

A Snapshot of Pennsylvania Youth Courts

December, 2011

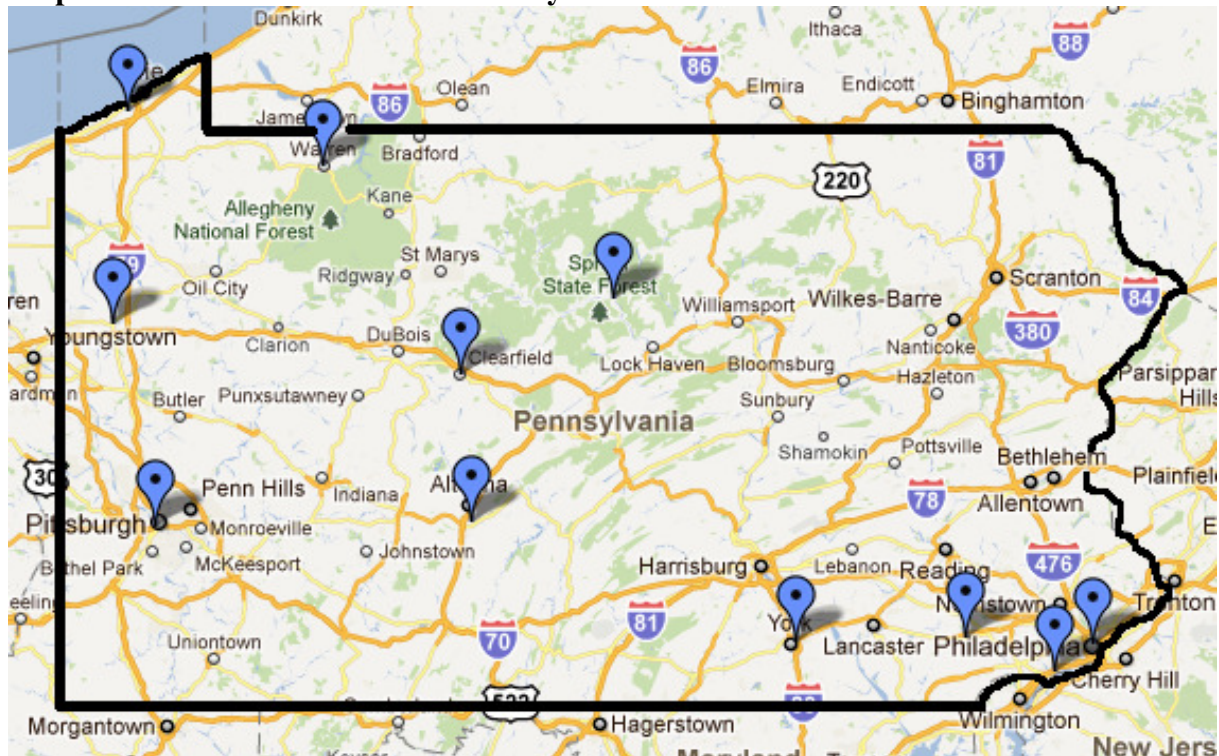
Assembled by Hannah Klein with support from Gregg Volz, Stoneleigh Fellow.

Summary: There is no current formal organization overseeing school or juvenile-justice based youth courts in Pennsylvania. Through prior information, word of mouth, but primarily due to new inquiries, we have assembled a snapshot of youth courts in the Commonwealth. Some courts have been open for years, others are just starting. Several have closed-particularly in Philadelphia. Although some new youth courts were uncovered during this review, others may have escaped notice. This report highlights the history, structure, types of offenses, and dispositions rendered in each of the active youth courts. We appreciate help from the Pennsylvania Bar Association and its Pro Bono Director, David Trevaskis, and Special Projects Coordinator, Susan Etter. We also want to recognize the Pennsylvania Council for Social Studies which has highlighted youth courts as a featured program for several years.

Youth courts occur in both school and community settings. During the 2010-2011 school year there were 10 school-based youth courts functioning in Pennsylvania but 24 are planned this year. Last year there were 7 juvenile justice courts functioning and this year 8-9 will operate. Hence the total number of Pennsylvania youth courts may double this year-a remarkable development in light of the economic crisis. Of Pennsylvania's 67 counties, 9 had youth courts last year, and 11 will have youth courts this year. 6 counties have expressed an interest in starting a youth court. Youth courts are growing in popularity in Pennsylvania.

At the end of this report individuals working in youth courts highlight their importance to the youth and the communities in which they reside. A brief analysis follows those opinions.

Map of Current Youth Courts in Pennsylvania



Active Youth Courts

School Based Youth Courts

Chester Upland School District Youth Courts

Gregory Volz, Esq., Stoneleigh Foundation Fellow
27 East Front Street
Media, PA 19063
greg@foehllaw.com, (610) 566-5926 Ext. 119

The first youth court within the Chester-Upland School District was an after-school youth court which began operations in the fall of 2007. Last school year five youth courts in four different schools (one an elementary school) processed more than 500 referrals and held more than 150 hearings. Four of the courts operated during school (three as part of social studies curriculum) and one was an after-school court. The youth judge model is utilized with peer jury adaptations. . Paid staff, volunteers from Widener and Villanova Law Schools, college students, adult volunteers, judges, attorneys and probation officers have all either assisted court operations or provided classroom training.

The most common offenses include truancy, profane language, class disruption, defiance, cell phone violations, and hall walking. Student offenders admit the conduct for which they are charged. The court hearing consists of jurors questioning the respondent (student offender) to bring out the facts and encourage an explanation of extenuating circumstances. Dispositions include jury duty, community service, written apologies, essays, and dispositional contracts to bring about restorative justice, not punishment.

The U.S. Attorneys' Office in Philadelphia has pledged support for the Chester youth courts through its staff attorneys training youth court students and by expressing its intention to "adopt" a Chester youth court. In August, 2011 Research For Action began a 16 month quantitative and qualitative research project gathering data on the Chester youth courts. In the next few weeks selected juvenile offenses will be referred to a new "Municipal Youth Court" which will be an alternative to the formal juvenile court process.

Philadelphia Youth Courts

Jasmine Jones, Teen Court Coordinator
Communities in Schools – Philadelphia
2000 Hamilton Street, Philadelphia, PA 19130
jjones@cisphl.org, (267) 386-4623

Communities in Schools (CIS) oversees planned teen courts in: Lincoln, West Philadelphia, Overbrook, South Philadelphia, Martin Luther King, Germantown, Northeast, John Bartram, Edison, Fels, Frankford, Strawberry Mansion, and Roxborough high schools. Of these 13, four functioned last year: Frankford (6 years), South Philadelphia (20 years), West Philadelphia (2 years), and Strawberry Mansion (3 years). These longer running CIS youth court schools were initially operated ten years ago as part of a multi-partner Youth Court Advisory Board.

About a half-dozen teen courts overseen by CIS ceased operations over the past 12 years due to teacher attrition or lack of administration support. Current teen courts function during school time and in social studies classes, limited to students referred by teachers. They use “Street Law” curriculum. Some students participate in an after-school extracurricular club. Students perform all court roles and hear minor school offenses, but none related to violence. They hear 200 cases annually. Dispositions include community service and mandatory jury duty. Having lost their main source of funding from the Department of Human Services they are seeking new funds.

Keith Bailey, Senior Program Director
Physicians for Social Responsibility
704 North 23rd Street
Philadelphia, PA 19130
keith@psrphila.org, (215) 765-8703

Kensington High School, in Philadelphia first had youth courts in the late 1990s and early 2000s, but changes in administration and teacher interest caused the courts to close. This year youth courts in Kensington High School will be reopened with youth court curriculum in the social studies courses in Kensington Culinary and built into the curriculum for an English class in Kensington Capa.

Youth who have admitted guilt to selected offenses will go before a peer jury to receive dispositions that can range from community service to jury duty, with letters of apology and essays as other possible dispositions for the youth. The program has been successful in previous years. Recently youth court alumni (some now in their 30’s) have been contacted for their impressions of the programs, and for assistance in training new students.

Pittsburgh

Kathryn Atman, Ph.D.
kayatman@verizon.net, (412) 835-1434

This year, two new programs are being created at two middle schools in Pittsburgh: Shaler and Sto-Rox. A plan to work with 6th through 8th grade students has been developed. The 6th grade curriculum will involve learning about goal setting. This empowers youth to set a goal and achieve it. In 7th grade social studies students will create their own Constitution and have a mayor, judge, sheriff, and peer jury formed from students in that class. The sheriff can “arrest” a classmate for breaking a law in their Constitution and that student will be tried before his/her peers. At the 8th grade level, students will operate a youth court.

Dispositions may include letters of apology, jury training and duty, essays, and community service. The dispositions will support the material students learn in the social studies classes. Social work interns and faculty from the School of Law at University of Pittsburgh will assist the youth courts. An advisory committee is being established to advance the Southwestern Pennsylvania Youth Court Initiative in the Pittsburgh Area. The Young Lawyers Section of the Allegheny Bar Association is interested in supporting youth courts in the Pittsburgh area. The Allegheny Bar Association Bar Leadership Initiative (BLI) researched successful youth courts in Pennsylvania. In an attempt to combat the growing truancy problem in Allegheny County BLI

has plans to create an Allegheny County Truancy Youth Court as its year long class project. Working with local schools, the DA's office, and the courts the BLI desires to achieve positive social change by addressing the truancy problem directly at its source. They believe youth empowerment will be a catalyst for behavioral change and produce educational opportunities and improved public safety.

York County Youth Court

Leigh Dalton, Director of the York County Truancy Prevention Initiative
United Way of York County
800 East King Street
York, PA 17403
daltonl@unitedway-york.org, (717) 771-3802

The Truancy Prevention Youth Court in York will be located at William Penn (York City) High School this year, funded by the Pennsylvania Commission on Crime and Delinquency. York County Human Services Division will provide funding for two more school-based youth courts but the site has not been determined yet. They are in the recruiting and set-up phase. The youth court structure they will employ will depend on the number of volunteers they receive.

The York County Youth Court will focus on ninth grade truancy cases and be operated by 8th, 9th, 10th, and 11th grade students. They hold hearings after school every other Wednesday, and utilize a local District Justice Court. Dispositions include community service and jury duty-intended to impress on youth the importance of civic responsibility. Hearings began in December, 2011.

Community Based Youth Courts

Blair County Peer Jury Program

Tina Frank, Director
423 Alleghany Street, Suite 424
Hollidaysburg, PA 16648
tfrank@blairco.org, (814) 693-3230

Established in 1993 by the Blair County Juvenile Probation Office, the Peer Jury Program utilizes a jury recruited from four local high schools. Students receive two days of training about the juvenile justice system and court procedures. They meet six times a year and process four or five first time misdemeanor charges. Types of offenses include: theft, assault, marijuana possession, retail theft, criminal mischief, disorderly conduct, trespass, and other misdemeanors.

The peer jury utilizes a range of dispositions including a letter of apology, paying restitution, writing an essay, community service, counseling, drug testing, and a tour of the prison. The offender has 60 days to complete his/her disposition requirements. The Peer Jury Coordinator will regularly call the family of the juvenile to make sure the students complete the disposition.

Clearfield County Teen Court Program

Christy Thomas, Master Coordinator
3 South Brady Street, Suite 342
DuBois, PA 15801
Cthomas779@comcast.net, (814) 345-6481

Since 1994 Clearfield County has had a teen court. They hear 5-6 cases at monthly sessions. Adults act as the judge, student attorney advisor, and tipstaff at the trials. Ten participating school districts in Clearfield County provide more than 400 student volunteers to act as attorneys and jurors. Each school provides an advisor to oversee the students. The youth court is treated as an extracurricular club at some schools.

Offenses eligible for youth court include summary and misdemeanor offenses. Summary offenses include: harassment, criminal mischief (under \$250), public drunkenness, false ID, littering, trespass, disorderly conduct, underage drinking, and retail theft (under \$100). Misdemeanor offenses include: simple assault, vandalism (under \$250), trespass, theft (under \$200), false reports, resisting arrest, disorderly conduct, harassment by communication, sale of tobacco, and misrepresentation of age to secure liquor or beer.

The advisors meet with parents of offenders to get the parents to agree to allow for the students to proceed through the Clearfield County Teen Court as an alternative to the juvenile justice system. After completing teen court, they are given community service as dispositions. The county has 60 active community services agencies throughout the county providing community service positions for the offenders. Charges are withdrawn if offenders complete their community service requirements. If at any step, the youth does not follow through, they are prosecuted at the district justice office.

Clinton County Teen Court

Joan Welfling, Teen Court Coordinator
Jwelfling2008@gmail.com, (570) 893-4017

The Clinton County Teen Court has been active for four years. The Youth Court uses a peer jury with both defense and prosecution counsel to hear summary offenses committed by juvenile offenders. Between September and May, they process 4 cases a month. Dispositions include community service, essays, apologies, counseling, etc. Cases are referred by the local Magisterial District Justice. The only follow-up is to confirm that dispositions are completed on time.

Coatesville Youth Court Program

Chaya Scott, Director
50 South First Avenue
Coatesville, PA 19320
cscott@brandywinefoundation.org, (610)380-9080 x106

The Coatesville Youth Court Program is supported by a grant from PA Commission on Crime and Delinquency in 2011. It seeks 20 youth volunteers to operate the court. A local Magisterial District Justice will preside over the court with other court functions performed by students.

Magisterial District Justices will refer offenders to the youth court. Volunteers are being recruited from school districts, partner programs, a summer program through the Brandywine Foundation, and the Coatesville Youth Council. Offenders must be between ages of 12-19 and still in the school system. Offenses eligible for youth court include: disorderly conduct, harassment, criminal trespassing and mischief, public drunkenness, truancy, retail theft, loitering, fighting, and non-payment of fees. Offenders must plead guilty to access the youth court system.

Coatesville's Youth Court partners with local organizations to give youth a chance to change themselves and the community. If they do not follow through, they are referred back to the court.

Erie County Peer Jury Program

Kirk Brabender
140 West 6th Street,
Erie, PA 16507

krabender@eriecountygov.org, (814) 451-6660

For 25 years, Erie County has had a peer jury program supervised by probation offices. The peer jury members are picked by guidance counselors at the local high schools and trained at an orientation by judges, Assistant District Attorney, public defenders, and restorative justice coordinators and teachers. The Juvenile Probation Office refers 25 misdemeanors a year. These first time misdemeanor cases include criminal mischief, violation of controlled substances, simple assault, disorderly conduct, etc. Dispositions include community service, apology letters, essays, etc . Probation officers monitor disposition completion for up to three months.

Mercer County Community Court Program

Sharlee Beatty
Director of Community Court
120 Strawberry Street
Mercer, PA 16137

sbeatty@mcc.co.mercer.pa.us, (724)662-3800

Started in November 1999, the Mercer County Community Court processes summary offenses from the Juvenile Probation Department and Magisterial District Justices. Youth volunteer to serve on community panels. Some of the youth volunteers are prior offenders who are asked to join the committee after they complete the program. Adult volunteers serve on panels along with the Community Court Specialist to supervise juveniles who are going through the Community Courts. The committee processes first time offenders who have committed low level offenses. Offenses include: retail theft, harassment, simple assault, disorderly conduct, possession of weapon on school property, and possession of paraphernalia. Youth are given probation which requires returning for monthly review sessions to make sure they are attending school, following rules, and showing academic progress. They also perform about 25 hours of community service and write apology letters. The Community Specialist/probation officers monitor disposition completion.

Pottstown Area Youth Court

Judge Edward Kropp, Sr.
Magisterial District Justice
2093 East High Street
Pottstown, PA 19464
610-326-9274
scriswel@montco.pa.org

Founded 13 years ago by Judge Durkin the court continues to hear summary cases for youth aged 12-18. The court holds hearings twice a month and processes about 100 offenses annually. Typical cases include: curfew violations, disorderly conduct, underage drinking, paraphernalia possession, harassment, etc. Normally access to the court requires fewer than 4 prior offenses. All offenders pay a \$25.00 fee which is used for court operational costs.

Recruitment takes place at two local high schools. Local attorneys volunteer to conduct training which usually occurs on a Saturday. They use the youth judge model and all court functions are conducted by youth. Parents of offenders approve of the youth court and they are considering starting a second court.

Warren County Youth Court

Michael Grubbs, Deputy Chief
204 Fourth Avenue
Warren, PA 16365
mgrubbs@warren-county.net, (814) 728-3500

The Warren County Youth Court has been active since 2005, hearing cases from first time offenders with summary offenses. Each month, the court hears 3-5 cases on one day. The Warren County Youth Court uses the Balanced and Restorative Justice (BARJ) philosophy to divert youth from entering the regular judicial system. It uses the adult judge model, with youth serving as the peer jury. Dispositions include community service, apology letters, restitution essays, and victim awareness classes. The Juvenile Probation Office follows up with the individuals and enforces disposition completion within 90 days.

Inactive Youth Courts

Northumberland County Youth Court

Bill Rossnock
Chief Juvenile Probation Officer
Bill.rossnock@norrycopa.net, (570) 495-2174

Functioning from 1991 to 2004, Northumberland County utilized a Peer Jury Teen Court as a diversionary program for youth entering the juvenile justice system. The youth court dissolved in 2004 due to budget cuts and loss of staff. They would like to get the court back up and running since it is an important way to keep the community involved Northumberland County youth. They need increased funding and increased community ownership.

Possible Future Youth Courts

Lehigh County
Gerald Zahorchak
Jerryz8551@yahoo.com
(814) 242-9553

Franklin County
Kristen Hamilton
Kbh.athlaw@gmail.com
(717) 264-0060

Bedford County
Bill Higgins
higginslaw@earthlink.net

Lancaster County
(Status uncertain)

Delaware County - Springfield
Bill McRae
Mcraewil@ssd.k12.pa.us

Montgomery County - Norristown
Dr. Janet Samuels
jsamuels@nasd.k12.pa.us

Franklin County
Annie Gomez, Esq.
attorneygomez@gmail.com
(301) 714-1141

Potter County
Guerline L. Laurone, Esq.
gllaurone@llaurorelaw.com
(814) 260-0163

Benefits of Youth Courts

Below are statements about youth court benefits expressed by youth court advocates.

Kay Atman, Pittsburgh: Youth courts keep students out of the juvenile justice system where one's record becomes permanent. They provide a setting where "structured caring" can take place and students get on-going support from teachers and classmates.

Keith Bailey, Kensington HS: I think one of the most important, if ancillary, benefits of the Youth Court model is the exposure that participants get to professionals in the law and justice fields. For far too many of our inner city youth, the only experience and interactions they have with our justice system are negative ones. Youth Court allows an opportunity for young people to interact and develop positive mentoring relationships with police officers, attorneys, and local judges. Through these relationships, they gain a greater understanding of our system and the role it is intended to play in our society.

Sharlee Beatty, Mercer County: From the volunteer end, the court provides community members a chance to feel involved in their community and they aid in holding the juvenile members accountable for their actions. For the juveniles, it gives them a second chance to learn from their mistakes and experience the community's forgiveness which helps them become closer to the community which is believed to decrease the juveniles' chance of re-offending.

Leigh Dalton, York County: Youth courts provide opportunities for youth to illustrate their strengths and potential to the adult community and give the community a chance to be role models for youth who need a little guidance to get back on track.

Tina Frank, Blair County: Diversion programs like the Peer Jury provide civic education for all participants by building respect for the rule of law. They also provide an alternative to formal Juvenile Court cases which saves taxpayer money. This also means that it avoids stigma and a permanent record for the youth. These programs are especially important for special needs populations, such as those with mental health disorders or substance abuse needs.

Chaya Scott, Coatesville: On both ends, youth learn about civic engagement, and adults learn about youth. It teaches youth to advocate for themselves, to keep cool, and manage themselves in certain situations. It gives students involved in jury duty the ability to gain leadership opportunities. For all youth, it helps them learn to redirect their energies in a positive way.

Analysis

Pennsylvania is a large and diverse state with a long tradition of local political authority. Even though the number of current Pennsylvania youth courts is small our canvas reveals diversity in youth court structure, types of cases processed and level of local support. An attractive feature of youth courts is their flexibility, allowing them to respond to local juvenile justice and educational needs, and utilize available resources. The growing interest in youth courts is an encouraging public policy development which shows great promise to both reduce disciplinary costs and empower youth with a sense of civic engagement.

For Pennsylvania to take full advantage of youth courts it needs a youth court statute to establish minimal operational standards. It also needs a strong organization to provide training assistance, fundraising help, coordination of services and data collection support to current and new youth courts. Pennsylvania's 8 law schools could play a pivotal role in encouraging law students to assist private lawyers in training high school and elementary youth court students. In Philadelphia, University of Pennsylvania law students are assisting Bartram High School to start a youth court. Penn State Dickinson Law school is supporting the York County youth court and both Widener and Villanova law students have supported Chester city youth courts in the past.

Stoneleigh Foundation has devoted considerable financial resources to promoting youth courts since 2009 and The Pennsylvania Bar Association has unanimously passed a Youth Court Resolution. Both entities view youth courts as a preferred alternative to more punitive discipline. Research confirms that zero-tolerance school disciplinary policies are ineffective and feed the discredited school-to-prison pipeline. Pennsylvania is the largest state in the nation without a large number of youth courts. With adequate planning it has an opportunity to take advantage of best youth court practices nationally and create the most efficient and effective youth court system in the U.S. Hopefully this snapshot of Pennsylvania youth courts will stimulate a vigorous discussion about how to best do that.