



Study: Justice fleeing for many juveniles in system

Wednesday, October 31, 2007 1:17 AM CDT

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CHICAGO — The scales of justice are weighted against thousands of Illinois juveniles who find themselves in trouble with the law, according to a study released today by a panel of professionals working in the state's juvenile justice system.

The assessment, authored by the Children and Family Justice Center of the Northwestern Law School and the National Juvenile Defender Center, identified obstacles and barriers to effective juvenile justice. The report was funded by the John D. and Katherine T. MacArthur Foundation.

The report found children frequently are represented by attorneys who lack adequate time, skills and resources to effectively handle their cases. The study focused on children who have court-appointed attorneys.

"These children are putting their trust in a system that is supposed to protect them, and that system is failing them and their community," said Randolph Stone, clinical professor of law at Chicago's Mandel Legal Clinic and a former Cook County public defender.

Fourth District Appellate Court Justice James Knecht was a member of the panel of judges, prosecutors, defense attorneys, probation officers, law professors and researchers who assisted with the project.

So far this year, a total of 125 juvenile delinquency cases have been filed in McLean County. State law mandates that offenders under the age of 17 be represented by legal counsel.

The issues identified in the report include overworked and inadequately trained defense attorneys who promote plea bargains in more than 70 percent of the court cases involving juveniles. Knecht found the high number of plea bargains troubling.

"Let's remember pleas are a tool to be used appropriately and not just as a way to move a lot of volume through the system," said Knecht.

"Defense lawyers must be willing to put the prosecution to the test in appropriate cases," the authors concluded.

The panel also noted juvenile defense is a specialized area of the law. Prosecutors and defense lawyers should be trained in the area before they handle cases involving children, said Knecht.

"The youngest and least experienced are often assigned" to juvenile court, he noted.

The assessment team visited juvenile courts in 16 Illinois counties representing urban and rural areas.

The panel compiled a list of 16 recommendations, including legal representation that comes earlier and more enthusiastically. Judges must make certain young offenders understand court proceedings and lawmakers should increase the funding for resources of juvenile court programs, according to the panel.

The report will be sent to the chief judges of judicial circuits throughout the state and state agencies that provide defense and prosecuting attorneys.

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