

Teens Learn Some Lessons About Justice To Prepare for Their Court

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Yale law professor Tracey Meares speaks to students from Harding High School in Bridgeport. She urged the students to require unanimous decisions from "judges" in their Teen Justice Court.

New Haven, Conn. — "Suppose you're a judge in traffic court and for every conviction, you get a percentage of the fine. Or suppose you preside over a case involving a physical assault, and, unbeknownst to the court, your daughter was attacked and beaten several years ago. You believe you can be the model of fairness in both instances, but still, do you see any problems here?"

That was just one of the questions Drew Days, the Alfred M. Rankin Professor of Law at Yale, posed to 15 students visiting from Bridgeport's Warren Harding High School during an April 20 talk intended to get the students thinking about justice, fairness and impartiality.

The students have a special reason to ponder those concepts. They are members of a Teen Justice Court that Harding High is implementing, in which they will judge fellow students for infractions that don't rise to the level of out-of-school suspension. The visit to the Law School was designed to expose them to the principles of due process and impress upon them the responsibilities involved in being one who dispenses justice. It was sponsored by the Yale Law Women's Outreach Committee, with support from the Black Law Students Association and the Latino Law Students Association.

"We wanted to get them invested in and excited about the concept of the Teen Justice Court," says law student Helen O'Reilly, outreach and community co-chair for Yale Law Women, "and help them understand that the task they are taking on is potentially transformative."

O'Reilly's interest in the topic of school suspension was a catalyst for the visit. She worked for three years at Advocates for Children in New York City and more recently, organized a Rebellious Lawyering panel exploring "School to Prison Pipeline" issues - the idea that suspending students from school for minor offenses only compounds the problem and funnels them into the juvenile and criminal justice systems. In preparation for the panel, she contacted Center for Children's Advocacy lawyer Josh Michtom, who runs the Teen Legal Advocacy Clinic at Harding High School and advises the Teen Justice Court. The two met and chatted before the panel, and Michtom later called and asked if a student visit to the Law School might be arranged.

Days, along with Yale law professor Tracey Meares, and U.S. District Court Judge Charles Haight '55, agreed to talk to the students.

"The visit went even better than I could have hoped," says Michtom. "I was extremely lucky to have the Yale Law School students take my idea and run with it."

While Days' talk focused on due process and what it means to be a judge, Meares asked students to think about the mechanics of their court - how they would get testimony from witnesses, for example, and whether their decisions would have to be unanimous.

"Unanimity forces deliberation," she said. "If you just vote, there may be no reason to encourage court members to talk about the case."

Students responded enthusiastically to the professors, such as when Days offered the example of a judge acting overly friendly to a well-dressed, prominent defendant.

"He's choosing favorites," one of them said. "He shouldn't put that in his work."

O'Reilly also addressed the students. "Use your power well," she urged. "Think carefully about what you do. Build trust among each other."

She encouraged them to not only rule fairly on each infraction but to think about other factors and issues surrounding the infraction.

"You're going to be in a position where a lot of problems will come before you, and it's your challenge to come up with creative solutions to prevent infractions from happening in the future."

Last on the agenda was a visit with Haight at the federal courthouse. The visit had been arranged by Yale Law School alumnus Stephen Kerr '07, who is currently clerking for Haight.

"[T]he students loved seeing his beautiful courtroom on the 17th floor of 157 Church St., with a gorgeous view of New Haven," says O'Reilly. "He quoted from the Book of Micah in helping them think about the role of sentencing: 'Do justice, love mercy, walk humbly with your God.'"

Michtom says the students were "effusive" during the bus ride back to Bridgeport and clamoring for the chance to visit a real trial.

"I think the trip impressed on them just how exciting and unique the Teen Justice Court is," he said. "I had told them there is no other project like this in Connecticut, but the attention they got from professors, students and a judge wowed them. They commented, with wonder, on how excited everyone at Yale Law School seemed to be about what they are doing."

Other Yale Law School students who helped out in the planning and execution of the event were Carel Alé, Emma Alpert, Tasha Brown, William Collins, Sarah Fortt, Michael Gervais, Andres Idarraga, Tomas Lopez, Matthew Maddox, Lauren Oleykowski, Stefanie Parker, Sergio Perez, Gabriela Rivera, Justin Schwab and Chris Suarez.

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