## **Appendix D: Script**

**YOUTH COURT PROCESS AND SCRIPT**

**BOLD PRINT** *indicates words to be spoken by a court official.*

Court forms have been collected by Bailiff/Clerk and participants are ready to begin.

**Opening of the Youth Court**

**JUDGE: The Court will come to order.** (Only use gavel if needed.)

**Bailiff, please escort the Respondent and Youth Advocate into the court.**

Respondent and Youth Advocate are escorted into court by the Bailiff.

**JUDGE: Respondent and Youth Advocate, please remain standing.**

**BAILIFF: All rise. Youth Court is now in session. The Honorable Judge \_\_\_\_\_\_\_\_\_** (Name of Judge) **presiding. Case number \_\_\_\_\_** (Found on court form), **is the case of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (Respondent name)**. Anyone not standing, please stand now.**

1. (Swear in everyone in room.) **Please raise your right hand and repeat after me. I swear or affirm/** (Wait for everyone to repeat) **that everything I see or hear/** (Wait for response) **in Youth Court today/** (Wait for response) **shall be kept secret/. Everyone please be seated except the Jury.**
2. (Swear in jury) **Please raise your right hand. Do you swear or affirm that you will fairly weigh the evidence and render a disposition according to Youth Court guidelines?** (All jury members must say yes) **Please be seated.**
3. (Swear in respondent and Youth Advocate) **Respondent and Youth Advocate, please rise and raise your right hand. Do you swear or affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?** (Both respond yes) **Please be seated.**

**JUDGE:**

* **In Youth Court we expect the same level of respect found in any courtroom.**
* **There will be no gum-chewing, eating, or drinking.**
* **No cell phones or electronic devices are allowed.**
* **No laughing, talking, or inappropriate behavior is permitted in court.**
* **If there is improper behavior, the Bailiff or I will order the behavior to cease.**
* **If our warnings are ignored, the offender will be removed from the courtroom and the hearing will continue without them.**
* **If the Respondent’s behavior disrupts the proceeding, they will be removed, a mistrial declared, and the case returned to the referring official.**
* **Does everyone understand?** (Everyone must say yes.)
* **Bailiff, please read the facts of the case.**

**BAILIFF:** *School Referral:*

Raheem was running in the hallway and making funny noises outside of the classroom during math class. He refuses to go to math class.

*Student’s Statement:* Math is too hard. Mr. Sullivan always asks me to do those stupid fraction problems. I tried really hard but after a while I just gave up.

**JUDGE: Youth Advocate, please make your opening statement.**

**YOUTH ADVOCATE** makes opening statement.

**JUDGE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (Respondent name), **Do you wish to say anything before the jury begins the questioning?** (Respondent usually says no.)

**JUDGE: At this time the jury may begin questioning the respondent.**

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**Jury Questioning**

**JURY FOREPERSON (**Calls on jurors in the order they raise their hand)

*FACTS*

When all fact questions have been asked and no jurors raise their hands, the Jury Foreperson says: **Do any jury members have any more fact questions? (**If no jurors have a question the jury foreperson proceeds.) **Since there are no more fact questions, the jury may now ask questions to find the harm.**

*HARM*

When all harm questions have been asked and no jurors raise their hand, the Jury Foreperson says: **Do any jury members have any more harm questions? If not, the jury may ask questions to fix the harm and help the Respondent avoid future bad behavior.**

*FIX IT*

When all “fix it” questions have been asked and no jurors raise their hand, the Jury Foreperson says: **Do any jurors have any more “fix it” questions?** If no hands are raised the Jury foreperson tells the Judge: **Your Honor, we have no further questions.**

**Closing Statement, Jury Deliberation, and Disposition**

**JUDGE: Youth Advocate, please make your closing statement.**

**YOUTH ADVOCATE** makes closing argument.

**JUDGE: Bailiff, please escort the Respondent and Youth Advocate from the courtroom.**

The Respondent and Youth Advocate are escorted from the courtroom. Bailiff returns.

**JUDGE** (to jury): **At this time, the Jury may begin its deliberations.**

(The Jury deliberates until a decision is reached and Jury Foreperson writes it down and states):

**JURY FOREPERSON: Your Honor, we have reached a disposition.**

**JUDGE: Bailiff, please escort the Respondent and Youth Advocate into the courtroom.**

**BAILIFF** (escorts Respondent and Youth Advocate into the room and says:) **Respondent and Youth Advocate please remain standing.**

**JUDGE:** (To entire Jury) **Would the entire Jury please stand. Jury Foreperson please read the disposition to the court and the Respondent.**

(If any juror does not stand, then the judge says: **All jurors must stand.**)

**JURY FOREPERSON: We the members of (**state name of school**) Youth Court have reached the following disposition for your case:** (read disposition to court.)

**JUDGE:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Respondent name),

* **Do you understand the disposition?** (Wait for Respondent to say yes or no.)
* **Do you plan to complete it?** (Wait for Respondent to say yes or no.)
* **Do you understand that if you do not complete it your case will be returned to the referring source for further action?** (Respondent must reply yes or no.)

**JUDGE:** **Court is now adjourned.** (Taps gavel.) **Bailiff, please escort the Respondent and Youth Advocate from the room to complete the disposition contract.**

The Respondent and Youth Advocate are escorted from the room by the Bailiff and the Youth Advocate witnesses the completion of the disposition contract and signs it.