



Senator Angelique V. Ashby, 8th Senate District

SB 1005 – Youth Courts

Allows youth the opportunity to experience a jury of their peers

SUMMARY

SB 1005 gives statutory authority for minors, with referral from a probation officer and consent of the minor's parent, to waive traditional juvenile court system hearing and sentencing procedures and experience a court of fellow minors.

BACKGROUND

Youth courts are a type of diversion program where a minor accused of committing a certain offense can opt-into an alternative court-like setting where youth volunteers play a variety of roles in the judicial process – such as district attorney, public defender, bailiff, or juror. Generally, juveniles charged with minor violations such as shoplifting, vandalism, truancy, or disorderly conduct are eligible for youth courts.

Many youth court programs already exist throughout the state and range in structure, with the earliest programs in California dating back to the mid-1980s. All programs are under the supervision of a judge.

These programs keep low-level youth offenders out of the formal juvenile justice system, allowing more resources directed toward youth with serious offenses. Individual research conducted on youth court programs across the nation found outcomes at least as positive as other diversionary alternatives, and some that were superior to other alternatives.

Recent studies show that youth court participation produces the following benefits for all involved: accountability, timeliness, cost savings, civic engagement, youth influence youth, and prevention.¹

Youth courts provide young people with avenues for positive development and personal success, and youth volunteers learn from each other while also gaining a deeper understanding of the legal system.

THE PROBLEM

Existing law provides probation departments with broad authority and options for alternative types of supervision for minors. However, there is currently no specific statutory authority for youth courts.

Without such statutory authority, jurisdictions hesitate to develop or promote youth courts, which are important components of a restorative justice system. This lack of clear statutory guidance may cause confusion for the courts, and keep jurisdictions from utilizing cost saving measures, as many youth court programs are primarily funded through non-public resources and community-based organizations.

THE SOLUTION

SB 1005 grants probation departments the statutory authority to maintain and operate youth courts, or contract with community-based organizations or private or public agencies, to implement youth courts. The most serious crimes are excluded from eligibility for these programs.

SB 1005 does not change the probation department's discretion with case referral, may potentially reduce costs to the state, and has been a successfully implemented restorative justice program in a few courts across California.

SUPPORT

- California Judges Association (sponsor)
- California Association of Youth Courts
- California Public Defenders Association
- City and County of San Francisco
- Initiate Justice
- Los Angeles County District Attorney's Office

FOR MORE INFORMATION

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¹ [Judicial Council of CA](#)