



LOS ANGELES TEEN COURT



I. Introduction

What Is Teen Court?

✦ "Teen Court" is a general term describing alternative early intervention courts that involve young people in various roles, participating in the trial of a juvenile offender. It is a juvenile diversion and prevention program that links students, schools, teachers, parents, juvenile offenders, local police, civic organizations, volunteer attorneys, the Los Angeles Probation Department, and the Los Angeles Superior Court in a collaborative effort to reduce recidivism and encourage juvenile offenders to accept responsibility for their actions.

✦ There are many different models for Teen Court. In some Teen Courts, young people fulfill the role of prosecutor or defense lawyer. In other Teen Courts, the young offenders are referred for sentencing only - not for the decision of guilt or innocence. The Los Angeles Teen Court is an early intervention program that provides an opportunity for selected juvenile offenders to be questioned, judged, and sentenced by a jury of their peers. There is no lawyer role playing.

What Is The Teen Court Philosophy?

✦ Teen Court is based on the philosophy that both the students who volunteer to participate as jurors, clerks, and bailiffs, and the juvenile offender benefit from participation. The premise is that a juvenile offender will not continue delinquent behavior after participating in a judicial process in which a jury of their peers determines that he or she violated the law and recommends an appropriate consequence. Each Teen Court case teaches the juvenile offender and the student volunteers: 1.) The rules of law that apply to the particular case; 2.) The consequences of the offence; and 3.) How due process is observed by court procedure. In addition, the participants - both offender and volunteer - learn about justice, power, equality, property rights, and liberty. Justice is

demonstrated when the jury exercises its power of decision to either hold the alleged offender responsible for his actions or to exonerate him of responsibility by finding him not guilty. The property rights of members of society are addressed in cases involving vandalism and theft. Liberty is addressed when the desire of the individual offender is weighed against the rights of others. The court provides equal justice according to established rules and procedures.

What Does Teen Court Offer Juvenile Offenders?

✚ The Teen Court program offers a convicted juvenile offender the incentive of having no record of a criminal conviction if the sentence imposed is completed within a six month period. If the juvenile offender fails to comply with the conditions of informal probation for the entire six month period, the offender is transferred back into the traditional juvenile justice system for adjudication. This informal probation early intervention program is authorized by Welfare and Institutions Code Sections 236 and 654.

Where Is Teen Court?

✚ Teen Courts in Los Angeles are presently held at several different locations. Some Teen Courts are held in local courts, such as Division 3 of the Newhall Superior Court. Most Teen Courts, however, are held at a local high school in either a classroom or a courtroom on campus. Wilson High School and Dorsey High School presently use courtrooms on campus. Carson High School uses a classroom. Pasadena Teen Court uses a local law school campus.

II. Teen Court Participants And Their Functions

The Judicial Officer

✚ The Judicial Officer is the main contact for all agencies involved in Teen Court. The Judicial Officer takes an active role in working with the Probation Officer to provide a variety of cases that will encourage attendance at Teen Court and provide a learning experience for all its participants. The Judicial Officer also works with the school administration or the assigned Teen Court coordinator to ensure that the schedule of Teen Court does not conflict with other school activities that would decrease Teen Court's student attendance. The

Judicial Officer should be aware of the needs of the particular school(s) where the Teen Court student jurors come from in order to assist the school in tying Teen Court into the school curriculum whenever possible. The Judicial Officer should be contacted at least 48 hours in advance of each scheduled Teen Court and provided with the cases that probation has scheduled. This allows the court to prepare jury instructions and to consider any related areas of the law that may be discussed at Teen Court.

✦ During the trial, the bench officer should take an active role to ensure that the jury has sufficient information to decide the case. This means that the Judicial Officer should review the Teen Court file to verify that all pertinent facts are contained in the summary read to the jurors. The Judicial Officer may find it necessary to prompt juror questioning. This is especially true in new Teen Courts where student jurors are just learning to be efficient fact finders. The Judicial Officer will accept the jury verdict and proposed sentence and, where appropriate, modify the sentence to best meet the rehabilitative needs of the charged minor.

The Probation Officer

✦ The Probation Officer assigned to Teen Court is responsible for seeking out Teen Court referrals, screening cases, meeting with the minor and guardian, and having the appropriate contract and waiver forms signed and prepared in a Teen Court file. The Probation Officer should work closely with the Judicial Officer assigned to the particular Teen Court to ensure a variety of cases and to resolve any questions regarding the suitability of a particular case for the particular Teen Court. The Probation Officer should review the arrest report and prepare the summary of the charges that will be provided to the court and the student jurors. The summary and arrest reports should also be contained in the Teen Court file. Additionally, it is useful to have the Probation Officer instruct the minor to bring his/her last report card to court for review at the trial. The Probation officer should contact the assigned Judicial Officer at least 48 hours before the scheduled Teen Court and provide the bench officer with the list of cases and charges to be heard. The Probation Officer assigned to Teen Court should be familiar with local programs such as family and drug counseling and anger management in order to assist the Judicial Officer in fashioning appropriate conditions of Teen Court probation. The Probation Officer is responsible for supervision of the minor if the minor is convicted by the Teen Court jury. Any Probation Officer assigned to participate in the Los Angeles 24

County Teen Court Program should want to participate. This should not be an involuntary assignment.

The School

✚ The school(s) involved in Teen Court are usually represented by a teacher that is the "Teen Court Coordinator." This should be a voluntary assignment since the position requires a significant time commitment. If Teen Court is to be conducted at a local high school, Teen Court must have the support of the school administration. The school must provide a classroom for the court to be conducted (unless a courtroom is available on campus), another classroom for the Jury to meet and deliberate, and a waiting area for the juvenile offenders and their parents while awaiting trial. The teacher/coordinator must set the Teen Court schedule for the year and coordinate the schedule with the Judicial Officer and other school activities to maximize student participation. The teacher/coordinator must establish, on the school campus, a method for publicizing Teen Court and ensuring student attendance. The teacher/coordinator should maintain contact with the assigned Judicial Officer to assist the Judicial Officer in understanding how the Teen Court program is connected to the school curriculum (this is especially true in schools with a law magnet). The teacher/coordinator will help the court select the Clerk of the court, the Bailiffs (sometimes ROTC), and the student interpreters. Some schools subpoena students to Teen Court for a particular session. Other schools provide students with community service credit for participating in Teen Court (certain magnet schools require a fixed number of hours of community service each semester to stay in the magnet).

✚ It is important that an orientation for new students be conducted each semester before Teen Court begins. This orientation should involve all new students who will be invited to participate in the coming semester, the assigned probation officer, and when possible, any lawyer volunteers that assist in the program. New student jurors should be advised of the proper decorum and attire while participating in Teen Court. They should also be provided with a basic outline of the reasons for the existence of Teen Court. Attached is a sample of materials provided to the Santa Clarita Valley Teen Court participants. It is an excellent example for use at orientation.

The Attorney Volunteer

✦ The volunteer attorney assists Teen Court in a number of ways. First and foremost, the volunteer attorney acts as a proctor for the Teen Court jury. The proctor's responsibility is to make sure that the jurors function like a jury in that they select a foreperson to lead the discussion; they discuss the evidence and make findings of fact; and they apply the law as instructed to the facts as they have determined them. The proctor shall not give the jury any additional law and shall not enter into the deliberative process. If the jury finds the juvenile offender guilty or if the minor admits guilt, the proctor must make sure the jury discusses a proper disposition. This is a jury decision and not the decision of the foreperson alone. It is the proctors responsibility to ensure that a discussion takes place. The proctor shall try to avoid influencing the jury with respect to the issue of guilt or the proper disposition. The proctor should act as an observer, participating only when necessary to get the student jurors to conduct proper deliberations.

✦ Volunteer attorneys also provide an opportunity for student jurors to talk with a practicing attorney in a student setting about the practice of law, the law school experience, and their goals and aspirations. This is a unique and often once in a lifetime experience for these high school students that can provide them with motivation for future achievement. In some communities volunteer attorneys and their law firms provide law books and other materials for the schools use in connection with Teen Court or law magnet activities. A lawyer who has graduated from the high school where Teen Court is conducted is a particularly effective role model for student jurors.

Who Is An Eligible Juvenile Offender?

✦ Any minor between the age of 11-17 is eligible for participation in Teen Court. Experience has shown that minors under the age of 11 have a difficult time maintaining their composure (there may be exceptions to this age limitation). The minor should be a first time offender and eligible for an early intervention by the Probation Department pursuant to Welfare and Institutions Code Section 236, or informal probation pursuant to Welfare and Institutions Code 654. The minor cannot attend the high school from which the jury pool is drawn, however, the minor can be referred from a probation office in Los Angeles County. The focus of eligibility should be on the minor, his family, and whether the six month probationary period is sufficient time in which to effect rehabilitation based on the nature of the offense. Any question as to eligibility

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should be resolved by the bench officer supervising Teen Court.

⚡ The following is a list of offenses that have been the successful subject of Teen Court proceedings. This list is not exclusive. Penal Code Sections: 148, 148.1, 148.3, 148.5, 148.9, 211 (strong arm theft of a bicycle), 242, 243.4, 243.5, 243.6, 415, 417, 459 (second degree), 466, 484, 594, 602, 626.10, 647(b), Health and Safety Code Sections 11357(b) and 11357(e).

⚡ NOTE - Proposition 21 may effect the eligibility of some cases under Welfare and Institutions Code Section 654, but should not effect the minors eligibility under Welfare and Institutions Code Section 236.