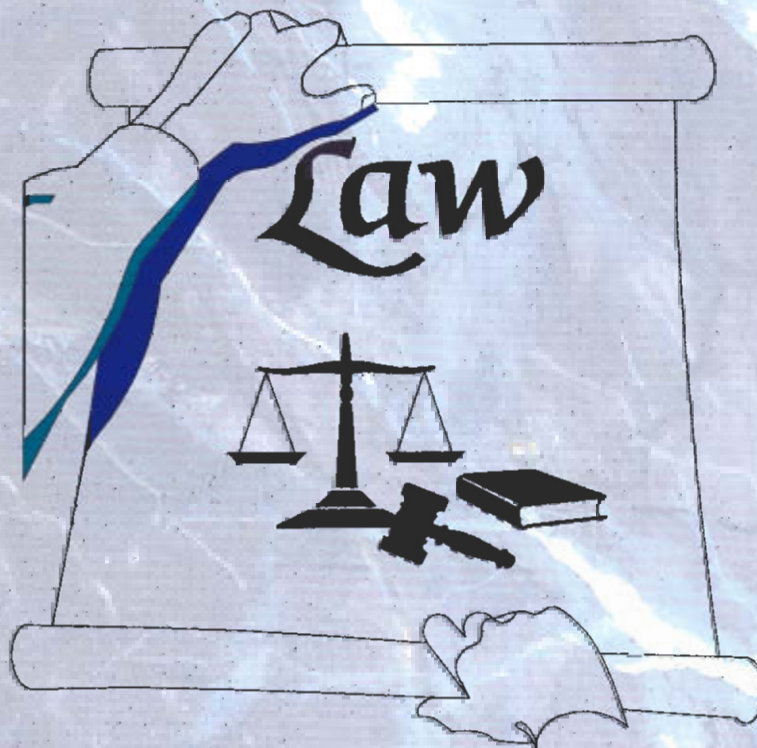


**Delaware Teen Courts, Inc.  
Operation Teen Peer Court**

**An Outcome Evaluation**



**Conducted by  
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**Delaware Teen Court, Inc.  
Operation Teen Peer Court  
DB 97 - 32, DB 99 - 08, DB 00 - 16**

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**Amount of Award:**

	1997	1998	1999	Total
Federal:	\$12,000.00	\$30,281.00	\$30,281.00	\$72,562.00
State:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Match:	<u>\$ 0.00</u>	<u>\$ 1,894.00</u>	<u>\$ 1,894.00</u>	<u>\$ 3,788.00</u>
Total:	\$12,000.00	\$32,175.00	\$32,175.00	\$ 76,350.00

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## Executive Summary

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The Kent County Teen Court Program provides for the diversion of youth from the Kent County Family Court to a peer court in which peers impose sanctions in an effort to impress on youthful offenders that their delinquent acts are not supported nor tolerated by their peers. Part of the theory behind teen courts is that the sanction from ones peers carries more weight than sanctions from adults. The goal of the initial grant was to provide more focus on minor offenses committed by juveniles in order to ensure effective enforcement of sentences imposed, recoup a high percentage of restitution ordered, make youth more accountable for their actions and deter further delinquent behavior. The Teen Court Program was also designed to provide participants with hands on education on the judicial process, to create a sanction program that will not create a permanent record for a juvenile, and strive to promote a sense of community belonging in the program participants. The Kent County Teen Court is an *adult model* teen court in which all of the judicial actors are juveniles with the exception of the judge. The Delaware Criminal Justice Council (CJC) awarded a grant to Delaware Teen Courts, Inc. to support the operation of the Kent County Teen Court Program.

The Teen Court Program was evaluated based on the three outcome measures approved within the Criminal Justice Council sub-grant application. These three outcome measures are as follows:

1. Did the program prevent 100 youth from entering the Family court system, in other words did the program have 100 youth participating in the program as defendants;
2. Did the program provide sentences for 100 youth; and
3. Did the program provide 80 youth with an education in the workings of the juvenile judicial system by training them and using them as teen jurors and in other court functions.

In addition to these three measures, the following research questions will be addressed at the request of the program:

1. How many youth defendants were arrested after agreeing to participate in the teen court program;

2. How many youth defendants were arrested after successful completion of imposed sanctions;
3. After a three, six, nine and twelve month period, how many of the youth defendants who successfully completed the imposed sanctions were arrested; and
4. How was the sanction of community service ordered by the teen juries, specifically regarding (1) the rate of the application of the sanction and the pattern of application over the first two years of the program, (2) the relationship between the application of the sanction and the charge before the teen jury and (3) the number of community service hours ordered.

The results of the evaluation are as follows:

1. Did the program prevent 100 youth from entering the Family Court system, in other words did the program have 100 youth participating in the program as defendants;
  - During the research period the Teen Court Program had a total of 106 cases. In 1999 the program opened 51 cases and in 2000 the program opened 55 cases. The most recent Criminal Justice Council sub grant has reduced the goal of cases handled during a sub grant year from 100 to 75 youth.
2. Did the program provide sentences for 100 youth; and
  - All 106 youth who appeared before the Teen Court received some sanction from the teen Court. More than half received community service (57.5%) and more than ninety (91.2%) percent served as jurors in the Teen Court Program. Other sanctions imposed included required counseling or participation in Shoplifters Anonymous, letters of apology, curfew orders, restitution and written essays.
3. Did the program provide 80 youth with an education in the workings of the juvenile judicial system by training them and using them as teen juries and in other court functions.
  - The Teen Court has an active list of 105 youth who participate in the program as attorneys, prosecutors and

bailiffs. Additionally, the program has a list of 65 previous youth who participated as attorneys, prosecutors and bailiffs who are no longer active.

In regard to the four research questions submitted by the program, the results are as follows:

1. How many youth defendants *were arrested after agreeing to participate in the teen court program*;
  - Five youth were arrested after agreeing to participate in the program but before a Teen Court hearing occurred.
  - Five (4.7%) percent of the total youth in the program (N= 106) were arrested after agreeing to participate in the program but before a Teen Court hearing occurred.
  
2. How many youth defendants *were arrested after successful completion of imposed sanctions*;
  - Seven youth were arrested after successful completion of imposed sanctions.
  - Fifteen (15.5%) percent of youth who successfully completed the program (N = 45) were arrested after successful completion of imposed sanctions.
  
3. After a three, six, nine and twelve month period, how many of the youth defendants who successfully completed the imposed sanctions were arrested; and
  - Of the seventy one (71) youth who were discharged only seven (7) or ten (9.8%) percent were successfully discharged and arrested within a twelve month period.
  - Within the first three months, five (5) or eleven (11.1%) of successfully discharged youth (N= 45) were arrested. Within six months, two (2) or four (4.4%) of successfully discharged youth were arrested. None of the youth successfully discharged were arrested after the six month period.
  - Thirty Eight (38) of successfully discharged youth (84.4%) were not arrested during the twelve month period.

4. How was the sanction of community service ordered by the teen juries, specifically regarding (1) the rate of the application of the sanction and the pattern of application over the first two years of the program, (2) the relationship between the application of the sanction and the charge before the teen jury and (3) the number of community service hours ordered.

- ***Fifty seven (57.5%) percent of the total cases (N = 106) cases received community service as part of the imposed sanction.***
- ***Of the cases in which teen court cases were heard by a teen jury and sanctions were imposed (N = 91), sixty seven (67%) percent involved the application of community service.***
- ***Of the total cases in which community service was imposed (N = 61), thirty (29.5%) percent involved community service in the amount of six (6) to ten (10) hours.***
- ***Between January 20, 1999 and November 17, 1999 a total of 588 community service hours were imposed. Between December 15, 1999 and December 15, 2000 a total of 640 community service hours were imposed.***
- ***Of the ninety one (91) cases in which a hearing was held, more than ninety (91.2%) percent of youth were required to serve as teen court jurors.***
- ***Two (2) jury duty requirements was the mode number of jury duty sanctions imposed by the teen court.***

The program was found to have met its stated outcome objectives. The following recommendations are made:

1. The Teen Court Program should be expended to other areas of the state.
2. An expansion of the Teen Court Program must included planning for more scientific evaluations to assess the full impact of teen courts.

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## Literature Review

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In recent years, teen courts have been used as a tool to deal with youth who are first time offenders as a way to divert them from formal proceedings in juvenile court (Shiff and Wexler, 1996, Rothstein, 1987). Teen courts, depending on the design, provide youths with the experience of being judged by their peers and hands on experience with the criminal justice system and how it functions and deals with offenders (Reichel and Seyfrit, 1984, Rothstein, 1985). Teen courts offer an offender an opportunity to receive a sanction for an offense without forming a formal and/or permanent record of delinquency. Sanctions usually entail letters of apology, service on peer juries, community service, and restitution (Zehner, 1997) as well as counseling, participation in drug and/or alcohol recover groups like alcoholics anonymous (Williamson, *et. al.*, 1993). Thus teen courts provide the community, youth within the community and the offender opportunities and protections for first time minor offenses that the formal juvenile justice system may not be able to provide.

One of the key theories underlying the teen court concept is that youth build socialization skills and feelings of ownership in their community (Godwin, 1998). Community bonding is important in the development of youth and the community for “if youth do not see themselves as being bonded to the social contract that the adult society adheres to, they will see no reason to follow it” (Godwin, 1994, 4). The process of the teen court facilitates this bonding by:

1. Providing youth accountability for their delinquent behavior;
2. Providing youth practical experience and understanding of how their actions impact others;
3. Providing youth with instruction on how the judicial system works;
4. Providing youth with experience in group decision making and how to use conflict resolution skills when dealing with disagreement; and
5. Providing youth with a forum to exercise various inter personal skills.

“The skills learned, combined with the education received on the legal and judicial system from participating in teen court programs, can cause youth to rethink their views on delinquent

behavior and lead them to adopt more prosocial attitudes. This outcome ultimately can enhance public safety” (Godwin, 1998, 4). From an ecological theory perspective, teen courts have been found to provide an opportunity for various protective factors to influence the defendant youth in order to prevent recidivism and a return to the community as a positive citizen (Beck, 1997).

Teen courts are established to provide a dispositional alternative to formal adjudication for first time offenders. Teen courts are based, in essence, on the theory that “young people who understand the nation’s laws are less likely to violate them [and] that lawful behavior stems from respect for the legal system grounded in an understanding of the place of law in a democracy” (Williamson, *et. al.*, 1993, 54, 56). Rather than having a judge impose a sanction on a youth in an effort to control youth behavior, teen courts use the power of positive peer pressure to affect youth behavior (Williamson, *et. al.*, 1993). Because teen courts are dispositional alternatives and not diversion programs they more closely resemble “the juvenile court process than a program designed to divert offenders away from juvenile court” (Williamson, *et. al.*, 1993, 57) without the labeling that comes from formal adjudication but with the formality of accountability and application of sanctions appropriate for the offense.

There are various types of teen courts. According to National Teen Courts of America there are 9 major classifications and 45 subclassifications of the teen court concept (National Teen Courts of America, 2000). Godwin (1998) notes that there are four categories of teen courts, three are trial oriented and one is strictly sanction oriented. The three types of trial oriented teen courts differ in the roles of the youths. In the *adult model*, youth serve as prosecutors, defense attorneys, bailiffs and jurors but the judge is an adult volunteer. In the *youth judge model*, all functions of the court including that of the judge are handled by the youths under adult supervision. In the *tribunal model*, there is no youth jury and the youth attorneys argue their case before a panel of youth judges who determine the sentence of the charged youth. In the *peer jury model*, there are no youth prosecutors or defense attorneys. The court is comprised of a panel of youth peers on the jury who question the youth directly and they determine the sanction for the youth. Most teen courts are authorized to impose sanction on a youth and not to determine actual guilt of the charge (Butts, Hoffman and Buck, 1999). Teen courts “serve as diversion alternatives and youth must admit to the charges against them in order to qualify for teen court . .

. . . only 13% of teen courts [are] authorized to determine guilt; of these, 44% use the tribunal model and 36% use the youth judge model” (Butts, Hoffman, and Buck, 1999).

Theoretically, teen courts in general provide youth with an opportunity to take responsibility for delinquent acts and be held accountable for them by a group significant to the offender, his/her peers (Lott, *et. al.*, 2000; Hissong, 1991). Peer courts have also been supported under the theory that they reduce recidivism, provide education to participating youth on how the criminal justice system functions, provide peer court participants with a greater sympathy for the feelings of others and how to work together for a common goal (Minor, *et. al.*, 1999; Lott, *et. al.*, 2000; Godwin, 1998).

Recent research has noted that peer courts have limits to what they actually accomplish. Lott and his colleagues reviewed an *adult model* peer court program located in Lancaster County, Nebraska (Lott, *et. al.*, 2000). The study sought to test two assumptions about teen courts, first that participants will have “low recidivism rates and teens who took part would show a positive change in their attitudes to authority figures and to institutional authority generally. It was further expected that teen court volunteers, as compared to both teen court defendants and control [group] youth, would have a higher respect for the legal system and authority figures generally than the other groups did” (Lott, *et. al.*, 2000, 5). The study found that participants in the program found the teen court experience valuable, it gave them an opportunity to be heard and only thirteen (13%) percent of the teen defendants reoffended within a year after completing the program (Lott, *et. al.*, 2000, 7, 9). But the study also concluded that “the participants evidenced very little change of attitude or beliefs” (Lott, *et. al.*, 2000, 7). The study found that peer defendants “showed a positive and significant linear correlation between belief in the unfairness of institutional authority as measured after teen court, and higher satisfaction with the teen court process” (Lott, *et. al.*, 2000, 8). Teen court defendants also showed a “significant increase in their expressed alienation from the institutional system after they had completed teen court” (Lott, *et. al.*, 2000, 9). Teen court volunteers did not show any change in their beliefs before or after their participation but showed “that they have lost some of their belief in the absolute priority in rules during the time they have been involved in the program” (Lott, *et. al.*, 2000, 8).

Minor and his colleagues evaluated an *adult model* peer court program operated by the

Kentucky Administrative Office of the Courts (Minor, *et. al.*, 1999). The program in Kentucky is a juvenile court initiated program in that the juvenile court judges refer cases to the teen court for sentencing (Minor, *et. al.*, 1999, 470). The program is statewide with ten (10) sites in various locations of the state. The study sought to assess the recidivism rate of participants in the program. Recidivism was defined as “the number of further appearances in juvenile court for new offenses” (Minor, *et. al.*, 1999, 472). The study reviewed more than two hundred individual juvenile cases (234) over a three year period (1994 - 1997) (Minor, *et. al.*, 1999, 471). More than ninety - five (96.6%) percent of the cases had information dealing with recidivism data, of which thirty (31.8%) percent “recidivated at least once during the year after sentencing” (Minor, *et. al.*, 1999, 472). Community service was the most often imposed sanction, followed by letters of apology, court ordered participation as a peer juror and attend counseling (Minor, *et. al.*, 1999, 472).

Minor and his colleagues, using a chi-square analysis, found that prior delinquent history and community service were significantly associated with sentence completion (Minor, *et. al.*, 1999, 472). With the presence either of these variables, there was less likelihood of completing the imposed sentence (Minor, *et. al.*, 1999, 472). The study also found a significant association between prior offending and recidivism in that youth with prior offending had a higher proportion of those youth who recidivated (Minor, *et. al.*, 1999, 472). Youth who had a curfew sanction were also found to have a higher proportion of recidivism than those who did not have a curfew sanction (Minor, *et. al.*, 1999, 472-473). Using a logic regression model, the study found that youths who were sentenced to “community service were .35 times less likely to complete the peer - imposed sentence than youths who received some other type of sentence (Minor, *et. al.*, 1999, 474). For each prior court appearance, “a youth was 2.9 times more likely to recidivate than a youth lacking priors. Similarly, persons sentenced to curfew were 2.7 times more likely to recidivate than persons not receiving this sentence” (Minor, *et. al.*, 1999, 474).

Minor and his colleagues noted that part of the issue with community service completion is that it requires a more “sustained and intense” effort to complete as compared to other types of sanctions and that community service sanctions need to be meaningful to the youth in order to increase compliance rates (Minor, *et. al.*, 1999, 476). In regard to curfews, the study theorized

that curfews are less likely to encourage juveniles to reflect upon their behavior and the consequences thereof (Minor, *et. al.*, 1999, 477). The study concluded that (1) community service sanctions were significantly associated with sentence completion, (2) community service was not associated with recidivism, (3) recidivism was not affected sentence completion, (4) the only factors associated with recidivism were prior court appearances and sentence curfews and (5) past offending was a predictor of future offending (Minor, *et. al.*, 1999, 476 - 477).

Hissong (1991) conducted a study of an *adult model* teen court program in within the Arlington School Independent School District, Arlington, Texas. Youth, convicted of a class C misdemeanor were given the option of receiving a sanction in court or the teen court. Hissong sought to test an underlying hypothesis of teen courts, “that young offenders respond more positively when judged by their peers and required to serve the community constructively than when judged and sentenced in the traditional fashion” (14). The study compared 196 participants in the teen court to a control group of 196 youths who had committed similar offenses during similar time frames but were sanctioned by the regular court. Hissong found that seventy - five (75%) percent of the youth who participated in the teen court program had not recidivated within the first 12 months after participating in the teen court. The control group had a sixty four (64%) percent non recidivism rate. Additionally, after conducting a survival analysis,<sup>1</sup> Hissog found that “at every month the probability of surviving beyond the month [without recidivating] was greater for Teen Court participants than for the non-participants” during the study period (Hissong, 1991, 19). Hissong concluded that the teen court program was more affective than non-teen court programs but that the effect of the program waned after one year.

Seyfrit, Reichel and Stutts (1987) conducted an affectiveness evaluation of a *peer jury* teen court program in Columbia County, Georgia to determine if the program was successful in “reducing the subsequent involvement in delinquency by youth who had gone before the peer jury” (308). The program was a diversion program that sought to implement state required

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<sup>1</sup> A technique in which the time between the youths participation and recidivism. This technique allows for differences between participants and time of recidivism can be made. “For example, a group with all failures occurring in the first three months at risk would be distinguished from a group with all failures occurring in the second three months at risk. The survival function estimated the probability of an individual surviving beyond a particular period of time at risk” (Hissong, 1991, 17).

informal adjustment programming in the juvenile courts. Under the county juvenile court system, an intake officer would receive a complaint against a juvenile and determine if the case should be handled through the formal juvenile court process, be dismissed or handled through an informal process. One of the options the intake office had was placing the youth before a peer jury to determine a proper sanction for delinquent behavior. The youth had to admit to the charge to be eligible to participate in the program. If the youth agreed, the intake officer would convene a peer jury of five jurors who would be briefed on the charges and other information about the youth and the family. The peer jury would directly question the youth, his/her parents and the intake officer. After which the jurors would retire and develop recommendations for disposition of the case. Recommendations included restitution, curfew restrictions, counseling and surrender of driver's license.

Seyfrit, Reichel and Stutts (1987) compared the program in Columbia county to a similar county, Liberty County that used a traditional informal adjustment program (a program in which the intake officer refers the youth to a social service agency, places the youth under probation, sets curfew restrictions and/or orders restitution). Seyfrit, Reichel and Stutts (1987) found that the *peer jury* program handled more serious crimes and second offenders than the traditional program and had a slightly lower recidivism rate than the traditional system (312). The *peer jury* program had five (5) out of fifty-two (52) cases (9.6%) commit additional offenses while six (6) out of fifty (50) cases (12%) committed additional offenses (312). Additionally, the *peer jury* program had only one (1) (2.3%) out of forty-four (44) of first time offender cases commit another offense as compared to five (5) (10.4%) out forty-eight (48) first time offender cases in the traditional informal adjustment county.

While the literature still contains more “anecdotal information on the effectiveness of teen courts [and] very little research-based information” (Fulton, 1998) the available research suggests that teen courts have a positive impact on recidivism. Although the theory of teen courts includes increasing the respect for the criminal justice system in youth participating in the programs, some research (Lott, *et. al.*, 2000) did not find this effect to occur. The evaluation conducted on the Delaware Teen Court is intended to add to this still small body of knowledge and research on the effectiveness of teen courts.

## Introduction

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The Delaware Criminal Justice Council (CJC) awarded a grant to Delaware Teen Courts, Inc. to help support the Kent County Teen Court Program.<sup>2</sup> The goal of the initial grant was to provide “more focus on minor offenses committed by juveniles in order to better insure effective enforcement of sentences imposed, recoup a high percentage of restitution ordered, make youth more accountable for their actions and deter further delinquent behavior. [Additionally the Delaware Teen Court is designed] to provide more education [on the] judicial process [and] to create a sanction program that will not create a permanent record for a juvenile, and strive to promote a sense of community belonging in juveniles.”<sup>3</sup>

The Teen Court is an *adult model* (Godwin, 1998) program in which all of the judicial players in the court process are juveniles with the exception of the judge. The role of the judge is held by a sitting judge on the Kent County Family Court. Cases are referred to the teen court by the Supervising Deputy Attorney General in the Kent County Family Court. The Deputy Attorney General agrees to offer a first time offender the opportunity to plead guilty to the charge, be placed on Attorney General’s probation and have the sanction for the offense determined by the teen court process. If the youth agrees, the case is sent to teen court for a hearing to determine sentence. If the youth completes the sanction, the offense is considered closed for the remainder of the length of time under the Attorney General’s probation. No formal charge is on the youths record. The youth is warned by the Attorney General and the teen court coordinator that compliance with the sanction with the teen court does not end the Attorney General’s probation agreement. A youth can be held liable for the offense if he/she is arrested for another offense during the period of the probation. The Attorney General’s probation lasts between six and twelve months. Thus, unlike other types of teen court programs, completion of teen court sanctions does not settle the offense completely.

The teen court handles all types of misdemeanor cases but does not handle cases that

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<sup>2</sup> Criminal Justice Council Subgrant DB97-32 and DB99 - 08.

<sup>3</sup> DB97 - 32 at 2.

involve felony charges or charges dealing with drug offenses. Although the Deputy Attorney General refers cases to the teen court, the teen court coordinator works with the Deputy Attorney General in the selection of cases. Typical cases involve incidents of offensive touching, shop lifting, school fights, criminal mischief, and alcohol possession. After a youth is referred to teen court, the program is explained to the youth and his/her parent/guardian. Upon accepting the terms of the program, the youth will be informed of the his/her hearing date. The youth defendant is provided a youth attorney who works with the defendant to get him/her ready to take the stand and develop a case for lenient sentencing. A youth prosecutor is also assigned the case in order to advocate for the most stringent sanction possible. A youth bailiff controls the courtroom and makes sure records are kept in regard to the names of the jurors, the prosecutor and the defense and the sanction imposed by the jury. Both the judge and the teen court coordinator reserve the right to reject a sentence and order the jury to revise the sanction.

Upon imposition of a sanction, the youth works with the teen court coordinator to form a plan for compliance with the sanction imposed by the jury. Sanctions most often included participation on the jury as a peer juror and some level of community service. Additional sanctions such as curfews, letters of apology, participation in counseling and writing an essay dealing with the wrongful conduct and the why said conduct is wrong have been applied to the defendant as cases warrant. Upon successful completion of the sanction, the teen court coordinator sends a letter to the Deputy Attorney General certifying that all of the sanctions that have been imposed by the jury have been completed. Cases in which the youth does not complete all of the sanctions or if the youth is arrested after agreeing to participate in the teen court program, the youth is returned to Family Court for formal disposition of the charge.

## Evaluation Design

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The teen court program will be evaluated to assess the following<sup>4</sup>:

1. Did the program prevent 100 youth from entering the Family court system, in other words did the program have 100 youth participating in the program as defendants;
2. Did the program provide sentences for 100 youth; and
3. Did the program provide 80 youth with an education in the workings of the juvenile judicial system by training them and using them as teen juries and in other court functions.<sup>5</sup>

In addition to these three measures, the following research questions will be addressed at the request of the program:

1. How many youth defendants were arrested after agreeing to participate in the teen court program;
2. How many youth defendants were arrested after successful completion of imposed sanctions; and
3. After a three, six, nine and twelve month period, how many of the youth defendants who successfully completed the imposed sanctions were arrested.
4. How was the sanction of community service ordered by the teen juries, specifically regarding (1) the rate of the application of the sanction and the pattern of application over the first two years of the program, (2) the relationship between the application of the sanction and the charge before the teen jury and (3) the number of community service hours ordered.

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<sup>4</sup> Delaware Criminal Justice Council evaluation rules require that an evaluation be based on the four corners of the grant application. Thus the evaluation must assess whether the program achieved its stated goals and objectives as written in the grant application. This evaluation will make other assessments and observations in regard to the program, but the final assessment of whether the program was successful or not will be based on whether the program meet its stated goals and objectives.

<sup>5</sup> Criminal Justice Council subgrant application DB - 99 - 08 at 14.

## Outcome Evaluation

The Kent County Community Court began operation on January 4, 1999 and heard its first set of cases on January 20, 1999. As shown in Table One, the program opened fifty one (51) cases in 1999 and fifty five (55) cases in 2000. Twenty nine (29) cases were closed in 1999 and forty two (42) cases were closed in 2000. As of December 15, 2000 the program has 35 cases open. Open cases include youth who have been referred to the court and are waiting trial dates and cases in which youth are in the process of completing sanctions received from the teen court.

Year	Opened	Percentage	Closed	Percent
1999	51	48.1	29	27.4
2000	55	51.9	42	39.6
Current			35	33.0
<b>Total</b>	<b>106</b>	<b>100.0</b>	<b>106</b>	<b>100.0</b>

Forty five (45) or sixty three (63.3%) percent of those youth who were discharged from the program (N = 71), successfully completed all the sanctions imposed by the peer court. Table Two, provides a breakdown of participant discharge status.

Discharge Status	Number	Percentage
Successful	45	42.5
Unsuccessful	26	24.5
Current	35	33.0
<b>Total</b>	<b>106</b>	<b>100.0</b>

Less than three (2.8%) percent were unsuccessful due to non compliance with imposed sanctions. As shown in Tables Three and Four, the majority of those youth who were unsuccessful failed to attend the teen court hearing, were re-arrested during the program or were arrested after agreeing to participate in the teen court process but were arrested before the teen court hearing took place.

**Table Three: Teen Court Participant discharge by reason for unsuccessful discharge**

Discharge Status	Number	Percentage
Successful	45	42.5
Non compliance with court sanctions	3	2.8
No trial occurred	10	9.4
Re-arrested during program	8	7.5
Arrested before hearing / after agreeing to participate	5	4.7
Current	35	33.0
<b>Total</b>	<b>106</b>	<b>100</b>

**Table Four: Teen Court Participant discharge by reason for unsuccessful discharge (detailed grouping)**

Discharge Status	Number	Percentage
Successful	45	42.5
Non Compliance - failure to comply with jury service	1	.9
Non Compliance - failure to comply with imposed sanctions	2	1.9
Re - arrested during program	8	7.5
Arrested before hearing / after agreeing to participate	5	4.7
No Trial - Failure to appear before teen court	9	8.5
No trial - accused does not plead guilty to charge	1	.9
Current	35	33.0
<b>Total</b>	<b>106</b>	<b>100.0</b>

As discussed above, in addition to participation in the teen court the youth were placed on Attorney General's probation for 12 months. Of the 45 youth who successfully completed the program (i.e., completed the imposed sanctions imposed by the teen court) eighty four (84.4%) percent of the youth did not violate their probation under the Attorney General. Only seven (7) youth or fifteen (15.6%) percent of the youth who successfully completed teen court sanctions violated their Attorney General Probation.

The majority of youth who were discharged from the program, either successfully or unsuccessfully (N = 71), were not arrested within 12 months of program discharge. As shown in Table Five, of the seventy one (71) youth who were discharged only twenty two (22) or thirty one (30.9%) percent were arrested within a twelve month period.

Arrested	Three Months	Six Months	Nine Months	Twelve Months
Yes	8	2	4	0
No	14	20	18	22
Total	22	22	22	22

Within the first three months after discharge, only eleven (11.2%) percent of the youth discharged were arrested. Within six months after discharge, about three (2.8%) percent of the youth discharged were arrested. Within nine months after discharge, about six (5.6%) of the youth were arrested. Within the first year of discharge none of the youth were arrested.

As shown in Table Six, of the seventy one (71) youth who were discharged only seven (7) or ten (9.8%) percent were successfully discharged and arrested within a twelve month period.

Arrested	Three Months	Six Months	Nine Months	Twelve Months
Yes	5	2	0	0
No	2	5	7	7
Total	7	7	7	7

The sanctions imposed by the teen court included community service, participation on a teen jury, attend counseling, write letters of apology, write essays, pay restitution and setting of curfews. The majority of the youth received at least one jury duty sanction and community service. The application of community service is considered by the program to be the most stringent sanction and is intended to be the sanction to show the level of disapproval of the youths behavior and the measurement of the level of punishment the teen court wished to impose on the youth.

As shown in Table Seven, fifty seven (57.5%) percent of the total cases included the application of community service sanction.

<b>Community Service Imposed</b>	<b>Number</b>	<b>Percent</b>
Yes	61	57.5
No	30	28.3
No Trial	10	9.4
Arrested before hearing	5	4.7
<b>Total</b>	<b>106</b>	<b>100.0</b>

When discounting cases in which a teen court hearing was not held (N = 15), sixty seven (67%) percent of the youth received community service as part of the sanction imposed by the teen court. The average number of community service hours imposed was twelve (11.7) with a mode of ten (10). As shown in Table Eight, six (6) to ten (10) and sixteen (16) to twenty (20) hours of community service were to the two highest groups of community service imposed by the teen court.

**Table Eight: Teen Court imposition of community service by group**

Group of community service ordered	Number	Percentage
1 to 5 hours ordered	2	3.3
6 to 10 hours ordered	18	29.5
11 to 15 hours ordered	9	14.8
16 to 20 hours ordered	10	16.4
21 to 25 hours ordered	6	9.8
26 to 30 hours ordered	6	9.8
31 to 36 hours ordered	8	13.1
36 or more hours ordered	2	3.3
<b>Total</b>	<b>61</b>	<b>100.0</b>

As shown in Table Nine, two (2) was the mode number in the cases (N = 91) in which jury duty was imposed by the teen court. Cases involving youth who were arrested before a teen court hearing or in which a teen court trial did not occur (N = 15) are discounted.

Number of jury services ordered	Number of cases	Percent
None	8	8.8
One	28	30.7
Two	35	38.5
Three	14	15.4
Four	5	5.5
Five	1	1.1
<b>Total</b>	<b>91</b>	<b>100.0</b>

Table Ten shows the number of times other sanctions were imposed by the teen court.

Other sanctions imposed	Number of times sanction imposed
Attend counseling / anger management / shoplifters anonymous	40
Letter of apology / verbal apology	46
Curfew	10
Restitution	7
Essay on wrongfulness of behavior	20

As shown in Table Eleven, the teen court had an median time of 35 days between court referral and teen court hearing. The time between arrest and teen court hearing was about three months. The teen court heard between two (2) to four (4) cases per meeting date and had one meeting date per month.

	Time between arrest and court hearing (days)	Time between arrest and teen court hearing (months)	Time between court hearing and teen court (days)	Time between teen court hearing and completion of sanctions (months)
Mean	44.5	3.05	48.07	4.54
Median	29.5	3.00	35.00	4.30

As shown in Table Twelve, the top four offenses committed by youth in the teen court program was shoplifting under \$1000, disorderly conduct, misdemeanor conspiracy and under age drinking.

Table Twelve: Teen Court participant offenses		
Type of Offense	Number	Percent of total number of charges
Shoplifting under \$1000	30	21.0
Intentionally Recklessly causing harm	1	.7
Criminal Trespass 3rd	4	2.8
Under Age Drinking	15	10.5
Conspiracy to commit a misdemeanor	18	12.6
Theft under \$1000	6	4.2
Offensive Touching	12	8.4
Attempted Criminal Mischief under \$1000	1	.7
Disorderly Conduct	28	19.6
Criminal Impersonation	4	2.8
Receiving Stolen Property over \$1000	4	2.8
Forgery 3rd	1	.7
Criminal Trespass 2nd	5	3.4
Assault 3 <sup>rd</sup>	2	1.4
Harassment	1	.7
Criminal Mischief under \$1000	4	2.8
Loitering	1	.7
Terroristic Threatening	2	1.4
Offensive Utterance	1	.7
Conspiracy 2 <sup>nd</sup> - Felony	2	1.4
Receiving Stolen Property under \$1000	1	.7
<b>Total</b>	<b>143</b>	<b>100.0</b>

The teen court program coordinator requested an analysis on how the sanction of community service was being imposed by the teen juries. Specifically, the teen court program coordinator was interested in (1) the rate of the application of the sanction and the pattern of application over the first two years of the program, (2) the relationship between the application of the sanction and the charge before the teen jury, (3) the number of community service hours ordered. Because the third question has been previously addressed, the first two questions are addressed below as well as whether the teen court program had an effect on delinquent behavior after discharge.

The program coordinator suspected that the level of community court hours imposed by the teen court juries had reduced during the second year compared to the first. As shown in Table Thirteen, between January 20, 1999 and November 17, 1999 the teen juries only imposed zero community service hours six (6) times but imposed zero community hours twenty four (24) times between December 15, 1999 and December 15, 2000.

Year	Number of community service hours grouped								
	Zero	1 - 5	6 - 10	11 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - more
1/20/99 through 11/17/99	6	2	4	3	5	3	3	5	1
12/15/99 through 12/15/00	24	0	14	6	5	3	3	3	1

Although the number of zero community service hours increased during the second year, the number of six (6) to ten (10) community hours imposed by the teen court also increased. Over all, the teen court imposed a total of 588 community service hours during the first year and 640 community service hours during the second year.

No distinctive pattern was found when viewing the offenses by community service imposition. A majority of offenses had community service sanctions that crossed the entire spectrum from zero to more than thirty hours.

The youth who had community service imposed on them were less likely to have been arrested during the first three months after discharge compared to those youth who did not receive community service as part of their sanctions.

Arrested within three months	Community Service Ordered		Total
	Yes	No	
Yes	2	4	6
No	35	15	50
Total	37	19	56

Table Fourteen shows the breakdown of youth (N = 56) who have completed the program (not counting youth who did not have a teen court trial or were arrested before a scheduled teen court hearing - N = 15) and do not have cases pending or are completing teen court ordered sanctions (N = 35).

As shown in Table Fourteen, fifteen youth (15) or twenty six (26.7%) percent did not receive community service and were not arrested within the first three months of discharge. Conversely, thirty five (35) or sixty two (62.5%) of youth received community service and were not arrested within the first three months of discharge. The majority of youth who were arrested did not have community service imposed and the majority of youth who were not arrested had community service imposed. Although the number of youth who were arrested is small, six (6) or ten (10.7%) percent of the total, twice as many youth who did not receive community service were arrested than those who did receive community service. During the six and nine month periods only two youths were arrested and there had been no arrests of youths at the twelve month period.

The Kent County Teen Court handled a total of one hundred and six (106) cases between January 20, 1999 and December 15, 2000. Youth who participated as defendants in the program were evenly distributed by sex (53 males and 53 females) and did not have a disproportionate number of minority youth. As shown in Table Fifteen, fifty eight (58.5%) percent of the participants were Caucasian and thirty nine (38.7) were African American.

Race	Number	Percentage
African American	41	38.7
Caucasian	62	58.5
Hispanic	2	1.9
Other	1	.9
Total	106	100.0

The data did not show disparities in application of community service, the number of community service hours imposed or the number of jury service duties imposed by the teen court when viewed by race. Program success and failure (N = 71) by race was about equal in that twenty two (22%) percent of African Americans were successful and nineteen (19.7%) percent were unsuccessful. About forty (39.4%) percent of the Caucasian youth were successful and about seventeen (16.9%) percent were unsuccessful.

Tables Sixteen and Seventeen show the discharge distribution of the program participants by race.

Race	Summary Discharge			Total
	Successful	Unsuccessful	Current	
African American	16	14	11	41
Caucasian	28	12	22	62
Hispanic	0	0	2	2
Other	1	0	0	1
<b>Total</b>	<b>45</b>	<b>26</b>	<b>35</b>	<b>106</b>

Discharge Status	Race				Total
	African American	Caucasian	Hispanic	Other	
Successful	16	28	0	1	45
Non Compliance - failure to comply with jury service	0	1	0	0	1
Non Compliance - failure to comply with imposed sanctions	2	0	0	0	2
Re - arrested during program	5	3	0	0	8
Arrested before hearing / after agreeing to participate	1	4	0	0	5
No Trial - Failure to appear before teen court	5	4	0	0	9
No trial - accused does not plead guilty to charge	1	0	0	0	1
Current	11	22	2	0	35
<b>Total</b>	<b>44</b>	<b>62</b>	<b>2</b>	<b>1</b>	<b>106</b>

## Summary and Discussion

The Kent County Teen Court Program provides for the diversion of youth from the Kent County Family Court to a peer court in which peers impose sanctions in an effort to impress on youthful offenders that their delinquent acts are not supported nor tolerated by their peers. Part of the theory behind peer courts is that the sanction of ones peers carries more weight than sanctions from adults.

The Kent County Teen Court is an *adult model* teen court in which all of the judicial actors are juveniles with the exception of the judge. The Teen court has been in operation for two years and has handled 106 cases. Cases are secured through referrals from the Supervising Attorney General for the Kent County Family Court. Only first time offenders are referred to Teen Court and they must admit to the charge before referral. In addition to compliance with Teen Court imposed sanctions, the youths are placed on a twelve month Attorney General probation. Should a youth be arrested while on the Attorney General's probation, the charge is reinstated and processed through the Family Court, regardless of compliance with the sanctions imposed by the Teen Court. The Teen Court only handles misdemeanor cases that don't involve drug offenses. The four top offenses committed by youth in the Teen Court program was shoplifting under \$1000, disorderly conduct, misdemeanor conspiracy and under age drinking.

The median age of youth in the Teen Court program at time of offense was fourteen (14.7) years old with the mode age being fifteen years old. During the first two years of operation the Teen Court had an equal amount of males and females, fifty three (53) each. Fifty eight (58.5%) percent of the participants were Caucasian and thirty nine (38.7) were African American. Of the seventy one (71) cases in which youth were discharged from the program (successful and unsuccessful completion of imposed sanctions by the teen Court) the Teen Court had a sixty three (63.3%) success rate.

Fifty seven (57.5%) percent of the total cases included the application of community service sanction. When not counting cases in which a teen court hearing was not held (N = 15), sixty seven (67%) percent of the youth received community service as part of the sanction. The average number of community service hours imposed was twelve (11.7) with a mode of ten (10). The most often imposed grouping of community service hours were six (6) to ten (10) and

sixteen (16) to twenty (20) hours of community service. The majority of youth also received jury duty as part of the imposed sanctions. Only in nine (8.8%) percent of cases was jury duty not imposed. Other sanctions imposed included attending counseling, letters of apology to offended parties (including parents), curfew restrictions, restitution and essays on the wrongfulness of behavior.

Of the forty five (45) youth who successfully completed the program (i.e., completed the imposed sanctions imposed by the teen court) eighty four (84.4%) percent of the youth did not violate their probation under the Attorney General. Within the first three months after discharge, only eleven (11.2%) percent of the total youth discharged (71) were arrested. Within six months after discharge, about three (2.8%) percent of the total youth discharged were arrested. Within nine months after discharge, about six (5.6%) of the youth were arrested. Within the first year of discharge none of the youth were arrested. Of the seventy one (71) youth who were discharged only seven (7) or ten (9.8%) percent were successfully discharged and arrested within a twelve month period.

The median time between referral from the Attorney General and the Teen Court hearing was thirty five (35) days. The median time between arrest and appearance before the Teen Court was about three (3) months. The median time between Teen Court hearing and completion of imposed sanctions was about four (4.3) months.

These results are in line with most of the research on teen courts. Butts and Buck report the results of a national survey of teen courts show that twenty five percent of the teen courts handle about fifty one to one hundred cases per year, sixty six percent of teen courts handle cases with youth under 16 years old, and almost half (47%) of teen courts use the *adult model* (Butts and Buck, 2000). According to the national survey, the top four types of offenses heard by teen courts were theft (including shoplifting), minor assault, disorderly conduct and alcohol possession or use. These results are mirrored by the findings of this evaluation in which the top four offenses were shoplifting, disorderly conduct, misdemeanor conspiracy and under age drinking. The national survey also showed that community service, offender letter of apology, written essay and teen court jury duty were the top four sanctions reported to be imposed by teen court programs nationally. As shown, the Kent County Teen Court imposed all of these

sanctions with community service being the most imposed sanction which is in line with teen courts nationally.

## Recommendations

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- **The Teen Court Program should be expanded to other areas of the state.**

Currently the Teen Court is only operational in Kent County Delaware. The Teen Court program should be expanded to other areas of the state. New Castle County and the City of Wilmington could benefit from a program that diverts first time offenders from the Family Court System.

- **An expansion of the Teen Court Program must include planning for more scientific evaluations to assess the full impact of teen courts.**

This evaluation did not include a control group. The expansion of the Teen Court Program would provide an opportunity to establish a control group and an experimental group and assess the impact of the program before the program is made operational. Butts and Black (2000) note that "most evaluations of teen courts recidivism have employed relatively simple research designs . . . [and] researchers have failed to use comparison groups or pre - and postmeasures" (9). Additionally, with the expansion of the Teen Court Program some additional issues in regard to the impact of the program should be reviewed and planned for before implementation. These additional issues include: (1) the level of satisfaction of youth who participate in the Teen Court Program, (2) the perceptions of justice held by program participants, (3) offenders views and respect for authority, (4) offenders views of their behavior, and (5) the increased knowledge of criminal justice procedures by program participants.

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## **Appendix One: Teen Court in the Delaware News Journal**

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Miller, J. (2000). Teen Court making strides in justice. DELAWARE NEWS JOURNAL, November 20, 2000. A1, A7.

Guy, C. (2000). Sussex County plans to hear Teen Court cases in January. DELAWARE NEWS JOURNAL, November 20, 2000. A6

# Teen Court making strides in justice

By J.L. MILLER  
Dover Bureau reporter

DOVER — Defense attorney Abby Mello wonced as her client told the jury how she quit school, doesn't work and hangs around the house all day.

Prosecutor Erika Woods, sensing an opening, went for the jugular.

"She *did* consume alcohol. She *did* get into a fight, and since then, even though she wants to change her life, she has made no attempt to," Woods said.

As the bailiff led the jurors to the jury room to begin their deliberations,

## Youths accused of minor crimes can be sentenced by their peers

► Sussex County hopes to start own program in January ..... **A6**

the defense attorney shook her head. "She gave me nothing to work with," Mello said.

The jury threw the book at the defendant: 40 hours of community service and mandatory anger-control counseling — and one evening on jury duty.

Woods, a 17-year-old

100 cases out of the Family Court system and put them into the hands of teen-age jurors. The Teen Court handles about eight cases each month.

"I'm very excited we've been able to progress as far as we have," said Family Court Commissioner Andrew T. Horsey, who has presided over the monthly Teen Court sessions. "I think it is working."

The program has proved successful enough that a Teen Court program is in the works in Sussex County, and there has been talk of a New Castle County program as well.

**See TEENS — A7**

Magnolia resident, chalked up yet another courtroom win. Mello, a 17-year-old who lives in Dover, took the loss in stride and prepared for her next case.

Welcome to Teen Court, where teen-agers charged with minor crimes are judged by a jury of their peers and the defendants get a chance to turn their lives around.

Teen Court recently marked its second year in Kent County. In those two years, it has taken nearly

FROM PAGE A1

### A second chance

The premise behind Teen Court is to take some first offenders ages 9 to 17 out of the Family Court system and put them before a jury of their peers.

Youngsters who are charged with serious crimes are not eligible for Teen Court. Most Teen Court cases involve underage drinking, shoplifting and disorderly conduct.

To be eligible for Teen Court, the youngsters must admit their guilt at the outset, and their parents must participate in the process. The jury's sole role is to decide the sentence.

Offenders who fulfill the terms of their Teen Court sentences have their records wiped clean. Those who do not complete their sentence go back to Family Court for trial. The admission necessary to be eligible for Teen Court is not admissible in subsequent Family Court proceedings.

About 75 percent of the Teen Court offenders complete their sentences, according to program director Catherine M. Kemp. Horsey said he cannot recall seeing a Teen Court defendant who had completed a sentence return to Family Court on another juvenile charge.

Teen Court is held one evening a month in the Family Court courtrooms in Dover, and the proceedings are confidential. Participants take an oath never to divulge what they saw or heard.

However, officials granted The News Journal access to the October Teen Court session on the condition that the defendants' names be withheld.

The first defendant to come before Commissioner Lester Blades and his teen-age jurors was a 16-year-old girl, charged with third-degree assault.

The girl's uncle had bought some beer to celebrate New Year's Eve, but on Dec. 28, one of her teen-age friends pressured her into taking a drink.

The girl admitted that she had "a couple" of beers, and before long, she and her female friend got into a fight that spilled out onto the front lawn.

When a neighbor threatened to call the police, the girl fled. Her mother took her to the police station, where she was arrested.

Although the defendant told the jurors her mother had grounded her for a month after the incident, the fact that she had quit school and didn't have a job apparently did not play well with the jury.

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In a court where the punishments sometimes involve little more than an apology and a turn on jury duty, the girl walked out with 40 hours of community service — the stiffest punishment available.

### A mother worries

Next on the docket was a 17-year-old girl who had graduated from high school and had a full-time job at a Dover restaurant.

She got off work one night about 9:30 and ran into some friends.

"Where's the party?" she asked.

Before long, "we ended up at a liquor store," said the girl, who admitted supplying the money so her friends could buy alcohol.

Prosecutor Erica Deloach, a 16-year-old Caesar Rodney High School student, questioned the girl relentlessly about her drinking.

"Do you have a drinking problem?" Deloach asked.

"No," the defendant replied.

"Did your parents ever teach you right from wrong about drinking?" the prosecutor asked.

"Yes," the girl answered.

"And you still, knowing [the dangers of drinking], gave your money to your friend?" Deloach asked.

The defendant admitted she had, but stressed that she hadn't set out that night intending to drink — she just wound up in the wrong place at the wrong time.

The jury went relatively easy on her: 10 hours of community service and two turns on jury duty.

As she waited for the jury to return with its sentence, the defendant's mother said she was optimistic that the girl had learned something from her Teen Court experience.

"I'll keep my fingers crossed," the woman said. "I've got two more [children] coming up."

### Many volunteers

Horsey and others familiar with the program said defendants aren't the only ones who stand to benefit from the Teen Court experience.

"I think this is the biggest impact of all," Horsey said. "I can't believe the enthusiasm shown by these young teens. ... We have a lot of people coming in over and over just because they want to stay on Teen Court."

Many of the jurors, prosecutors, defense attorneys and bailiffs are volunteers from area high schools.

Cases are scheduled so that juries from one school district hear cases from other districts

Monday, Nov. 20, 2000 \*\*\* The News Journal P. A1

# Students volunteer as jurors, attorneys

to reduce the likelihood that defendants and jurors know one another.

"Just look at them," Kathy Foltz said proudly as she watched the youngsters preparing for a case.

"They don't have to be here. They're here because they volunteered," Foltz said.

Foltz has been involved in the program since its inception, when the Kent County Ladies Auxiliaries of the American Legion decided to start a Teen

Court. Kenyata A. Jones, an 18-year-old from Camden, said her life has changed since she became a Teen Court volunteer.

After graduating from Caesar Rodney, she decided to continue her Teen Court work by becoming a mentor for other Teen Court volunteers.

The experience also influenced her decision to study criminal justice at Delaware Technical & Community College.

"I have nothing bad to say about the program. When you do a good job, they let you know," she said.

"Many people told me, 'You get your act together, and you'll be a judge someday,'" she said.

## Funding is uncertain

While Teen Court has completed two years, funding for the program remains uncertain.

Teen Court has a paid staff of one, director Kemp, and a budget of nearly \$40,000.

The majority of the money comes from a one-time grant from the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, administered by the U.S. Department of Justice.

"I'm going to have to start re-actively soon applying to other foundations," Kemp said. "I will have to find some alternate funding sources in the future."

The Sussex program recently received a \$10,000 check from the federal Justice Department

to get its court going, but so far the General Assembly has not provided money for Teen Court.

While the program arguably saves the state money by reducing the Family Court caseload, Horsey said, the program has had "no real effect" on the caseload in Kent County.

"Right now the maximum we're doing is eight [Teen Court] cases in a sitting," Horsey said.

► Reach J.L. Miller at 678-4271 or jlmiller@delawareonline.com

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# Sussex County plans to hear Teen Court cases in January

By CHIP GUY  
Sussex Bureau reporter

GEORGETOWN — A different brand of justice is coming to Sussex County soon.

Organizers of Sussex Teen Court, the program where juvenile offenders are judged not by adults, but by their peers, hope to begin hearing their first cases by January.

The program would be modeled on the Teen Court system that has been running in Kent County for two years, said Betty Dunn, president of Sussex Teen Court Inc. and a member of the American Legion Auxiliary in the county, a sponsor of the program.

Organizers said they will need about \$50,000 a year to make the program work. They will have to work hard to raise that money if cases are to be heard by the first part of 2001.

"That's our goal, and maybe it's a little aggressive," said Jean Campbell, a Georgetown civil lawyer who is the vice president of Sussex Teen Court Inc. "But if Kent County can do it, we can do it."

So far, organizers have raised about \$13,000 in grants and donations.

Sussex Teen Court officials hope the new forum will set some troubled teens on the right path, and also introduce others to the criminal justice process.

"It exposes them to the system, good and bad," Campbell said.

Interest already is building for the new court forum, Campbell and Dunn said.

Organizers have collected about 50 applications from students who would like to serve as prosecutors, defense attorneys,

► Teen Court having impact in Kent County ..... **A1**

jurors and bailiffs. Teen Court officials have been making the rounds at several Sussex County schools to solicit applications.

"There is definitely interest among the students," Dunn said.

Sussex officials are about to

Interview candidates for the program director's position, and hope to have someone hired by December.

Once all the details are worked out and money is in place, cases would be heard at the Family Court building on The Circle in Georgetown.

► Reach Chip Guy at 856-7373 or [cguy@delawareonline.com](mailto:cguy@delawareonline.com)

# Yemen holds Cole bombing suspects

The Washington Post

ADEN, Yemen — Authorities have detained some alleged accomplices, all Yemenis, in the Oct. 12 suicide bombing of the USS Cole, a Yemeni security official said Sunday.

The suspects numbered "less than 10" of the more than 50 people still being held for questioning more than a month after the U.S. destroyer was attacked while refueling

in Aden harbor, said the official, who asked not to be identified. Seventeen sailors were killed.

Yemen's prime minister said last week that the two men who steered a small boat packed with plastic explosives into the Cole were veterans of the U.S.-backed guerrilla war that enlisted Muslim fundamentalists to drive Soviet forces from Afghanistan in the 1980s.

The Cole attack has several "The enemy."

parallels to the use of U.S. embassy staff in Tanzania, including specialists, and local cells. U.S. blamed those: Saudi million

The Yemeni official said Sunday suspects have bin Laden, about the U.S. "the enemy."

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**Appendix Two: Teen Court Training Materials**

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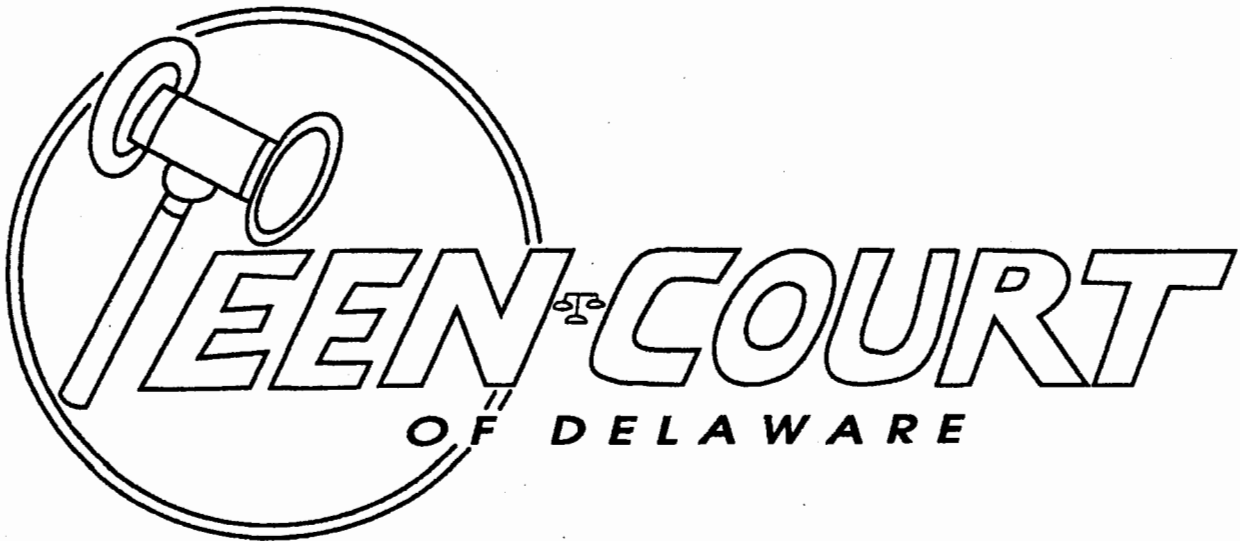


Kent County Coordinator  
Glenn Ganton

For more information, contact:  
Delaware Teen Courts, Inc.  
P.O. Box 1251  
Dover, DE 19903

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## BACKGROUND

The American Legion Auxiliary and numerous other local organizations, businesses and individuals have worked cooperatively to establish Delaware Teen Courts, inc.



## WHAT IS TEEN COURT?

Teen Court allows misdemeanor offenders an alternative to the juvenile criminal justice system. This Court offers a unique opportunity for the community to become involved in the education of youth offenders and youth volunteers. Teens, through their active involvement, are afforded a way to learn how our system of justice works and to realize their roles in the community.

## HOW DOES TEEN COURT WORK?

Defendant participation in this program is voluntary and requires an advance guilty plea. Defendants are ages 9 through 17 and must have parental or guardian consent. In Teen Court, the judge introduces the defendant to teenage peer jurors who are informed of the charge against the defendant. After hearing the evidence presented by a teenage prosecutor and defense attorney, the jury considers the appropriate sentence for the offense. The decision is reviewed by the judge and read to the defendant.

Eligible offenses for Teen Court include:

- Loitering
- Misdemeanors such as shoplifting, criminal mischief, vandalism, disorderly conduct
- Receiving stolen property
- Harassment or terroristic threatening
- Other

Teen Court sentences are designed to fit the offense. A typical sentence could be any of the following:

- Apology (written or oral)
- Teen Court jury duty
- Community service
- Research paper
- A preventive educational program
- Restitution
- Other

The defendant may accept the sentence assessed by the teen jury, or reject the sentence and elect to go before family court.

**Successful completion of the Teen Court sentence results in no criminal offense record.**

## WHY DO WE NEED TEEN COURT?

Teen Court is designed to provide a community based alternative to the formal court process. It represents a more positive and effective alternative to the juvenile justice system, and focuses on youth development and accountability.

Young offenders learn to take responsibility for their actions. The program represents a way for juveniles to keep their records clean and learn from their mistakes. Teens completing their community service work are providing a valuable workforce that not only benefits the community, but also helps the youth's self esteem. This experience gives them a positive attitude toward volunteerism that they can carry throughout adulthood.

*Training  
Sample*

**Delaware Teen Courts, Inc.**

## ***Volunteer Training***

Saturday, October 7, 2000, 10:00 a.m. – 12:00 p.m. and  
Tuesday, October 10, 2000, 6:00 p.m. – 8:00 p.m.

Community Room – Dover Police Department

### **AGENDA**

- I. Welcome and Introductions
- II. Confidentiality Statement
- III. Video Presentation
- IV. Teen Court History/General Information
- V. Volunteer Responsibilities/Dress Code
- VI. Delaware Teen Court Methods & Procedures
- VII. Trial Procedure
- VIII. Volunteer Job Descriptions
  - A. Bailiff - *Judge + Teen Ct Coordinator*
  - B. Prosecutor - *Prosecuting Attny.*
  - C. Defense Attorney - *Defense Attny.*
  - D. Juror - *Judge + Teen Ct. Coordinator*

*} Give Overviews*
- IX. BREAK – REFRESHMENTS SERVED
- X. Mock Trials (Role Play)
- XI. Questions/Comments
- XII. Closing Remarks

# Training/Public Speaking Notes

## *History*

- Teen Courts were **developed** in the U.S. in the **mid-1980's**
- There are **675** Teen Courts in **45** states in the U.S.
- DE Teen Court **founded** by the **Ladies' Auxiliary of the American Legion**
- DE Teen Court heard its **first case** in **January of 1999**
- DE Teen Court has heard **85 cases to date**
- **Sussex County** is in the process of **developing** a Teen Court

## *General Information*

- Teen Court is an **effective alternative** to the **traditional court system**
- For **1<sup>st</sup> time juvenile offenders** only
- Helps **lighten the court's caseload** so it can **concentrate** on more **serious offenders**
- It is a **voluntary** program
- If the defendant **accepts** Teen Court and **successfully completes** the program, his/her **charges will be dropped** – gives the juvenile a **chance to start over**
- **Referrals** made by the **Attorney General's office**
- If defendant **agrees** to Teen Court, must **plead guilty** to charges
- **Defendant must appear** in Teen Court before a **courtroom of his/her peers**
- Teen Court **volunteers decide** what the **defendant's sentence** will be
- **Positive Peer Pressure**
- **Teenagers from Kent County schools** volunteer to run Teen Court
- **Adult volunteers** include members of **BOD, local attorneys, F. Ct. Commissioners**
- **Only active adult** participant in the courtroom is the **judge** (Family Ct. Commissioner or attorney serving as judge)
- DE Teen Court **hears only misdemeanor cases** – **no felonies, drug, or traffic charges**
- **Typical cases** include **shoplifting, underage possession/consumption of alcohol, disorderly conduct, and criminal mischief**

**Delaware Teen Courts, Inc.**

***Volunteer Responsibilities***

- Keep proceedings confidential at all times
- Be Responsive, Responsible, and Respectful
- Not expected to be able to serve every month; however - PLEASE return my phone calls – let me know if you can serve this month or not!
- If you make a commitment to serve – PLEASE SHOW UP! (Call if a true emergency arises)
- Dress appropriately
- Conduct yourself in a respectful, professional manner both in and out of court when it concerns Teen Court matters

*Be on time!*

# DELAWARE TEEN COURTS, INC.

## DRESS CODE

A trial in Delaware Teen Court is a formal and serious business, commanding respect from all who participate in the proceedings. It is suggested that both defendants and volunteers dress accordingly. You should dress neatly, as if you were going for a job interview. A jacket and tie are not necessary for the men; neither is a skirt or dress necessary for the women, but *you should present a professional appearance in keeping with the solemn decorum of a courtroom.*

### THE FOLLOWING ARE NOT ACCEPTABLE:

- T-shirts with vulgar language or references to drugs, sex, or violence
- Short shorts \*see note below about “walking shorts” during the summer months
- Tank tops, midriff tops, halter tops
- Torn clothing (even with styled holes)
- Caps/hats
- ANYTHING TOO TIGHT OR REVEALING IN NATURE

### ACCEPTABLE DRESS:

Knit shirts with a collar or buttoned-down collared shirts are *preferable* to T-shirts. Khakis or similar casual pants are *preferable* to jeans; however, jeans are acceptable as long as they are without holes, are not too tight, and are worn appropriately about the waste (NO SAGGING!)

\* “Walking shorts” are acceptable during the summer months – they must be no shorter than just above the kneecaps.

In addition, Delaware Teen Court prohibits the use of gum, tobacco products of any type, loud, obscene or profane language, eating or drinking, and the use of radios, discmans, walkmans, etc. Participants may bring appropriate reading materials to pass the time while waiting.

**The use of recording devices, video or voice, is prohibited unless specifically authorized by the coordinator and/or the supervising judge.**

Teen Court reserves the right to refuse to hear cases from those who fail to abide by the dress and/or behavior code, and may refuse service from volunteers who refuse to comply. The coordinator or an appointed representative has the final judgment regarding acceptable attire and behavior.

**Delaware Teen Court**  
**P.O. Box 1251**  
**Dover, DE 19903**

***Methods & Procedures***

1. A juvenile is arrested in Kent County.
2. The Attorney General's Office reviews the case and the defendant's criminal history to determine if the defendant and case meets the A.G.'s criteria for diversion to Teen Court.
3. The Teen Court Coordinator attends juvenile arraignments in Kent County Family Court weekly where the Deputy Attorney General refers possible Teen Court candidates to the coordinator.
4. The coordinator reviews the case and interviews the defendant and parent/guardian to determine if the case falls within Teen Court guidelines, and if so, offers Teen Court as a diversion to the Family Court process.
5. A). If the juvenile and parent/guardian agree to Teen Court diversion, the Teen Court Agreement, including a signed admission to the offense committed, a General Liability Release form, and a Community Service Medical Release form are prepared and signed by the juvenile offender and parent/guardian. The coordinator informs the Deputy Attorney General that the defendant has accepted Teen Court, and the Attorney General's Probation paperwork is prepared with the condition of full participation in and completion of Teen Court as a part of the probation.  
B). If Teen Court is refused and/or the defendant wishes to plead not guilty, the Deputy A.G. is notified, and the case is referred back to the State for prosecution.
6. The Coordinator schedules a Teen Court trial in Kent County Family Court (after hours), coordinates the attendance of teen volunteers as jurors, attorneys, and bailiffs, and coordinates the attendance of adult volunteers as needed.
7. At the conclusion of the Teen Court trial, the coordinator meets with the defendant and parent/guardian to review the particulars of the sentence and answer any questions.
8. Post-trial, the coordinator schedules the defendant to return as a juror (as part of the sentence), and otherwise monitors to ensure that community service, letters of apology, Shoplifter's Anonymous or other counseling and/or any other sanctions are completed.
9. A). If the defendant fails to complete his/her Teen Court sentence, or if it comes to the coordinator's attention that the defendant has been rearrested prior to the completion of Teen Court and/or Attorney General's Probation, the case is referred back to the State for prosecution.  
B). If the defendant successfully completes the Teen Court sentence, the coordinator notifies the Attorney General's Office and the defendant by letter that his business with Teen Court is finished.

## **SPECIFIC ELIGIBLE OFFENSES**

(Not necessarily exclusive list; in alphabetical order)

<b>Offense:</b>	<b>Statute:</b>	<b>Classification:</b>
Advancing Gambling II	11-1401	Misdemeanor A
Aggravated Harassment	11-1312	Misdemeanor B
Assault III	11-611	Misdemeanor A (violation)
Carrying Concealed Dangerous Instrument	11-1443	Misdemeanor A
Conspiracy III	11-511	Misdemeanor A
Criminal Impersonation	11-907	Misdemeanor A
Criminal Mischief <\$500	11-811	Misdemeanor Unclassified
Criminal Nuisance	11-1322	Misdemeanor Unclassified
Criminal Solicitation III	11-501	Misdemeanor A
Criminal Trespass III	11-821	Violation
Criminal Trespass II	11-822	Misdemeanor Unclassified
Criminal Trespass I	11-823	Misdemeanor A
Cruelty to Animals	11-1325	Misdemeanor A
Curfew Violation (not court ordered)	City Code	Violation
Disorderly Conduct	11-1301	Misdemeanor Unclassified
Engaging in Crap Game	11-14107	Violation
Falsely Reporting Incident	11-1245	Misdemeanor Unclassified
Harassment	11-1311	Misdemeanor Unclassified
Hindering Prosecution	11-1244	Misdemeanor A
Loitering (non-drug areas)	11-1321	Violation
Menacing	11-602	Misdemeanor Unclassified
Obstructing Fire Fighting Operations	11-1243	Misdemeanor A
Obstructing Public Passages	11-1323	Violation
Offensive Touching	11-601	Misdemeanor Unclassified
Possession/Consumption of Alcohol RSP < \$500	4-914 11-851	Misdemeanor A
Reckless Endangering II	11-603	Misdemeanor A (violation)
Refusing to Aid Police Officer	11-1241	Misdemeanor B
Shoplifting < \$1,000	11-840	Misdemeanor A
Terroristic Threatening	11-621	Misdemeanor A (violation)
Theft < \$500	11-841	Misdemeanor A
Unauthorized Use of Motor Vehicle	11-853	Misdemeanor A
Unlawful Use of Credit Card	11-903	Misdemeanor A

**DELAWARE TEEN COURTS, INC.**

***SENTENCING GUIDELINES***

(Choose any combination of sentencing options under the appropriate violation category as determined by trial outcome)

**\*Mandatory minimum 1 Teen Court Jury Duty must be assigned in all cases**

**VIOLATION:**

**SENTENCING OPTIONS:**

**CLASS I (Lowest)**

Gambling  
Harassment  
Criminal Nuisance  
Criminal Solicitation III  
Criminal Trespass II and III  
Curfew Violation (City)  
Disorderly Conduct  
Crap Game  
Loitering (Non-Drug Areas)  
Menacing  
Obstructing Public Passages  
Possession/Consumption of Alcohol

10 – 20 hours of Community Service  
1 – 2 Teen Court Jury Duties  
Apology (mandatory if applicable)  
Curfew  
Essay (300 words, 500 words, etc.)  
Counseling

\*\*\*\*\*

**CLASS II**

Aggravated Harassment  
Criminal Mischief <\$500  
Carrying Concealed Dangerous Instrument  
Criminal Impersonation  
Criminal Trespass I  
Conspiracy III  
Offensive Touching  
Receiving Stolen Property <\$500  
Reckless Endangering II  
Shoplifting <\$1000  
Unauthorized Use of a Motor Vehicle

20 – 30 hours of Community Service  
2 – 3 Teen Court Jury Duties  
Apology (mandatory if applicable)  
Curfew  
Essay (300 words, 500 words, etc.)  
Counseling

\*\*\*\*\*

**CLASS III (Highest)**

Falsely Reporting an Incident  
Obstructing Fire Operations  
Refusing to Aid a Police Officer  
Theft <\$500  
Unlawful Use of a Credit Card  
Terroristic Threatening  
Assault III  
Cruelty to Animals

30 – 40 hours of Community Service  
3 – 4 Teen Court Jury Duties  
Apology (mandatory if applicable)  
Curfew  
Essay (300 words, 500 words, etc.)  
Counseling

# DELAWARE TEEN COURTS, INC.

## DEFINITIONS OF TERMS USED IN THE LEGAL PROCESS

### **ATTORNEY:**

1)To speak in favor of; 2)One who supports or defends a cause; 3)one who pleads in another one's behalf.

### **AMBIGUOUS:**

1)Liable to more than one interpretation; 2)Uncertain or indefinite.

### **COMPOUND:**

1)To combine so as to form a whole; 2)A combination of two or more elements or parts.

### **CONFIDENTIAL:**

1)Communicated or effected secretly. 2)Entrusted with the confidence of another.

### **CONTRADICTORY:**

1)To express or assert the opposite of (a statement); 2)To deny the statement of; 3)To be inconsistent with. to utter a contradictory statement.

### **COURT:**

1)The building, hall or room in which cases are heard and decided; 2)The regular session of a judicial assembly.

### **CUMULATIVE:**

Enlarging or increasing by successive addition.

### **DEFENDANT:**

One against whom an action is brought.

### **DEFENSE:**

1)Something that defends or protects; 2)An argument in support or justification; 3)The action of the defendant in opposition to complaints against him or her.

### **DELIBERATION:**

1)Formal discussion and debate of all sides of an issue; 2)Thoughtfulness in action or decision; 3)Careful and thorough in deciding or determining.

### **DEMEANOR:**

The way in which one behaves or conducts himself.

**DISTORTION:**

A factual misrepresentation.

**EVIDENCE:**

1)The data on which a conclusion or judgment may be based; 2)The documentary or verbal statements and material objects admissible as testimony in a court of law.

**HYPOTHETICAL:**

1)To suppose; 2)An explanation accounting for a set of facts that can be tested by further investigation; THEORY: 3)Something considered to be true for the purpose of an investigation or argument; ASSUMPTION: 4)Of, relating to, or based on, a hypothesis; 5)Contingent;; conditional.

**IMPEACH:**

To challenge or discredit.

**IMPLY:**

1)To imply or suggest by logical necessity; 2)To say or express indirectly.

**INADMISSIBLE:**

Not admissible; OBJECTIONABLE.

**IRRELEVANT:**

Having no applications or effects in a specified circumstance.

**JUDGE:**

1)A public official authorized to hear and decide cases brought before a court of law. 2)To act or decide as a judge.

**OFFENSE:**

1)Violation of law: CRIME; 2)A breach of moral code: SIN.

**OMISSION:**

1)An act or instance of omitting; 2)Something left out or neglected.

**OVERRULED:**

A court's denial of a motion or point raised to the Court such as in overruling an objection.

**PROSECUTE:**

1)To initiate legal or criminal action against; 2)To seek to enforce or obtain by legal action; 3)To initiate and conduct legal proceedings; 4)To act as a prosecutor.

**REFUSE:**

1)To prove to be false or mistaken: DISPROVE; 2)To deny the accuracy or truth of.

**SENTENCE:**

1)A judicial decision; 2)The penalty imposed; 3)An opinion, especially a formal one made after deliberation.

**SPECULATION:**

1)The act of speculating; 2)Profound contemplation; 3)An opinion, theory or conclusion reached by speculating.

**SUMMATION:**

A concluding statement containing a summary of principal points, especially in a case before a court of law.

**SUSTAINED:**

To support; to approve; to adequately maintain (e.g. The judge sustained the objection because he found it to be true).

**TESTIMONY:**

1)A declaration or affirmation of truth or fact, as that given before a court;  
2)Evidence in support of a fact or assertion: PROOF; 3)Collective written and spoken testimony offered in a legal case.

**UNINTELLIGIBLE:**

Unable to understand.

## **DELAWARE TEEN COURTS, INC.**

### **TRIAL PROCEDURE**

1. The jury is called forward by the bailiff to take its place in the jury box and is sworn in by the judge.
2. The bailiff calls the Teen Court docket number and the defendant's name in a strong, clear voice.
3. The judge asks the defendant to come forward to the witness stand and be sworn in by the bailiff.
4. The bailiff swears in the defendant.
5. The judge states to the jury what the case is about (i.e., "The defendant is accused of shoplifting a \$29.95 CD from K-Mart).
6. The prosecutor introduces himself/herself to the court, and gives an opening statement that includes the charges against the defendant and cites the appropriate section of the Delaware Code.
7. The defense attorney introduces himself/herself and gives an opening statement to the court.
8. The prosecutor asks the defendant to state his/her full name, and begins questioning the defendant. When finished questioning, the prosecutor will state, "No further questions at this time, your honor."
9. The defense attorney then questions the witness, and when done, will state, "No further questions at this time, your honor."
10. The judge will ask the prosecutor if he/she has any redirect questions, and if so, allows them to be asked. The defense then has an opportunity to redirect as well. When they are finished, or if there are no redirect questions, the attorneys will state, "The prosecution rests," and "The defense rests."
11. The prosecutor will make his/her summation (closing statement) and sentencing recommendations to the jury.
12. The defense will make his/her summation (closing statement) and sentencing recommendations to the jury.
13. The judge will instruct the jury on its duty and will direct the bailiff to pass the Peer Jury Disposition Form and Sentencing Guidelines to the jury foreperson.
14. The bailiff will escort the jury to the deliberation room.
15. After the jury has reached a decision, the bailiff will advise the court. The bailiff will escort the jury back into the courtroom. After the bailiff has seated the jury in the jury box, he/she will take the Peer Jury Disposition Form from the foreperson and give it to the judge for review. After reviewing the form, the judge will hand it back to the bailiff, who will hand it to the jury foreperson. The judge will then instruct the defendant to come forward and face the jury while the foreperson reads the jury's sentence.
16. The judge will instruct the bailiff to take the Disposition Form to the Teen Court Coordinator. The bailiff will also escort the defendant and parent or guardian to the Coordinator where the paperwork will be finalized.
17. The judge thanks the jury and dismisses them.

**COURTROOM PROTOCOL**

**BAILIFF:** Everyone please rise. Delaware Teen Court is now in session, The Honorable \_\_\_\_\_ presiding.

**JUDGE:** Please be seated. Good evening. This is the \_\_\_\_\_ session of Delaware Teen Court. On behalf of the Delaware Teen Court, I want to thank each of you for being here tonight and participating in 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 filed against them. They have violated a law of the State of Delaware and have voluntarily chosen to come before this court to have a jury of people of essentially their own age decide what sentence, if any, they should receive for their criminal conduct. Even though the defendants have violated the law, they deserve your respect and attention. It takes a certain courage for them 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. Everyone please rise, raise your right hand, and repeat after me:

“I solemnly swear or 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/and that I will keep secret/all Teen Court proceedings/which may be held in my presence/so help me God.”

You may be seated. Having taken the oath of confidentiality, it is your obligation to fulfill that oath and let me remind you that this is a duty you owe both to the defendants and to the Teen Court program. Remember also that it is not our right to humiliate or make fun of the defendants. We are here to do what is right and fair to the defendants, the victims, and the community.

Bailiff, please announce the title of the next case.

**BAILIFF:** “Teen Court Docket Number \_\_\_\_\_, entitled State of Delaware versus \_\_\_\_\_ now comes on for hearing.

**JUDGE:** The defendant shall rise. What is your name and your age? (Defendant responds). Thank you Mr.(Ms.) \_\_\_\_\_. Is there a parent of the defendant present? And your name(s), please. (Parent(s) respond). Thank you for being here tonight.

Will the Prosecuting Attorney please state his(her) name for the record. (Response). Thank you Mr.(Ms) \_\_\_\_\_. Will the Defense Attorney please state her(his) name for the record. (Response) Thank you Ms(Mr.)\_\_\_\_\_.

**JUDGE:** (Preliminary Jury Matters)

Members of the jury, it is your duty to determine what sentence, if any, is fair and appropriate for the defendant. To be sure that you are impartial and able to fulfill your obligation, I must ask you some questions. If the answer to any of my questions is "yes" in your mind, please raise your hand and I will ask you some follow-up questions.

1. Are any of you good friends or know well either of the attorneys for this case, or the defendant?
2. Have any of you had any problems or quarreled with either of the attorneys for this case, or the defendant, whether in school, your neighborhood, or elsewhere?
3. Have any of you heard anything about either of the attorneys for this case or the defendant, whether good or bad, true or not, which might prejudice you one way or another about this case?

(Note: Affirmative responses by a juror should be followed up: i.e. how long have you known \_\_\_\_\_, etc. Do you believe you can be fair notwithstanding what you have just revealed?, etc. You may permit the attorneys to ask questions at this point on the issues raised.)

4. This case involves \_\_\_\_\_ alleged to have occurred at \_\_\_\_\_ (loc) on \_\_\_\_\_ (date) at approximately \_\_\_\_\_ (time). Did any of you witness this incident or hear anything about it which might prejudice you about this case?
5. Is there any reason about which I have not asked which makes you unsure whether you should serve on this jury?

Does the Prosecuting Attorney have questions for the jury? How about the Defense Atty?

Mr(Ms) \_\_\_\_\_ (prosec. atty.), do you accept this jury to hear the case?

Ms(Mr) \_\_\_\_\_ (def. atty.), do you accept this jury to hear the case?

Mr.(Ms) \_\_\_\_\_(def.), as the defendant you have a right to have any juror excused and replaced with another person if you have any concerns about a particular juror. You do not have to state a reason. Are you willing to have these \_\_\_\_\_ persons decide this case?

Members of the jury, there have been offered no objections to your serving as jurors on this case. Will you please stand and raise your right hand:

“Do you solemnly swear or affirm to listen carefully to all the evidence and arguments which are presented in this case and to fulfill your duty to determine a sentence, if any, which is appropriate and fair to the defendant, the victim, and the community? If so, say “I do.”

### **PRELIMINARY JURY INSTRUCTIONS**

Members of the jury, you are instructed to give your complete attention to the evidence and arguments about to be presented. Remember that the defendant is guilty of the charge(s) made against him(her). Your sole duty is to determine what sentence, if any, is fair and appropriate.

The prosecuting attorney may now read the charge(s) filed against the defendant. (After the charge is read, the Judge continues). Do you have an opening statement? (After the statement is made, Judge continues). Does the defense attorney wish to make an opening statement? (Following the statement, the Judge continues).

Will the defendant please approach the bench.(The defendant is then given the following oath. Other witnesses are given the same oath as they are called to testify).

**“Do you solemnly swear or affirm that the testimony you are about to give in this case is the truth, the whole truth, and nothing but the truth?”**

Mr.(Ms) \_\_\_\_\_(defendant), please speak loudly and clearly while testifying so that all present may hear.

1. Mr. (Ms.) \_\_\_\_\_,(prosecuting attorney) you may now question the defendant.

2. Mr.(Ms) \_\_\_\_\_,(defense attorney) you may now question the defendant.

3. Does the prosecuting attorney have any more questions? (If so, the defense attorney may follow up with more questions as well).

4. Do any members of the jury have any questions for the defendant?

5. Does the defendant have anything else to say about this matter which the jury has not already heard?

**NOTE:** At this point, the Judge has the option of asking questions of the defendant that might clarify the evidence or introduce additional important evidence.

Does the prosecuting attorney wish to call any other witnesses?

Does the defense attorney wish to call any other witnesses?

(In either case, the Judge gives the oath , has the witness seated, and process continues (1 thru 4 above).

**FINAL ARGUMENTS (JUDGE INTRODUCES):**

1. The prosecuting attorney may now present a final argument and make recommendations to the Jury. (The attorney does so).
2. The defense attorney may now present a final argument and make recommendations to the Jury. (The attorney does so).

**FINAL INSTRUCTIONS TO THE JURY (JUDGE):**

Members of the jury, it is now your duty to determine a fair and appropriate sentence, if any, for the defendant. There are available to you a number of possible forms of corrective punishment , if you believe punishment is appropriate, including the following:

1. The defendant may be required to serve a certain number of hours of community service.
2. You may require the defendant to pay the victim restitution for actual damages suffered.
3. You may require the defendant to write an essay of a certain length of words concerning the offense committed.
4. You may require the defendant to make a written or verbal apology to the victim, the defendant's parents, or in a victimless crime, to the arresting police officer.
5. You may require the defendant to serve a certain number of times on a future teen court jury. If you recommend any punishment, however, the def will automatically be required to serve on at least one.

6. As you know, you are not required to choose just one form of punishment. You may recommend the defendant be required to do more than one of the things that I have mentioned. You may also recommend other forms of punishment if you think another type is particularly appropriate to the defendant's circumstances. Of course, you may not sentence the defendant to jail.

7. You may also recommend that the defendant should not suffer any further punishment if you believe that this is appropriate to the defendant, the victim, and the community, under the circumstances of this case.

8. In deciding what sentence, if any, is appropriate, consider several things:

Judge should then list some of the mitigating and aggravating circumstances raised by the evidence. If a shoplifting or criminal mischief matter, mention items taken/damaged as well as the value. Then Judge continues as follows:

You may consider the defendant's past misconduct that may have been the subject of testimony. However, keep in mind that your duty is to render a sentence, if any, only on the offense charged. You must keep in mind that the defendant's past actions have not been fully explained and you do not know the full circumstances about those past acts.

Do consider all the circumstances surrounding the defendant's conduct in deciding an appropriate sentence. In so doing, consider only that evidence which has been presented in court tonight.

Finally, when you reach the jury room the first thing you must do is choose a foreperson from amongst you. Then begin your discussion of what you believe is an appropriate sentence, if any, for the defendant. Remember it is your duty to the defendant, to the victim, and the community to speak your conscience in the jury room if you simply go along with the crowd you are not doing your duty.

Further, your decision must be reached by a majority vote. When you have reached a majority verdict, have your foreperson complete and sign the verdict form. As a jury, you may also make an explanatory statement on the verdict form, explaining the sentence you have recommended. This statement is not a requirement, but you are encouraged to make such a statement.

When you are finished, please knock on the jury room door and the Bailiff will take care of you.

**WILL EVERYONE PLEASE RISE.** The bailiff shall now escort the jury to the jury room.

**RECONVENE:JUDGE:** Will everyone please rise?

**JUDGE CONTINUES:**

Who is the foreperson of the Jury? Has the jury reached a verdict?

The bailiff shall please deliver the verdict form to the bench for inspection.(Judge inspects the verdict, then returns to the bailiff who returns it to the foreperson)

Will the defendant, the prosecuting attorney and the defense attorney please rise for sentencing. The foreperson shall now stand and read the verdict.

The Court having heard the evidence now finds the Jury's verdict to be appropriate and fair to all concerned. The defendant is ordered to comply with the sentence as read by the foreperson.

Mr(Ms)\_\_\_\_\_ (defendant), the members of the jury have done their duty tonight after due deliberation. I encourage you to respect and accept their decision. I wish you good luck and trust that you have learned from this experience. In a moment you will report to Glen Condon, the Teen Court Coordinator, who will explain to you and your parents your rights and obligations.

Members of the jury, attorneys, and court personnel, thank you for the respect you have shown the defendant, the law, and Delaware Teen Court. Please remember that you have a duty to uphold the oath of confidentiality concerning these proceedings. You are excused. **(Note: If the Judge wishes to critique the attorneys, they should be asked to remain for a few moments.)**

**DELAWARE TEEN COURTS  
JOB DESCRIPTION**

***BAILIFF***

**BEFORE COURT:**

1. Check in as present on the Bailiff's Form the scheduled jurors, attorneys, defendants and their parents/guardians as they arrive.
2. Introduce the defendant to his/her defense attorney and direct him/her to the trial prep/waiting area.
3. Inform the Teen Court Coordinator if the defendant or jurors are not present and if it is necessary to make any changes. When all parties are present, inform coordinator and judge that the case is ready.
4. Escort all parties into the courtroom and seat them in their proper places.

**DURING THE TRIAL:**

1. When all parties are in court inform the judge; as the judge enters the courtroom state: "ALL RISE - TEEN COURT FOR THE STATE OF DELAWARE IN AND FOR KENT COUNTY IS NOW IN SESSION. JUDGE \_\_\_\_\_ PRESIDING." After the Judge is seated state: "PLEASE BE SEATED."
2. Announce the case (see "BAILIFF'S RESPONSIBILITIES") and take the seat next to the judge. In general assist the judge. As necessary swear in witnesses, announce recesses, and escort the jury to the deliberation room.
3. Ensure that the jury has Sentencing Guidelines and the Peer Jury Disposition form.
4. When the jury has completed deliberations, escort all parties back into the courtroom and notify the judge that the jury has reached a sentence.
5. Receive Peer Jury Disposition form from the jury foreperson and deliver it to the judge.
6. After the judge examines the sentence, return the form to the jury foreperson for the sentence to be read to the defendant.
7. After the sentence has been read and the court proceedings have been closed, escort the defendant to meet with the coordinator and/or adult volunteer for further instructions.

## **BAILIFF'S RESPONSIBILITIES**

1. When all parties are in court inform judge, and as judge enters state:

**“EVERYONE PLEASE RISE - DELAWARE TEEN COURT IS NOW IN SESSION, THE HONORABLE**

**\_\_\_\_\_ PRESIDING.”** After the judge is seated state: **“PLEASE BE SEATED.”**

2. When the judge requests, announce the case:

**“TEEN COURT DOCKET NUMBER \_\_\_\_\_, ENTITLED THE STATE OF DELAWARE VS.**

**\_\_\_\_\_ NOW COMES ON FOR A HEARING.”**

3. Swearing in witnesses: **“DO YOU SOLEMNLY SWEAR OR AFFIRM THAT THE TESTIMONY THAT YOU ARE ABOUT TO GIVE IN THIS CASE IS THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?”**

4. Anytime the judge leaves the bench, during recess, or when closing the proceedings, state: **“ALL RISE.”**

5. When court reconvenes (after recess, when the jury returns from deliberation, etc.), state: **“ALL RISE. THIS COURT IS AGAIN IN SESSION.”** After the judge is seated, state: **“PLEASE BE SEATED.”**

# DELAWARE TEEN COURT

DTC Case# \_\_\_\_\_

## BAILIFF'S FORM

STATE OF DELAWARE

VS

Teen Court Session # \_\_\_\_\_

Docket # \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

PRESENT

NO SHOW

Defendant \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Parent/Guardian \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Defense Attorney \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Prosecuting Attorney \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Judge \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Bailiff \_\_\_\_\_

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Jurors \_\_\_\_\_

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\_\_\_\_\_  
Court Bailiff

## **DELAWARE TEEN COURTS JOB DESCRIPTION**

### ***PROSECUTING ATTORNEY***

1. A prosecutor has the responsibility to seek justice and to advocate for a verdict based on the severity of the offense.
2. The prosecutor will prepare for the case. The prosecutor will be provided with a summary sheet giving facts regarding the particular case to be heard.
3. After the jury has been sworn in and the case is called, the prosecutor begins by giving an opening statement. The prosecutor should begin by introducing himself/herself and any associates (if applicable). In the opening statement the prosecutor should state the defendant's offense and cite the appropriate section of the Delaware Code. The prosecutor will let the court know what he/she intends to provide and why he/she intends to advocate for a harsh verdict.
4. Next the prosecutor will question the defendant; this is known as direct examination. The questions should be relevant to the offense charged and should elicit responses that justify the prosecutor's verdict recommendations (aggravating circumstances). Questions can include why the defendant committed the offense, or why the defendant started the fight.
5. Following direct examination by both attorneys the prosecutor will have the opportunity to cross-examine the defendant on the testimony already brought out through direct examination.
6. When the questioning of the defendant is completed the prosecutor will give a closing argument to the jury. It should be organized and supported by the evidence. The prosecutor can point out the reasons why he/she would like the jury to recommend a particular verdict and the prosecutor can use this opportunity to rebut the defense attorney's plea for leniency.
7. **BE SURE TO RECOMMEND A SENTENCE AS PART OF THE CLOSING ARGUMENT.**

# DELAWARE TEEN COURTS, INC.

## JOB DESCRIPTION

### ***DEFENSE ATTORNEY***

1. A defense attorney is an advocate for the defendant. The defendant should be represented in the best possible light. While the defense attorney must zealously seek to help his/her client, he/she must never misrepresent the case. To prepare the case, the defense attorney should be familiar with the aggravating circumstances (things that hurt the defendant's case) and the mitigating circumstances (things that help the defendant's case).
2. The defense attorney will have an opportunity to meet with the defendant and prepare his/her case. The defense attorney will interview the defendant to learn the circumstances surrounding the case. The defense attorney will not encourage the defendant to change his/her story in hopes of a lighter sentence, and stresses that the defendant must remain true to the facts. At this time, the defense attorney should also familiarize the defendant with the hearing proceedings.
3. Once the hearing has started and the jury has been sworn in, the defense attorney should introduce himself/herself, and give an opening statement. The defense attorney will let the court know what he/she intends to provide and why he/she intends to advocate for a lenient sentence.
4. When it is the defense attorney's turn to question the defendant, he/she should present his client in the best possible light, try to bring out any mitigating circumstances, and at the same time attempt to rebut any aggravating circumstances that the prosecution may have introduced. This also applies to the defense's turn at redirect.
5. **BE SURE TO RECOMMEND A SENTENCE AS PART OF THE CLOSING ARGUMENT.**

## ATTORNEY'S CASE ANALYSIS

**ATTORNEYS:** Look over all information you have about the case and complete this form. Then, on a separate piece of paper, write out the questions you wish to ask witnesses at the hearing as well as your closing argument and sentence recommendation. You will probably be nervous at the hearing but with this preparation you will be ready to do a good job.

NAME OF DEFENDANT \_\_\_\_\_ AGE \_\_\_\_\_

NAME OF VICTIM, IF ANY \_\_\_\_\_

DAMAGES TO THE VICTIM, IF ANY \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE THE INCIDENT OCCURRED \_\_\_\_\_ TIME (am or pm?) \_\_\_\_\_

DAY OF THE WEEK INCIDENT OCCURRED \_\_\_\_\_

PLACE INCIDENT OCCURRED \_\_\_\_\_

NATURE OF THE OFFENSE \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

OTHER PUNISHMENT ALREADY SUFFERED BY THE DEFENDANT \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

AGGRAVATING CIRCUMSTANCES (hurts the defendant's case) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MITIGATING CIRCUMSTANCES (helps the defendant's case)** \_\_\_\_\_

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**OTHER NOTES** \_\_\_\_\_

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**WHAT SENTENCE IS APPROPRIATE TO THE DEFENDANT, THE VICTIM, AND THE COMMUNITY** \_\_\_\_\_

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**WHY IS THIS SENTENCE APPROPRIATE** \_\_\_\_\_

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## **DELAWARE TEEN COURTS JOB DESCRIPTION**

### ***JUROR***

As a juror for Delaware Teen Court you will have an opportunity to participate in a very important part of your democracy – jury duty. You are required to base your sentence on the evidence as you hear it in the court and upon the law as the judge instructs you in it. You are obligated to perform your duties honestly and conscientiously, without fear or favor.

### **INTEGRITY OF JURORS**

In discharging your duties as a juror conduct yourself in such a way that no one can question your uprightness. You are a judicial officer through your participation in Delaware Teen Court, and must not arouse the distrust of the most suspicious.

In case of any questions regarding the trial the judge should be consulted. The judge is always ready and available to determine all questions of law pertaining to the case.

### **GENERAL INSTRUCTIONS TO THE JURY:**

You are advised that you will retire to the jury room and first select a foreperson from your group. You will then proceed with determining the sentence recommendation regarding this offense. The verdict will be decided by a majority of the jury. When you have completed your deliberations and are ready to return to the courtroom, please give your Peer Jury Disposition form to the bailiff.

**THE RESULTS OF YOUR DELIBERATIONS WILL BE KEPT CONFIDENTIAL  
UNTIL ANNOUNCED IN COURT. YOU WILL NOT DISCUSS THIS CASE WITH  
ANYONE DURING OR AFTER THE TRIAL.**

**DELAWARE TEEN COURTS, INC.  
PEER JURY DISPOSITION FORM**

CASE NUMBER: \_\_\_\_\_

TEEN DEFENDANT: \_\_\_\_\_

DATE OF OFFENSE: \_\_\_\_\_

CHARGES: \_\_\_\_\_

DATE OF TEEN COURT HEARING: \_\_\_\_\_

\*\*\*\*\*

**DISPOSITION as determined by Jury Panel:**

1. Number of Community Service hours: \_\_\_\_\_ (minimum 10, maximum 40)
2. Number of Peer Jury Duty Services (*mandatory*): \_\_\_\_\_ (minimum 1, maximum 4)
3. Written Essay on: \_\_\_\_\_  
(Indicate length, i.e., 300 words, 500 words, etc.)
4. Personally Repairing Damages (describe): \_\_\_\_\_
5. Mandatory Apology to Victim(s): \_\_\_\_\_ Letter or \_\_\_\_\_ Personal  
(Applicable to: Criminal Mischief, Assault, Offensive Touching, Shoplifting charges, etc.)
6. Other Instructions, if desired, i.e., Curfew (indicate days/times), Anger Control Counseling, Family Counseling, Attending Adult Criminal Proceedings:

\_\_\_\_\_  
\_\_\_\_\_

COMMENTS BY PEER JURY: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Foreperson

\*\*\*\*\*

**FOR USE BY TEEN COURT COORDINATOR ONLY:**

Mandatory for all shoplifting cases: Participation in Shoplifter's Anonymous Counseling  
Attorney General's office *may* mandate for cases involving violence: Anger Control Counseling  
Restitution Due (mandatory, if applicable) in the amount of: \$ \_\_\_\_\_  
Other mandatory conditions as indicated by A.G.'s office: \_\_\_\_\_

\_\_\_\_\_

**DELAWARE TEEN COURTS, INC.**  
**Teen Participant's Completion of Community Service**

Please return this form to Delaware Teen Court, Inc. at the address indicated below within ten (10) days of the Teen's completion of community service.

Catherine M. Kemp  
 Teen Court Coordinator  
 Delaware Teen Courts, Inc.  
 P.O. Box 1251  
 Dover, DE 19903

\_\_\_\_\_ has completed \_\_\_\_\_ hours of community  
 (Teen's name) (Amount)  
 service work on \_\_\_\_\_  
 (Completion Date)

If the participant **has not** completed all of the hours assigned, please indicate why (if known). This will help us in making a decision as to further action. Thank you for your assistance.

Reason not completed (if applicable): \_\_\_\_\_

Please check the following categories concerning the Teen's performance of community service:

	<u>Good</u>	<u>Satisfactory</u>	<u>Fair</u>	<u>Poor</u>
Cooperative	_____	_____	_____	_____
Polite	_____	_____	_____	_____
Industrious	_____	_____	_____	_____
On Time	_____	_____	_____	_____
Follows Instructions	_____	_____	_____	_____
Attitude	_____	_____	_____	_____

Comments: \_\_\_\_\_

\_\_\_\_\_  
 (Signed)

Date: \_\_\_\_\_

Agency: \_\_\_\_\_

Agency Phone Number: \_\_\_\_\_

If there are any problems, please contact Catherine M. Kemp, Teen Court Coordinator, at  
 (302) 698-3264

**DELAWARE TEEN COURTS, INC.**  
**Kent County, Delaware**

**COMMUNITY SERVICE EMERGENCY RELEASE**

I, \_\_\_\_\_, hereby give my permission to  
Print name of Parent or Guardian

\_\_\_\_\_  
Print name of Community Service Agency

to call or obtain the services of a physician or hospital for medical or surgical care for  
\_\_\_\_\_ should an emergency arise.

Print name of Youth

I understand that a conscientious effort will be made to locate a parent or guardian before  
any action is taken.

\_\_\_\_\_  
Signature of Parent or Guardian

\_\_\_\_\_  
Date

Please complete as much of the following information as possible:

Mother's business phone: \_\_\_\_\_

Father's business phone: \_\_\_\_\_

Home phone: \_\_\_\_\_

Physician's name: \_\_\_\_\_ Phone: \_\_\_\_\_

Hospital preference: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

Catherine M. Kemp  
Teen Court Coordinator  
Delaware Teen Courts, Inc.

\_\_\_\_\_  
Date



M. JANE BRADY  
ATTORNEY GENERAL

STATE OF DELAWARE  
DEPARTMENT OF JUSTICE

NEW CASTLE COUNTY  
Carvel State Building  
820 N. French Street  
Wilmington, DE 19801  
Criminal Division (302) 577-8500  
Fax: (302) 577-2496  
Civil Division (302) 577-8400  
Fax: (302) 577-6630

KENT COUNTY  
Sykes Building  
45 The Green  
Dover, DE 19901  
Criminal Division (302) 739-4211  
Fax: (302) 739-6727  
Civil Division (302) 739-7641  
Fax: (302) 739-7652

SUSSEX COUNTY  
114 E. Market Street  
Georgetown, DE 19947  
(302) 856-5352  
Fax: (302) 856-5369

PLEASE REPLY TO: ATTORNEY GENERAL'S PROBATION INTAKE FORM

Probationer's Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone Number: Home: \_\_\_\_\_  
Work: \_\_\_\_\_

DOB: \_\_\_\_\_ Sex: \_\_\_\_\_ Race: \_\_\_\_\_  
Probation Term: 12 months Start date: \_\_\_\_\_

ATTORNEY GENERAL'S PROBATION INSTRUCTIONS

Failure to comply with any Conditions of your Attorney General's Probation agreement will result in your case being returned to the Attorney General's office with a recommendation of prosecution.

SPECIAL CONDITIONS

Please check any appropriate special condition(s):

- \_\_\_\_\_ Restitution: \_\_\_\_\_
- \_\_\_\_\_ Domestic Violence Program
- \_\_\_\_\_ Psychological/Psychiatric Evaluation & Treatment
- \_\_\_\_\_ No contact with victim(s): \_\_\_\_\_
- \_\_\_\_\_ Alcohol/Drug Evaluation & Treatment
- \_\_\_\_\_ Visitation
- \_\_\_\_\_ X Other: Delaware Teen Court

\_\_\_\_\_  
Deputy Attorney General

\_\_\_\_\_  
Date

THE STATE OF DELAWARE

v.

STATE OF DELAWARE

KENT COUNTY

)  
)  
)  
)  
)

CA #: \_\_\_\_\_  
ID No. \_\_\_\_\_

ATTORNEY GENERAL'S PROBATION

Having been fully advised of the nature and consequences of Attorney General's Probation, the defendant and the State agree to Attorney General's Probation for a period of 12 months with the following terms and conditions:

1. The defendant admits that \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The defendant agrees to make the following restitution: \_\_\_\_\_

\_\_\_\_\_

3. The defendant agrees to have no contact with the victim or the victim's family.

4. The defendant agrees that any arrest or violation of any federal, state, or local law will constitute a violation of Attorney General's Probation.

6. Failure to comply with all the terms and conditions of this agreement, shall constitute a violation of this probation.

7. The State, in its sole discretion, may reinstate the charge(s) upon failure to comply with all the terms and conditions of Attorney General's Probation. Upon reinstatement, this agreement, in its entirety, shall be used as evidence at trial of the defendant's guilt on those charges set forth in paragraph #1.

8. Defendant agrees to waive his right to a speedy trial in order to carry out the terms and conditions of this agreement.

9. Other agreements and conditions: Full participation in and successful completion of Teen Court.

10. The State agrees that the charges now pending in Criminal Action/Incident No. \_\_\_\_\_ will be nolle prossed subject to the terms and conditions set forth herein.

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Deputy Attorney General

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Parent/Guardian of Defendant (if minor)

DATE: \_\_\_\_\_

Original: Department of Justice file  
xc: Defendant  
Office of Pre-trial Services

**AGREEMENT TO PARTICIPATE IN  
DELAWARE TEEN COURTS  
Kent County, Delaware**

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We, the undersigned, agree to have this case handled through the Delaware Teen Courts program. We understand that by agreeing to Delaware Teen Court as a means of disposition, that the decision reached by the peer jury is binding in that all terms and conditions must be completed.

We understand the Teen Court diversion process and are willing to enter into this agreement as a settlement (disposition) of this case. We understand and agree that the juvenile must complete the following contract conditions:

1. Community Service: the number of hours of community service as designated by the peer jury. The juvenile shall work at such community service agency as either chosen by the juvenile or the Teen Court Coordinator. If the agency is chosen by the juvenile it shall be subject to the approval of the Teen Court Coordinator. *Must complete C.S. hours within 90 days of T.C.T. hearing*
2. The juvenile will serve as a peer juror for the number of times that is determined by the peer jury.
3. Counseling sessions: if determined as part of the sentence the juvenile will complete mandatory counseling sessions.
4. Restitution: the juvenile will pay full restitution to the victim(s) for any damages, loss or otherwise, as a result of the offense being committed. Restitution will be paid in full no later than 60 days from the Teen Court hearing.
5. Special instructions: the juvenile understands that the teen jury may impose additional special instructions which may include but are not limited to clean-up of damages and written or verbal apologies to victim(s).

It is understood and agreed that all conditions will be successfully completed no later than 11 months after being placed on a 12-month Attorney General's probation. At that time this contract will be reviewed by the Teen Court Coordinator. If the conditions have been successfully met, law enforcement and the Family Courts will be notified and advised to withdraw the charge(s). If the conditions have not been met law enforcement will be notified and prosecution of the charge(s) will resume in Kent County Family Court.

It is agreed and understood that if any delinquent act resulting in the filing of criminal charge(s) are incurred after the signing of this contract and brought against this juvenile prior to the full completion of Delaware Teen Court obligations, that this contract **WILL** be terminated by the program at the sole discretion of the Teen Court Coordinator; and that if this contract is terminated that the appropriate law enforcement agency and the Kent County Family Court will then be notified to proceed with the original prosecution.

It is further agreed that all claims for accidents or injury or the loss of compensation of any nature growing out of the participation in the Teen Court process, contract conditions in the Teen Court proceedings and/or community service are hereby waived by both the participant and the parent(s)/guardian(s).

**BY ELECTING TO PROCEED AND PARTICIPATE IN THE DELAWARE TEEN COURT PROCESS, THE JUVENILE IS ADMITTING THAT HE/SHE COMMITTED THE OFFENSE(S) AS CHARGED.** It is also understood that if this case is returned to Family Court because the participant failed to complete his/her Teen Court sentence, this shall be considered a guilty plea in any criminal juvenile court proceedings.

It is understood that participation in Delaware Teen Court is voluntary, and that decisions made by the Teen Court Coordinator are binding and final.

\_\_\_\_\_  
Juvenile's signature

\_\_\_\_\_  
Parent or Guardian's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Catherine M. Kemp  
Teen Court Coordinator  
Delaware Teen Courts

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Teen Offender:** \_\_\_\_\_

SSN: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Parent (Guardian):** \_\_\_\_\_ Telephone #: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

**DELAWARE TEEN COURTS, INC.**  
**Kent County, Delaware**

**LIABILITY RELEASE**

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It is understood and agreed that the Youth will perform solely as an individual on a voluntary basis and not as an employee, contractor or agent of Delaware Teen Courts, Inc., the Teen Court Coordinator, the Board of Directors, any Delaware Teen Courts, Inc. volunteers, or any employees, officials or persons for whom the community service is to be provided and will not receive any benefits or compensation except as specifically provided for in this agreement.

It is further agreed that the undersigned do hereby compromise and forever release, acquit, discharge, indemnify, and covenant to hold harmless the Delaware Teen Courts, Inc. Board of Directors, the Teen Court Coordinator, any Delaware Teen Courts, Inc. volunteers, any employees, officials or persons for whom the community service is to be performed, of and from any and all actions, causes of action, claims, liability, demands, damages, costs, loss of service, medical expense and compensation, on account of, or in any way growing out of any and all known and unknown personal injuries, property damage, or any other type of damage, which the undersigned may hereinafter have, individually and/or as parent or guardian or custodian of said minor without limit and without regard to the cause or causes thereof, or the negligence of any party or parties, including the negligence of the Delaware Teen Courts, Inc. Board of Directors, the Teen Court Coordinator, any Delaware Teen Courts, Inc. volunteers, and any employees, officials or persons for whom community service is performed, whether such negligence be sole, joint, or concurrent, for injury or death of any person or damage to any property, arising out of or in connection with the participation in the Delaware Teen Courts, Inc. program.

In making this agreement, we rely wholly on our own judgment, belief and knowledge and have not been influenced to any extent whatsoever by any representation or statement not contained in this agreement.

\_\_\_\_\_  
Parent or Guardian's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Juvenile's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Catherine M. Kemp  
Teen Court Coordinator  
Delaware Teen Courts, Inc.

\_\_\_\_\_  
Date

**DELAWARE TEEN COURTS, INC.**

**CONFIDENTIALITY STATEMENT**

I solemnly swear or avow that I shall keep confidential any specific information which comes to my knowledge in the course of a Delaware Teen Court hearing, and, if serving on a teen jury, that I shall not divulge the secret proceedings of that jury, and that I shall not identify, directly or indirectly, either audibly or in writing, any person participating as a defendant in the Delaware Teen Courts program.

\_\_\_\_\_  
Signature of Volunteer/Participant/Observer

\_\_\_\_\_  
Date

Approved by: \_\_\_\_\_

Catherine M. Kemp  
Teen Court Coordinator

**Delaware Teen Courts, Inc.**

P.O. Box 1251  
Dover, DE 19903  
(302) 698-3264

**Related Websites**

As a Teen Court volunteer, you may find some of the following websites to be of interest.

1. Justice Information Center (NCJRS) – Peer Justice: [www.ncjrs.org](http://www.ncjrs.org)

This site has the entire American Probation and Parole Association “Implementation Guide for Teen Court Programs” manual. The manual is approximately 300 pages in length, so *do not try to print this out!*

2. National Teen Courts of America: [www.angelfire.com/biz/nationalteencourts](http://www.angelfire.com/biz/nationalteencourts)
3. Teen Court of Bismark, North Dakota: [www.teencourt.com](http://www.teencourt.com)

# Certificate of Outstanding Appreciation

is awarded to

for being outstanding in  
Volunteerism for Delaware Teen  
Court of Kent County

Coordinator

President

Date

