



**SAY** San Diego  
Social Advocates for Youth

Strengthening the Whole Child,  
Whole Family, Whole Community  
Since 1971

## Teen Court - A Program of SAY San Diego



### What is 'Teen Court'?

*Each year SAY San Diego's Teen Court program educates hundreds of high school students about the justice system, including*

*consequences of crime, and provides hands-on courtroom simulations. The program holds formal sessions that keep up to 80 juve-*

*nile offenders out of the court system via peer adjudication, with training and participation by volunteer attorneys and law students.*

### Who Participates in 'Teen Court'?

The City of San Diego (the program's main funder) has identified priority zip codes covering all of central and north central San Diego, plus 92113/92114 (southeast). Participating high schools include Crawford, Clairemont, San Diego, Lincoln, Scripps Ranch, Torrey Pines and many others.

The system cannot operate without volunteer assistance: some 30-50 youth volunteers and 8 adult volunteers participate on a monthly basis

Referrals come from San Diego Unified School District police and the San Diego Police Department. Teen Court receives more than 10 referrals

monthly for offenders whose cases are heard semi-monthly.

Eligible offenses are any misdemeanor—typically petty theft, marijuana possession or bringing a weapon to school.

### Program Needs:

*Volunteers are needed to serve as attorney trainers and judges*

*Gently used clothing - especially jackets and blazers*

*Donations are needed to cover food costs and incentives for participants. The total budget for these two items is \$1350 annually.*

### The Process

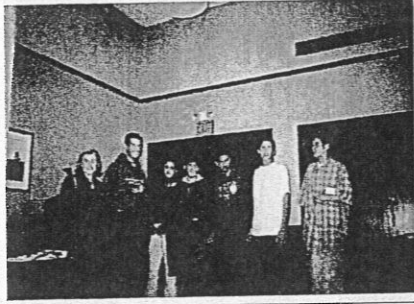
There are two types of hearings: the Attorney Style and a Peer Jury Panel. In the attorney style, adult attorneys work with youth volunteers to develop a sentence and present to the jurors. In a peer jury panel, there are no attorneys: the defendant comes before the court and presents his/her side of the story. The jurors are then allowed to

directly question the defendant.

Court nights are set up to be as real-life as possible. The "defendant" is called to testify, as are any witnesses if applicable. Cases are always decided in one sitting. The peer jurors are not deciding guilty or not guilty — just an appropriate sentence, as the offender has already admitted guilt. The

"verdict" or sentence recommendation is finalized that night. After the witnesses (offender and parents) have been called, the jurors are excused to deliberate. A Teen Court staff sits in on the deliberations to ensure that jurors follow program guidelines. Both hearings are typically finished within 1.5 hours (often within an hour for the Peer Jury Panel).

*This project is funded in whole or in part with Community Development Block Grant (CDBG) Program funds provided by the U.S. Department of Housing and Urban Development (HUD).*



## Volunteer Roles

**Law students generally serve as attorney trainers**, working with student volunteers who have participated in five or more cases and have requested to act as a student attorney. The attorney trainer coaches the teen attorney to decide what lines of questioning to use, how to present themselves in front of the court and the judge, how to do an opening statement, etc. The attorney trainers also participate in court nights. About two weeks before each hearing the program coordinator contacts the attorneys to ask who is available to act in the next case. The defendant has admitted guilt to the crime so both sides seek Restorative Justice. The defense team looks at mitigating factors and

prosecution team looks at aggravating factors.

**Attorneys serve as judges**, whose role is to lead the proceedings and provide guidance if needed. They also ensure the process is carried out fairly and make the sentence legally binding. They are given a script to follow and are allowed to improvise if desired.

**Volunteer Placement and Training** One interview is held with the program coordinator to determine if this is an appropriate match. If so, the individual needs to be cleared via SAY's volunteer coordinator. In the mean time, they receive all of the training materials for review.

The program coordinator meets with a judge immediately before his/her first hearing to review all information and the evening's agenda.

### Time Commitment

A volunteer attorney assist with one or more hearings in an evening. The time commitment for judges can be more sporadic. Sometimes the program needs a judge to fill in for just that night and not again for several months. Attorney trainers must participate in one case a month for at least 6 months. Judges are asked for a commitment spanning at least six months, and to be available for at least one hearing/case a month.



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**Find us on Facebook!**

Social Advocate for Youth (SAY San Diego) is a locally based non-profit organization dedicated to the positive development of San Diego's Children, families and communities.

SAY provides a comprehensive and integrated array of services to some of San Diego's most vulnerable individuals and families. We fill a special need in the community by building collaborative and innovative partnerships that find cost-effective solutions to benefit children and families.

## **Teen Court Juror Training**

\*All student volunteers undergo a basic training that teaches the principles of Restorative Justice: Repairing the Harm, Offender Accountability, and Community Safety. This training prepares teens to participate in court hearings.

**Jurors:** Volunteer in an attorney style hearing or as an active participant on a Peer Jury Panel. The jurors' responsibilities are to listen to the facts of the case and develop a fair sentence. The sentence must be aimed at restoring justice and be unanimously agreed upon by all jurors.

**Presiding Juror:** In addition to participating as a juror, the presiding juror acts as "formal host" of the proceedings and deliberation.

**Bailiffs:** In addition to participating as a juror, the bailiff calls order to the court and escorts the jurors to deliberation.

**Clerks:** In addition to participating as a juror, the clerk announces the case and swears in witnesses.

**Student Attorneys:** Student attorneys have participated as jurors for Teen Court a minimum five times. After this, they are paired with an adult attorney trainer who provides an additional training for the student volunteer. The attorney trainer is either a practicing lawyer or a law student. After the student attorney has been trained, they may work on cases. The student attorney works with an attorney trainer and to develop questions and opening and closing statements. At the hearing, the student attorney tries the case, with the attorney trainer acting as an advisor.

\*Trainings are scheduled periodically as demand grows, usually twice a month.

During the academic year school based trainings are an option.

### **Contact Info:**

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Jurors, keep your hands raised. And now everyone else in the courtroom, please raise your right hands:

TO ALL OF THE PARTIES IN ATTENDANCE, INCLUDING THE JURY: DO YOU AND EACH OF YOU SOLEMNLY SWEAR OR AFFIRM, UNDER PENALTY OF PERJURY, THAT YOU WILL NOT DIVULGE ANY INFORMATION ABOUT THE DEFENDANT OR THE CRIME COMMITTED TO ANYONE OUTSIDE OF THIS ROOM? IF SO, SAY "I DO."

You may all be seated. I will preside over these proceedings and address any procedural or evidentiary questions that may arise. I will also review any sentence that is passed by the jury to determine whether it is appropriate based up on the evidence.

Members of the jury, remember that this is not a trial to determine innocence or guilt. Your sole duty is to select a sentence. I expect you to take your duty seriously and conduct yourselves appropriately. You will please stand when addressing the bench or the witness, and the presiding juror will stand while conducting the proceedings.

I will now turn the proceedings over to the presiding juror.

**PRESIDING JUROR:** Thank you your honor. My name is \_\_\_\_\_ and I will be the presiding juror for this case. Will the clerk please call the title of the case.

**CLERK:** The state of California versus \_\_\_\_\_.

**PRESIDING JUROR:** The defendant in this case has admitted guilt to the offense of \_\_\_\_\_.

### QUESTIONING



**JUDGE:** *(To the defendant)* This panel of peer jurors will hear case facts taken from the police report. You will then be allowed to tell the court and the panel how and why you were arrested. The jurors will then ask you some questions in order to better understand your situation. Will the Bailiff please escort the defendant to the stand.

**PRESIDING JUROR:** To the defendant:

- How old are you?
- What grade are you in?
- Do you have a parent, parents, guardian, or other adult present with you today?
- To the parent: WILL YOU PLEASE GIVE YOUR FIRST NAME(S) ONLY.

**PRESIDING JUROR:** Thank you for being here today. Will the case presenter please read the facts of this case as taken from the original police report.

*(Case presenter reads facts to the jury)*

**PRESIDING JUROR:** Thank you. We will now allow the defendant to make a statement. Will the clerk please swear in the defendant.

**CLERK:** Please raise your right hand.

DO YOU SOLEMNLY SWEAR OR AFFIRM, UNDER PENALTY OF PERJURY, THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH?

*(Defendant affirms)*

**PRESIDING JUROR:** Please tell us in your own words how this offense came about and your role in it.

*(Defendant presents his/her statement)*

**PRESIDING JUROR:** Thank you for your testimony. Is there anything else you would like us to know about you or this situation?

*(Response by the defendant)*

**JUDGE:** Does the panel have any questions for the defendant?

*(Jurors ask questions)*

**JUDGE:** At this time would the clerk please swear in \_\_\_\_\_ *(Person(s) accompanying the defendant)*

**CLERK:** Will you please raise your right hand.

DO YOU SOLEMNLY SWEAR OR AFFIRM, UNDER PENALTY OF PERJURY, THAT THE TESTIMONY THAT YOU ARE ABOUT TO GIVE WILL BE THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH?

*(Affirmation)*

**PRESIDING JUROR:** Thank you. Would you like to make a statement to the jurors about \_\_\_\_\_ *(defendant's name)* or this situation?

*(Witness makes a statement)*

**PRESIDING JUROR:** We would like to ask you some questions about the defendant and the situation.

*(Jurors question the witness)*

**JUDGE:** Thank you for your testimony. Is there anything else you wish to tell the court about this matter, or do you wish to present any further evidence.

*(Wait for a response)*

Do any of the jurors have anything else they wish to ask of the defendant(s) or the witnesses?

*(Wait for a response)*

There appearing to be no further questions, the jury will now retire to consider its verdict. When you have reached a unanimous verdict, we will reconvene proceedings.

**BAILIFF:** Court is in recess.

*(If there is a jury room available, have the bailiff escort the jury panel there. If no room is available, then advise that you and all non-jurors will depart while the jury deliberates and instruct the bailiff to collect everyone when a verdict is reached.)*

### SENTENCING

**BAILIFF:** All rise. This Teen Court is again in session. Please be seated and come to order.

**PRESIDING JUROR:** Thank you for your patience as we deliberated. The jury has reached a unanimous decision and the recommended sentence is submitted to the judge for approval.

**JUDGE:** I find the sentence to be fair and appropriate to the defendant. *(Or I do not find the sentence to be fair and appropriate for the following reasons \_\_\_\_\_ and hereby amend it as follows \_\_\_\_\_.)*

**PRESIDING JUROR:** Will the clerk please call the case for sentencing.

**CLERK:** The state of California versus \_\_\_\_\_.

**PRESIDING JUROR:** We the jury finds the following: (Read the sentencing form). (Defendant) \_\_\_\_\_, do you agree to perform the sentence as read?

*(Defendant affirms)*

**JUDGE:** *(To the defendant)* You have 90 days to complete your sentence. Within 90 days you must meet in front of your peers at a Sentence Review Panel in order to prove that you have completed it. Once you have successfully completed your sentence, you will no longer have a juvenile record for this offense. However, if you should fail to comply with the sentence, your case will be sent back to the referring agency for prosecution and your failure to comply with the sentence will be taken into account. You must now meet with a representative of the Teen Court who will provide you with the necessary paperwork and instructions.

I wish you the best of luck and sincerely hope that this time you will have to appear as defendant in any criminal proceeding.

I want to thank the members of the peer jury panel for their participation in these proceedings. You have performed a valuable service to the justice system and to the community.

**BAILIFF:** Teen Court is now adjourned.



# Tips for Jurors



- Listen to both sides of the case
- Talk about the case and the FACTS
- Identify who was hurt: *victim, community, defendant, and the defendants' parents*
- Determine how much responsibility the defendant takes for his/her actions
- Determine how sorry the defendant is
- Figure out how to restore justice
- As a group, determine a fair sentence
- Make sure it's unanimous!!!

# TEEN COURT SENTENCE DELIBERATION



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

Offender's Name: \_\_\_\_\_ Defendant has admitted guilt to: \_\_\_\_\_

## REPAIRING THE HARM

*Who did the Offender harm with his/her actions? (Victims, community, relationships, etc...)*

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*What has the Offender already done to repair the harm?*

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*What more can the offender do to repair the harm? (Think general categories: apologies, service, reflection, etc...)*

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## OFFENDER ACCOUNTABILITY & SKILL DEVELOPMENT

*On a scale of 1-5, with 1 being the least and 5 being most:*

- How much **responsibility** does the Offender seem to be taking for his/her actions? \_\_\_\_\_
- How **sorry** does the Offender appear to be? \_\_\_\_\_

*How has the Offender already been held accountable for the crime (punishment/discipline at home, school, etc)?*

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*How can this offender be held further accountable for his/her actions? (Are there areas where they have not been held accountable?)*

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*What kind of skills does the offender need in order to be more successful in life?*

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# TEEN COURT SENTENCE DELIBERATION



## COMMUNITY SAFETY

*What will it take for the Offender to learn his/her lesson and not re-offend?*

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