

The San Diego Union-Tribune.

Juveniles tried in teen courts

40 such programs operating in state

By Dana Littlefield
UNION-TRIBUNE STAFF WRITER

September 5, 2006

For the first time in the year since he began trying cases in Teen Court, 15-year-old James Willis was switching sides.

James, a junior at Westview High in the Poway school district, had played the defense attorney's role on at least six cases in the juvenile diversion program, but this time he was working for the prosecution.

"I never lost a case for the defense side," James said.

It's hard to imagine that anyone really loses in Teen Court, which offers first-time, nonviolent juvenile offenders the opportunity to appear before a jury of their peers and avoid formal prosecution in Juvenile Court.

Defendants who have admitted guilt in cases dealing with minor offenses such as petty theft and curfew violations are represented by high school students who argue the cases.

An adult attorney or judge presides over the proceedings.

A jury of teenagers deliberates each case and returns verdicts with the goal of repairing some of the harm the young offenders caused. For example, defendants are often required to perform community service and write letters of apology to parents, teachers and others.

"It's youth helping youth," said Nicole Brown, executive director of the nonprofit San Diego Teen Court Inc.

Brown said teen or youth court programs have existed in San Diego County since the early 1990s, primarily in El Cajon, Escondido and Poway. San Diego Teen Court, which operates on funding from the city, a state grant that expires next year and private donations, has served 424 juvenile offenders since 2001 and trained more than 5,500 student volunteers

She said more than 40 teen court programs exist statewide, and the idea is gaining momentum across the country.

In San Diego, most of the student volunteers learn about the program from their high school teachers, club leaders or counselors.



NANCEE E. LEWIS / Union-Tribune
Facing the jury in Teen Court recently were Tyler Alston (from left), playing the role of defense attorney; the young offender (center), and attorney-mentor Patrick Herman. Sitting as judge (at upper right) was another attorney-mentor, Martin Buchanan. The session was held in the San Diego City Council chamber.

About 20 attorneys volunteer regularly and some juvenile court judges preside over Teen Court proceedings on occasion, Brown said.

William Gentry Jr. said his wife, Danielle Hickman, introduced him to the program in 2004. Since then, the couple – both of whom are county prosecutors – have become frequent volunteers who meet with the students before trials, help them prepare and advise them as needed.

“They really take to it and it's fun to watch,” Gentry said. “We're basically just someone they can turn to and bounce ideas off of.”

In Teen Court, the adults may keep the proceedings moving but it's the youngsters who make real decisions that affect the defendants.

“We don't go back and change the jury's decision,” Brown said. “It's something that we very much respect. (We're) trying to send the message that they do have a voice, and they do have power in what's going on.”

Tyler Alston, a 17-year-old student volunteer, said the cases might seem trivial at first blush, but they give minor defendants an opportunity to be heard by people to whom they can relate.

“The focus is just having the defendant speak,” said Tyler, a senior at University City High School. “It's to have a way for the defendant to talk and explain their problem.”

Recently, Tyler defended a 13-year-old boy who brought marijuana to school. Tyler called the boy and his mother to the stand to testify and later argued that the boy was acting on the direction of an older cousin who told him to sell the drugs.

After deliberating for about 15 minutes, the jury ordered the boy to write letters of apology to his former principal and to his mother. They also ordered the boy to write a two-page essay on the negative effects of drugs.

In another case, heard after business hours in the council chambers at San Diego City Hall, a set of teenage lawyers argued the case of a 16-year-old boy who was arrested for daytime loitering after leaving school without permission.

“He did it because he was feeling sick, and his school didn't have a nurse,” said Jacque Bush, 17, a San Diego High School student who represented the defendant.

The offender apparently learned his lesson. He told the jury, “Even the simplest things can have big consequences that you might not think would happen, and you have to take responsibility for what you do.”

Ultimately, the jury decided the defendant should complete 30 hours of community service and get tutoring to help improve his grades. His father, who attended the hearing, smiled when he heard he would receive a letter of apology from his son – a condition of his sentence.

After their experience in Teen Court, several student volunteers have expressed an interest in pursuing careers in law in the future.

“You get your law degree, and you can do anything,” said Priscila Martinez, a 17-year-old from San Diego High.



NANCEE E. LEWIS / Union-Tribune
Tyler Alston (left) and James Willis, the "prosecutor," conferred.