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Introduction

The juvenile court was first implemented in 1899 based on the understanding that juveniles were different from adults and should be tried separately from adults.

The juvenile court system has changed significantly since its original formation. While court decisions have granted minors more rights, the proliferation of drugs and guns as well as other changing social conditions has created a rise in juvenile crime that has in turn led to tougher laws and increased the number of juvenile transfers to criminal courts. Both factors have caused the juvenile court system to behave more and more like criminal courts over the years and until now the system is almost indistinguishable from its adult counterpart. Whether one favors emphasizing rehabilitation efforts for juvenile offenders or taking the route of punishing those who break the law, both sides have expressed the opinion that the current system need to be changed. This paper looks into the problems (social, economic, and financial) experienced by the juvenile courts that make them unsuitable for handling delinquent behaviors among juveniles. It also explains why discipline rather than formal punishment is the best way to deal with juveniles.

Social and Economic Problems in Juvenile Courts

Regardless of the small number of teenagers in the society, the fraction of young people processed through the juvenile court and the juvenile corrections system continue to rise. This rise is owed to more official and corrective juvenile justice policies that create more court transfers and

extended use of confinement and juvenile imprisonment. Declining resources in the child welfare system have driven more upsetting adolescents to the juvenile justice system. The demand for institutional beds and out-of-home residency is mounting. A case in point is the large proportions of youths held in custody in a number of large California counties pending the accessibility of foster or group home beds. Because many juvenile justice clients and their families also are served by child welfare agencies, the dwindling social service budgets lessen the juvenile court's already scanty treatment resources (Hess, 2009). These demographic, economical and fiscal forces mean that the juvenile justice system will handle many more intensely distressed adolescents in the next couple of years.

The solution to this problem would be the introduction of discipline measures such as in-home supervision rather than confinement in prisons which often lead to congestion.

Congestion Problems and Dwindling Resources

The nation's experience with prisons and jails demonstrates that exclusive dependence on building new beds hardly ever solves congestion. Above and beyond problems with overloaded and out of date buildings, the juvenile justice system faces the pressing need to employ and train new personnel.

The juvenile justice system, like most corporations struggles for a declining pool of experienced workers in the subsequently two decades. Salaries in the juvenile justice system conventionally have been lesser than similar salaries in the adult justice system and well below salaries in the profit private sector. Training funds are very limited for juvenile justice personnel (Siegel &

Brandon, 2008). These trends signify very difficult times at the forefront for the already stressed juvenile justice system. Some would question whether the juvenile court has any future. Escalating numbers of noninterventionist and conformist critics support the elimination of the justice system for children. With its reduced caseload of standing lawbreakers, the juvenile court has lost much of its conventional protective mission (Hess, 2009). Furthermore, the propensity to transfer very serious juvenile offenders to the adult system also has shortened the court's workload.

Brutal and Strange Punishment

Proceedings concerning juvenile inmates have also dealt with the conditions of incarceration, and courts have ruled that the state of affairs in some juvenile facilities do comprise brutal and strange punishment. Another lawful issue is the question of defending children from damage and maintaining secure conditions for them while in the state's care and detention.

Centralized courts have ruled that states do have a compulsion to take sensible steps to protect children in their care from physical attacks by other inmates, and are legally responsible for non-accidental injuries sustained as a result of negligence and inaction. However, many States are faced with the predicament of gigantic costs linked with proceedings, and the rising cost of building and operating correctional facilities (Siegel & Brandon, 2008).

Proceedings are directly linked to crammed full facilities that augment the anxiety levels of inhabitants and workers who are under pressure to maintain control of a growing and diverse population of lawbreakers. Trying to maintain sufficient staffing levels and lessen personnel costs over and over

again results in under-qualified and undertrained workers who may add to the risk of offensive behavior toward a diverse rising institutional population.

Lack of Due Process in Juvenile Courts

Juvenile courts are needed to provide a specialized venue for children and adolescents and their distinct needs, including a less threatening, less adult-oriented trial system.

Because of its center of attention being to meet the needs of offenders, fatalities, and the community at large, the impartial approach to juvenile justice will possibly, provide an significant connection to more compassionate and dynamic ways of acting in response to juvenile crime while at the same time defending community wellbeing. Critics of the juvenile courts sustain that the parents' partial focus of the juvenile courts has led to court practices that refute juveniles the same due process protections given to adults, although the juvenile courts today function much like adults courts, and juveniles may face the same endorsement as adults (Elrod & Ryder, 2009). This means that youths receive neither treatment nor justice in the juvenile courts.

Other critics of the juvenile courts assert that they stand for a futile reaction to criminal behavior, in particular serous of brutal delinquent behavior. According to these critics, discipline is a better approach to deal with constant, serious, and cruel juvenile offenders.

Alternatives to Formal Punishments

Elrod & Ryder (2009) contend that the current juvenile court provides neither therapy nor justice and cannot be rehabilitated. Many juvenile courts have come to the understanding that, children rights are rarely respected and have therefore decided to launch new programs and approaches in handling any complaints related to children. There are various alternatives to formal punishments which include but not limited to: secure detention, counseling, advisement, mediation, or individual agreements. A juvenile is liable for detention if the administrators feel that, there is need to protect the person in question his property or that of other youths, the youth may escape, there is no adequate supervision for the youth and that the youth is not provided with proper care, or the court offer its jurisdiction regarding the youth's detention.

Regardless of the reason for detention, the hearings must be heard within seventy two hours. Secure Detention is normally used as a form of approval for probation infringements. The other form of detention is what is called non-secure alternative to detention. This form of detention is offered in a regional youth detention center. Under this program two services are offered, namely In-Home supervision and electronic monitoring. In-House supervision is a form of detention where youths are allowed to stay at their home and go to the court only when it is necessary. On the other hand, electronic monitoring is the use of technology to monitor juveniles leaving in the community.

It is used as a second option to juvenile offenders in place of detention.

Conclusion

In the modern era, punishment is an important alternative for handling serious offenders and the distraction of juveniles into the adult criminal justice system has become an essential policy of juvenile justice process. At the same time, distraction of status and other less significant offenders out of the juvenile justice system is also an essential policy. The contemporary juvenile justice profile is expected to carry on through the near future.

New issues and challenges are definite to arise. Present correctional troubles and anxieties will persist to be debated, and new theories will come out on how to resolve them. Conditions of incarceration are continuing issues so that congestion, management problems, and scoundrel officials will be expected to be at the heart of episodic scandals in the future.

Moreover, the problem of scheming effectual treatment options will be a constantly debated issue, almost certainly well into the far-away future; it is an issue that essentially requires constant deliberation. With the problems facing the juvenile justice system, discipline rather than formal punishment stands to be the best option for treating delinquent behavior, at least, in the short term before the juvenile courts are rehabilitated.

Reference List

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