

Keeping in Touch and Connecting with the Juvenile Client

W. Va. Court Improvement Program's 2015
Cross-Training Events

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Adolescent Cognitive Development Materials

- Cited by or relied on in Pleadings from four U.S. Supreme Court decisions
- Can be cited in court without expert testimony to introduce or explain the concepts

Roper v. Simmons

- 542 U.S. 561 (2005)
- Execution of minors violates the "cruel and unusual punishment" prohibition in the 8th amendment

Graham v. Florida

- 130 S. Ct. 2011 (2010)
- Eighth Amendment's "Cruel and Unusual Punishment" clause prohibits life in prison without parole, in non-homicidal cases

- AMA and APA Amicus Briefs
- 8th Amendment proportionality
- "Reasonable Juvenile Standard"

In re J.D.B.

- 131 S.Ct. 2394 (2011)
- Courts must consider the age of a juvenile suspect when deciding whether he was in custody for Miranda purposes

• *Peers Increase Adolescent Risk Taking by Enhancing Activity in the Brain's Reward Circuitry*

- Jason Chein et al.
- 14 Developmental Sci. F1 (2011)
- Peers and Enhancing Risky Behavior
 - Culpability

- *Peer Influence on Risk Taking, Risk Preference, and Risky Decision Making in Adolescence and Adulthood: An Experimental Study*
 - Margo Gardner & Lawrence Steinberg
 - 41 Developmental Psychol. 625 (2005)
- Risky decision rate much higher in groups
 - Relates to culpability

- *The United States Supreme Court Adopts a Reasonable Juvenile Standard in J.D.B. v North Carolina for Purposes of the Miranda Custody Analysis: Can a More Reasoned Justice System for Juveniles Be Far Behind?*
 - Marsha Levick and Elizabeth-Ann Tierney
 - 47 HARV. C.R.-C.L. L. REV. 501 (2012)
- Consent for Statements

- *The Eighth Amendment Evolves: Defining Cruel and Unusual Punishment Through the Lens of Childhood and Adolescence*
 - Marsha Levick et al.,
 - 15 U. PA. J. L. & SOC. CHANGE 285 (2012)
- "Reasonable Juvenile Standard"

- *Age Differences in Resistance to Peer Influence*
 - Laurence Steinberg and Katherine Monahan
 - 43 DEVELOPMENTAL PSYCH. 1531 (2007)
- Much riskier behavior with peers

- *Age Differences in Sensation-Seeking and Impulsivity as Indexed by Behavior and Self-Report: Evidence for a Dual Systems Model*
 - Laurence Steinberg et al.
 - 44 DEVELOPMENTAL PSYCHOL. 1764 (2008)
- Cognitive Development

- *Are Adolescents Less Mature than Adults? Minors' Access to Abortion, the Juvenile Death Penalty, and the Alleged APA "Flip-Flop"*
 - Laurence Steinberg et al.
 - 64 AM. PSYCHOL. 583 (2009)
- Cognitive Capacity Increases until around 16 then about adult level
 - But other factors effect...
 - Stress, fear, peers, etc. (psychosocial way behind)

- *Age Differences In Future Orientation and Delay Discounting*

- Laurence Steinberg et al.
- 80 CHILD DEV. 28 (2009)
- Immediate vs delayed rewards under 16
- Less ability to think, plan for future
- Impacts ability to say no

First Meeting

- Listen
- Give Card
- Establish method of communication

Role of Parents

- ABA Guidelines
- Ethical Rules



Contacting Schools



Therapists Counselors



Role of ongoing Communications



Meetings



Phone Calls



Emails



Keeping the Conversation Going



Group Emails

- Worker
- Provider(s)
- Probation



Letters

