

Youth Courts in Schools: A Peer-Based Approach to Discipline

Review of Session I

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Presented by:

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What is a youth court?

- Peer-to-peer model of addressing discipline infractions
- Youth court members impose sanctions that reflect restorative justice principles.
 - do not determine guilt/innocence
- Goals of Sanctions:
 - 1) repair harm against the community
 - 2) Help youth learn how to make better decisions going forward

Basic Youth Court Process

Step 1: Recruitment

Things to consider

- Ideal size of youth court
 - How many youth do you need to attend on a hearing day?
- Eligibility criteria
- Desired term of service
- Meeting times
 - Mitigating conflicts with other activities
- How to market youth court
 - Will youth receive school or community service credit?

Basic Youth Court Process

Step 2: Training

Things to consider

- Ideal size of youth court
 - How many youth do you need to train to ensure enough join court?
- Timing
 - Our curriculum is for 21 hours of training
- Guest speakers
- Ensuring participants are prepared to sit on the court
 - Bar Exam
- Celebration and transition

Basic Youth Court Process

Step 3: Determine types of cases to hear

Cases well-suited to youth court include:

- Cases for which the alternative penalty is sufficiently onerous that there is an incentive to choose the youth court option
- Repeated or excessive low-level infractions, such as electronics use and dress code violation
- Vandalism
- Truancy and chronic lateness
- Verbal altercations, insubordination, and conflicts with students or staff
- Some instances of fighting
- Bullying, harassment

Basic Youth Court Process

Step 4: Develop referral process

Questions to consider:

- How can youth court fit into existing discipline procedures?
- Who needs to authorize a case going through youth court?
- How can you minimize “lag time” between infractions and the case appearing before the youth court?
- What happens if a young person doesn’t appear?

Basic Youth Court Process

Step 5: Hear cases

Things to consider:

- Making the process feel “real” and fair to participants
- Maintaining confidentiality in all cases
- Jury recusal – when is it appropriate?
- Ensuring appropriate sanctions are issued by the youth court

Basic Youth Court Process

Step 6: Sanctions and beyond

Things to consider:

- Creating sanctions rooted in restorative justice principles
- Monitoring compliance
- Creating a process for youth court participants to become youth court members

Sanction options focus on:

- **Accountability** (i.e., increasing respondents' awareness of the effect of their actions on others and offering them opportunities to repair the harm caused, either directly or indirectly)
- **Competency development** (i.e., building youths' relationships with caring and positive adults or peers and providing respondents with opportunities to increase their skills and competencies so they are able to function as more productive members of society)
- **Community protection** (i.e., increasing youths' skills and ties to the community so they will be less likely to harm the community in the future)

Sanctions should NOT:

- punish respondents for the sake of punishment

Examples of Sanction Options:

- Community service
- Educational workshops
- Reflective essays
- Letters of apology

Restorative Justice: Theory animating Youth Court processes.

- Increases victims' feelings that justice was served
- Increases the feelings of people who have committed offenses that they were treated fairly
- Increases community awareness of responsibilities to maintain safe and supportive society

Youth Courts and Youth Development

- Youth courts provide leadership opportunities for members:
 - Public speaking skills
 - Making a persuasive argument
 - Listening
 - Critical thinking
 - Peer relations
 - Applying skills in a real world context

Staffing

- Adult staff train the students, administer the program, and supervise hearings and other activities of student youth court members
- Staff may supervise sanctions such as community service and facilitate skill-building workshops
- Functions may be all done by one faculty member, as a class or an extracurricular activity, or shared among several staff

Staff preparation

Faculty/staff who direct the program are responsible for:

- Implementing the youth court curriculum with members
- Facilitating and administering the program
- Incorporating the restorative justice approach

Preparation for School

- All school staff, including teachers and administrators, should be briefed on the youth court and how it will be integrated into the school's response to disciplinary infractions
- Teachers should be prepared to reinforce the positive youth development message of the youth court, including collaborating with youth court respondents on community service projects
- Entire student body should learn about the purpose of the youth court, so that they understand youth court as a disciplinary response and can express interest in participating as members
- Parents should receive information about the program and use as disciplinary alternative

Questions and answers

Planning discussions

- How will you staff your youth court?
- What is your ideal number of youth court members?
- How will you recruit a diverse team of youth court members?
- Will participants receive credit or other incentives?
- How can youth court fit in with your existing discipline procedures?
- Where will referrals come from, and what will the process look like?
- How will you monitor compliance?
- What happens to youth who do not complete sanctions?
- Process for respondents to become members?

Overview of the Youth Court Training Curriculum

Presented by:

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Youth Court Member Curriculum

- The CCI Youth Court Member curriculum will prepare students to participate in your school's youth court.
- All youth court members should participate in the entire training.

Curriculum design

- Organized into modules, to be used together as a comprehensive training or taken apart and used independently for reinforcement of key learning objectives.
- Tied to New York State Social Studies Learning Standards.
- Each session is one or two 50-minute lessons, for a total of approximately 21 hours of training.
- Some materials will require review and customization to reflect the operations of your school's youth court (e.g., sanction options, sample fact patterns).

Goals of Youth Court Member Training

Through the training, students will:

- Learn the principals of youth courts.
- Understand how youth court fits into the school's response to discipline problems.
- Develop the necessary skills and competencies to participate in youth court.
- Improve their abilities to work effectively with their peers and as peer leaders.

It is expected that by the end of the training youth court members will be able to:

- Demonstrate an understanding of restorative justice and youth court concepts, principles and values.
- Recognize the impact of school infractions on the school community and respondents.
- Ask unbiased and open questions of respondents to understand what took place and how the respondent feels about the impact of the infraction.
- Create opening/closing advocate statements that articulate the impact of the respondents' actions themselves and on the school community, and the benefits respondents could receive from appropriate and fair sanctions.
- Conduct hearings in a professional, respectful and thoughtful manner ensuring that respondents feel supported and safe.
- Assign appropriate and fair sanctions that meet the goals of the youth court program.
- Work together as a team, providing supportive and helpful feedback on performance during hearings and deliberations.

Methods and techniques used in the curriculum

- Participatory learning activities
- Skill-building activities
- Emphasis on teamwork and peer support
- Opportunities to use legal community resources by bringing professionals into the classroom

Participatory learning activities

- **Team building activities:** students work in small groups to learn a concept, practice a skill, analyze a problem, determine an outcome, or arrive at a decision.
- **Role playing activities:** students practice the various roles of Youth Court.
- **Problem-solving activities:** students work in small groups toward a common goal
- **Leadership opportunities:** students organize and carry out a process toward achieving a goal and improving a situation.

Skill building activities

- Students practice and become competent at active listening.
- Students gain understanding of bias and practice objectivity and critical thinking.
- Students practice and become competent in precision questioning, understanding how and when to use closed and open ended questions in interviewing respondents.
- Students deliberate issues within a group to arrive at a consensus
- Students gain skills in implementing methods for dealing with conflict in tense situations.
- Students gain an understanding what it means to be an advocate for oneself, for others and for the community.
- Students practice in public speaking and presenting information and ideas that contribute toward a positive outcome.

Curriculum Outline

- Session 1: Introduction to the Youth Court Training
- Session 2: What is Youth Court?
- Session 3: Reaching the Respondent
- Session 4: Restorative Justice, Offenses and Consequences
- Session 5: Developing Skills: Objectivity and Critical Thinking
- Session 6: Developing Skills: Precision Questioning and the Role of the Juror
- Session 7: Jury Deliberation and Consensus
- Session 8: Exploring Roles: Judge and Bailiff
- Session 9: Exploring Roles: Community Advocate
- Session 10: Exploring Roles: Youth Advocate
- Session 11: Putting it all Together: Mock Hearings
- Supplementary materials, including ice breakers and sample bar exam

Today's Training

- Model methods and techniques used throughout the training curriculum
- Focus on two core competencies of youth court members: understanding restorative justice concepts and working together toward a common goal
 - Session 4: Restorative Justice

Questions and answers