



September is Teen Court Month

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Teen Courts Offer Options for Youth

Youth Courts in Tennessee

By Anjanette Eash
Tennessee Youth Court Coordinator

For many of us who work with young people and the judicial system, a courtroom is a relatively familiar place. But try to remember your first visit to court, most likely as a young person. Do your memories include feeling scared? Did you know what to expect? Most young people don't – especially when they are to appear in court as a consequence of their own behavior.

Now imagine that same young person going into court and finding a room filled with other young people – who serve as attorneys, the bailiff, clerk, and even as the jury. This is exactly how youth courts work.

Youth court is an innovative idea that is growing rapidly across the United States. In the last seven years the numbers have grown from 190 programs in 25 states to more than 880 programs in 46 states and the District of Columbia.

A little history.... Legislation permitting youth courts in Tennessee was passed in 2000, sponsored by Rep. Joe F. Fowlkes of Giles County and Sen. Jo Ann

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Do Teen Courts Work?

Teen courts overall compared favorably to standard juvenile court services, according to a study just released.



Although teen courts have been around since the 1940s and began to increase in the 1970s, only recently has serious evaluation of their effectiveness been undertaken. The Office of Juvenile Justice and Delinquency Prevention released an evaluation of teen courts, which finds the programs generally reduce recidivism.

Based on six-month recidivism rates among more than 500 juveniles, juveniles referred to four teen courts had recidivism rates ranging from 6 percent to 9 percent compared with a combined rate of 18 percent for juveniles charged with similar crimes

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Do Teen Courts Work

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that did not go to teen court. However, the comparison is more complicated when individual programs are considered. The four programs studied were in Alaska, Arizona, Maryland, and Missouri. These courts were selected from teen courts surveyed for further study because they were willing to participate, had large caseloads, were administratively stable, used a variety of courtroom types, and were geographically diverse.

Teen courts in Alaska and Missouri were significantly more effective, with the percentage of juveniles from the comparison group re-offending being three to four times as large as the youth court group. In Arizona, the teen court group did better, but the difference did not reach statistical significance. The results in Maryland were not statistically significant. Comparison groups in other states received treatment typical for first-time offenders. However, the comparison group in Maryland participated in a police diversion program that provided similar resolutions to that of the teen court. Their rate of recidivism compared favorably with the other comparison groups, also.

Teen courts may also be successful in helping educate youth and build prosocial attitudes and encourage volunteerism. Teen courts may be successful because of their intervention with first-time offenders;

Types of Teen Courts

Adult Judge presides over court with teens as jury and in other roles. (47% of programs used this type only; 60% of all teen court cases nationally were handled by this type.)

Youth Judge presides over court with teens serving in other roles (9% of programs used this type only; handled 7% of cases).

Peer juries are presented cases by adult or youth volunteers and may question the defendant directly. An adult may assist in disposition (12% of programs used only this type; handled 22% of cases).

Tribunals have a panel of three judges who hear cases presented by youth attorneys, without a jury (10% of programs only used this type; handled 7% of cases). (Mixed Models were used by 22% of the programs)

Teen Courts Versus Comparison Groups Six-Month Recidivism Results

Alaska	Percent Recidivating	
Comparison Group		23%
Youth Tribunal		61%
Arizona		
Comparison Group		15%
Both Youth Court Types		9%
Maryland		
Comparison Group		4%
Both Models		8%
Adult Judge		12%
Peer Jury		5%
Missouri		
Comparison Group		28%
Youth Judge		9%

Source: Urban Institute, 2000

however, further research is needed. The Urban Institute report suggests seven possible explanations for the effectiveness of teen courts:

- ✓ **Peer Justice.** Pressure from peers who model positive behavior may push teens to more law-abiding behavior. The improved recidivism rates in teen courts without adult judges suggest that this may be a primary factor.
- ✓ **Procedural Justice.** Offenders may feel that they are treated more fairly and given a greater opportunity to express their views. From 78 percent to 92 percent of youth surveyed in the four research sites said they felt they were treated the same as other teens at teen court, and 68 percent to 93 percent said they felt they were treated fairly by the teen court.
- ✓ **Specific deterrence.** Generally teens who go through teen courts get stronger punishment than those who do not, who may only get a warning letter.
- ✓ **Labeling.** Avoiding appearance in court may help young people avoid being labeled as delinquent, especially as those referred to teen court as offenders may be required to return as part of the court staff. More than 90 percent of parents surveyed preferred teen court.

- ✓ Restorative Justice. Offenders who understand the impact of their acts through mediation and victim-offender interaction may be less likely to continue in those acts.
- ✓ Law-Related Education. Participation in the courts may build citizenship skills and an ideal of justice.
- ✓ Skill Building. Teen courts develop skills of communication, conflict resolution, public speaking, and group problem solving that build self-esteem and increase success in other areas.

Tennessee is one of 16 states with specific legislation regarding teen courts, although teen courts are operated in the other states. The courts operate under the authority of a judge. Most teen courts, as are Tennessee's, are dispositional. They do not make decisions about guilt or innocence, and in most cases, teens admit to guilt before being referred to the teen court.

Examples of teen court cases included a 15-year-old who stole a stereo, a 13-year-old charged with shoplifting, a 15-year-old charged with a curfew violation, and teens charged with shoplifting merchandise valued at both \$9 and \$280.

Nationally, teen courts surveyed for a report released in 2000 reported that 37 percent of the teen courts were operated by a court or probation agency, 25 percent by a private agency, 12 percent by law enforcement, and 27 percent by other agency, including schools and prosecutors. Nearly a fourth of all cases heard in teen court involved teens younger than age 14 and 66 percent teens younger than 16. Eighty-seven percent of the courts said they never or rarely accept teens with prior arrests.

Teen Court Sanctions	
Percentage of Teen Courts Reporting Sanctions Imposed "Often" or "Very Often"	
Community Service	99%
Victim Apology	86%
Written Essay	79%
Teen Court Participation	74%
Drug/Alcohol Class	60%
Monetary Restitution	34%
Victim Awareness Class	16%
Driving/Traffic Class	14%

Source: Urban Institute, 2000

Offenses Handled in Teen Court

Percentage of Teen Courts Reporting "Often" or "Very Often" Handling Each Offense

Theft, including shoplifting	93%
Minor Assault	66%
Disorderly Conduct	62%
Alcohol Possession or Use	60%
Vandalism	59%
School Problems	33%
Traffic Violations	29%
Truancy	22%
Weapon Possession or Use	11%

Source: Urban Institute, 2000

Teens referred to teen court are typically ages 14 to 16 and in trouble with the police for the first time. Even though most teens agree to have their cases handled by teen court, they usually receive a stiffer sentence than is typical for a first-time offender.

The 500 teen courts operating in 1998 reported handling 65,000 cases. It is estimated that the more than 800 teen courts in operation in 2002 handled 100,000 cases.

Only 14 percent of teen courts got more than half of their funding from private sources; most (59 percent) received only public funding. The most frequently cited problem faced by youth courts surveyed was funding uncertainty, followed by difficulties keeping teen volunteers, and getting referrals, in that order.

Teen courts fit into an overriding system of restorative justice. Under systems of restorative justice, the punishment fits both the crime and the needs of the crime victim. Offenders are encouraged to understand the nature of the pain and loss they have inflicted on the victims and to do what is in their power to pay the victims for their loss.

Resources

The Impact of Teen Court on Young Offenders, Research Report, Urban Institute, April 2002, Teen Courts: A Focus on Research, Juvenile Justice Bulletin, OJJDP, October 2000, <http://www.ncjrs.org/pdffiles1/ojjdp/183472.pdf>.

Research Project Seeks Clues to Solve DMC Problem

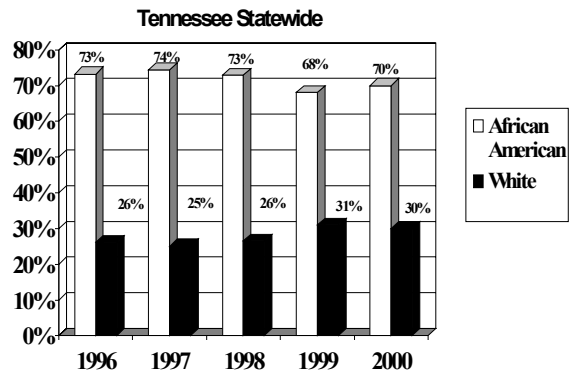
By Rebecca Rhodes
Research Associate

The Office of Business & Economic Research (OBER) within the College of Business at Tennessee State University is conducting an assessment of Disproportionate Minority Confinement (DMC) in Tennessee's Juvenile Justice System under a grant from the TCCY. The overall goal of this study is to determine if and to what extent, disproportionate minority confinement exists in the juvenile justice system in Tennessee and to identify factors that are responsible for this disproportionate minority confinement where it exists.

More specifically, the study will attempt to identify delinquency risk factors, such as poverty, single parent families, lack of education, poor legal representation, previous incarcerations, and probation violations, that may contribute to disproportionate confinement of minority youth. The study will also attempt to identify protective factors that counteract identified risk factors. Similar studies have already suggested protective factors, such as community involvement, school counseling, church involvement, employment, and the like, that may serve to protect youths from the risk of delinquency and resulting confinement. The study will also seek to identify key strategies that will help specifically to mitigate secure confinement of minority youths, such as expanded placement alternatives, and will recommend specific policies for the reduction of minority youths in secure confinement.

The study employs both quantitative and qualitative analyses. The quantitative analysis will be performed primarily on secondary data collected from the seven counties selected for the study (Shelby, Madison, Davidson, Hamilton, Blount, Knox, and Washington). Meetings to introduce the study and to solicit cooperation have been scheduled by TCCY regional coordinators and held in the seven counties. Although some technical and practical problems have been encountered obtaining the requisite data in the proper form from each of the counties, the counties have been immensely helpful, and data collection is proceeding. Once obtained, the data will be subjected to a

Juveniles Confined in Secure Juvenile Detention Facilities



multivariate analysis to identify and determine the strength of the factors associated with DMC.

The qualitative analysis will employ a case study approach to identify and evaluate the exercise of discretion within the juvenile justice system, particularly for cases in which juveniles were transferred to adult court or were ultimately committed to secure confinement. The case studies will use survey questionnaires after development in conjunction with a broadly representative focus group. The questionnaires, which are nearing completion, will be tested in a pilot study in Davidson County in August and then finalized. At that point, county personnel at various decision points in the juvenile process will be interviewed using the questionnaire to obtain information relating both to the juvenile justice process, generally, and to the decisions made in specific, sample juvenile cases.

In light of the obstacles OBER researchers initially encountered obtaining data, permission to interview critical personnel, and access to juvenile files, the deadline for this study has been extended from an original deadline of September 30, 2002, to a deadline now of late December 2002 for a draft report, with the final report due in March 2003.

If you have questions about this study, the director of the Office of Business and Economic Research is Dr. Soumen Ghosh, and the lead research associate for this study is Rebecca Rhodes. Either can be contacted through the main OBER telephone number: (615) 963-7058.

IMPACT Study Identifies TennCare Strengths and Weaknesses

By Craig Anne Heflinger, Ph.D., principal investigator,
and Andrea Flowers, data disseminator

Four studies in the state of Tennessee indicated that 21 to 31 percent of Tennessee's youth were using or dependent on substances and potentially in need of treatment, or at a minimum, screening.

The Alcohol and Drug Administrative Service (ADAS) estimated that 60,297 (26 percent) male and 46,552 (21 percent) female adolescents were in need of treatment in the state of Tennessee.

This article is based on a sub-study of the IMPACT Study conducted by Vanderbilt University's Center for Mental Health Policy in conjunction with Tennessee Voices for Children, the Tennessee Commission on Children and Youth, and Mississippi Families as Allies that examined how adolescents with substance abuse problems accessed and used publicly funded services in Tennessee. **The IMPACT Study found that more than 24,000 youth on TennCare were in need of a substance abuse assessment.** However, according to TennCare data from 1999, only 1,227 youth received treatment. **At least 26 percent of youth admitted to a publicly funded substance abuse treatment program had a co-occurring disorder.** The IMPACT Study found that the publicly funded substance abuse treatment system in Tennessee falls short in providing care to adolescents with substance abuse problems, and modifications are needed.

Two major strengths were found in Tennessee's publicly funded substance abuse treatment system. The system in Tennessee could be improved by building upon these strengths. These included:

- ✓ Dedicated alcohol and drug abuse treatment centers were available for adolescents. In interviews, treatment providers portrayed a sincere concern for the overall well-being of the youth in treatment.
- ✓ The Substance Abuse Prevention and Treatment (SAPT) block grant allowed flexibility in the way the dollars could be spent on youths' treatment plans that allowed services for youth to be expanded.

In every system there are challenges that can be addressed and improved over time. Within the substance abuse treatment system for youth in Tennessee, some of the challenges were:

- ✓ Access to substance abuse treatment through TennCare appeared to decrease over time.
- ✓ There was little monitoring of treatment and outcomes for youth who received treatment.
- ✓ There was no single agency responsible to oversee the substance abuse treatment program in Tennessee.
- ✓ There was a lack of coordination among agencies and services provided to youth.
- ✓ There was a lack of aftercare and family support services for adolescents.
- ✓ The continuum of services after initial treatment was limited.

The IMPACT Study found that the publicly funded substance abuse treatment system in Tennessee did not work as the program was intended and designed. Providers expressed concern that not all youth had access to treatment. Because youth in state custody were given priority because of the DCS fee-for-service contracts with most residential treatment providers, many youth were placed into state custody in order to receive the services they needed. This study also found that the "placement" process did not always lead to the best treatment for the youth's needs. For example, many youth were sent to residential treatment centers because more appropriate, less restrictive options were not available or not funded. Once a youth was placed inappropriately, the removal and replacement process was long and tedious. For youth with a dual mental health and substance abuse problem, the treatment programs available typically only addressed one of the youth's issues.

One of the biggest concerns was that aftercare services, such as individual counseling, group therapy, and support groups, were few and far between. These needed services were not available in all areas of the state. Rural areas, especially, lacked these services. The majority of the aftercare services that were available were for adults, not youth. One reason that aftercare

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services were so scarce was that the number of community mental health centers (CMHCs) that provided alcohol and drug abuse services had decreased from previous years. With the implementation of TennCare, many CMHCs had changed their focus from substance abuse services to services for youth with serious emotional disturbance (SED) because of TennCare's behavioral health organization (BHO) contracts. Aftercare monitoring services were also limited; therefore, youth were placed back into their communities with little assistance with the transition. With no monitoring of aftercare services for youth coming out of intensive treatment, there was a greater likelihood that these youth would resume using substances.

The IMPACT Study findings emphasize that adolescents with substance abuse problems need appropriate long-term and short-term services and a well-coordinated system of care that also includes both mental and physical health services. Findings suggest that the success of youth coming out of substance abuse treatment not only depends on the service system, but also on other factors, including the youth's environment and the support the youth receives from family, friends and providers. The system must consider all aspects of the youth's life in order to develop the most appropriate treatment plan. Modifications are needed in order to design and implement a coordinated service system for youth needing substance abuse treatment. By strengthening the foundation of the current system, treatment for Tennessee's youth with substance abuse problems can be improved.

Tennessee's publicly funded substance abuse treatment system is supported by both state and federal funds. Federal funding includes the Substance Abuse Prevention and Treatment Block Grant (SAPT) from SAMHSA; Medicaid dollars for TennCare; the Children's Health Insurance Plan (CHIP), a Medicaid expansion plan; and Title IV-E funds to the Department of Children's Services (DCS) for services to children in state custody. The State of Tennessee provides matching funds to TennCare and CHIP and additional dollars to DCS.

This article is based on one of several reports from the IMPACT Study. The IMPACT Study focused on mental health and substance abuse issues of school-aged Medicaid children and adolescents in Tennessee and Mississippi and was funded by the United States Department of Health and Human Services (USDHHS) Substance Abuse and Mental Health Services Administration (SAMHSA) as part of a national study to examine the impact of Medicaid managed care on vulnerable populations. To view/download a copy of any report in its entirety, please go to www.vanderbilt.edu/VIPPS/CMHP/publications.html#Impact

For more information, please contact, Andrea Flowers, data disseminator, Tennessee Voices for Children, (800) 670-9882, aflowers@tnvoices.org.

TCCY Seeks Heroes

Each year at Children's Advocacy Days in March TCCY honors young adults who have been in contact with the juvenile justice system, professionals and volunteers who advocate for children, and members of the media who help people understand the trials and successes children in Tennessee face. Please contact your TCCY regional coordinator about the selection process.

The Advocate is published by the Tennessee Commission on Children and Youth as an information forum on children's issues. The Tennessee Commission on Children and Youth, an independent state agency, serves as an advocacy agency and information resource for planning and coordination of policies, programs, and services on behalf of the state's children and youth. The 21-member Commission, appointed by the governor, works with other agencies and with regional councils on children and youth in each development district to collect information and solve problems in children's services. To receive *The Advocate*, contact Fay L. Delk, Publications Editor, Tennessee Commission on Children and Youth, 710 James Robertson Parkway, 9th Floor, Nashville, TN 37243-0800. Phone: (615) 741-2633. Fax No.: (615) 741-5956 (fdelk@mail.state.tn.us).

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Youth Courts in Tennessee

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Graves of Sumner County. The Tennessee Youth Court Program started in August 2001, for the purpose of helping local programs get started, assisting with program development, facilitating everyday operations, and serving as the one-stop shop for youth court needs in the state.

The Select Committee on Children and Youth of the Tennessee Legislature and the Tennessee Legal Community Foundation sponsors the TYCP jointly. Currently, there are three active youth courts across the state (Nashville, Gallatin, and Bristol) and more than a half dozen will become active in the upcoming months (including Montgomery, Haywood and Jefferson counties), with several more programs in development.

Basic Steps for Starting a Youth Court. If you are interested in starting a youth court or know people in your community who would like to, consider the steps below:

- ✓ **Contact the Tennessee Youth Court Program.** Whether you need general information or program design, the youth court program and its coordinator are willing and able to help.
- ✓ **Gain the support of your local juvenile court judge.** State law requires the support of your local juvenile court judge, and having it facilitates program implementation.

- ✓ **Gather support within your community.** Community support ensures your program reflects the people in it, and prevents



- one person from doing all the work.
- ✓ **Design program operations.** Determine necessary parameters such as how cases will be received, how often court will meet, and who will train the volunteer youth.
- ✓ **Recruit and train volunteers.** Many young people are enthusiastic about contributing to their community and helping their peers.

Where to learn more:

- ✓ Feel free to contact the state's youth court coordinator, Anjanette Eash, at (615) 277-3233 or aeash@tnbar.org for information and help with youth courts.
- ✓ The National Youth Court Center has a thorough, very helpful web site www.youthcourt.net.
- ✓ Visit the Office of Juvenile Justice and Delinquency Prevention web site www.ojjdp.ncjrs.org.

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Meetings and Events

Council Activities

East

- Oct. 2, Knox Co. Health Dept., 8:30-10:30 a.m.
 Nov. 6, Knox Co. Health Dept., 8:30-10:30 a.m.

Memphis

- Nov. 20, Quarterly meeting, Shelby Co. Board of Education Auditorium.
 Dec. 5th (tba) Legislative Reception, tba.

Mid-Cumberland

- Sept. 30, Fall Conference, Woodmont Hills Church of Christ, 8:30 a.m.-12:30 p.m.

Northeast

- Nov. 8, Quarterly Meeting, Kingsport Library 10 a.m.

Northwest

- Oct. 4, Education/Prevention Conference, U.T. Martin.

South Central

- Sept. 26, Quarterly Meeting, CSCC, Columbia, 8 a.m. to 4 p.m.

Southeast

- Oct. tba, Hiwassee Council Meeting, 1 p.m. EST.
 Nov. tba, Southeast Council Meeting,

Family & Children's Service, Chattanooga, 11:30 a.m. EST.

Upper Cumberland

- Oct. 25, Networking Conference, Cumberland Mountain State Park, 8:30 a.m.-12 noon.
 Nov. 15, Juvenile Justice Training, STAR Bldg., Algood, 9 a.m.-12 noon.
 Dec. 6, Legislative Breakfast, tba, 8-10 a.m.

C-PORT Review Schedule

- Sept. 9-13, Southeast Region. Exit Conference Sept. 27, 10:30 a.m.
 Oct. 7-11, Knox County. Exit Conference Oct. 18, 10:30 a.m.
 Nov. 4-8, South Central Region. Exit Conference Nov. 19, 10:30 a.m.

Commission Meeting

- Nov. 21-22, Nashville.
 For information on meetings, call (615) 741-2633.

Special Events

- TCSW Fall Conferences.
 Oct. 24, South East, Chattanooga Trade

Center, (423) 209-6833, carlas@exch.hamiltontn.gov.

- Oct. 30, Middle, Brentwood United Methodist, (615) 5342-1588, Pat.Wade@state.tn.us.
 Nov. 8, TCSW Middle East Region, UT Student Center, Knoxville, (865) 637-1753, pamelajad@aol.com.
 Nov. 15, TCSW Middle West, Ag Center, Jackson, (731) 986-4243, Tina.Williams@state.tn.us.
 Nov. 21, North East, Holiday Inn, Johnson City, (423) 543-6596.
 Oct. 10 – 11, Families and Schools Together Conference, Knoxville, (865) 974-2760 or (877) 239-5433, www.tnstep.org.
 Oct. 25, Effects of Family Violence on Children conference, Chattanooga, (931) 431-7580 or fgtil@aol.com.

For more updated information on TCCY and child advocacy events, see the TCCY Web Events Calendar at www.state.tn.us/tccy/events.html.



The Tennessee Commission on Children and Youth
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