

Operative mechanics of juveniles courts

Law



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Operative mechanics of Juveniles Courts Similar to the adult court structures, juvenile justice systems serve to secure public safety. However, operative structures of juvenile courts tend to treat their clients in a different way from that of adults. The jurisdiction of the juvenile court system categorizes young offenders into three groups. These includes the delinquents—those answerable to certain criminal acts suable if committed by adults; Status offenders—those answerable to certain acts not suable if perpetrated by adults; and neglected children—those detained to be supported or supervised over certain courses of actions determine appropriate for their wellbeing (Austin, Johnson & Gregoriou, 2000). Overall, age is the principal determinant that separates the juvenile justice system from the adult criminal court. The laws governing the minimum and the maximum ages for criminal liability differ across states. Nonetheless, the law generally holds a 7 year old child accountable and so can be sued over his/her criminal behavior. Beyond the age of 17, jurisdictions over all cases, whether criminal or non-criminal in nature, automatically graduates to the adult courts.

Juvenile courts developed out of need to reduce recidivism rates among child offenders. In effect, it was a kind of diversion mechanism meant to steer youth offenders away from criminality towards good citizenry devoid of criminal intents (Fox, 1970). Prior to their creation, children and adults alike were subjected to same kind of court procedures. As such, the guilty were liable for capital punishment or life incarceration irrespective of age brackets. Notably punishment delivered was the same both for adults and children. But, child-offender processes fell short of protective elements such the right to bail, which were only granted to adults (Conward, 1998). Thus, the process that institutionalized juvenile justice structures were mainly

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geared towards harmonizing justice with full recognition that children bear lesser moral as well as cognitive capacities for offences they commit. The current Juvenile court structures are mainly rehabilitative rather punitive towards its client offenders-the children. They are specially designed with clear, basis demarcations falling under criminality, parental neglect or being out of parental control. Contrary to the hearsay admissible in adult cases, juvenile court structures have no such restrictions. Their hearings are mostly closed door and informal (Austin, Johnson & Gregoriou, 2000). Parents and officers dealing directly with child welfare, such as probation officers, have access to the court process to ensure fair and favorable results and to guard against future recidivism. More often than not, minor cases are often referred to foster homes for correctional treatment. However, serious crimes as well as repeat offences are prosecuted to the end with quite a number of children ending up in juvenile prisons, which are of course, separate from adult prisons.

References

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