



UNIFIED FAMILY COURT

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# Connection

UNIVERSITY OF BALTIMORE SCHOOL OF LAW ■ CENTER FOR FAMILIES, CHILDREN AND THE COURTS

## Juvenile Correction Facilities Are No Place for Kids

BY BART LUBOW

The United States incarcerates children at rates implausibly higher than any similar country. Our rates of youth incarceration are eighteen times higher than those of France and seven times higher than those of Great Britain, despite only marginally higher rates of delinquency.

The U. S. practice might be understandable if it protected the public, redirected troubled youth, or made smart use of taxpayer dollars, but here is what we now know about American youth corrections:

- Juvenile corrections centers are dangerous and abusive.
- These institutions are often unnecessary and generally ineffective
- Taxpayer dollars are wasted on these retributive responses to delinquency.

## Courts Can Be Instrumental in Meeting the Needs of Youth in the Justice System

BY DANA SHOENBERG

A rehabilitative juvenile justice system should help youth and families address mental health, education, job readiness and other needs. Often, judges and court personnel committed to helping troubled youth and their families create a set of expectations and orders to “fix” everything they see wrong. The unintended consequences of unreasonable expectations can lead youth deeper into the juvenile justice system in ways that do little to meet their needs.

The University of Baltimore School of Law’s Center for Families, Children and the Courts’ fourth annual Urban Child Symposium, “The Beginning or the End? The Urban Child’s Experience in the Juvenile Justice System,” focused on how courts can best meet the needs of youth in the juvenile and criminal justice systems. My offering at the symposium drew upon insights from our work at the Center for Children’s Law and Policy, which helps courts and juvenile justice systems reduce racial and ethnic disparities and the unnecessary use of incarceration. It also drew upon observations of the many state and local juvenile detention and placement facilities that we have visited as inspectors, investigators, litigators and consultants.

Youth coming into the juvenile justice system often have a variety of unmet and unidentified needs. Many youth come

*see page 3*

*If juvenile corrections centers are so dangerous, so ineffective, so costly, then why do states persist in utilizing them?*

**JUVENILE CORRECTIONS CENTERS ARE DANGEROUS AND ABUSIVE.**

Over the past 40 years, about 80 percent of the states have operated juvenile institutions

where conditions were so violent, dirty, restrictive and bereft of basic services that either a federal court intervened or a major scandal erupted. Lest readers think that these constitutional and moral deficiencies are relics of the past, the majority of these patterns of persistent maltreatment have been revealed only since 2000. This means that either administrators have not learned from past problems or, more likely, that environments like these simply are toxic by nature.

Juvenile corrections facilities may look relatively benign, especially when compared to famous adult prisons like Attica or San Quentin, but years of investigations, research and litigation reveal the truth. Confined youth commonly are subjected to physical abuse and excessive use of force by staff. According to the Associated Press, 13,000 claims of abuse were reported from 2004 through 2007. In 2010, the federal government released a report on sexual abuse which found that staff or other youth victimized 12 percent of confined youth, or one out of eight, during the previous year. Far too frequently, these youth are physically or chemically (e.g., mace) restrained and isolated in their cells for lengthy periods without legal recourse. Staff also are assaulted and injured with disturbing frequency.

*see page 4*





## OVERVIEW:

# Reform Efforts Essential in the Juvenile Justice System

Over 200 people attended the fourth annual Urban Child Symposium, “The Beginning or the End? The Urban Child’s Experience in the Juvenile Justice System,” which included a range of discussions on the psychological, social and emotional characteristics of juveniles and whether juveniles can and/or should be tried as adults.

Several ideas emerged during the April symposium, sponsored by the University of Baltimore School of Law Center for Families, Children and the Courts:

- Juveniles should be directed toward community and family-based treatment rather than incarceration.
- Racial and ethnic disparities must be addressed on a system-wide basis and across all decision points in a juvenile case.
- Laws requiring or allowing juveniles to be tried as adults should be abandoned because they hurt children and endanger society.
- All stakeholders – including families, schools, prosecutors, departments of juvenile services, social workers, employers and others – should be involved in reform efforts.

In this issue, our writers explore those issues:

**Gloria Reeves, M.D.**, a board-certified child and adolescent psychiatrist and an assistant professor at the University of Maryland’s School of Medicine in Baltimore, writes about brain development research and how it offers key insights into how to approach adolescents in the legal system.

**Bart Lubow**, the director of the Juvenile Justice Strategy Group at the Annie E. Casey Foundation, discusses the negative impact and ineffectiveness of juvenile detention.

**Bernardine Dohrn**, clinical associate professor at the Children and Family Justice Center of Northwestern University School of Law, Bluhm Legal Clinic, writes about the positive changes in the juvenile justice field in the past decade and the U.S. Supreme Court’s ban on capital punishment for juveniles.

**Dana Shoenberg**, deputy director of the Center for Children’s Law and Policy in Washington, D.C., writes about how courts can be instrumental in meeting the needs of youths in the juvenile justice system.

## Landmark Benchbook on Substance Abuse is Now Available

While substance abuse and addiction are pervasive throughout the family court system, there are very few resources available for family law attorneys and members of the judiciary who want information specifically geared to parents and children in the family justice system.

In order to meet this need, the University of Baltimore School of Law Center for Families, Children and the Courts has published the *Benchbook on Substance Abuse and Addiction for Family Courts*. The long-awaited publication provides clear and concise information about the range of substance abuse and addiction issues affecting families and children in family courts.

To learn more, visit: <http://law.ubalt.edu/centers/cfcc/publications/index.cfm> or email [cfcc@ubalt.edu](mailto:cfcc@ubalt.edu).

## The Vital Work of CFCC

The Center for Families, Children and the Courts (CFCC), a non-profit organization, offers strategic planning and technical assistance to structure Unified Family Courts (UFCs), as well as evaluations of the effectiveness of these courts and their related programs. Other CFCC services include compiling surveys and reports, formulating performance standards and measures, providing training and workshops and organizing conferences for the judicial, legal and court communities. CFCC relies on the support of foundations, grants and partners to fulfill its mission to improve the lives of families and children and the health of communities through family court reform.

Visit <http://law.ubalt.edu/template.cfm?page=1189> for additional information. See also: <http://www.facebook.com/CFCCatUBaltLaw>.

## Breaking News: CFCC Receives Grant

The Center for Families, Children and the Courts (CFCC) has received a \$300,000 AT&T Aspire grant to support its Truancy Court Program (TCP). The grant allows for involvement in two high schools, enhanced case management and training of school personnel.

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## Meeting the Needs of Youth in the Justice System *from pg. 1*

to the juvenile justice system disengaged from school, but the failure to meet their educational needs begins much earlier: 45 percent of children who ultimately entered the juvenile justice system were delayed in reading aptitude by second grade, and 36 percent were delayed in writing aptitude at the same point. At least 35 percent of incarcerated youth are eligible for special education services.

Youth come with a variety of mental health needs as well. In one study, 70 percent of youth entering juvenile detention met the criteria for a mental health disorder, while 27 percent of the detained youth had a severe disorder requiring immediate treatment. High levels of stress and trauma mark the lives of youth in the juvenile justice system, especially girls. Studies estimate the incidence of post-traumatic stress disorder to be as high as 50 percent among the juvenile justice population.

With such tremendous need, it is no wonder that courts want to help youth and families address these problems. We see probation orders with long lists of requirements, from drug treatment, attending an anger management program and counseling, to orders not to wear baggy pants or certain colors associated with gangs. When other restrictions, such as curfew, avoiding “negative peers,” regular meetings with probation officers, and a host of other requirements are tacked on, families have a lot on their plates. Sometimes parents risk losing their jobs because they miss work trying to get their children to multiple appointments with service providers. For families who live far from required services and adequate public transportation, it is impossible to meet all of the court’s expectations.

What happens when youth cannot or do not comply with their court-ordered responsibilities? In many systems, youth whose underlying offenses did not warrant incarceration are ordered to detention (and sometimes placement) anyway. In many systems, we find that 35 to 40 percent of youth in detention are there for probation violations, rather than the severity of their offenses or risk of flight. Frequently, that population is disproportionately youth of color. Youth often are there because someone thought sending them away was necessary to “get them the help they need.”

While there certainly are juvenile institutions that help youth find new skills and turn their lives around, courts must be careful to use incarceration and out of home placement only for those youths who present a risk to public safety and cannot be treated safely in their own communities. Facilities full of hardware and regimentation are not therapeutic environments conducive to treating youths’ mental health needs.

Incarcerated youth are not allowed to make many decisions for themselves, so they do not get the opportunity to develop skills to cope in the real world. Placing lower-level offenders who did not follow directions but who do not present a public safety risk in the same facility with more serious offenders can lead to more crime, not less.

*In many systems, up to 40 percent of youth in detention are there for probation violations, not the severity of offenses.*

Research provides extensive evidence of the risks associated with group treatment and incarceration settings. In one study, youth randomly assigned to treatment foster care showed reductions in problem behavior, while youth randomly assigned to group residential treatment showed increases in problem behavior. Findings of the Civil Rights Division of the U.S.

Department of Justice are rife with examples of physical abuse, inadequate education, insufficient supervision, denials of medical and mental health care, and other problems in juvenile facilities. The most recent data from the Bureau of Justice Statistics estimates that 12 percent of incarcerated youth annually are victims of sexual abuse.

### WHAT SHOULD COURTS DO?

- Courts should develop and use data to track detention and out-of-home placement of probation violators, including an analysis of any racial and ethnic disparities. Officials should seek to gain an understanding of the types of violations that most frequently lead to sanctions.
- Courts should use the latest objective risk and needs assessment tools to identify youths’ needs and prioritize expectations.
- A sufficient range of community-based services must be available to meet identified supervision and treatment needs.
- Officials should set realistic expectations focused on protecting community safety and addressing youths’ primary needs. Courts should resist the temptation to try to “fix” youth and their families, placing so many conditions and expectations that youth are set up for failure. Involving families and youth in case planning decisions helps not only to engage youth and their families, but also to create plans informed by families’ insights about their children and their lives.
- Probation departments should incorporate incentives for cooperation into conditions of release and probation alongside a variety of sanctions for violations. Systems of graduated incentives and sanctions, based on objective criteria, increase the number of tools in the probation officer’s toolbox, motivate youth toward positive outcomes, and create uniformity among decision makers.

We have seen juvenile justice systems make measurable changes using these approaches and shifting their focus to determining when it is appropriate and necessary to remove youth from their communities. More systems have the opportunity to make these changes, and we encourage leaders to take the initiative. ■



Dana Shoenberg is deputy director of the Center for Children’s Law and Policy, a public interest law and policy organization in Washington, D.C. that focuses on reform of juvenile justice systems and protection of the rights of children. She provides training and technical assistance to jurisdictions across the country seeking to improve their juvenile justice systems.





## Juvenile Correction Facilities Are No Place for Kids *from pg. 1*

### THESE INSTITUTIONS ARE OFTEN UNNECESSARY AND GENERALLY INEFFECTIVE.

People commonly assume that incarcerated youth are all gang-banging, gun-toting thugs who pose uncontrollable public safety risks. Only about 12 percent of the nearly 150,000 annual admissions into residential facilities by juvenile courts, however, are for crimes listed on the Federal Bureau of Investigation's "violent index offenses." In many states, as many as half the kids in confinement are committed for misdemeanors. More likely, youth are confined for property offenses, violations of court orders and low-level drug charges rather than for acts of inter-personal violence.

This questionable incarceration is even more distressing when we examine long-term outcomes. Multiple recidivism studies reveal that youth discharged from corrections facilities rarely are rehabilitated or deterred from future criminal behavior. For example, in states that measure recidivism three years after discharge, about three-quarters of formerly confined youth are rearrested for a new offense.

Many studies indicate that incarceration is no more effective than probation or alternative sanctions when it comes to reducing future criminality. Other studies suggest that correctional placements exacerbate criminality. Incarceration especially is ineffective for less serious offenders, whose risk of future criminal behavior increases as a consequence of confinement.

### TAXPAYER DOLLARS ARE WASTED ON THESE RETRIBUTIVE RESPONSES TO DELINQUENCY.

According to the American Correctional Association, it costs an average of \$88,000 per year to incarcerate a single youth in a juvenile correctional facility. By comparison, a four-year public university costs less than \$8,000 per year.

The high cost of confinement has significant consequences: it distorts the juvenile justice budget so that the majority of public dollars is devoted to a relatively small percentage of the overall court caseload. Investments in delinquency prevention or early intervention programs effectively are precluded because so many dollars are required to support the system's "deep end." This phenomenon particularly is disturbing because we have learned so much over the last several decades about what works to combat juvenile crime. "Evidence-based programs," for example, have been tested rigorously and repeatedly shown to produce better long-term results than juvenile confinement, yet investments in these programs remain limited because public dollars continue to go predominantly down the incarceration drain.

This critique begs a fundamental question—if these places are so dangerous, so ineffective, so costly, then why do states persist in utilizing these practices? There are many answers, including politicians' ten-

*Youth discharged from corrections facilities rarely are rehabilitated or deterred from future criminal behavior.*

dency to pander regarding public safety matters, the compelling economic interests associated with a \$5 billion annual industry, the system's often well-intended but misguided search for "services," and counter-productive financial incentives that encourage local courts to commit youth to state-financed facilities.

Certainly one of the key explanations for the public's lack of perspective on these troubling institutions involves who they lock up—overwhelmingly youth of color from the most disadvantaged neighborhoods in this country. Those confined are youth without voices, from families without resources, in communities without power. Indeed, the extreme racial and ethnic disproportionality in patterns of confinement, especially when considered in light of these institutions' dismal track records, raises the fundamental question of whether this system would persist at all if its wards were white youth from middle-class families.

The good news, however, is that the tide seems to be turning. Over the past decade, in multiple states throughout the country, we have seen dramatic reductions in youth incarceration. These changes have occurred for different reasons in different places, but collectively they add up to a national de-institutionalization trend. A recent report documented that more than 50 juvenile institutions were shuttered in 18 states between 2007 and 2011. Equally important, these significant reductions in youth incarceration did not undermine public safety. In fact, those states with the largest decreases in confinement experienced the greatest decreases in youth crime.

Currently, these trends are the sum of idiosyncratic developments in individual states rather than a reflection of a clear national policy consensus that juvenile incarceration should be used far more sparingly and only for the relatively few extremely dangerous youth. That consensus, however, cannot be far off.

Sustained low rates of juvenile crime, tight fiscal times for state and local governments, growing knowledge about what works, and a national detention reform movement collectively provide a perfect storm of conditions that can push American juvenile justice policy and practice beyond its unhealthy reliance on incarceration. ■



Bart Lubow is the director of the Juvenile Justice Strategy Group at the Annie E. Casey Foundation.



# Taking Age into Account Has Led to Significant Reform in Juvenile Jurisprudence

BY BERNARDINE DOHRN

Children are different from adults in the legal arena. In a myriad of statutes, standards and domains, children are prohibited from actions deemed acceptable for adults - skipping school, voting, consenting to sex, driving, drinking, being tattooed, joining the military and signing an enforceable contract.

Society protects adolescent children from themselves.

Beginning in the late 1980s, and continuing through 1998, state and federal legislatures and prosecutors enacted a series of laws and practices that made it easier to transfer or “waive” children from juvenile court to adult court.

Today, nearly 200,000 people under the age of 18 are tried in adult criminal courts annually, although there are signs of reversal of that 20-year trend. Sentencing children to longer prison terms became inevitable in adult court and more extreme in juvenile courts. A significant number of children, an estimated 10,000, are required to serve their criminal sentences in adult prisons or adult jails. Not surprisingly, 21 percent of the victims of prison rape and sexual violence involve children.

The numbers of youth confined soared dramatically in detention facilities, residential homes, training schools and juvenile facilities as youth crime and violent youth crime plummeted. Youth of color, usually poor, were driven into the juvenile and adult criminal systems simultaneously with the escalation toward increasing harshness. White youth virtually disappeared from the formal justice system and youth of color were channeled into court proceedings and prisons.

These developments resulted in an unlikely situation at the turn of the millennium. Although juvenile crime rates declined sharply from 1994 through the entire first decade of the new century, the most severe youth justice policies—implemented primarily against young people of color—continued to grind away. Detention centers, out-of-home placements, and youth prisons became overcrowded, dangerous and expensive. Once they were arrested and confined, youngsters could not return to their local school upon release.

Growing numbers of children were arrested and charged with crimes for minor misbehavior in schools under the policy of zero tolerance. The U.S. remained the only country in the world executing juvenile offenders. In addition, thousands of youth were receiving sentences of life without possibility of parole, or equivalent life sentences—being condemned to die in prison. In effect, certain children were no longer entitled to their childhood.

Against that backdrop, challenges were undertaken to the whole fabric that deemed a child an adult in the eyes of the criminal law. Legal experts and leaders began to shift the aim of juvenile justice to be broader and more focused, a stance that placed human devel-

*Nearly 200,000 people under the age of 18 are tried in adult criminal courts annually, but this trend may be reversing.*

opment and growth, transgressions and restorative recovery, rehabilitation and human possibility at the center of the passage from adolescence to adulthood.

## ABOLISHING THE JUVENILE DEATH PENALTY

A conference—“Wrongful Convictions and the Death Penalty” held at the Northwestern University School of

Law in November 1998 - brought together for the first time 29 of the 74 people who had been condemned to die for crimes they did not commit and who had been exonerated. The conference included a workshop on the juvenile death penalty - “Another Kind of Innocence: Children and the Death Penalty.”

Workshop participants brainstormed about a new initiative to tackle the juvenile death penalty again, this time in the context of a revived abolition movement and a growing wrongful conviction movement. The idea was to add value to the existing efforts and to be mindful of not diverting resources or offering state legislatures a lesser option (abolition of the juvenile death penalty) if full abolition was possible.

Six months later, a planning meeting was convened to plot out a strategy to abolish the legal execution of juvenile offenders in this country. At the time, there were 84 people on death row who were convicted of crimes committed when they were under the age of 18. Research documented childhood trauma and violent victimization of the death row inmates during their childhoods. Five states continued to execute juvenile offenders. Another 20 states allowed for the juvenile death penalty, but executions were not scheduled.

The abolition team sought to change the laws in four states, identify current juvenile cases eligible for the death penalty, enhance the arguments of youthfulness in post-conviction appeals, and become experts in clemency appeals to governors. The coalition launched clemency campaigns where an execution date was set for a juvenile offender, and sentences were commuted in all but five such cases, including four in Texas. A new body of developmental, behavioral, and brain science research supported the argument that children were different from adults and less culpable.

By 2004, when the U.S. Supreme Court took certiorari in *Roper v. Simmons*, a juvenile death penalty coalition had been mobilized, including national organizations such as the Juvenile Law Center and the National Coalition for the Abolition of the Death Penalty, and professional associations, including the American Psychiatric Association, the American Academy of Pediatrics, the American Psychological Association, the American Bar Association, the Child Welfare League of America and the National Parent-Teacher Association.

*see page 6*

## Brain Development Research Offers Key Insights on

BY GLORIA REEVES, M.D.

*"I would (that) there were no age between ten and three-and-twenty (23), or that youth would sleep out the rest; for there is nothing in the between but getting wenches with child, wronging the anciently, stealing, fighting." —William Shakespeare, "The Winter's Tale"*

William Shakespeare's historic quote succinctly describes some of the timeless challenges of adolescence. Long before the advent of developmental research, it was evident that high risk and sensation-seeking behaviors characterize adolescence. Experimentation with alcohol and drug use, sexual activity and reckless driving often begin during the teenage years.

The transition from childhood to adulthood can be unnerving for parents because adolescents lack experience navigating situations independently, and their behaviors can have serious and irreversible consequences.

Underscoring this concern is the fact that the leading causes of death for older adolescents and young adults are accidents, homicides and suicides—all "preventable" causes of death that often are due to impulsive and reactive behaviors. Delinquent behaviors also

increase as youth engage in more sensation-seeking behaviors and have more unsupervised time with peers.

Brain development research provides a greater understanding of the biological factors that drive some of these high risk behaviors and gives a context for the legal system to reassess whether or not adolescent offenses should be addressed in juvenile versus adult court systems. This research is not just limited to information on structural differences between the adolescent and adult brain.

Significant advances in brain research techniques, including the use of functional magnetic resonance imaging (fMRI), allow developmental researchers to study better the link between brain activity and behavior and identify areas where adolescent "hard wiring" may influence how they respond to situations differently than adults. In one study, individuals complete a standardized task in a scanner, and researchers simultaneously assess that individual's ability to successfully complete the task (e.g., avoid pressing a button when a specific picture is shown), the influence of a reward or the presence of peers on behavior (more points are given for selecting high risk

*see next page*

## Age Considerations Lead to Juvenile Justice Reform *from pg. 5*

Moreover, four states had repealed their juvenile death penalty provisions: Montana (1999); Indiana (2002); South Dakota (2004); and Wyoming (2004). In addition, there was international support for abolishing the juvenile death penalty in the U.S.

### A STURDY EIGHTH AMENDMENT JURISPRUDENCE FOR CHILDREN

Unique to Eighth Amendment analysis, courts for half a century have looked to "evolving standards of decency that mark the progress of a maturing society." As U.S. Supreme Court Justice John Paul Stevens noted: "Society changes. Knowledge accumulates. We learn, sometimes, from our mistakes. Punishments that did not seem cruel and unusual at one time may, in the light of reason and experience, be found cruel and unusual at a later time."

The Supreme Court, in the 2005 landmark *Roper v. Simmons* (543 U.S. 551) decision abolishing the death penalty as a sentence for juvenile offenders, wrestled with the question of whether execution of juvenile offenders amounted to cruel and unusual punishment. The Court already prohibited the execution of the mentally disabled. Using an analysis in *Roper* that recognized children are different from adults, the Court identified three distinctions for adolescents—juveniles have a "lack of maturity and an underdeveloped sense of responsibility"; they are vulnerable or susceptible to negative influences and outside pres-

ures, including peer pressure; and their characters are "not as well formed."

These insights into adolescent behavior, reinforced by behavioral research, led the Roper Court to conclude that children are "categorically less culpable" than adults, even when their crimes are the most serious. The Court determined that the death penalty amounted to cruel and unusual punishment because of this lesser culpability, recognizing that juveniles have the possibility of developing into moral people and noted that 30 states had rejected the death sentence for children.

With the *Roper* decision, 72 juvenile offenders (the majority of whom were African American and Latino men) were removed from death row and their sentences were converted to life in prison.

This germinal breakthrough in Constitutional law and criminal practice, both theoretical and concrete, is a significant accomplishment of children's rights lawyers. Its consequences and possibilities still lie before us. ■



**Bernardine Dohrn, academic, activist and children's rights advocate, is clinical associate professor and immediate, past founding director of the Children and Family Justice Center of Northwestern University School of Law, Bluhm Legal Clinic.**

## How to Approach Adolescents in the Legal System

*Researchers are studying whether “hard wiring” in the brain may influence adolescents’ impulsive behavioral responses.*

tasks), and the brain’s “responsiveness” to the task (areas of the brain recruited and strength of the signal during task completion.)

The research indicates that

brain areas involved in suppressing impulsive and reflexive responses are less developed in adolescents compared to adults, and adolescents are more likely to be influenced by the presence of peers in risk taking and responding to rewards. Brain imaging thus indicates the developmental challenge of adolescents. There is a lag between the peak activity of brain areas that signal sensation seeking/high risk behaviors (adolescence) and mature development of brain areas that optimize cognitive control (adulthood).

Another consideration related to brain development that also impacts behavior is the presence of mental illness. Childhood and adolescent onset of mental illness surprisingly is common. These are conditions that affect family functioning, school performance and interaction with peers. Mental illness also may be driven by adverse experiences. Unfortunately, exposure to community and family violence is associated with a high degree of stigma, so youth and families often feel uncomfortable seeking support or treatment.

As a child psychiatrist, I spend a great deal of time with parents facing dilemmas about their teenager’s behavior. There often are two very extreme reactions to adolescent risky behaviors: either to put the teenager on “lock down” and treat him or her like a child by eliminating the opportunity to make mistakes (no contact with peers outside of school, no unsupervised time away from adults), or abruptly graduating a teenager to adult status and letting him or her “learn their lesson” by dealing with it on their own. These approaches often come from very well-intentioned, caring parents who are overwhelmed and anxious about their child’s behavior.

In many respects, the legal system faces a similar dilemma, making a decision about whether or not adolescents, who may commit serious crimes with irreversible consequences, should remain in the juvenile justice system or be treated as adults.

Developmental research provides strong scientific evidence to support a distinction in brain functioning between adolescents and adults as it relates to risk-taking and dangerous behavior. This research is important in designing rehabilitation interventions and helps us understand differences between adolescents and children.

The enhanced gap between risk-taking behavior, cognitive control and the strong influence of peer input supports the need for graduated, supervised and contingent experiences to shape adolescent behavior.

Withdrawing the freedom to make choices for a period of time, such as managing an adolescent as one would a young child, may prevent negative behaviors for a period of time, but it does not allow an opportunity for gaining needed experience or new skills that positively can influence future behavior.

This concept is illustrated through the example of learning to drive. New drivers are notorious for being at greater risk for accidents. The compromise of allowing inexperienced drivers to drive independently, while putting restrictions on the highest-risk experiences (driving late at night) and requiring individuals to attain certain milestones (minimum hours driving) to achieve greater independence, helps to manage risk.

Similarly, the legal system must learn to strike a balance between protecting youth and society from the negative consequences of risky adolescent behavior and allowing adolescents to gain the experience they need to progress in their development. Developmental science argues against treating adolescents as either children or adults. Brain research provides a compelling argument to reevaluate how to do this in the legal system. ■



Gloria Reeves, M.D., is a board certified child and adolescent psychiatrist and an assistant professor at the University of Maryland School of Medicine, Division of Child & Adolescent Psychiatry, Baltimore, MD.

### IMPROVE SCHOOL ATTENDANCE

Do you want to keep more students in school and help them re-engage and get excited about learning again? The University of Baltimore School of Law Center for Families, Children and the Courts (CFCC) Truancy Court Program has a solid track record with proven results: over three-fourths of participating students during the 2011-2012 academic year reduced their unexcused absences and tardies by a minimum of 65 percent. CFCC’s early intervention program leverages the stature and authority of volunteer judges to help students substantially increase attendance and improve grades and behaviors.

Learn how we do it by ordering the *Truancy Court Program Toolkit*. This guide enables you to implement a new program in your schools or enhance an existing one. It includes forms and detailed guides for the team, teachers, and judge.

To learn more, visit <http://law.ubalt.edu/centers/cfcc/publications/index.cfm> or email [cfcc@ubalt.edu](mailto:cfcc@ubalt.edu).



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## DVD on Unified Family Courts Now Available



A compelling DVD, "Unified Family Courts: Efficient, Effective, Responsible," puts a human face on the Unified Family Court (UFC), a court model designed to address therapeutically and holistically the complex nature of family law cases. The DVD contrasts the experiences of two women in their divorce proceedings. As portrayed in the DVD, one woman was subject to a traditional court system, while the other's divorce was handled in a UFC. The University of Baltimore School of Law's Center for Families Children and the Courts produced the DVD, which includes interviews with judges, attorneys, services providers and UFC experts. For a free copy of the DVD, please email Professor Barbara A. Babb at [bbabb@ubalt.edu](mailto:bbabb@ubalt.edu).

**ASK THE EDITOR:** Unified Family Courts cover a myriad of issues, problems and innovations. If you have questions or you would like us to address, or if you want to contribute to the newsletter, please send your suggestions to us. We will try to include them in upcoming editions of the *Unified Family Court Connection*. Send your questions or contributions to: [ccfc@ubalt.edu](mailto:cfcc@ubalt.edu).

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