**YOUTH COURT TRAINING AGENDA FOR THE PENNSYLVANIA INTERMEDIATE UNIT**

**April 26, 2022**

In 2019 the Joint State Government Commission released a youth court report which included the following recommendation: #2: The Department of Education, (PDE) through the Office of Safe Schools, should provide guidance and support to schools desiring to adopt a student youth court program. This includes providing guidance materials that identify minimum standards that youth court should attain. These guidelines should include standards for youth court trainers, suggestions for lesson plans, and teaching materials and evaluative criteria. Today’s training addresses this recommendation.

**1) BENEFITS** - Youth court is an alternative disciplinary program. It is restorative, trauma-informed and keeps students in school. It helps the respondent (student offender) reflect on their conduct, giving them an opportunity to fix the harm. As a youth development program for students running the court it enhances the student voice, and builds problem solving, conflict resolution, and creative thinking skills.

2) **OPERATIONAL ISSUES –** Students are trained by teachers, lawyers, or law students to run a courtroom. Using a manual with 21 lesson plans students learn courtroom roles (judge, bailiff, attorney, jury foreperson, juror) and conduct a disciplinary hearing. Students ask probing questions regarding the facts, the harm, and how to repair it. A disposition is imposed by the student jury and after its completion the disciplinary record is deleted. Some courts process more than 75 cases a year.

**3)** **RESTORATIVE JUSTICE – F**ocuses on helping the respondent reflect on their conduct, acknowledge the harm it caused, and the need to repair injured relationships. The youth court jury imposes a disposition (consequences) which helps the respondent accept responsibility and fix the harm.

4) **TRAUMA INFORMED** - A psychological condition in which a student has had overwhelming stress placed on them. This trauma often leads to disciplinary problems. Many students have been victims of trauma: physical, emotional, or sexual. Medical science shows trauma **can decrease brain size** and impair how the brain processes stressful information and recurring threats to personal safety. Trauma victims adopt avoidance coping behavior such as putting one’s head down on a desk, acting out, or walking out of class. Trauma requirements for teachers and school board members now exist and there is also a trauma plan for Pennsylvania.

**5)** **POSITIVE PEER PRESSURE** – Youth court uses positive peer pressure which is the influence students have on other students. Most of us have experienced negative peer pressure ourselves. Somebody suggests doing something wrong and this pressures us to do the wrong thing. However positive peer pressure is also powerful. Students want the respect of their friends, and to be liked. They want to be part of the group. They react positively to peer suggestions - imposed by a youth court jury.

**6**) **DATA AND RECORDS -** It is important to keep records of the type of school infractions referred to youth court, the number of hearings held and dispositions completed, and recidivism rates.

**7)** **COST- BENEFIT -** Youth court is valued for its low cost, trauma sensitivity, and promotion of restorative justice, but they also build conflict resolution/violence avoidance skills in students. They build skills in youth court members and keep misbehaving students in school. They help youth accept citizenship responsibility, helping other students in their school. Youth court is both a youth development and a discipline program.

**8) ADMINISTRATIVE HEARING PROCESS -** Below is a sequential description of administrative issues detailing how the school incorporates youth court into its disciplinary system:

a) Case referrals are designated on **student disciplinary forms.** The respondent is eligible for youth court if their case fits within the cases approved by administration **and the respondent admits they committed the act.** Youth courts do not determine guilt. They are sentencing courts.

b) Before the student is assigned for a youth court hearing the Dean must explain the youth court process to the student. They can prepare a written statement and have the youth and/or parent sign acknowledgement that they understand the basic operational process of youth court. However, each student should also be provided with the following verbal information:

To be referred to youth court you must admit guilt. A student in the class will help you - they are your youth advocate. They will speak on your behalf, ensure the process is fair, and insist on seriousness by the jury. They will make an opening and closing statement, and object if anything unfair happens.

c) The youth advocate assists the respondent to write their version of the facts that led to the incident. This student statement states facts of the case from their point of view. The student statement is read by the bailiff in open court at the start of the hearing along with the school referral. Youth court members use a predetermined script to ensure order in the courtroom.

d) The student jury asks the respondent questions for 15 minutes, deliberates, and renders a decision. The disposition includes a time frame in which the disposition must be completed – usually a few days**.** Dispositions may include letter of apology, oral apology, restitution, community service, assisting a teacher, etc. Often juries suggest dispositions customized to the facts of your case.

e) Deans ensure only low severity cases are processed. Deans ensure the respondent completes the disposition, the school record is expunged, and no record of the offense remains. School record shows only that a student was referred to youth court and satisfied the disposition.

**9) FINAL CONSIDERATIONS**

1) Experience has shown youth court can benefit high school, middle school and elementary school youth. The preferred grade to start youth court is fifth grade.

2) Ensure parents and students are aware of the youth court option. Consider sending an informational flyer home to parents at the start of the school year notifying them of this new program.

3) Deans must provide a steady flow of referrals and simplify procedures for scheduling of youth court hearings. Confirmation of disposition completion should **no**t be the teacher’s responsibility.

4) School Safety and Security Grants overseen by PCCD are a source of financial assistance. Private philanthropy has supported youth courts for the past 15 years in eastern Pennsylvania.