

**Simple Opportunity vs. Genuine Access:
Youth Court Programs in Tennessee**

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The juvenile justice system gives youth an “opportunity” for a fair hearing and a just result. This opportunity is a hearing before an adult, with adults speaking on the youth’s behalf and other adults arguing in an adversarial role. Juvenile court was created as a separate judicial system because of the desire to distinguish it from the adult criminal justice system. The theory was that differentiating the juvenile and adult criminal systems would prevent criminalizing childhood. This theory is reflected in the difference in language and hearing formats. As theory has become practice, recidivism rates for youth appear to be as high as those for adults according to some research.

Youth court programs employ restorative justice as a means of providing genuine access to fair and appropriate consequences for a youth’s poor decision making. The effectiveness of these evidence-based programs has brought about the expansion of youth court programs throughout the world and especially in Tennessee. Yet, as effective as youth court programs appear, they still face significant challenges.