
Youth Court Planning Guide

A workbook for
youth court planners

C E N T E R

FOR

C O U R T

I N N O V A T I O N

YOUTH COURT PLANNING GUIDE

The information and questions in this guide outline the decisions you will need to make to set up a youth court. Some questions are fairly straightforward, others will require more deliberation and discussion among the key stakeholders and partners for your project.

How to use this planning guide

You will probably not have answers to all of the questions when you start. Use this planning guide as a working document to build on as your program planning develops. Provide answers to questions as your planning team addresses them, using the questions as prompts for discussion and decision-making. In many places we have provided answer options, and you should select all that apply, unless otherwise directed. Begin by reading the **Overview of Youth Court Basics**.

This planning guide is divided into the following sections:

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OVERVIEW OF YOUTH COURT BASICS

Youth courts are tribunals of young people who have been trained to hear actual cases of offenses committed by other youth. Youth court participants serve as judge, jury and advocates and impose sanctions that reflect restorative justice principles. (Most youth courts do not determine “guilt or innocence;” in order for a case to be heard by a youth court, a youth must first admit responsibility for his/her actions.) Sanctions, which often include community service, reflective essays and letters of apology, provide an opportunity for youths to redress the harm they have committed against the community and learn how to make better decisions going forward. Youth courts can also link young people and their families to community resources that promote positive youth development.

Note for school-based youth courts: Throughout this Planning Guide, “community” refers to the larger contextual environment of the youth court. For school-based youth courts, “community” primarily refers to the school, but can also include the surrounding area.

Below we’ve highlighted some of the key components of youth courts, and the kinds of decisions that you will need to make to shape your program. The Planning Guide will take you through these decisions in greater detail:

- **What young people will you work with?**

Youth courts engage young people in two ways: as **members** and as **respondents**. **Members** are youths who go through the training program and qualify to serve in the various roles on the youth court. Members are committed to attending all hearings, participating in the program regularly and serving for a minimum period of time which may or may not be extended. (Some youth courts allow members to serve until graduation from high school; other programs graduate members after one year of service.) In a school setting, where youth courts can either be part of class or an extracurricular activity, members may be all students enrolled in a particular class, or may be students who volunteer to participate outside class. Some youth courts have a second, larger pool of youth who constitute a jury pool; jury members go through only a short training or orientation and only serve in a jury capacity. Whether in the community or in a school, you will need to decide who will be eligible to be members, how they will be recruited and trained, whether they will receive any incentive for their work, and what expectations you will have for their participation. (See page 13.)

Respondents are those young people whose cases are referred to the youth court for a hearing. These youths typically interact with the youth court immediately before, during, and after the hearing until they have completed their assigned sanctions. Youth court cases can come from a range of sources and can involve a variety of offenses. Some youth courts will also connect respondents and/or their families to services in the community and may continue their relationship with the

youth for a longer period of time. Your youth court will need to decide who can refer potential respondents to the youth court, what the criteria will be for accepting them (including age minimum), and what, if any, additional assistance you may want to offer respondents and their families. (See page 13.)

- **What model of youth court will you use?**

Within some basic parameters, the youth court model is a flexible one. Youth should have a primary role in presenting and hearing cases and the youth court's fundamental approach should be restorative in nature, focusing on positive peer interactions, allowing the respondent to redress any harm done to the community and providing opportunities for positive youth development for both members and respondents. Beyond these basic features, the structure of youth courts vary. In all youth court models, adult staff train, supervise and manage the youth court members and are responsible for ensuring respondents complete assigned sanctions.

There are four basic youth court models, any of which can be tailored to a particular community or school (see page 9.):

- Peer jury: In this model, youth court members assume the roles of jurors, judge, and advocates for the youth and the community. In some uses of this model, members also act as bailiff and advocate for the victim. The advocates present the case, but it is the jury that does primary questioning of the respondent, deliberates and assigns sanction(s). Fifteen to 20 members participate in a single hearing and rotate through the roles on different cases. A key feature of the peer jury model is the use of consensus decision-making when determining sanctions.
- Youth judge: As in the peer jury model, youth court members assume the roles of jurors, judge and advocates, but, in this model, the advocates conduct the questioning of respondents (similar to a conventional court). Jurors listen to the testimony, deliberate and assign sanction(s). This model allows use of a larger jury pool of youth court participants who are not fully trained youth court members, and requires a smaller number of fully trained members to be present at each hearing. The model also allows jury duty to be one of the sanctions for respondents.
- Tribunal: In this model, youth court members serve as advocates and judges. The advocates present the case to a panel of judges, usually three to four, who may question the respondent. The tribunal approach allows a youth court to function with a smaller number of members and without a jury or jury pool.

- Adult judge: In this model, youth court members serve as advocates and jury members and an adult serves as judge. The adult judge presides over the hearings and approves of any sanctions recommended by the jury.

- **What kind of cases will you hear?**

Youth courts run by **community or public agencies** typically hear violations or misdemeanors referred by the justice system (police, probation, or courts) as well as violations of school disciplinary codes referred by schools. Community-based courts will need to develop and maintain referral relationships with the agencies or entities that refer cases. **School-based youth courts** hear cases of disciplinary violations that would otherwise result in detention, suspension, or other sanctions; cases can be referred by teachers, deans, school safety agents and others in the school community.

A youth court doesn't need to identify every type of offense that qualifies, but it does help to consider if there are any types of cases that the court will not hear. A variety of types of cases will strengthen the civic engagement and youth development experiences of members. (See page 21.)

- **What sanctions will you offer?**

Youth courts can make use of a wide-range of internal and community-based resources to develop sanctions that meet the goals of the program, such as having respondents repair harm caused by their behavior, be exposed to pro-social peer influences, and get assistance in addressing underlying issues that may have contributed to the problem behavior. Youth courts should have a range of sanction options available to enable youth court members to tailor assigned sanctions to a particular respondent's behavior, maturity level, needs and interests. Youth court staff must monitor respondents' completion of assigned sanctions. Sanctions vary in their reliance on staff coordination and resources. (See page 24.) Below are the most commonly used sanction options; youth courts are encouraged to consider and design sanction options beyond these.

- Community service: Most youth courts assign community service to a majority (if not all) respondents. To assign community service to your respondents, you will need to decide where the service will take place, what kinds of projects will be assigned, who will supervise the respondents (e.g., local community service organizations, justice system partners, or youth court staff), and how hours completed will be tracked and verified. Also, decide how many hours of community service should be assigned (based on offense or other criteria), with the goal of creating sanctions that are meaningful and manageable for respondents. When respondents are assigned too many hours of community service, they are not able to complete sanctions in a reasonable timeframe and are more likely to fail.

- Writing assignments: Many youth courts include sanctions that ask respondents to reflect on their behavior and write about it, through letters of apology or essays. You will need to decide who will read and approve these documents.
- Workshops/Classes: Youth courts often assign respondents to attend workshops or classes on topics such as conflict resolution, substance use and abuse, decision-making, and various life skills. Workshops can be designed and run by the youth court, or can be provided by a partner organization. If you want to include workshops/classes as sanction options, you will need to decide the content, who will run them, and where they will take place.

- **What is the role of respondents' parents/guardians?**

Respondents' parents/guardians are usually involved in some way throughout the youth court process, from initial referral to sanction monitoring. There are several reasons for doing so:

- Parent/guardian buy-in helps ensure the respondent appears at his/her hearing. (Most community-based youth courts require that a parent/guardian or other family member accompany a respondent to a hearing.)
- At the hearing, a parent/guardian can provide support for the respondent and encourage cooperation with the process.
- Parent/guardian buy-in can help ensure the respondent completes assigned sanctions.
- Youth court members may consider parental/guardian response to incidents, such as being grounded at home, when assigning sanctions.

- **Who will run the youth court?**

While youth courts are often and wisely planned by a group of stakeholders, they ultimately need to be situated and supervised in one place. There should be one agency or other entity that is responsible for running the court and ensuring its consistency and quality. This is generally clear for school-based youth courts. In a community setting, in which the program may be run by one or a combination of entities, the planning team should identify the agency primarily responsible for the program (e.g., nonprofit organization, county youth bureau, police department, or local government agency). (See page 10.)

- **Who will staff the youth court?**

Staff for youth courts perform a range of tasks, which can be completed by one or more people, depending on their time allocations, roles and responsibilities. The major tasks are, at minimum:

- Develop and maintain relationships with referral sources, community service partners, and other stakeholders;

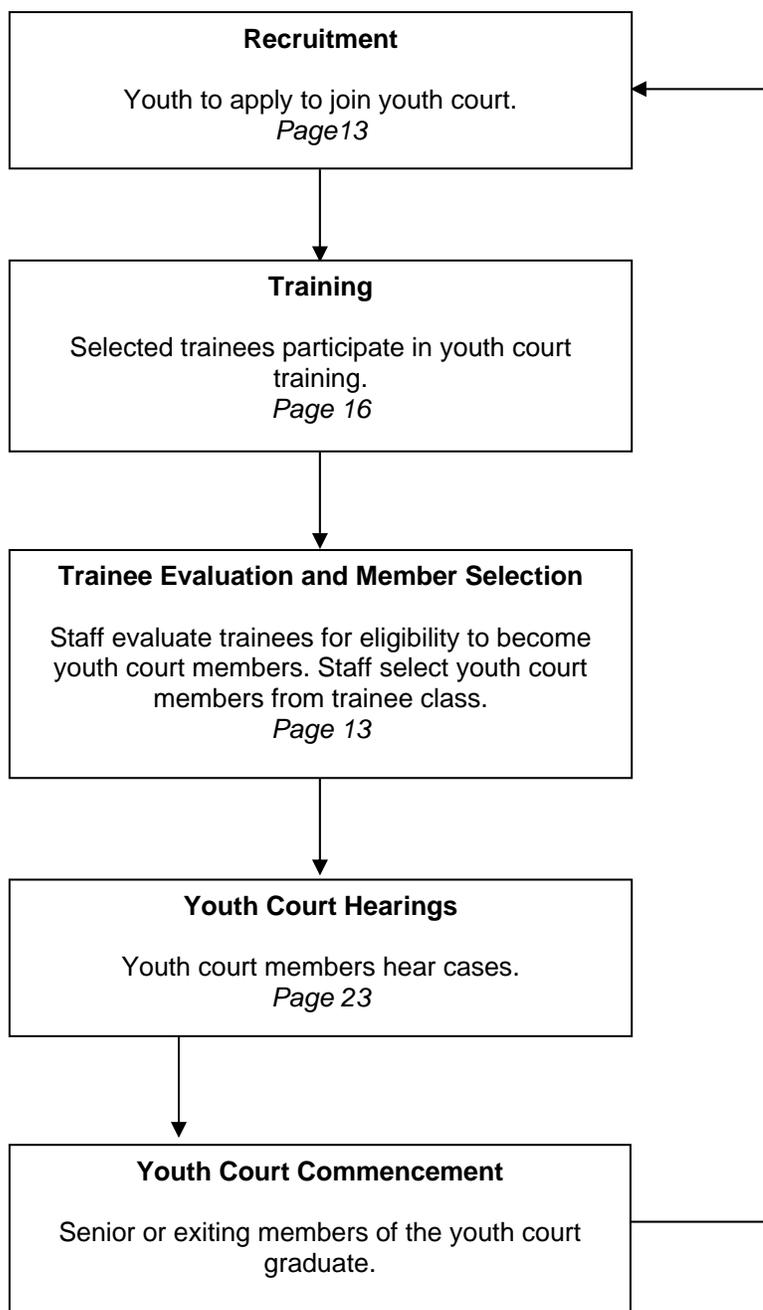
- Accept referrals, screen referred cases and conduct intake interviews with potential respondents and/or parent/guardians;
- Train and select prospective youth court members and supervise their participation in the youth court. If in use, manage the jury pool and jury member selection;
- Assign roles and responsibilities to youth court members for hearings and supervise hearings;
- Debrief respondents and parents after hearings;
- Monitor respondents' compliance with sanctions;
- Fundraise and manage program budget; and
- Track program and case data.

While youth courts may make use of existing staff to cover these tasks, you will need to make sure that the program is adequately staffed for the number of youth members and the expected number of hearings. (See page 10.)

PROGRAM FLOW CHARTS

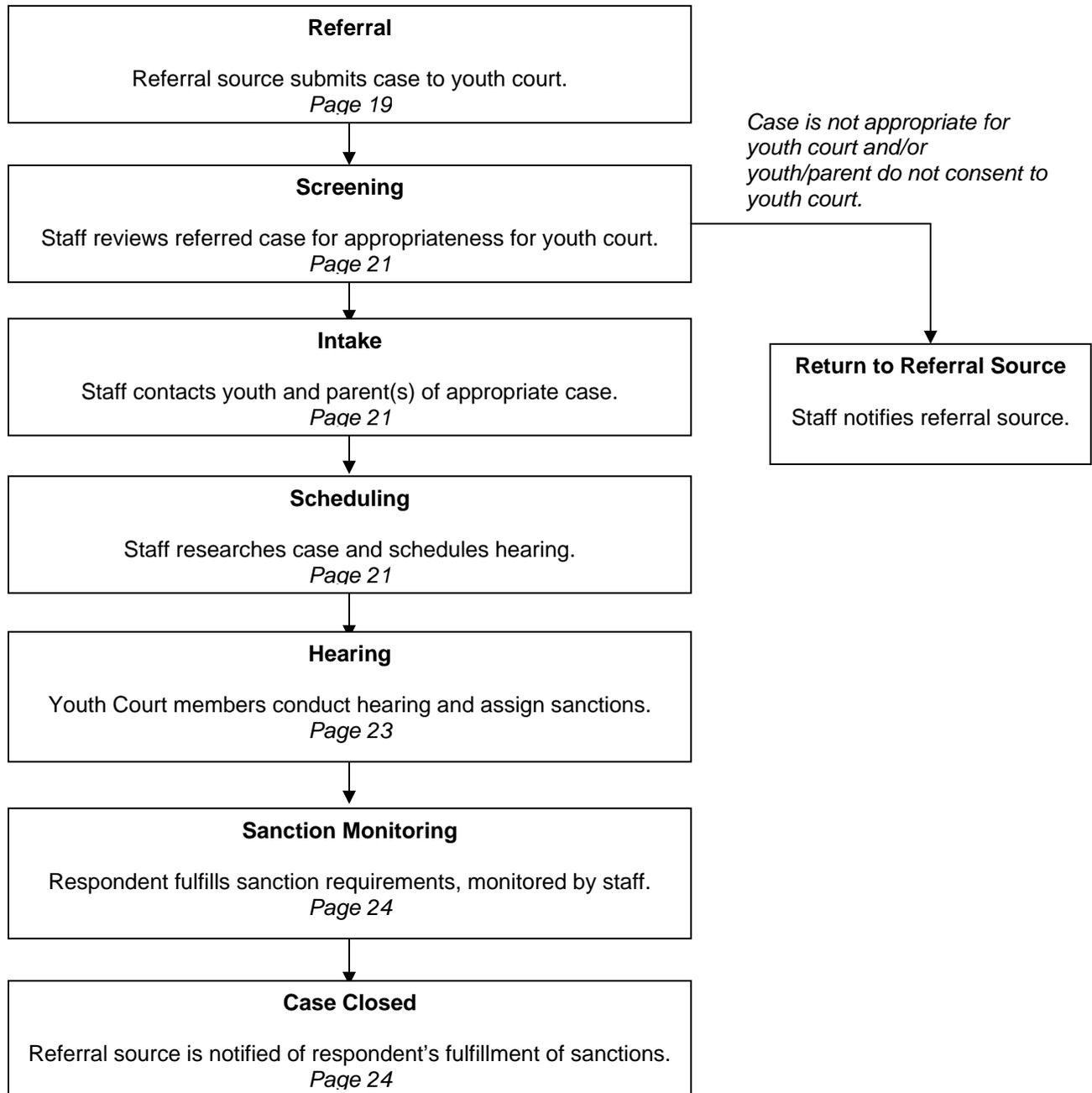
Youth Court Member Development Flow Chart

Each step corresponds to a section of this planning guide; refer to the corresponding page numbers for the sections that contain questions relevant to the step.



Case Development and Processing Flow Chart

Each step corresponds to a section of this planning guide; refer to the corresponding page numbers for the sections that contain questions relevant to the step.



PROGRAM PLANNING WORKBOOK

Program Planning

| |
|----------------------|
| Planning Team |
|----------------------|

1. Who is on the planning team? What departments, agencies or organizations are represented?

2. Does the planning team have the authority to make the decisions necessary to establish the youth court? If not, how will the group get approval for planning decisions?

3. Who else could be brought into the planning process? This could include, for example, organizations that might provide community service options for sanctions, potential referral agencies, school teachers or guidance counselors, students, or town or community leaders.

Program Model

1. What are primary goals of your youth court? Do you have separate goals for youth court members and youth court respondents? What impact do you hope to have on your school or community?

2. What will be the primary model of your youth court? For a discussion of the different youth court models, see the “Overview of Youth Court Basics” page 1.

Some considerations:

- How many youths do you want/expect to involve as members (see section “Youth Court Member Development”)?
- Are you interested in having members learn about consensus-building?
- Would you like the youth court to function with a smaller number of members (up to 6) and without a jury?
- Is there a reason to have an adult in the judicial role and approving all sanction decisions?
- Do you want to involve a larger pool of youths in a jury pool?

- Peer Jury
- Youth Judge Tribunal
- Adult Judge:
- Other:

3. **School-based youth courts:** Will the court be incorporated into an existing class (e.g. social studies, government) or will it be an extracurricular activity?

4. **Community-based youth courts:** what agency/organization will run the youth court?

| |
|---------------------------|
| Staffing and Space |
|---------------------------|

1. **What will be the staffing structure of your youth court? Roles and responsibilities to consider include:**

| Task/Responsibility | Staff |
|---|-------|
| Oversee program (e.g., advisory body, steering committee, school administrator). | |
| Develop and maintain relationships with referral sources, community service partners, and other stakeholders. | |
| Accept referrals, screen referred cases and conduct intake interviews with potential respondents and/or parent/guardians. | |
| Oversee training and select prospective youth court members. | |
| Supervise member participation. If in use, manage the jury pool and jury member selection. (Determine your preferred member-to-adult ratio when assigning staff to supervise hearings. Keep in mind that one staff person will need to meet with respondents privately prior to and after hearing.) | |
| Assign roles and responsibilities to youth court members for hearings and supervise hearings. | |
| Debrief respondents and parents after the hearing. | |
| Monitor respondents' compliance with sanctions. Report respondent activity back to referral source. | |
| Fundraise and manage program budget. | |
| Track program and case data. | |

- 2. Where will the youth court conduct hearings?** Things to consider include whether staff can meet with respondents in privacy before and after the hearing, whether a jury will have space to deliberate out of earshot of the respondent and/or other participants?

Caseload, Schedule and Timelines

1. How many cases do you want the youth court to hear (per month, semester, or year)?
2. What is your ideal timeline for case processing - from incident to hearing to sanction completion?
3. Will your youth court operate year-round, or only during the school year?
 - year-round
 - during the school year
4. Youth Court Sessions:
 - How often will the youth court meet?
 - What days/times will the youth court meet?
 - What days/times will hearings take place?
 - How many hearings can the youth court hear in one session? For initial planning, assume the following time allowances: pre-hearing intake (10 minutes), hearing (30 minutes), deliberation (20 minutes), and staff debrief

with respondent (10 minutes), for a total time of 50-70 minutes, with some overlap between hearings.

Resources

Attached to this planning guide is a budget worksheet which will help you build a budget for your project. A few general questions to think about are below.

- 1. What is the annual projected budget of your youth court (see “Budget Worksheet”)?**
- 2. Do you have a committed funding source that will meet your funding needs?**
- 3. If you do not have sufficient funds committed for your project, what is your fundraising strategy?**
- 4. What existing resources from your agency/school can you commit to the project? What partner agencies might provide support or in-kind resources (such as space or materials)?**

Youth Court Member Development

Recruitment and Selection

Youth courts vary in how they engage youth court members, the number of members who participate in the program, and the incentives members receive. We recommend you initially consider two factors when making decisions about members: how many members you would like to engage in your program, and the preferred structure of your youth court.

1. How many youth court members would you like to participate in the youth court? (select only one)

- Less than 10 youth
- Approximately 10 - 20 youth
- More than 20 youth, but less than 40
- As many youth as possible (e.g., "all 9th graders")

2. What are the eligibility requirements for members? (complete all that apply)

- Age or grade:

- Geographic restrictions (e.g, must reside in the county):

- Other:

3. School-based youth courts only: How will you recruit youth court trainees? (select all that apply)

- Presentations to staff/teachers
- Presentations to students
- Fliers or other announcements
- Participation in activity fairs
- Other:

4. Community-based youth courts only: How will you recruit youth court trainees? (select all that apply)

- In school(s), through
 - Presentations to staff/teachers
 - Presentations to students
 - Fliers or other announcements
 - Participation in activity fairs
 - Other:
 - List school(s):

- From community groups/youth organizations, through:
 - Presentations to staff
 - Presentations to youths
 - Fliers or other announcements
 - Participation in community events
 - Other:
 - Organizations and plans for each:

- Justice-involved youths, through
 - Presentations to local law enforcement (e.g., police, probation, judges)
 - Presentations to social service providers
 - Fliers or other announcements at justice system facilities (e.g., courthouses, police stations)
 - Other:
 - Key contacts and plans for each:

- Word-of-mouth and other outreach (e.g., community newspaper, local websites)
 - Describe:

5. Will all youths who complete training become members, or will you train a larger pool of youths and select members from that group? (select only one)

- All youths who are recruited and trained can become members
- After youths are recruited and trained, they will need to qualify to join the youth court

6. If youths will need to qualify to join the youth court (either before or after completing the training program), what criteria will you use to select members? (select all that apply)

- Academic performance
- Group interview
- Individual interview
- Participation in training
- Quiz/exam (e.g., "bar exam")
- Written application
- Other:

7. What are your expectations for youth court members' participation in the program (e.g., length of service, number of hours per week/month, number of sessions attended)?

8. Will you limit members' length of service?

- No limit
- Number of years of service: _____
- Until high school graduation
- Until age of: _____

9. What types of incentives will you offer to members for participation? (select all that apply)

- Academic credit
- Adult mentor
- Community service credit for school
- Stipend
- Other:

10. What other programming, if any, would you like to make available to youth court members?

- Field trips related to law, government or civic education (e.g., local courts, law firms, law enforcement agencies)
- College tours
- Guest speakers (e.g., judges, defense attorneys, prosecutors, law enforcement agents, program or school alumni)
- Other:

11. Under what circumstances, if any, might a youth court member be dismissed from the program?

Training

1. What curriculum will you use to train youth court members? (select all that apply)

- Curriculum provided by the Center for Court Innovation
- Curriculum available through the National Association of Youth Courts (<http://www.youthcourtraining.net/>)
- Curriculum provided by other youth court(s)
 - o List youth court(s):

- Curriculum designed by your staff/program
- Other:

2. When will the training take place (e.g., after school, weekend workshop, school break intensive)? How many hours of training will members need to complete? (Most youth court training programs range from 25 – 30 hours and are conducted after school over the course of 6-8 weeks. Training for youth who will only serve on a jury pool generally takes 2-4 hours.)

3. How often will you recruit and train new members?) (select only one)

- Quarterly
- Every semester
- Every six months
- Annually
- Other:

4. Who will conduct the training of members?

5. What school- or community-based resources might be available to help with the training and/or participate as guest speakers?

Teachers:

Attorneys:

Judges:

Law enforcement:

Law school students:

College/university students:

Other:

6. Where will trainings take place?

Case Development and Processing

This section will guide you through decisions pertaining to the cases the youth court will hear: case types (what offenses the youth court will accept), the referral process (how the youth court will get cases), and the screening process (how the youth court will select cases). Youth courts typically do not determine “guilt” or “innocence;” in order for a case to be heard by a youth court, the respondent must first admit responsibility for his/her actions. Youth courts determine and monitor appropriate and restorative sanctions.

Referrals

School-based youth courts only:

Most school-based youth courts typically hear a wide range of disciplinary issues, including those that would otherwise result in detention or suspension, such as alcohol possession, disorderly conduct, theft, fighting, insubordination, trespassing and truancy matters.

1. Who can refer students to the youth court? (select all that apply)

- Teachers
- School administrators
- School safety agents/school security
- Other professional staff (e.g., guidance counselors, para-professionals)
- Students
- Parents
- Other:

2. How will people who can refer cases learn about the program?

3. What kinds of offenses would you like the youth court to hear?

4. What is the current standard disciplinary response to these offenses?

Community-based youth courts only:

Most non-school-based youth courts typically hear low-level offenses, such as alcohol or drug possession, criminal mischief, disorderly conduct, petit larceny, trespassing and truancy matters.

5. Who can refer cases to the youth court, and will they refer cases year-round or only during a specific period (e.g., school year, summer months)? (select all that apply)

- Schools: year-round other: _____
- Police/law enforcement: year-round other: _____
- Department of Probation: year-round other: _____
- District attorney: year-round other: _____
- Family court: year-round other: _____
- Criminal court (16 years old and older) :
 year-round other: _____
- Other:

6. How will agencies/staff who can refer cases learn about the program?

7. Are there any types of cases the youth court will not take? (select all that apply)

- Youth who will not benefit from participation due to mental health, substance use, or developmental issues
- Gang-related activities

- Teen-dating violence
- Sexual offenses
- Other:

8. What will the referral process look like? For example, how will referring people/agencies bring a case to the attention of youth court staff? What information will they provide?

Screening and Intake

After a case is referred to youth court, the case is screened by youth court staff to, first, ensure it meets the program's criteria and, second, make sure that the respondent and the parent or guardian consents to participate. After the case is accepted, the staff then conduct an intake interview with the respondent to get more information about the case and schedule the hearing.

1. Who will screen referred cases? (see flowchart on page 6)?

2. What are the eligibility requirements or considerations for respondents?
(select all that apply)

- Age or grade:

- Geographic restrictions (e.g, must reside in the county):

- No prior youth court case

- Other:

3. Once cases are deemed appropriate for youth court, who will reach out to the young person and/or their parent or guardian?

4. What types of consent will be required in order for a case to be eligible for youth court? (select all that apply)

- Agreement from respondent
- Agreement from respondent's parent/guardian
- Agreement from victim
- Agreement from case source (e.g., police officer, teacher)
- Other:

5. What are the incentives for youth and their families to have their cases heard by the youth court (e.g., avoiding suspension, connections to resources, opportunity to serve on jury, getting “back on the right track”)?

6. What information should staff give to the youth/parent or guardian about the youth court prior to the hearing?

7. What additional information will be gathered from the youth about the incident or case prior to the youth court hearing?

8. What additional information will be gathered from other sources about the incident or case prior to the youth court hearing?

School-based youth courts only:

9. What are the consequences for students if they choose not to participate in the youth court?

Hearings

1. When will advocates receive information about a case? (select one)

- In advance of the hearing (e.g., as soon as the case is scheduled, one week before the hearing, one day before the hearing)
 - How far in advance?
 - How will the advocates receive this information?
 - In person
 - By mail
- The day of the hearing

2. What information will the advocates receive about the case?

3. Does a parent/guardian need to be present during the youth court hearing?

4. Particularly in school settings, members may know a respondent, other involved youth, or have witnessed an incident. Under what circumstances would a youth court member have to recuse himself or herself?

5. How will staff encourage and reinforce confidentiality among youth court members?

Sanction Assignment and Monitoring

1. Will the youth court sanction respondents to community service? If yes:
- What types of community service options will you offer?
 - Who will supervise respondents during their service?
 - Are there community partners who can provide service opportunities?
 - School-based youth courts: Will the service opportunities be in the school or in the community?
 - How many hours should the average respondent receive? It is important to set clear limits on the number of hours youth court members can assign respondents. (select one)
 - 1-2 hours
 - 3-4 hours
 - 5-6 hours
 - 7-8 hours
 - 9-10 hours
2. Will the youth court sanction respondents to workshops/classes (e.g., anger management, life skills, conflict resolution)? If yes:
- What workshops or classes would you like to offer?

- b. Who will conduct these workshops or classes? How often will they take place?
- c. Are there resources in the community or the school that either already conduct workshops or classes or have individuals who might give the workshops or classes?
3. Will the youth court sanction respondents to writing assignments, such as letters of apology or essays/reflections?
4. Will the youth court sanction respondents to jury service? If yes: how will they receive training to serve on the jury?
5. What other sanctions might the youth court use? Some commonly used sanctions are:
- Jail visit, in partnership with local law enforcement agencies
 - Curfew
 - Counseling
 - Mediation
 - Peer mentoring
 - Victim impact panel
 - Other ideas:
6. How will staff confirm whether respondents complete their sanctions? (select all that apply)

- Self-report by respondent by in-person interview
- Self-report by respondent by phone interview
- Self-report by respondent by survey
- Communication with sanction provider (e.g., community service supervisor, counselor)
- Other:

7. What happens if a respondent does not complete the sanctions after repeated attempts by staff to encourage and support completion? Keep in mind that consequences for non-compliance should not be greater than what the respondent would have faced if he/she declined to participate in youth court (e.g., the respondent should not be worse off for having participated in youth court). Who does staff report compliance/non-compliance to?

8. Can respondents apply to join the youth court after successful completion of their sanctions? How will staff encourage and support respondents to apply to the youth court?

9. What system will the youth court use to track cases and compliance data?
(select all that apply)

- Center for Court Innovation's Youth Court Tracker
- Another youth court's system
 - o List youth court(s):
- Commercial information management system
 - o System:
- System developed by staff
- Other:

10. Will your program seek to address needs of respondents and their families beyond the scope of the program? Common social service referrals include:

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

11. If yes to Question 10, what school- or community-based resources might be available to provide and/or support those services?