



Juvenile Justice Trends in 2002 Teen Courts—A Juvenile Justice Diversion Program

Knowledge & Information Services

[Madelynn M. Herman](#)

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Introduction

Teen courts, also known as youth or peer courts, are considered one of the fastest growing juvenile prevention and intervention programs in the country. They are rapidly gaining popularity as an alternative to juvenile justice and are considered a primary diversion option for young offenders in the juvenile justice system. Teen courts offer an adjudicatory venue in which nonviolent and, usually, first-time juvenile offenders are sentenced by their peers.

In 1994 there were 78 youth or teen courts operating. As of August 2002, over 900 youth court programs were operating in 46 states and the District of Columbia.^[1] Even though teen courts came to national prominence in the 1990s, the idea of youth-operated courts has been around much longer. Even though the exact date and location of the first teen court program has not been conclusively established, according to Jeffrey Butts in "The Impact of Teen Court on Young Offenders," similar programs have existed for at least 50 years. In the late 1940s, Mansfield, Ohio, had a youth-operated "Hi-Y" bicycle court that met on Saturday mornings to hear cases of minor traffic violations by juveniles on bicycles (Mansfield News Journal, May 16, 1949). Another early teen court is the Grand Prairie, Texas, Teen Court Program, which is reputed to have begun operation in 1976. There are also anecdotal reports of a teen court that began operating in Horseheads, New York, in July 1976. The Odessa Teen Court program in Odessa, Texas, appears to be the most widely known teen court and is regarded as a national model by many advocates.

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The Teen Court Concept

Teen courts are generally used for younger juveniles (ages 10 to 15), those with no prior arrest

records, and those charged with less-serious law violations (e.g., shoplifting, vandalism, or disorderly conduct). Typically, young offenders are offered teen court as a voluntary alternative to the traditional juvenile justice system. In teen courts, youths charged with an offense can forgo the formal hearing and sentencing procedures of juvenile courts and participate in a sentencing forum made up of a jury of their peers. These courts offer youth the opportunity to learn valuable life lessons and coping skills while promoting positive peer influence for the youth defendants and volunteers, who play a variety of roles in teen court. Most are funded by a combination of grants and local funds from civic groups or through school district and municipal court budgets.

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State Laws Governing the Use of Teen Courts

The number of states passing some type of enabling legislation for teen courts has steadily increased over the last ten years. States have passed both specific as well as broad legislation regarding teen court programs. Twenty of the 45 states with teen courts have no legislation to govern them. Of the 25 states with legislation, only 9 have comprehensive legislation.^[2] Teen court legislation includes a variety of features. Some common legislative practices and provisions in state teen court statutes include program names; types of cases; establishment of, and court involvement in, teen court programs; rights; parental involvement; teen court participants; dispositional/sentencing options; legislative funding; and liability limitations/immunity.

- **Adjudication-Authorized States.** Alaska is the only state where state law sets procedures and eligibility for teen court operations and authorizes teen courts to determine guilt or innocence.
- **Regulated States:** In California, Colorado, Iowa, Mississippi, North Carolina, Oklahoma, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming, state law determines funding, case eligibility, confidentiality, the range of sentencing alternatives, or other requirements.
- **Specified Diversion States:** In Arkansas, Florida, Illinois, Kansas, Minnesota, New Mexico, and Rhode Island, teen courts are specifically mentioned by state law as a possible juvenile diversion alternative, but the details are left to the discretion of the local jurisdictions.
- **Unspecified Diversion States:** In Alabama, Arizona, Connecticut, Delaware, District of Columbia, Georgia, Hawaii, Idaho, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, and Virginia, teen courts are not mentioned by state law, but may be available as a program alternative for certain young offenders.^[3]

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Administration of Teen Court Programs

Teen court programs are operated and administered by a variety of different agencies in a variety of ways.

- **Juvenile Justice System-Based Programs.** These programs are administered directly by juvenile courts or juvenile probation departments.
- **Community-Based Programs.** These programs are administered by law enforcement agencies or private/nonprofit organizations.
- **School-Based Programs.** These programs offer teachers and school

administrators with an alternative disciplinary action that can be used in place of suspension.

In 1998 the most common administrators of teen court programs were local court or probation departments (36 percent), private agencies (24 percent), and law enforcement agencies (12 percent).^[4]

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Teen Court Models

Four different program models also exist for teen courts. These models vary greatly in their case-handling procedures, courtroom models, and the sanctions they use to hold the juvenile offender accountable. Program characteristics are as follows:

- **Adult Judge Model.** An adult serves as judge and rules on legal terminology and courtroom procedure. Youth serve as attorneys, jurors, clerks, bailiffs, etc.
- **Youth Judge Model.** This model is similar to the adult judge model, except youths serve as judge.
- **Youth Tribunal Model.** Young attorneys present the case to a panel of three youth judges, who decide the appropriate disposition for the defendant. A jury is not used.
- **Peer Jury Model.** This model does not use youth attorneys; the case is presented to a youth jury by a youth or adult. The youth jury then questions the defendant directly.

Forty-seven percent of teen courts used the adult judge model, 12 percent used the peer jury model, 10 percent used the tribunal model, and 9 percent used the youth judge model. The remaining 22 percent used more than one case-processing model.^[5]

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Effectiveness of Teen Court Programs

In October 2000, Jeffrey Butts and Janeen Buck stated in “Teen Courts: A Focus on Research” that many jurisdictions report that teen court increases young offenders’ respect for the justice system and reduces recidivism by holding delinquent youth accountable for what is often their first offense. They further state that a teen court may be able to act more quickly and more efficiently than a traditional juvenile court. In subsequent research by Jeffrey Butts in April 2002, the rate of recidivism for juveniles in teen court was compared with that of similar youth handled by the regular juvenile justice system.^[6] He found that in three out of the four youth courts studies, the six-month recidivism rate for youth court was lower than that of the comparison group. Mr. Butts further states that the findings of this project indicate that teen courts may be preferable to the normal juvenile justice process in jurisdictions that do not, or cannot, provide meaningful sanctions for all young, first-time offenders. And in jurisdictions that do provide meaningful sanctions and services for these offenders, youth court may still perform just as well as a more traditional adult-run program.

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Conclusion

Teen courts are a positive diversionary alternative for juvenile first-time offenders. On June 9, 2002, the Executive Committee of the American Probation and Parole Association adopted a resolution in support of the formation and expansion of youth court programs. At the very least, this promising

approach to juvenile justice creates an improved perception of justice by our young people, fosters the ability of teens to learn from their mistakes because of early intervention, and educates them about the judicial process.

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Resources

[The National Youth Court Center's \(NYCC\)](#) Web site serves as an information clearinghouse and provides training and technical assistance to youth court programs in the United States. The NYCC maintains an e-mail group for youth court coordinators and other interested individuals for sharing ideas and information. If you are interested in being added to this e-mail group, please e-mail nycc@csg.org.

Dunlap, Karen L. "[Youth Court Funding: Where to Look and How to Obtain Results.](#)" In Session, vol. 2, no.4, Fall 2002.

Heward, Michelle E. "[Teen Court Legislation in the United States.](#)" In Session, vol. 2, no. 2, Spring 2002.

["Youth Courts—Young People Delivering Justice."](#) ABA Road Maps Series, March 2002.

Butts, Jeffrey A., Janeen Buck, and Mark B. Coggershall. [The Impact of Teen Court on Young Offenders.](#) Urban Institute Research Report, April 2002.

Goodwin, Tracy M. [National Youth Court Guidelines.](#) National Youth Court Center, 2000.

Butts, Jeffrey A., and Janeen Buck. "[Teen Courts: A Focus on Research.](#)" Juvenile Justice Bulletin, October 2000.

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["Teen Courts: Executive Summary."](#) Court Information Database, National Center for State Courts.

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This document has been published as an article in the 2002 Edition of the [Report on Trends in the State Courts](#)

Endnotes

- [1] "September Is First National Youth Court Month," OJJDP News @ a Glance 1, no. 4 (July/August 2002).
- [2] Michelle E. Heward, "Teen Court Legislation in the United States," In Session 2, no. 2 (Spring 2002).
- [3] Jeffrey A. Butts, Janeen Buck, and Mark B. Coggeshall, "The Impact of Teen Court on Young Offenders," Urban Institute Research Report (April 2002).
- [4] Jeffrey Butts, Dean Hoffman, and Janeen Buck, "[Teen Courts in the United States: A Profile of Current Programs](#)," OJJDP Fact Sheet (October 1999).
- [5] Ibid.
- [6] Jeffrey A. Butts, Janeen Buck, and Mark B. Coggeshall, "[The Impact of Teen Court on Young Offenders](#)," Urban Institute Research Report (April 2002).

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with inquiries regarding
Juvenile Justice
knowledge@ncsc.dni.us
1-800-616-6164

Last Modified: **November 22, 2002**
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