

*What does a trauma-informed approach look like for county behavioral health? This is the second in a series of case studies showcasing California counties that adopted a trauma-informed approach in their policy and practice.<sup>1</sup> Although these examples are most applicable to county agencies, they can be useful for a range of organizations and coalitions that work with communities.*

## Youth Restorative Justice **Marin County**

Don Carney discusses his approach in engaging preventative practices with the juvenile justice system.

### THE MARIN COUNTY YOUTH COURT

Youth courts—sometimes called peer courts, teen courts, or student courts—have grown nationally as part of a movement to provide youth alternatives to the traditional juvenile justice system. There are nearly 1,400 youth courts in the U.S., including about 50 in California.<sup>2</sup> The Marin County Youth Court began in 2004 under the leadership of Don Carney, Executive Director of Youth Transforming Justice, working in collaboration with local judicial and community partners. It was initially set up the way many youth courts are established: an Assistant District Attorney and a Deputy Public Defender train youth volunteers to replicate the traditional Superior Court adversarial framework, plaintiff vs. defendant.

However, Don Carney understood that juvenile crime is often related to a young person’s trauma history, and that supporting a young person who has experienced trauma is more effective than punishing their trauma behavior. As his knowledge of the effects of trauma grew, he realized that the Youth Court model retained too many of the authoritative, hierarchical aspects of traditional courts that had failed teens with trauma behaviors.

Don considered, what would it look like to offer holistic model focused on the full potential and strengths of youth? What if we began to heal trauma, repair harm, build accountability, and strengthen connections? What if communities empowered themselves to take positive agency and author their own solutions to their needs? What if we could prevent a young person’s initial entry into the juvenile justice system and instead reconnect youth to a community of support, allies, and resources?



Youth Court jurors (now known as Peer Solutions Team members) discussing Respondent’s Restorative Plan. Image used with permission.

*“I was heartbroken when well-meaning youth prosecutors re-traumatized a fellow student during their prosecution feeling as though they succeeded in that role. The adversarial judicial system produces winners and losers while its structure discourages accountability and repairing harm. I was looking for a process that would heal all involved, not one that continued to punish those who exhibited trauma behaviors.”*

- Don Carney

### A YOUTH-LED TRANSFORMATION

Partnering with his youth volunteers, Don took a deep dive into researching restorative practices and trauma-informed care and examined how they could be incorporated into an effective school discipline and juvenile justice program that puts young people’s well-being first.

<sup>1</sup> Case studies are adapted from 2020 Community Prevention Initiative (CPI) Regional Training presentations. Christopher Jensen developed this presentation and shared updates with CPI in 2021.

<sup>2</sup> Strobel, D. (February 2021). Fact Sheet: Youth Courts. Judicial Council of California.

## A SHIFT FROM COURTS TO SUPPORTS

Many iterations of this adult-youth decision-making partnership would follow, leading to a 2020 decision to change the name of the program from **Marin Youth Court** to **YTJ Peer Solutions**, as well as moving youth hearings out of a courtroom setting. The program’s Youth Leadership Team also advocated for a shift away from all court terminology and roles, including the shift from the use of “Juror” to “Peer Team” member and from “Bailiff” to “Peer Facilitator.” Don emphasizes, “These changes brought our name, language, and physical setting in line with our core restorative and trauma-informed values and have renewed our commitment to support rather than judge the young people before us.” Rooted in a liberation framework, the model envisions new possibilities for youth to learn from their mistakes, affirm their inner potential, and build personal agency and resiliency.

	Adversarial and Punitive Framework	Non-Adversarial and Restorative Framework
Structure & Goals	<ul style="list-style-type: none"> <li>One-sided advocacy</li> <li>Prosecution focuses on aggravating factors and defense focuses on mitigating factors</li> <li>Sentencing excludes youth’s input</li> </ul>	<ul style="list-style-type: none"> <li>Single advocate represents client and community</li> <li>Focus is on accountability repairing the harm done and the relationships impacted</li> <li>Co-develop a restorative plan with the youth</li> </ul>
Language	<ul style="list-style-type: none"> <li>Punishment for crime</li> <li>Criminal offence</li> <li>Judge</li> <li>Prosecution attorney</li> <li>Defense attorney</li> <li>Judging</li> <li>Respondent</li> </ul>	<ul style="list-style-type: none"> <li>Accountability, repair harm and relationships</li> <li>Poor choice</li> <li>Facilitator</li> <li>One advocate representing both client and community</li> <li>Supporting</li> <li>Client</li> </ul>

YTJ Peer Solutions has become a successful trauma-informed, collaborative, restorative process where all involved are winners. The [“Six Key Principles of a Trauma-Informed Approach”](#) are integrated throughout all of the program’s policies, procedures, and culture: Safety; Trustworthiness and Transparency; Peer Support; Collaboration and Mutuality; Empowerment, Voice, and Choice; and Cultural, Historical, and Gender Issues. These principles are evident in all aspects of the participant process:

### Before the Hearing

- YTJ Peer Solutions uses a highly structured family intake process that involves getting to know more about the youth, the family system, inquiry about friends and adult supports in their lives, as well as reviewing the restorative process in detail.
- During this intake, detailed client data is collected (such as age, sex, race, charge, etc.), for continuous program reevaluation and improvement.
- To avoid the adversarial “win or lose” outcome, there is a single trained volunteer peer advocate representing the interests of both the community and the client. The client meets with the advocate for a pre-hearing Restorative Conference, to prepare for the hearing and together they develop the parameters of the Restorative Plan. This co-creation is intended to create “authentic accountability” rather than “begrudging accountability.”
- Youth respondents are also required to observe another young person’s hearing prior to their own, bringing down anxiety as they see firsthand that the process is supportive, not punitive.

### During the Hearing

- For safety, trust, and transparency, parents/guardians are not permitted to attend their own teen’s hearing. They are, however, encouraged to observe a hearing for another

young person so that they understand what their child will experience.

- The hearing process focuses on what needs to happen for the young person to repair the harm, restore relationships and move forward and thrive in their life. The jurors understand that their role is not to judge but to interview, support, identify strengths, and connect with the client.
- Many of the questions focus on family life, friendships, supportive adults, substance use, interests, goals and helping the client to self-identify their strengths.
- All youth volunteers (Advocates and Peer Team questioners) receive extensive training in restorative and trauma-informed practices, as well as contextual issues such as mass incarceration, systemic racism, implicit bias, and the school-to-prison pipeline.

### After the Hearing

- Restorative Plans include community engagement (rather than “community service,” which implies a lack of agency)—e.g., not cleaning graffiti unless the client put the graffiti there.
- About 65 -70% of YTJ Peer Solution cases are related to substance use, so Youth Transforming Justice has developed a drug and alcohol safety skills program that teaches clients real skills. Teens are often each other’s first responders and they need to learn the skills to be effective in that role. They roleplay actions such as how to take the car keys from someone who should not be driving, what to do if someone overdoses from alcohol or narcotics, how to prevent and reduce substance-related sexual assault, and how to get emergency medical help.
- YTJ Peer Solutions clients are also encouraged to stay involved in the YTJ community and take on leadership roles.



### Our Model:

Creating a new vision of youth justice by disrupting the school-to-prison pipeline and transforming traditional, punitive school discipline and juvenile justice systems into solutions that are restorative, trauma-informed, and peer-driven.

### Guiding Values:



### Inspiring the Power of Youth & Relationships

### Working in school and juvenile court systems to:



### Youth Outcomes

- Self-Awareness & Reflection
- Social Awareness & Empathy
- Personal Accountability
- Healthy Relationships
- Leadership & Social Responsibility
- Positive, Safe Decision-making
- Youth Agency & Self-Determination
- Conflict-Resolution Skills

## OUTCOMES AND SUCCESSES

This project has seen many successes, at the community and individual levels. Within the community, Youth Transforming Justice has collaborated extensively with many local substance use prevention groups. They have successfully lobbied the county Board of Supervisors to change the Social Host Ordinance to have a sliding scale fine and a restorative response: Y TJ Peer Solutions can now hear Social Host Ordinance violations for clients up to age 21, rather than the typical Y TJ Peer Solutions age limit of 18.

At the individual level, Y TJ Peer Solutions has successfully diverted more than 1,350 youth from the juvenile justice system. Clients have completed more than 27,000 community engagement hours, and the program has achieved a 95% successful completion rate and a low 7% recidivism rate.

## THE HEART OF THE PROGRAM

Nearly 1,600 youth have volunteered in the program. Y TJ Peer Solutions works as a Participatory Action Research Project, encouraging youth to share ideas and respecting their agency and capacity to create change. Youth challenge assumptions, they listen closely to clients, and they insist on living up to program values of inclusivity, shared decision-making, and commitment to focus on everyone's strengths. By putting youth voice and authentic agency at the center of Y TJ's programs, they have created a uniquely successful, peer-driven model that is being replicated in communities across the state.



Marin County Youth Court tenth anniversary celebration (2014).  
Image used with permission.

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*"We should take this program and replicate it throughout the 58 California Counties."*

- California Chief Justice, Tani Gorre Cantil-Sakauye

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Other programs use restorative justice to help heal communities and provide more equitable justice solutions. However, the Y TJ peer-led model is uniquely successful in its ability to use peer connection and influence to encourage teens to take accountability, reflect on the situations that led to their poor choices, learn how they can repair harm, and then take action to pay this opportunity forward by helping another peer in similar circumstances and in need of a support. According to Don, "Young people are quite prepared to be engaged authentically in helping us lift the culture into the right direction. We just need to make them allies and get out of their way."

## FURTHER RESOURCES

- Watch Don's full presentation: [CPI 2020 Regional Training – Trauma-informed Care: Research to Practice, Panel Discussion](#)
- Learn about [Marin County Youth Court](#)
- Learn about [Youth Transforming Justice](#)
- Learn about starting a youth court: [California Association of Youth Courts](#).
- Read more about their efforts and successes: [Youth Court banishes blame; leads with ACEs science](#)
- Watch a short video about the movement and the Marin County Youth Court: [Finding Justice: Ending the School to Prison Pipeline](#)