YOUTH COURTS: PROTECTING AND DEFENDING CHILDREN’S RIGHTS

I. YOUTH COURTS: PAST AND PRESENT

*The law is when they indict you for something you didn’t do. Chester student.*

Last year just over 20,000 students in the School District of Philadelphia received out-of-school suspensions, resulting in nearly 37,000 out-of-school suspensions (many students received more than 1 suspension). Nearly 30,000 of these suspensions were for minor, Level 1 infractions. The total number of suspensions (in school and out-of-school) was 45,500. Additionally, 25% of Philadelphia’s juvenile arrests occurred at school in the first half of 2012. Youth courts are a restorative justice alternative to these stunning statistics consistent with the school district’s new policy to use suspension only as a last resort.

In youth courts students perform all court functions and substitute peer justice for adult punishment. School-based courts can be operated after-school or integrated within school curriculum. They advance the goals of Pennsylvania’s restorative juvenile justice statute: public safety, repairing harm, providing competency skills to the offender. Research shows that juvenile-justice courts achieve lower recidivism rates than other programs.

In 1994 the U.S. had 78 youth courts. Today there are 1,150 and 2/3 are juvenile justice-based. There are no juvenile justice-based youth courts in the Philadelphia region. [http://stoneleighfoundation.org/sites/default/files/Canvas%20of%20Pennsylvania%20Youth%20Courts%20Report_0.pdf](http://stoneleighfoundation.org/sites/default/files/Canvas%20of%20Pennsylvania%20Youth%20Courts%20Report_0.pdf)

In 2007 the first Chester school-based youth court began operations and in 2009 the Stoneleigh Foundation awarded a fellowship to expand them and create a statewide movement. In 2010 two Chester youth court members testified at Pennsylvania juvenile justice hearings that youth court had changed their lives. [http://stoneleighfoundation.org/content/testimony-chester-high-school-youth-court-members](http://stoneleighfoundation.org/content/testimony-chester-high-school-youth-court-members)

In 2011 the PA Bar Association unanimously passed a resolution calling for youth court expansion in Pennsylvania, a public-private partnership, and for legislation. That year a youth court bill was drafted as requested by state officials but it has still not been introduced. In 2012 the Public Safety Committee of the Philadelphia City Council held youth court public hearings, and approved a youth court strategy for Philadelphia.

The School District of Philadelphia recently identified 11 Philadelphia schools suitable for youth court development. The U.S. Attorney’s Office for the Eastern District of Pennsylvania has developed a youth court at Strawberry Mansion High School. Penn, Temple, and Widener law students are training students to operate youth courts.

A training video and youth court coordinator’s manual can be accessed at these links: [http://stoneleighfoundation.org/content/how-run-youth-court](http://stoneleighfoundation.org/content/how-run-youth-court) [http://stoneleighfoundation.org/content/youth-court-coordinators-manual](http://stoneleighfoundation.org/content/youth-court-coordinators-manual)
II. LESSONS LEARNED: JUSTICE AND EDUCATION BENEFITS

If it were not for youth court I would be in a gang. Chester student.

Lessons Learned
1) Youth understand their own culture far better than adults;
2) Youth courts empower youth to responsibly use power;
3) Youth learn the rule of law can be a positive force in their lives;
4) Youth courts allow youth to actively participate in civic engagement;
5) Seeing a youth court hearing supports the aphorism that “seeing is believing”;
6) With adequate planning and training youth courts can be operated for low cost;
7) Youth courts allow youth to participate in a “community of practice”.

Respondent (Student Offender) Benefits:
1) Student offenders stay in school instead of being suspended;
2) Lower recidivism rates;
3) Students can fully explain the facts of their offense to their peers, and be listened to;
4) Offenders experience restorative peer justice, rather than punishment from adults.

Student Youth Court Member Benefits:
1) Learn cognitive skills – concentration, listening, following a fact pattern;
2) Reexamine values-why we have rules, consequences and accountability;
3) Acquire public speaking and communication skills;
4) Learn and practice socialization skills such as teamwork, and consensus building;
5) Learn problem solving skills needed to form a restorative disposition;
6) Learn respect for the principles of the legal system: justice, fairness, proportionality;
7) Youth court members drop out less frequently and graduate;
8) Students contribute to their community through active citizenship.

Research suggests that youth court participation is correlated with a range of academic, socialization and civic engagement skills. They are cost efficient, and foster” youth as resources” who contribute to youth justice. The skills youth court members acquire (rigorous thinking, analysis, and teamwork) are skills we want an educational system to provide.. Students will use the skills they develop in youth court the rest of their lives.

III. ADVANCING THE WORK: A PUBLIC-PRIVATE PARTNERSHIP

Youth court is the most challenging thing I experience at school. Chester student.

In 2011 the U.S. Departments of Education and Justice created the Supportive School Discipline Initiative to end the school-to-prison pipeline. In 2012 the U.S. Senate held its first school-to-prison pipeline hearings. Youth courts block that pipeline. The Youth Court Support Center at EducationWorks provides training, and technical assistance to youth courts. The quality of its work has been recognized by the Stoneleigh Foundation, U.S. Attorney’s Office, PBA, Philadelphia City Council and School District, Chester-Upland School District, law firms, law students, and Physicians for Social Responsibility.