# Teen Court “Mini” Training Manuel

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Training Outline for the Empowerment Zone Teen Court Program

Although training is continued throughout the school year during the course of the regular Teen Court meetings. This outline shows the training process from the beginning of the school year, till the court is ready to proceed hearing cases. The training period lasts approximately one month but can be extended if further work is needed for a particular topic such as sentencing issues. The Training outline is as follows:

Week 1:
Topics Covered: Introduction, Opening Statements
Purpose: The students are introduced to the idea of Teen Court, what it is meant to accomplish, and their roles in the court process. They are also instructed in the formation and technique of an opening statement.

Day 1: Introduction of the Kensington Teen Court
• Day 2: Mock Teen Court (done by students already participating in the court)
  Day 3: Introduction of the concept of the opening statement
  Day 4: students are given a fact pattern and must develop an opening statement from those facts.
  Day 5: Students practice public speaking skills by doing opening statements in front of their classmates.

Week 2:
Topics Covered: Review of Opening Statements, Questioning Techniques, and Closing statements.
Purpose: Students are expected to be able to demonstrate knowledge of the make up of an opening statement. They are also taught different questioning techniques and how to integrate them into a Teen Court case, as well as the make up of a closing statement and how to develop one.
Day 1: Students complete opening statements and review the necessary components.

Day 2: Students are introduced to the ideas of open ended and closed questions.

Day 3: Students work on developing questions as prosecutors (closed questions) and as defense attorneys (open ended questions) given a fact pattern.

Day 4: Students are introduced to the concept of the closing statement and work on developing them.

Day 5: Students work on doing a closing statement before the members of the court to further their public speaking skills.

Week 3:

Topics Covered: Review of questioning techniques and Closing Statements, Aggravating and Mitigating Circumstances, Sentencing Issues, and types of sentences given by the Teen Court.

Purpose: Students will be able to demonstrate all stages of a Teen Court Case from opening statements to closing statements. Students will also be able to identify factors which would influence the type of sentence given in a case, as well as the different sentences available.

Day 1: Review the types of questions and complete the closing statements in front of the court members.

Day 2: Students are introduced to the different aggravating factors which affect a Teen Court case and/or sentence.

Day 3: Students are introduced to the different mitigating factors influencing a Teen Court case.

Day 4: Students are given case scenarios and have to develop a Teen Court sentence for the case. This exercise is done in small groups to show the students that they must be able to work together in this process.

Day 5: Students discuss the types of sentences available to the court, which the agree or disagree with, and any additional sentence options which have not previously been used.
Week 4:
Topics Covered: Review of Sentences, School Code of Conduct, Teen Court Ethics and standards and mock Teen Court cases.
Purpose: Students are introduced to the rules of the school, which type of cases the court will handle, ethics the court members must abide by, and standards the court members are expected to keep up to. The student

Day 1: Students review the school rules and the level of code conduct violations the Teen Court addresses. They are given lists of school offenses and must determine which is an acceptable Teen Court case.
Day 2: Students and the Teen Court Coordinator brainstorm and determine what standards the Teen Court members should be held up to. The issue of Teen Court members appearing as defendants is discussed and a process is determined.
Day 3: Students are taught about courtroom ethics and the importance of the oath of confidentiality. The students are also broken into teams and given mock pink slips for preparation of the upcoming mock Teen Court cases.
Day 4: New Students perform Mock Teen Court Cases.
Day 5: Continuation of Mock Teen Court Cases.
Roles of the Teen Court Personnel

Role of the Prosecuting Attorney

The job of the prosecuting attorney is to represent the interests of the school (including, but not limited to, the students, the teachers, and the administration).

Duties: One of the prosecutor’s main responsibilities is to supply the aggravating (things that hurt the defendant’s case) factors.

Specific Duties:
   a) Review the record - (the prosecuting attorney may not speak with the defendant about the case before the trial)
   b) Introducing self to the court at the designated time
   c) Make an opening statement
   d) Cross-examine the defendant and question any other witnesses.
      - Think and use the correct type of questioning for the situation and the particular defendant. See “Questioning Techniques” handout.
      - Use some closed questions.
   e) Make a closing argument (including a sentence recommendation)

Opening Statement Should Include:

1. Greetings to the courtroom. For example, “Good afternoon your honor, opposing counsel and members of the jury.”
2. Introduction of yourself and your client. For example, “My name is _________ and I represent _________ High School.”
4. Brief Description of the offense. For example, On _________ (date), _________ (defendant’s name) _________ (what s/he did). Tell from the point of view of the school.
5. Speak about most important (if any) aggravating factors.
6. Speak about what evidence there will be.
7. Let the judge and jury know that you are done. For example, “Thank you for your time or thank you your honor.”

Closing Statement Should Include:

1. Greetings to the courtroom.
2. Summary of Case.
3. Summarize the aggravating factors.

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4. Ask for a particular sentence. For example, 3 hours of community service and a anger management workshop. In addition, provide an explanation for why you are recommending this sentence.

5. Let judge and jury know that you are done. For example, “Thank you for your time.”

Role of the Defense Attorney

The job of the defense attorney is to represent the defendant.

Specific duties: The following are the defense attorney’s main responsibilities:

a) Review the record and interview their client (the defendant) - See “Interviewing the Defendant.”

b) Make an opening statement.

c) Question the defendant (direct examination).

d) Make a closing statement (including a sentence recommendation).

Opening Statement Should Include:

1. Greetings to the courtroom. For example, “Good afternoon your honor, opposing counsel and members of the jury.”

2. Introduction of yourself and your client. For example, “My name is _________ and I represent ____________.”

3. Code of Conduct violation committed by your client.

4. Brief Description of the offense. For example, On _________ (date),

   ____________ (defendant’s name) ______________ (what s/he did). Tell from the point of view of the defendant.

5. Mention most important mitigating factors.

6. Speak about what evidence there will be.

7. Let the judge and jury know that you are done. For example, “Thank you for your time or thank you your honor.”

Closing Statement Should Include:

1. Greetings to the courtroom.

2. Summary of Case.

3. Summarize the mitigating factors.

4. Ask for a particular sentence. For example, 3 hours of community service and a anger management workshop. In addition, provide an explanation for why you are recommending this sentence.

5. Let judge and jury know that you are done. For example, “Thank you for your time.”

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Role of the Bailiff

The bailiff's job is to keep accurate records of the court proceedings and to ensure the proper operation of the court. The bailiff is a neutral participant.

Specific duties: The following are the bailiff's duties:

a) Before the case begins, get the defendant's name, case #, offense, and blank sentence contract form. Fill out the top portion of the form with the above information.

b) Call the court to order ("All rise, Teen Court is now in session, the Honorable ____________ presiding.")

c) Announce each particular case ("Case Number ___, Kensington High School versus (defendant's name)")

d) Swear in the defendant ("Do you promise to tell the whole truth and nothing but the truth?" (the defendant must answer clearly yes or no))

e) Provide jury with sentence completion contract and pen for jury deliberations.

d) Escort the jury in and out of the room for deliberations.

e) Hand the judge the jury's decision. Give decision back to jury.
Role of the Judge

The job of the judge is to preside over the sentencing hearing.

Specific duties: The following are the judge’s responsibilities:

a) Preside over case.
b) Correct any important mistakes (i.e. jury asks questions directly to the attorneys, attorneys and jury carry on a conversation, defendant exhibits a serious uncooperative attitude towards the court).
c) Ask questions of defendant when appropriate.
d) Read and approve the jury’s sentence.
e) Address and answer questions asked by the attorneys or jury.
f) Read designated parts of “Courtroom Protocol.”

In addition, please see the “Courtroom Protocol.”

Role of the Jury

The job of the jury is provide an appropriate sentence.

Specific duties: The following are the jury’s main duties:

a) Be fair and impartial.
b) Avoid speaking about the case until deliberations begin.
c) Listen and watch the case being presented. Try to figure out whether the defendant is being honest, has an attitude and other relevant factors.
d) Do not address or otherwise communicate with the attorneys; all questions should be directed to the defendant (if s/he is on the stand) or to the judge. Think of and ask (at the appropriate time) questions you find important.
e) During the jury deliberations, express your opinion about the appropriate sentence for the defendant.
f) Communicate effectively with the other jury members to reach an appropriate sentence.

Role of the Jury Foreperson

Job and specific duties: The function of the foreperson is to lead the deliberations of the jury to the extent of encouraging the participation of all the jury members, to mediate disputes between jurors, and to announce the jury’s verdict.
Steps in a Teen Court Trial
"The 36 Steps"

PRE-TRIAL
1. Defense attorney meets with defendant to discuss case. (see “Interview with Defendant”)
2. Prosecuting attorney prepares for case by using the “pink slip” (Prosecuting attorney does not meet with the defendant).
3. Bailiff prepares the paper work by getting the defendant’s name, case # and sentence contract. The bailiff should fill out the top part of the contract (i.e. name, case #, offense).

INTRODUCTION
4. The bailiff announces the case and asks the people in the courtroom to stand.
5. The judge, who is seated at the judge’s bench, asks everyone to be seated and explains the seriousness of the teen court program.
6. The judge administers the oath of confidentiality. This requires everyone to stand again and listen to the oath and respond. After the oath, the judge will ask everyone to be seated.
7. The judge asks the defendant, defense attorneys and prosecuting attorneys to stand and identify themselves.

OPENING STATEMENTS
8. The judge asks the defense attorney if s/he would like to make an opening statement.
9. The defense attorney makes an opening statement.
10. The judge asks the prosecuting attorney if they would like to make an opening statement.
11. The prosecuting attorney makes an opening statement.

QUESTIONS (DIRECT AND CROSS-EXAMINATION)
12. The judge asks the defendant to take the stand.
14. Judge asks the defense attorney if they would like to ask the defendant any questions.
15. Defense attorney asks questions of the defendant.
16. Judge asks the prosecuting attorney if s/he would like to ask the defendant any questions.
17. Prosecuting attorney asks questions of the defendant.
18. Judge asks the jury if they would like to ask any questions of the defendant.
QUESTIONS FOR OTHER WITNESSES

20. Judge asks if there are any other witnesses today. Usually, there will not be any. If there are follow the order described above.

CLOSING ARGUMENTS

21. Judge asks prosecuting attorney if they would like to make a closing statement.
22. Prosecuting attorney makes a closing statement.
23. Judge asks defense attorney if they would like to make a closing statement.
24. Defense attorney makes a closing statement.

SENTENCING

25. Judge reminds the jury of their responsibility to determine a sentence for the offense before the court today.
26. Judge asks bailiff to escort the jury to the jury room.
27. Bailiff takes the jury out of the room and waits by the door for the jury to return.
28. Jury deliberates (jury figures out what sentence is appropriate)
29. Jury returns and the bailiff walks the jury back to their seats.
30. Judge asks the jury if they have reached a sentence and asks the bailiff to hand the decision to her/him. The jury foreperson should stand when the judge addresses her/him and remain standing.
31. Judge looks over the sentence.
32. Judge asks the defendant, defense attorneys and prosecuting attorneys to stand.
33. Judge asks the jury foreperson to read the sentence.
34. Jury foreperson reads the sentence and explanation.
35. Judge thanks everyone for coming and dismisses the court.
36. Defendant meets with the Teen Court Coordinator to sign sentence contract and figure out sentence particulars.
Interviewing Your Client

The defense attorney meets with the defendant before the trial (the prosecuting attorney does not have this opportunity). During this process, always try to make the defendant feel comfortable. Many defendants will be nervous. It is the defense attorney’s job to make their client feel as comfortable as possible. In addition, the defense attorney should make sure to address the following points:

1. **Meet the defendant at the designated location.** If the defendant is supposed to meet you in a classroom where others will be present, wait for the defendant at the door.
2. **Introduce yourself to the defendant.** Explain to her/him that you are the attorney assigned to their case.
3. **Move the client to an area where s/he will feel comfortable discussing the case.** Preferably, this area should be an area where other will not hear your conversation. It should also be an area where you can be seated.
4. **Briefly explain the teen court process.**
5. **Explain to the client that as you mentioned you are their attorney.** Therefore, everything that is discussed will remain confidential unless permission is given to use this information for the trial. Explain that this information will only be used for trial purposes. In other words, no information will ever be discussed outside of the courtroom. Everything will remain confidential. Everyone in the courtroom today understands this and has taken an oath not to discuss the case outside the courtroom.
6. **Discuss with your client what happened on the day in question.** Show the defendant the pink slip. *Make sure they agree to what the pink slip says. If they do not speak with the Teen Court Coordinator.** If they do agree to this, continue the interview. The main point is to get the defendant to be straight with you. You want the defendant to feel comfortable telling the truth. So, follow whatever process and order that gets the defendant to tell the truth and give you the information you need for the case.
7. **Think about what factors may be important to the jury in reaching its sentence.** Make sure to ask these question of the defendant. What are the possible mitigating circumstances? Mitigating circumstances are the things that would lessen the sentence reached by the jury. For example, if this is the first time the client has gotten into trouble. If they are sorry for their actions. Discuss these with your client.
8. **Compose questions for the trial.** Go over these questions with your client.
9. **Ask the defendant if there is anything s/he wishes for you not to discuss during the trial.**
10. **Explain that the trial will start soon.** Ask her/him if s/he has any questions?

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Teen Court Program
Questioning Techniques

Direct Examination: Questions the attorney asks their own witness (i.e. defense attorney questioning defendant) to build their case.

Points:

a) Establish a “foundation” - the court does not know anything, start from scratch.

b) Questions should be “open-ended” -- allow the witness to speak and make your case.

c) Questions should follow a logical order and build on one another.

*d) Listen to your witness’s answers. Follow up with additional questions where necessary. Make sure they are answering the questions. Be flexible. Be able to ask additional questions if necessary.

Cross-examination: Questions the attorney ask the opposing side’s witness (i.e when the prosecuting attorney questions the defendant). The purpose is to discredit the testimony given on direct, to try to clarify the case and bring out any aggravating circumstances.

Points:

a) Be ready for the witness to answer the question in a variety of ways.

b) Listen to the witness’s answers in the direct and in your cross. Be prepared to point out that the defendant said one thing in the direct and another in the cross-examination. The attorney may feel uncomfortable doing this. It is, however, the attorney’s job. When clarifying this area, make sure to ask your questions in a respectful manner.

c) If you are trying to control the witness, ask “close-ended” questions. These are questions that can only be answered by a yes or no. For example, “what were you doing in the cafeteria on Monday, January 5th” is an open-ended question. Whereas, “you were playing cards in the cafeteria on Monday January 5th, correct?” limits the witness to a yes or no answer.

In Court, adult attorneys always use close-ended question during their cross-examinations. In Teen Court, it is not always desirable to ask close-ended questions. We want to defendant to feel comfortable. Sometimes by limiting the defendant to close-ended questions, the defendant may feel attacked. Therefore, balancing the use of close and open ended questions may be beneficial.

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Theories Behind Punishment - Reasons Why We Punish

The jury should consider many factors in sentencing. This may include their own theory of corrections and what is in the best interest of society and the individual. Which of the below sentencing reasons is in the best interest of society? of the individual?

The major reasons for sentencing include:

1. **Incapacitation** - The convicted defendant/student is taken away from society. In this manner, society is protected. (examples: jail, suspension)

2. **Rehabilitation** - Criminals/delinquents should be helped to overcome their problems. Rehabilitation addresses the problem areas that caused the person to commit the offense.

3. **Individual Deterrence** - The sentence should discourage the offender from committing another offense.

4. **General Deterrence** - The offender should be punished to discourage other people from committing crimes.

5. **Restitution** - Restoring something to the position it was in before the offense occurred. (example: requiring the offender to pay the cost of the broken/stolen object).
Sentencing Issues

Each case presents a different situation with different considerations. Aside from the theories for why we should punish, the jury must examine the offense and the particular defendant to determine an appropriate sentence.

The following are some of the factors the jury should consider;

a) severity of offense
b) age of defendant
c) school attendance
d) prior offenses
e) academic record
f) attitude in the courtroom
g) extracurricular activities
h) motive - the reason why the person took the particular action
i) victim
j) family circumstances
k) acceptance of responsibility
Courtroom Protocol

_Bailiff:_ Will everyone please rise. Here ye, hear ye.........The Philadelphia School District at (School Name) is now in session. The Honorable ___________________ is presiding.

_Judge:_ Please be seated. Good morning, afternoon, or evening. On behalf of the Teen Court Program, I want to thank each and every one of you for being here today and for participating in the Teen Court.

The business of this court is very serious. The defendants who appear before you tonight are guilty of the charges that have been made against them. They have violated the rules of the School District of Philadelphia... and have voluntarily chosen to come before this court to have a jury of people their own age decide what sentence, if any, they should receive for their actions. Even though the defendants have violated the rules of the school, they deserve your respect and attention. It takes a certain amount of courage for the defendants to be here and I am sure that if you were in their shoes, you would want a fair hearing. Therefore, everyone in the courtroom must remain quiet during the proceedings and give their complete attention to what happens here. If you fail to do so, I will have to ask you to leave the courtroom.

I also emphasize that everything that occurs in this courtroom is to remain confidential; that particularly includes the names of the defendants. If you discuss what occurs here tonight with persons who are not present, you might be subject to prosecution and will certainly not be permitted to continue participating in the Teen Court Program. Therefore, everyone please rise, raise your right hand, and repeat after me:

_I solemnly affirm that I will not divulge/ either by words or signs any information which comes to my knowledge in the course of a Teen Court case presentation and that I will keep secret all said proceedings which may be held in my presence._

_People in the Courtroom:_ I do.

_Judge:_ Thank you. You may be seated. Will the bailiff please announce the title of the next case?

_Bailiff:_ Teen Court Case Number __________, (Your High School Name) versus __________ (defendant's name).

_Judge:_ Who is the defendant in this case? Will you please stand and state your name for the record.

_Defendant:_ (Defendant stands and states name).

_Judge:_ Will the prosecuting attorney please state his or her name for the record?
Defendant: (Defendant stands and states name).

Judge: Will the prosecuting attorney please state his or her name for the record?

Prosecuting Attorney: (All junior prosecuting attorneys stand and state names)

Judge: Will the defense attorney please state his or her name for the record?

Defense Attorney: (all defense attorneys stand and state names)

Opening Statement

Judge: We are now ready for opening statements. Defense attorney would you like to make an opening statement?

Defense Attorney: Yes, I would your honor... (make opening statement). At end of statement, let judge know that you are done.

Opening statement should include the following parts:

1. Introduction
   Example – Good afternoon your honor and members of the jury, my name is _________ and I represent _________ (defendant’s name).

2. Case specifics/facts
   On ________ (date), _________ (defendant’s name) ______________ (what he/she did). Tell from point of view of the defendant.

3. Mitigating circumstances- (if any) and what evidence there will be. Mitigating circumstances positive thing about how the defendant and anything positive that defendant did that makes situation not as bad as it could have been.

4. Let the judge and jury know that you are done.

5. Example: Thank you for your time or Thank you your honor.

Questions (Direct and Cross-Examination of Defendant)

Judge: ________ (defendant) please take the stand over here. (point to witness box)

Judge: Bailiff, can you swear in the defendant?

Bailiff: Please raise your right hand. Do you affirm to tell the truth, the whole truth and nothing but the truth?
Defendant: Yes (sit down in the witness seat)

Judge: Defense attorney, do you have any questions for the defendant?

Defense Attorney: (Ask about five questions) Inform judge when done with questions.

Judge: Prosecuting attorney, do you have any questions for the defendant?

Prosecuting Attorney: (Ask about five questions.) Inform judge when done with the questions.

Judge: Does the jury have any questions for the defendant?

Jury: Ask questions.

Judge: (if the judge has questions that were not asked or answered to defendant after questions are completed.) Thank you. You may go back to your seat.

Questions For Other Witnesses:

Judge: Are there any other witnesses to testify today?

Attorneys: (Answer)

Judge: If there are no more witnesses, go to section V. If there are other witnesses, ask the witness to take the stand and follow the procedure used for the defendant. After witness testifies, go to section V.

Closing Arguments

Judge: Prosecuting attorney, would you like to make a closing argument?

Prosecuting Attorney: Yes, I would your honor… (make closing argument)...thank you.

Closing statement should include:

- Case specifics/facts- You heard today that on __________(date), ______________ (defendant’s name) ____________ what did he/she do).

- Aggravating circumstances (if any) and what you heard about today in light most favorable to the school.

- Example – You heard defendant say that she is not sorry...
• Sentence Recommendation - recommend sentence with specifics example - a certain amount of hours of community service.

• Thank you.

Judge: Defense attorney, would you like to make a closing argument?

Defense Attorney: Yes, I would your... honor...(making closing argument)... thank you.

• Case specifics/facts – You heard today that on _____(date), __________(defendant’s name) __________what did he/she do

• Mitigating circumstances (if any) and what you heard about today in light most favorable to the defendant.

• Sentence Recommendation - recommend with specifics a particular sentence that you think is fitting for the offense.

Sentencing

Judge: (to jury) Members of the jury, it is now your duty to determine a fair and appropriate sentence. There are available to you a number of possible forms of corrective punishment including

• Community Service
• Restitution – where you require the defendant to pay or replace what was broken or stolen.
• Essay of a certain word length concerning the offense he or she committed.
• Verbal or written apology.
• Service on teen court jury.

You are not required to choose just one form of punishment. You may recommend that the defendant do more than one of the things I have mentioned. You may also recommend other forms of punishment if you think of other reasonable punishments which would be good for the defendant’s situation.

Your decision must be a unanimous one. It is your duty to the defendant, the victim and the community to speak up in the jury room. If you simply go along with the crowd, you are not doing your job.

Bailiff: Will you please escort the jury to the jury room.

Bailiff: take the jury out of the room and wait by the door for them to let you know they are ready to return. When the jury is ready, walk them back to their seats.
Judge: Has the jury reached a sentence?

Jury Foreperson: (stand up) Yes, we have.

Judge: Bailiff, can you hand me their decision.

Bailiff: (hand decision to the judge)

Judge: (look at decision to see if there are any problems. If there are no problems say) Will the defendant rise. What is the sentence reached by the jury?

Jury Foreperson: (read sentence and explain reasons behind decision)

Judge: (to everyone) Please remember the oath of confidentiality that you took earlier. The Defendant will now meet with the coordinator to sign his/her sentence contract. Thank you for being here today.
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SENSENT CONRACT

DEFENDANT:________________________
CASE#:__________________________

OFFENSE:__________________________ DATE:__________________________

HEARING DATE:______________________ PLACE:__________________________

I understand the diversion agreement and know how the diversion process works. I understand that by this contract, I admit that I did commit the act of ______________ (offense)

I am willing to accept the sentence imposed by my High School Teen Court.

_______ Number of teen Court Jury Duties
_______ Hours of Community Service
_______ Restitution to victims

Other:________________________________________

__________________________________________________________________

Special
Instructions:

__________________________________________________________________

It is understood and agreed that these conditions will be successfully completed no later than ______________, at which time the contract will be reviewed by the Teen Court Coordinator. If the above conditions have not been met, the referral source will be contacted and charges will be re-instituted through your school.

It is agreed and understood that if any subsequent charges are brought against me this contract may be terminated.

________________________________________
Student

________________________________________
Teen Court Coordinator
LIST OF AGGRAVATING AND MITIGATING CIRCUMSTANCES FOR THE
TEEN COURT JURY'S DELIBERATIONS

AGGRAVATING CIRCUMSTANCES:

___ STUDENT HAS BEEN IN TROUBLE BEFORE (IN CASES INVOLVING A
  TEACHER, THIS INCLUDES THAT CLASS OR ANY OTHERS)

___ STUDENT HAS BAD GRADES OR IS FAILING THE CLASS

___ STUDENT DID NOT APPEAR TO TAKE THE COURT PROCESS SERIOUS

___ THE OFFENSE IS A SERIOUS ONE

___ STUDENT HAS BAD ATTENDANCE

___ ANY OTHER AGGRAVATING FACTORS NOT LISTED

MITIGATING CIRCUMSTANCES:

___ STUDENT HAS NOT BEEN IN TROUBLE

___ STUDENT HAS GOOD GRADES OR IS PASSING EVERYTHING

___ STUDENT TOOK THE COURT PROCESS SERIOUS

___ THE OFFENSE IS A MINOR ONE

___ STUDENT HAS GOOD ATTENDANCE

___ ANY OTHER MITIGATING FACTORS NOT LISTED

THESE ARE INTENDED TO BE GUIDELINES FOR THE JURY TO CONSIDER
WHEN DETERMINING A SENTENCE. REMEMBER, THE WHOLE JURY IS
SUPPOSED TO DISCUSS WHAT THE APPROPRIATE SENTENCE SHOULD BE,
NOT JUST ONE OR 2 PEOPLE. PLEASE USE THIS FORM, FILL IT OUT AND USE
IT AS A GUIDE.
SENTENCE OPTIONS FOR KENSINGTON TEEN COURT 1999-00

1. COMMUNITY SERVICE (IN OR OUT OF SCHOOL, PLEASE SPECIFY)

2. WRITTEN ESSAYS

3. WRITTEN APOLOGIES

4. CONFLICT RESOLUTION TRAINING

5. MEDIATION (WHERE APPLICABLE)

6. VERBAL APOLOGIES

7. WEEKLY REPORTS

8. JURY DUTY

9. TRAININGS (WHAT KIND DEPENDS ON TYPE OF OFFENSE)

10. TUTORING

11. RESTITUTION (WHERE APPLICABLE)

12. STUDENT/TEACHER CONFERENCE

13. ANY OTHER SENTENCE OPTION THE STUDENTS CAN THINK OF, THAT FITS THE SITUATION.
KENSINGTON HIGH SCHOOL TEEN COURT PROGRAM

SENTENCING GUIDELINES

School offenses were broken down into several general categories to simplify the process. This was done by looking at the sixty cases heard during the 1998-99 school year at Kensington High School. Veteran Teen Court students reviewed the cases and determined possible sentencing guidelines to be used with any applicable aggravating or mitigating circumstances. These guidelines are meant to be used as a tool and not to replace the deliberation of the Teen Court Jury! The breakdown of offenses was as follows:

- Profanity towards a teacher or staff member
- Profanity towards another student
- Cutting class (inside school)
- Cutting class (outside school)
- Fighting with another student
- Threats towards another student
- Threats towards a teacher or staff
- In halls without a hall pass
- Found with a missing hall pass
- Found in a restricted area
- Smoking in school
- Lateness to class
- Graffiti on school property
- Destruction of school property
- Disruption of class

The Teen Court Program has a number of possible sentence options to be utilized in the determination of a Teen Court sentence. These include, but are not limited to the following:

- Community Service (in or out of school)
- Written essays
- Written apologies
- Verbal apologies
- Daily or weekly reports
- Restitution
- Mediation
- Conflict Resolution Training
- other relevant training
- any other appropriate sanction

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Offense: Cutting class (inside school)

Sentence Recommendation: Daily report, essay concerning the offense, and/or community service hours equaling the number of hours of missed class.

Offense: Cutting Class (outside school)

Sentence Recommendation: essay concerning the dangers of truancy & liability issues and community service equaling number of hours missed.

Offense: Graffiti on school property

Sentence Recommendation: 5 hours community service cleaning up graffiti, a written apology to the school, and restitution.

Offense: Destruction of School Property

Sentence Recommendation: Restitution for what has been damaged or destroyed, and a verbal or written apology to the school.

Offense: Found in a restricted area

Sentence Recommendation: An essay on why they should not be in that area, and on the dangers, if any.

Offense: Smoking in school

Sentence Recommendation: an essay on the dangers of smoking (i.e. cancer, second hand smoke) and a written apology to the school

Offense: Disruption of class

Sentence Recommendation: Written or verbal apology to the teacher and class

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Offense: Profanity towards a teacher of staff

Sentence Recommendation: A written or verbal apology, and an essay on why the teachers are here, and deserve respect.

Offense: Fighting with another student

Sentence Recommendation: If at fault, verbal or written apology to the other student, anger management class, mediation.

Offense: Threats toward another student

Sentence Recommendation: Verbal or written apology to the student stating the reasons for their behavior. Mediation, if needed.

Offense: Profanity towards another student

Sentence Recommendation: Verbal or written apology to the student giving an explanation for their actions.

Offense: Threats towards a teacher or staff member

Sentence Recommendation: Written apology to be read out loud to the teacher or staff member and an essay concerning proper respect for teachers.

Offense: In halls without a hall pass

Sentence Recommendation: essay on rules of the school and why students need to follow them

Offense: Lateness

Sentence Recommendation: Community service to make up for the missed time and a written or verbal apology to the teacher for missing class. Student also must make up work.

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Offense: Found in halls with a missing hall pass

Sentence Recommendation: NONE (The Teen Court students determined that this offense often has too widely ranging circumstances to provide an adequate recommendation.)

These guidelines are meant to be used to assist the court in the future in the determination of future Teen Court cases. However, as previously stated these recommendations are not to be the sole factor in the determination of a sentence. The application of aggravating and mitigating circumstances is of great importance in the Teen Court process. In addition, each case presents a unique set of facts and evidence. These sentence recommendations should be used as an aid and as general guidelines.

There were several students involved in the creation of the Kensington High School Teen Court Program Sentencing Guidelines. These students were chosen for their experience in the Teen Court Program and their active roles in the courts. The Coordinator would like to thank the following for their contributions and efforts: Ericka Ramos, Danilo Gonzales, Latasha Chase, and Denise Velasquez.

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