

Juvenile Competence to Stand Trial

Annotated Bibliography ~ Juvenile Defense Network

Books & Guides:

Clinical Evaluations for Juveniles' Competence to Stand Trial: A Guide for Legal Professionals Thomas Grisso - (2005): <http://www.prpress.com/books/ejl.html>

A 45 page guide for legal professionals that explains the legal standard, how to understand evaluations, and how to use clinicians' opinions to best serve your client. It was specifically written to inform judges, defense attorneys, and prosecutors about the issue of immaturity as a source of incompetence to stand trial, about defense practice in juvenile competence cases, and what should be expected of clinicians' evaluations of youths' CST.

Evaluating Juveniles' Adjudicative Competence: A Guide for Clinical Practice
Thomas Grisso – (2005)

A guide for clinicians that describes the full evaluation process, including a copy of the Juvenile Adjudicative Competence Interview (JACI), and various forms and checklists for clinicians.

Academic Articles:

Evaluating Youth Competence in the Justice System (2000)

<http://www.njdc.info/pdf/maca6.pdf>

A comprehensive look on competency evaluations and evaluators, and how to use competency evaluations when making key decisions. Also has information on forensic assessment relevant to waiving *Miranda* rights.

Guild Practitioner: What's Behind Behavior Matters: The Effects of Disabilities, Trauma and Immaturity on Juvenile Intent and Ability to Assist Counsel (2001)

Discusses how client's various disability, immaturity, or trauma may affect attorney/client communications, and offers examples of typical cases and problems that can occur.

Juvenile Competency to Stand Trial: Questions in an Era of Punitive Reform

<http://www.abanet.org/crimjust/juvjus/12-3gris.html>

An overview of juvenile competency, and how lawyers should respond to youths' incapacities.

New England Journal on Criminal and Civil Confinement: Competence to Stand Trial Evaluations with Juveniles (2006)

A good overview of adjudicative competence, the differences between adults and juveniles, and how to interpret a client's understanding of pleas and the trial process.

Summary of the MacArthur Juvenile Adjudicative Competence Study

http://www.adjj.org/downloads/58competence_study_summary.pdf

A summary of the findings of the MacArthur study, the first-ever large-scale study of age differences in competence to stand trial.

Because juvenile courts were established to protect juveniles from the rigors of adult court and punishments in adult facilities, states focused on achieving proceedings more compatible with juveniles' needs. Over the last decade, many state legislatures have offered better options and procedures for handling delinquent juveniles. Trial as an adult is a situation in which a juvenile offender is tried as if they were an adult. Where specific protections exist for juvenile offenders (such as suppression of an offender's name or picture or a closed courtroom where the proceedings are not made public), these protections may be waived. The first juvenile court in the United States was established in 1899 in Cook County, Illinois. Before this time, it was widely held that children 7 years old and older were capable of criminal intent. Competency to stand trial in juvenile delinquency proceedings--cognitive maturity and the attorney-client relationship. University of Louisville Journal of Family Law, 33, 629-660. Davis D. L. (1985). The logic and reliability of evaluations of competence to stand trial. Manuscript submitted for publication. Steadman, H. J. (1979).