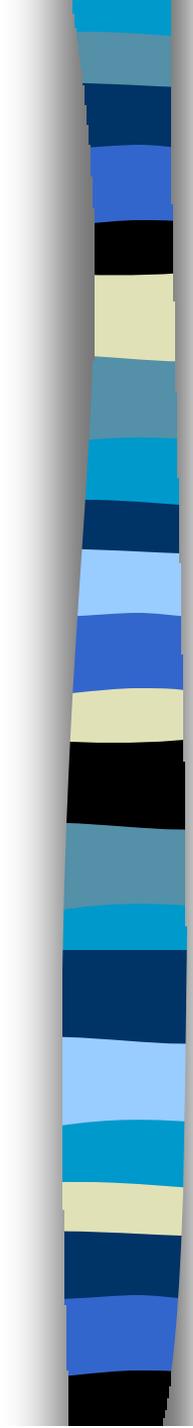
# 5 Step Deliberation Process

- Identify facts and circumstances
- Identify who was affected and how they were harmed
- Identify what the respondent has already done and what needs to do
- Construct a disposition
- Justify your recommended disposition



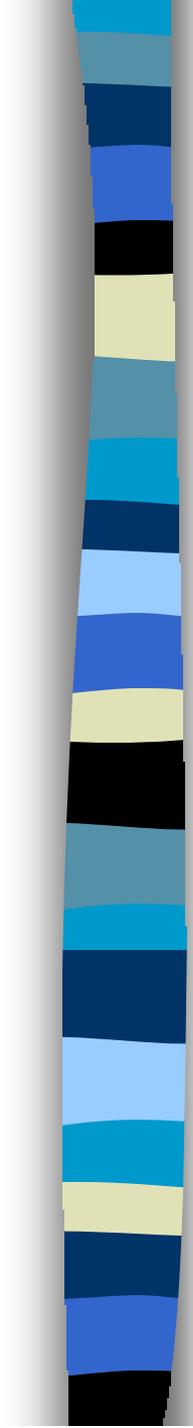
# Agreements

- Individualized, related to the misconduct
- Encourage creativity
- Agreements are shared with the respondent
- Such as tutoring, counseling, mentoring, mediation, community service, apology letters to victims, essays
- Will need to have relationships with community agencies



# Non-Compliance

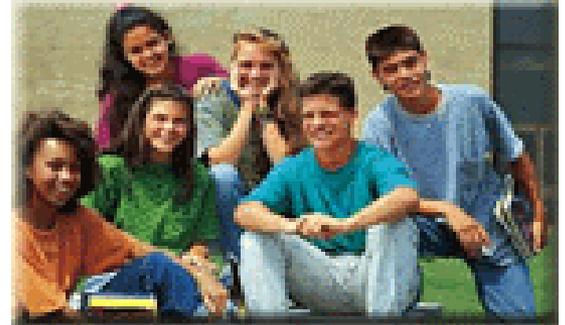
- Youth who do not complete their peer jury agreement will get the traditional sanction, like detention or suspension



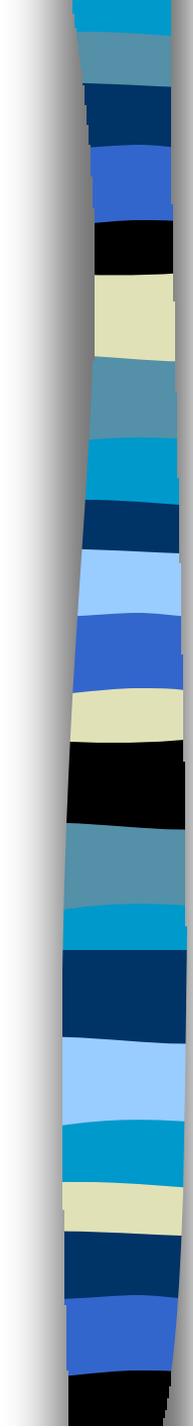
# Youth Court Coordinator

- Designate a school staff person, like a teacher, or an adult volunteer or a community agency representative
- Role is to accept referrals, do screenings, oversee hearings, follow cases, complete paperwork like evaluations
- Communicate with community agencies

# Youth Volunteers

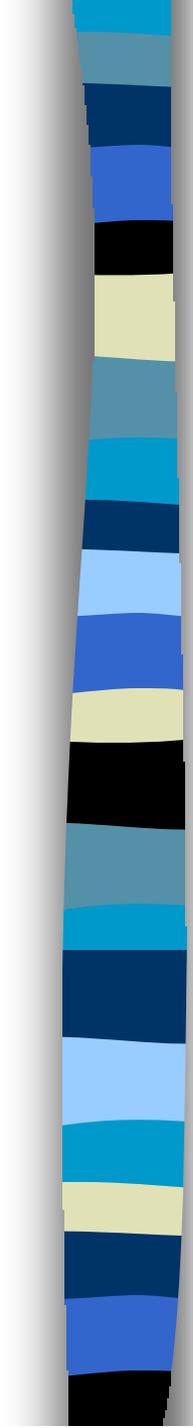


- Take an active role in justice process
- Learn about law and justice in society
- Develop critical thinking skills
- Active in their community or school
- Promote positive peer pressure



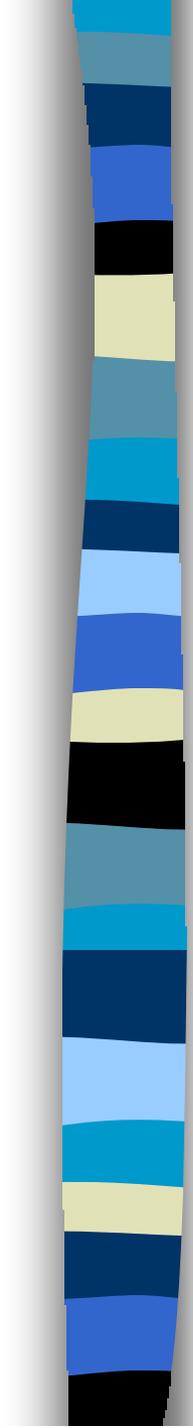
# Juror Recruitment

- Announcements at school
- Teacher or other staff recommends
- In school newspaper
  
- Need to develop criteria for participation



# Training Jurors

- Trained on how youth court is conducted
- Deliberation techniques, listening skills
- Know possible agreements
- Can be tied into a civics or law-related education class
- Materials are available to assist with jury training



# Budget

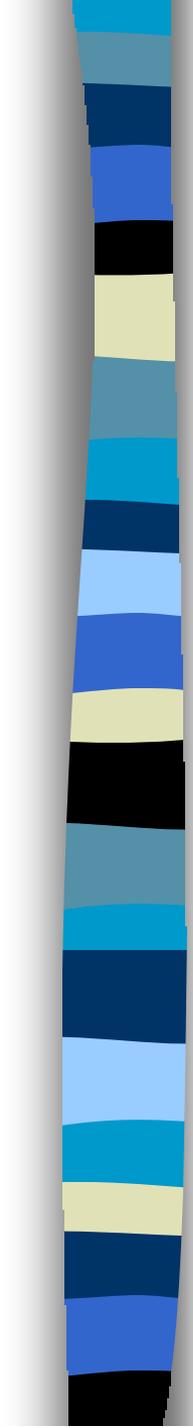
- Ranges from \$0 to \$60,000
- Average budget is \$10,000
- Budget may include coordinator salary, office space, & supplies

*Source: 2001 IYCA survey*

# Funding

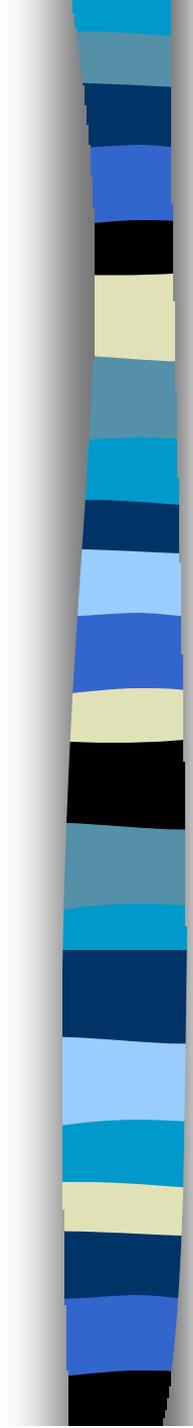
- Can use school resources
- Can use volunteers and in-kind donations
- May need to pay a coordinator overtime pay





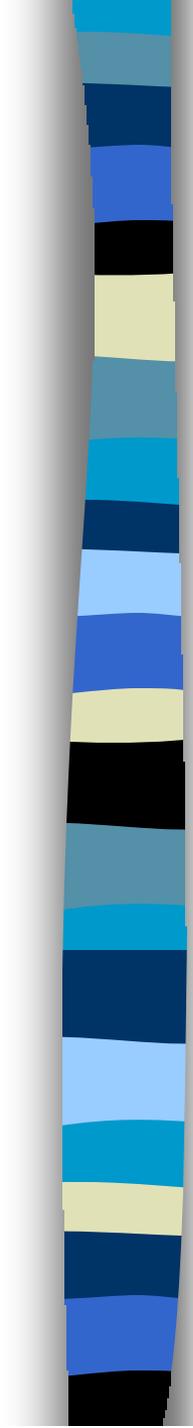
# Evaluation

- Determine the goals you want to set for your program- be realistic- year one set up the program, may not hear cases
- Keep information on each case- demographics, misconduct, agreements, completion, etc.
- Get feedback from respondents- questionnaire



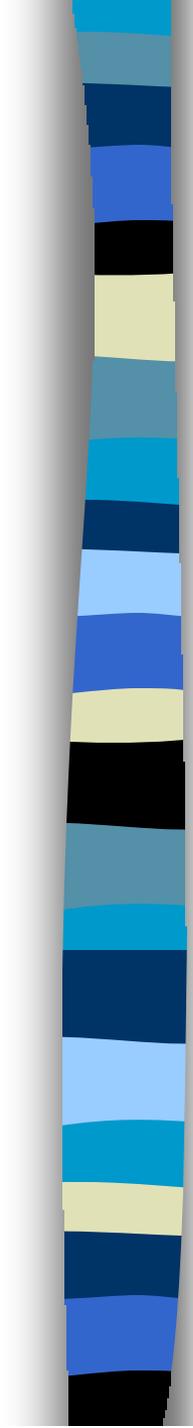
# Scope of Youth Courts

- A total of 869 programs in 47 states
- In Illinois, 25 school youth courts; 100 total



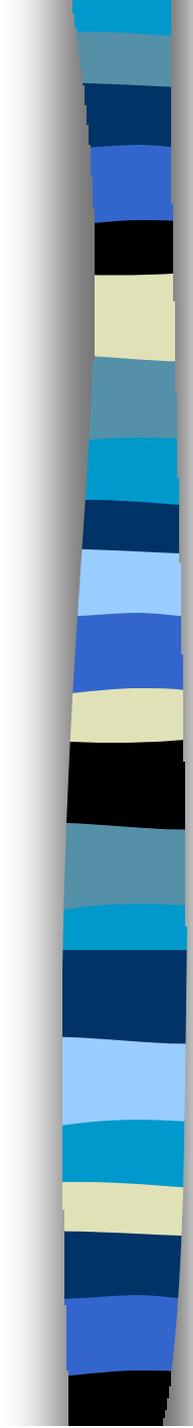
# Other School Youth Courts in Illinois

- All in Chicago in high schools
- 1 in a private Catholic High School
- 1 in an alternative high school
- Chicago Public Schools Peer Jury Initiative, over 20 schools trained in past 2 years



# Conclusion

- No one way to develop a youth court
- Will take time to develop a process
- We will provide technical assistance and more training as needed as you develop your program



# For More Information

- Illinois Youth Court Association

website <http://www.ag.state.il.us>

click on “children” and then “Illinois Youth Court Association”

- The National Youth Court Center

website <http://www.youthcourt.net>

# Exercise: Responses to Misconduct

