2021 TRIBAL YOUTH VIRTUAL NATIONAL CONFERENCE
Strengthening Resilience, Promoting Healing, Restoring Culture

SHAPING BRIGHTER FUTURES WITH AMERICAN INDIAN, ALASKA NATIVE YOUTH AND TRIBAL COMMUNITIES

MARCH 29 - APRIL 2
Innovative Strategies- Tribal Youth Courts and Peer-Led Processes

Wednesday, March 31, 2021
12pm AKT/ 1pm PT/ 2pm MT/ 3pm CT/ 4pm ET

Session Facilitators:
Anna Clough, Tribal Youth Resource Center

Guest Youth Presenters: Angela Noah and Elise Hocking

Session Content Development: Tasha Fridia, Tribal Youth Resource Center
Revised: December 2020, Anna Clough
Opening in a Good Way
Today’s Facilitators

Angela Noah, UNITY Peer Guide

Elise Hocking, Intern
Tribal Law and Policy Institute

Anna Clough, Co-Director, Tribal Youth Resource Center
Tribal Law and Policy Institute
Session Objectives

• Learn about four youth-led processes and strategies to support youth diversion.
• Discuss the use of youth-led strategies to support youth diversion from juvenile justice system.
• Consider the use of American Indian and Alaska Native youth-led processes to support youth engagement and resiliency.
Question

Are you aware of any tribal communities utilizing a teen/peer/youth court model?
Role of Youth in Tribal Society
Youth Courts

What are they?
• A youth/teen court is a diversion program in which youth sentence their peers for violations of policy, code, or law. Generally, will incorporate restorative approaches and employ opportunities for youth to address behavior related to minor or first-time infractions.
Youth Courts

Why should we incorporate a youth court into our justice system and/or justice system planning?

• **Alternative process to address status offenses** (truancy, curfew, school incidents, underage drinking).

• **Alternative process to address minor or first time offenses** (traffic violations, nonviolent crimes, bullying).

• **Restorative process to address harm** to community and families; **repair harm done** to victims; **help offenders make better choices**.

• **Exercise sovereign authority; develop laws and processes that are culturally grounded; target specific needs** of the local Tribal community.
Youth Courts

Chart 1: Points at Which Juvenile Offenders Can Be Diverted to Teen Court

- School Disciplinary Programs
- Law Enforcement Referrals
- Non-Law Enforcement Referrals (i.e., schools)
- Police Diversion

Teen Court Alternative

Intake

Prosecutor

Court

Formal Juvenile Justice System

Source: The Urban Institute. Evaluation of Teen Courts Project.
Models of Youth Courts

- Adult Judge
- Youth Judge
- Youth Tribunal
- Peer Jury
Example of Tribal Youth Teen Court Development

Development of the Chemawa Youth Peer Court
• Responsibility
• Health
• Pride
Questions to Consider

What model would work best in your community?
Are there any models that would not work in your community?
Community Considerations

Benefits:
• Opportunity to engage youth
• Community Partnerships
• Creates an option not otherwise available in tribal communities
• Inclusion of youth in the problem solving process
• Exposure to tribal government and tribal legal system
• Recognize and bolster community faith in tribal youth

Challenges:
• Youth Engagement
• Community buy-in
• Funding
• Transportation
• Recruitment
• Retaliation
• Sustainability
Sentencing

Consequences:
• Apologies
• Restitution
• Community Service
• Counseling
• Assessments
• Essay Writing
• Community Service

Opportunities:
• Community work
• Life Skills
• Interview Skills
• Traditional Ceremony
• Cultural Arts Classes
• Self-Esteem Building
• Leadership Training
• Youth Court Jury Duty
Community Partners

- Intra-Tribal Departments
- Indian Health Services
- Boys and Girls Clubs
- Elder Centers
- After School Programs
- Local Governments
- Local School Districts
Questions for Consideration

• Who would lead this effort in your community?
• What partners can you identify in the community?
• Are there any community-specific barriers that would inhibit implementation of the teen court approach?
Other Youth-Led Models

Peacemaking Courts

• **Mediation**
  • Neutral mediator/co-mediators
  • Attorneys may participate
  • Goal is for mutually agreeable resolution through dialogue

• **Conferencing**
  • Focus is on groups of individuals affected by activity
  • Facilitator sets the group focus

• **Circles**
  • Based on concepts of freedom and individuality
  • Can be a particular focus (women/men/substance abuse)
  • Rarely involve legal professionals (may include counselors)

• **Councils**
  • Includes Tribal Leaders
  • Consensus required
  • Traditional aspect
Tools for Community Success

• Collaboration
• Innovation
• Patience
• Perseverance
• Strength
• Resilience
Envisioning a future where Indigenous youth thrive through traditional lifeways.
Session Evaluation

Please remember to fill out the workshop evaluation.

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Session C3: Innovative Strategies- Tribal Youth Courts and Peer-Led Processes
Closing in a Good Way
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