

Enrolled Res.: 157-11
Adopted: 2/25/03 as twice amended
Approved: 2/28/03 as twice amended

~~SUPPORT STATE AND FEDERAL FUNDING FOR TEEN COURTS~~ amended
Support the Concept of a Teen Court

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WHEREAS Wisconsin State Statute 938.34(2m) allows the use of a teen court program as a dispositional option for a juvenile adjudged delinquent, and

WHEREAS the typical youth referred to teen court is 12 to 16 years old, has committed a law violation for the first time, and is generally charged with a non-violent offense, and

WHEREAS a juvenile may participate in a teen court program only if the juvenile admits or pleads no contest (the parent, guardian or legal custodian must be present) to the allegations that a delinquent act had been committed, and

WHEREAS by agreeing to participate in teen court, a youth can avoid formal prosecution and possible adjudication, and often receive a more meaningful sentence (community service, payment of restitution, writing of apology letters, teen court jury duty) compared to the juvenile court process, and

WHEREAS teen court is an effective alternative for young offenders, often producing lower recidivism rates than the juvenile court system and proving to be an effective crime prevention program, and

WHEREAS teen courts have lower administrative costs than traditional juvenile courts through the use of volunteers, teen courts are a proven effective crime prevention program and money invested in teen courts today is money saved later in treatment and corrections, and

WHEREAS many teen courts operating in Wisconsin are in jeopardy due to lack of a state and/or federal funding mechanism.

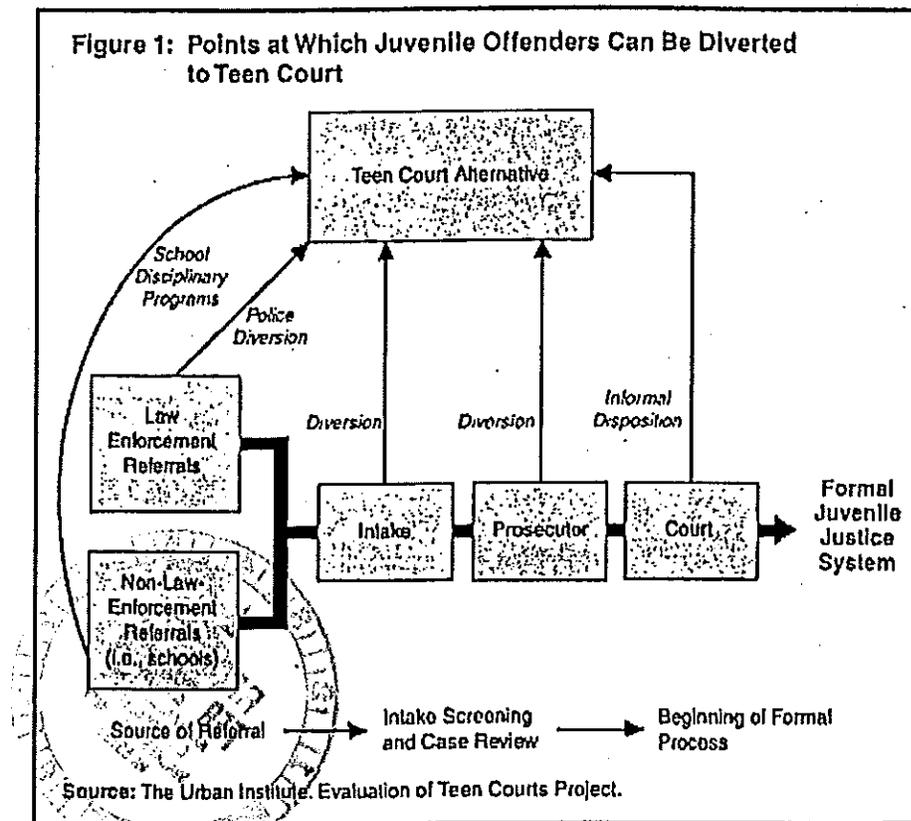
NOW THEREFORE BE IT HEREBY RESOLVED by the Waukesha County Board of Supervisors that it supports the creation of a state and/or federal funding source for teen courts in Wisconsin, provided that a teen courts financing proposal does not reduce any state funding for the state court system.

BE IT FURTHER RESOLVED that upon approval of this resolution a letter expressing Waukesha County's support for teen courts shall be sent to Senators Kohl and Feingold and Representative Sensenbrenner.

NOTE: The Judiciary & Law Enforcement Committee at their meeting of 1/31/03 suggested that this information be copied to the full Board.

The Teen Court Concept

Teen courts are generally used for younger juveniles (ages 10 to 15), those with no prior arrest records, and those charged with less serious law violations (e.g., shoplifting, vandalism, and disorderly conduct). Typically, young offenders are offered teen court as a voluntary alternative in lieu of more formal handling by the traditional juvenile justice system (see figure 1). Teen courts differ from other juvenile justice programs because young people rather than adults determine the disposition, given a broad array of sentencing options made available by adults overseeing the program. Teen court defendants may go through an intake process, a preliminary review of charges, a court hearing, and sentencing, as in a regular juvenile court. In a teen court, however, other young people are responsible for much of the process. Charges may be presented to the court by a 15-year-old "prosecutor." Defendants may be represented by a 16-year-old "defense attorney." Other youth may serve as jurors, court clerks, and bailiffs. In some teen courts, a youth "judge" (or panel of youth judges) may choose the best disposition or sanction for each case. In a few teen courts, youth even determine whether the facts in a case have been proven by the prosecutor (similar to a finding of guilt).



Adults are also involved in teen courts. They often administer the programs, and they are usually responsible for essential functions such as budgeting, planning, and personnel. In many programs, adults supervise the courtroom activities, and they often coordinate the community service placements where youth work to fulfill the terms of their dispositions. In some programs, adults act as the judges while teens serve as attorneys and jurors. The key to all teen court programs, however, is the significant role youth play in the deliberation of charges and the imposition of sanctions on young offenders.

Proponents of teen court argue that the process takes advantage of one of the most powerful forces in the life of an adolescent—the desire for peer approval and the reaction to peer pressure. According to this argument, youth respond better to prosocial peers than to adult authority figures. Thus, teen courts are seen as a potentially effective alternative to traditional juvenile courts staffed with paid professionals such as lawyers, judges, and probation officers. Teen court advocates also point out that the benefits extend beyond defendants. Teen courts may benefit the volunteer youth attorneys and judges, who probably learn more about the legal system than they ever could in a classroom. The presence of a teen court may also encourage the entire community to take a more active role in responding to juvenile crime. Teen courts offer at least four potential benefits:

- **Accountability.** Teen courts may help to ensure that young offenders are held accountable for their illegal behavior, even when their offenses are relatively minor and would not likely result in sanctions from the traditional juvenile justice system.
- **Timeliness.** An effective teen court can move young offenders from arrest to sanctions within a matter of days rather than the months that may pass with traditional juvenile courts. This rapid response may increase the positive impact of court sanctions, regardless of their severity.
- **Cost savings.** Teen courts usually depend heavily on youth and adult volunteers. If managed properly, they may handle a substantial number of offenders at relatively little cost to the community. The average annual cost for operating a teen court is \$32,822 (National Youth Court Center, unpublished data).
- **Community cohesion.** A well-structured and expansive teen court program may affect the entire community by increasing public appreciation of the legal system, enhancing community-court relationships, encouraging greater respect for the law among youth, and promoting volunteerism among both adults and youth.



WAUKESHA COUNTY BOARD OF SUPERVISORS

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DATE-02/25/03

(RES) NUMBER-1570011
AS twice amended

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- 29 M. THOMAS.....NAY
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- 30 K. NILSON.....NAY
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....NAY

TOTAL AYES-23

TOTAL NAYS-08

CARRIED X

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UNANIMOUS _____

TOTAL VOTES-31