PHILADELPHIA BAR ASSOCIATION RESOLUTION ON YOUTH COURTS

WHEREAS, the Philadelphia Bar Association has a longstanding tradition of addressing the unmet legal needs of children, and engagement in public schools to promote better understanding of civics and our system of justice; and

WHEREAS, the governing principle of Pennsylvania’s Juvenile Act is restorative justice, promoting competency development in children and community protection; and

WHEREAS, youth courts function by training youth in a process to determine a fair and restorative sentence or disposition for their peers for school discipline violations, minor delinquent and status offenses and/or other problem behaviors; and

WHEREAS, cases are referred to youth courts by school and/or law enforcement authorities as an alternative dispute mechanism; and

WHEREAS, youth courts, as currently used in Philadelphia, customarily handle lower level school code infractions, such as disruption, minor truancy, dress code, cell phone violations, and profanity; and

WHEREAS, youth courts have the capacity to handle lower level offenses that might otherwise enter the delinquency system, but only by agreement with school and juvenile justice authorities; and

WHEREAS, youth courts offer a developmentally appropriate alternative to disciplinary suspensions and punishments at school consistent with the principles of restorative justice; and

WHEREAS, youth courts use positive peer pressure to conform behavior, repair harm and encourage youth to reflect on the consequences of their actions on themselves and others; and

WHEREAS, youth courts benefit schools and communities by allowing youth to engage in participatory learning and develop critical thinking, problem-solving, and socialization skills; and

WHEREAS, youth courts offer positive exposure to the democratic process and constructive interaction with teachers, professionals, and attorneys who train and supervise them; and

WHEREAS, both the Pennsylvania Bar Association and the American Bar Association have passed resolutions recognizing the value and efficacy of youth courts; and

WHEREAS, youth courts improve coordination between the education and juvenile justice systems as recommended by the Report of the Pennsylvania Interbranch Commission on Juvenile Justice; and

WHEREAS, the development of youth courts has been supported by resolution by Philadelphia City Council, as well as by training initiatives in the last year sponsored by the United States
Attorney for the Eastern District of Pennsylvania, the Attorney General of Pennsylvania, the Defender Association of Philadelphia, and the Pennsylvania Bar Association; and

WHEREAS, youth courts were first introduced to Philadelphia Public Schools in the 1990s, but largely fell out of use due to lack of support; and

WHEREAS, recent training and advocacy, has led to the reintroduction of youth courts at a selection of schools across the city, with support of the Philadelphia School District;

NOW, THEREFORE, BE IT RESOLVED that the Philadelphia Bar Association supports the development of youth courts in the Philadelphia community.

AND BE IT FURTHER RESOLVED that the Philadelphia Bar Association will collaborate with the American Bar Association, the Pennsylvania Bar Association, the Philadelphia School District, the Philadelphia City Council, local juvenile justice authorities, other local partners such as the United States Attorney for the Eastern District of Pennsylvania, and area law schools to promote the development of youth courts.

AND BE IT FURTHER RESOLVED that the Philadelphia Bar Association will assist the Philadelphia City Council and the Pennsylvania Bar Association in promoting local and state legislation to ensure the development of quality and sustainable youth courts.

AND BE IT FURTHER RESOLVED that the Philadelphia Bar Association will encourage the legal community to contribute resources to establish youth courts and a support center to promote best practices, provide planning, training, coordination, data collection, and liaison services to schools and juvenile justice systems.

PHILADELPHIA BAR ASSOCIATION
BOARD OF GOVERNORS
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