The Effects of the JCCS Curriculum on Juveniles' Legal Knowledge, Competency, and Anxiety

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EFFECTS OF THE JCCS CURRICULUM ON JUVENILES’ LEGAL KNOWLEDGE,
COMPETENCY, AND ANXIETY

by

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ABSTRACT

Current law requires that juveniles be competent to stand trial prior to their involvement as defendants in court. According to Dusky v. US, a defendant must have a rational and factual understanding of the court proceedings to be deemed competent to stand trial. Past studies call into question whether juveniles at any age could meet the understanding element of the standard articulated in Dusky v. US (1960). Additionally, youth with disabilities have less knowledge than their typical peers. Besides a lack of legal knowledge, court related anxiety has also been found to have a significant effect on youths going to court. Currently there is no teaching intervention intended for use with youth and with youth with disabilities that influenced juveniles' legal knowledge enough to be used to investigate their competency ability, their developmental capacity to understand the legal system, and whether their court related anxiety level might be mitigated by knowledge of the legal process.

The purpose of this study is to evaluate the Juvenile Competency Court School curriculum, a teaching intervention intended for youths involved in juvenile justice proceedings. The study investigates whether the JCCS curriculum significantly increases youth’ legal knowledge, competency to stand trial ability, and court related anxiety. Results from this study indicate that the JCCS curriculum significantly increased youths’ legal knowledge and imply that the use of the JCCS curriculum may be beneficial for youths ages 11-17.
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CHAPTER 1
INTRODUCTION

Over the past several years, more and more youths have become involved in the juvenile justice system. These youths are being formally charged with crimes, are required to proceed through the full adjudication process, and are faced with harsher sentences and the possibility of being transferred to the adult criminal court system. Based on the formality in which their cases are being handled and on the dire consequences that may be imposed upon them, juvenile defendants have been imputed with trial related rights. The right to be competent to stand trial (juvenile competency) and other legal right have become an important area of research and practice due to the increasing criminalization of the juvenile justice system and also due to the legal recognition of children’s constitutional right to a fair trial under the law (Baranoski, 2003; Grisso, 1997; Sanborn, 2009; Sellers & Arrigo, 2009).

Prior to the last few decades, ensuring youths’ trial related rights such as juvenile competency was not a standard practice of the juvenile justice courts. Giving juveniles legal rights was unnecessary based on the rehabilitative goals of the juvenile justice system (Cowden & McKee, 1995; Grisso, 1997). The juvenile justice system in its inception was created in reaction to juveniles being charged, prosecuted, and sentenced similar to adults. The philosophy and intention of the juvenile justice system was parens patriae or “legal parents” of children. Underlying the parens patriae doctrine was the belief that juveniles were a vulnerable population categorically under the law and needed special legal protections. Because of juveniles’ vulnerable legal status, the
juvenile justice courts were given the legislative authority to act *in loco parentis* or as parents/advocates for the children in the justice system (Oberlander, Goldstein, & Ho, 2001). Therefore, it was unnecessary to provide children with legal rights with juvenile courts acting as parents to children in the system and making decisions based on children’s best interests.

Safeguarding youths’ rights became popular due to the paradigm shift of the juvenile justice courts in the 1990s. Laws for dealing with juveniles charged with criminal activity became more complex and increasingly punitive. The threshold age for certifying or waiving a juvenile into adult court got younger and was lowered in some jurisdictions from 16 to 14 (Grisso, 1997; Sanborn, 2009). Less serious charges for juveniles had harsher sentences imposed upon them (Sanborn, 2009; Scott & Steinberg, 2008). Juvenile judges were given more authority to extend juveniles’ sentences into their adult years (Sanborn, 2009). State legislatures created laws that allowed for charging juveniles with crimes without any regard to their age (McKee & Shea, 1999). The juvenile justice system became more punitive with an increased focus on the incarceration of youth, mirroring the adult criminal justice system. The juvenile justice system and juvenile justice policies no longer reflected the parens patriae doctrine and no longer focused on youths’ unique developmental status (Sellers & Arrigo, 2009). In the face of these changes, child advocates argued that if juveniles were going to be treated like adults legally, then juveniles had the same right rights as adults when proceeding through the adjudication process. These rights included being
evaluated for trial fitness or being considered competent before going through the adjudicative process.

In addition to bringing attention to the movement by the juvenile justice system away from its traditional role as parens patriae, child advocates also began pushing the juvenile courts to recognize the affirmative due process rights of children in the adjudication process. In the watershed cases of *In re Gault*, 387 U.S. 1 (1967) and *Kent v. US*, 383 U.S. 541 (1966), the Supreme Court held that children were guaranteed trial related rights under the U.S. Constitution. The decision in these cases became the legal bases for the right to counsel in the juvenile justice system and the right to effective counsel. Advocates argued that counsel could only be effective if juveniles are competent to participate in the adjudication process and assist their attorneys in their defense. If juveniles were not competent to stand trial, they underwent further assessment or charges against them were dropped since the charges could not be substantiated via the adjudication process.

To measure juveniles’ competency ability, most juvenile justice courts adopted a variation of the adult competency standard articulated by the Supreme Court in *Dusky v. US*, 362 U.S. 402 (1960). According to *Dusky v. US*, a defendant must have “sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding and he must have has a rational and factual understanding of the court proceedings to be deemed competent to stand trial” (p. 402-403). This articulation of competency according to the *Dusky v. US* is anecdotally known in the legal field as the *Dusky standard*. Juvenile competency experts suggested that the Dusky standard could
be operationalized and applied to juveniles. It has been commonly accepted that the Dusky standard can be broken down into 3 elements. The 3 elements that determine juveniles’ competency ability per the Dusky standard are (1) juveniles’ understanding of the charges against the juvenile and basic elements of the adversary system, (2) juveniles’ appreciation of juveniles’ situations as a defendant in a criminal proceeding, and (3) juveniles’ reasoning to relate pertinent information to counsel concerning the facts of the case (Grisso et al., 2003). Juveniles’ understanding of court related procedures under the Dusky standard is synonymous with a juveniles’ legal knowledge.

Past studies on youths’ knowledge of the legal system have identified that most youths know little about the law. These studies call into question whether juveniles at any age could meet the understanding element of the standard articulated in Dusky v. US (1960) as most youth do not have sufficient knowledge of court proceedings (Burnett, Noblin, & Prosser, 2004; Cooper, 1997; Dreyer & Hart, 2008; Grisso et al., 2003; Ficke, Hart, & Deardorff, 2006; Redlich, Silverman, & Steiner, 2003; Saywitz, Jaenicke, & Camparo, 1990; Viljoen, Odgers, Grisso, & Tillbrook, 2007; Warren, Aaron, Ryan, Chauhan, & DuVal, et al., 2003). As knowledge of the law is neither a traditional part of a school-based curriculum and nor do youths typically engage in activities that require them to know the specifics of the law, the results from these studies are not surprising. However, this lack of legal knowledge can have dire consequences for those juveniles who become involved in the justice system. Legal knowledge can be critical when youths are accused of illegal activity and when
knowledge of the law can provide protections for youths as they proceed through the adjudication process.

While typical youth do not have sufficient knowledge of court proceedings, youth with disabilities have less knowledge of the law than their typically developing peers do. Studies indicate that having a disability is highly correlated with a competency related deficit in the area of factual understanding of the legal process (Baerger, Griffin, Lyons, & Simmons, 2003; Burnett et al., 2004; Cooper, 1997; Ficke et al., 2006; Grisso et al., 2003; McKee and Shea, 1999; Warren et al., 2003). Not knowing their legal rights may have greater consequences for youth with disabilities as they make up a large and disproportionate percentage of youth involved in the juvenile justice system (Morris & Morris, 2006; Quinn, Rutherford, Leone, Osher & Poirer, 2005).

Despite both typically developing youths’ and youths with disabilities’ lack of legal knowledge and lack of instruction in the area of legal knowledge, it is assumed that youths undergoing delinquency proceedings understand and are able to understand the adversary system and court proceedings. Their understanding of the legal system may be used as a factor to help determine their adjudicative competency ability, to determine how the juvenile justice system holds them accountable for their alleged crime, and to determine how the system allows them to proceed through the adjudication process. Thus determining youths’ legal knowledge and teaching them about the law may have great legal implications and could drive necessary, supportive practices for youths.
Only two studies (Cooper, 1997; Viljoen et al., 2007) have investigated whether youths’ legal knowledge could be increased and whether their understanding of court proceedings could be accelerated by providing them with information about the adjudicatory process and the legal system. Results from both studies indicated that youths’ legal knowledge could be increased or accelerated after receiving legally-related information and that improvement in legal knowledge positively correlates with age. However, both studies suggested that even after instruction about the law, youths under the age of 15 still demonstrated deficits in their understanding of court related proceedings and legal concepts. Even with significant improvement, youths in these studies still did not demonstrate enough knowledge about the law to be deemed competent per the studies’ competency assessments measures. Youths in both studies struggled with certain legal concepts even after being directly taught about them.

Additionally, limitations in these studies may have influenced their results. Both studies involved a relatively short period of time from pretest to intervention to posttest so there is uncertainty whether participants were maintained legal knowledge for more than one day. Neither study involved a control group to account for threats to the study’s results. Neither study examined whether a teaching intervention to increase youths’ legal knowledge could be an effective tool for youth with disabilities.

Besides youths’ lack of knowledge of the legal system, court related anxiety has been identified as a factor that affects youth’s involvement in legal proceedings and may be a barrier to assisting counsel in their defense. Previous studies have identified that going to court and the courtroom environment makes youths anxious and may
affect their recall of details of an event that leads them to court (Goodman et al., 1992; Nathanson & Saywitz, 2003). The few studies that look at courtroom related anxiety focused on children’s involvement in court as witnesses. These studies did not involve youths who were facing adjudication on delinquency charges. Additionally, no study has investigated whether a teaching intervention could mitigate court related anxiety in both typically developing youths and youths with disabilities involved in delinquency proceedings.

The following study is an initial study of the Knowledge component of the Juvenile Competency Court School’s curriculum (JCCS curriculum), an intervention designed to teach youths about juvenile justice system’s adjudicatory procedures using empirically proven effective teaching practices. The researcher intended to determine whether the JCCS curriculum could significantly increase youth’s legal knowledge. Both age and disability were examined as possible primary variables affecting legal knowledge. Moreover, it was of particular interest in this study whether legal knowledge could be increased to a level where most youths would be considered competent in the area on a empirically used measure of competency since the interventions in other studies were unable to do so. This study also measured whether the JCCS curriculum reduced participants’ court-related anxiety. Besides age and disability, gender, ethnicity, and academic achievement were examined as exploratory variables to determine their effect on participants’ legal knowledge and court related anxiety.
It was anticipated that youths’ legal knowledge would significantly increase after being administered the JCCS curriculum regardless of juveniles’ ages and regardless of the presence of a disability. It was hypothesized that the legal knowledge of youths would increase regardless of age due to the specific teaching methods and developmental approach of the JCCS curriculum despite the other researchers’ findings that deficits still exist for youth under the age of 15. It was also predicted that the JCCS curriculum would decrease court-related anxiety of participants regardless of age and disability. Should results from this initial study of the JCCS curriculum indicate that it increased both typical youths’ and youths with disabilities’ legal knowledge and reduced their court-related anxiety regardless of age and of the presence of a disability, the use of the JCCS curriculum could help create supportive and important practices for youth involved in the juvenile justice system.
A REVIEW OF THE LITERATURE

Youths Involved in the Juvenile Justice System

Per recent juvenile justice court statistics reported, many more youths are appearing before the court in formal proceedings than in previous years and the risk of court related sanctions is high (Knoll & Sickmund, 2012; Puzzanchera, Adams, & Hockenberry, 2012). Males, African American youths, and youths with disabilities are particularly more likely to be involved in juvenile court proceedings and particularly are more likely to face serious judicial sanctions.

According to Puzzanchera et al. (2012) who compiled statistics for the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP), more than 31 million youths were under the juvenile courts jurisdiction. Of cases that came before the juveniles courts, more than half (55%) were handled formally. In these formally handled cases, a petition was filed that required the juvenile to appear in court. These youths were involved in formal adjudication procedures and their trial related rights were invoked. More than half (59%) of these youths were adjudicated on a delinquency charge and were sentenced by the court. One-third of these adjudicated youths were taken out of their home and placed in a residential facility.
Juveniles involved in the juvenile justice system are generally between the ages of 11 and 17. Younger adolescent youths make up a larger percentage of youths involved in the system and formally processed by juvenile courts as 79% of youth offenders are between the ages of 10 and 15 (Puzzanchera et al., 2012). However, the stakes are higher for older adolescent youths involved in the system. Puzzanchera et al. (2012) reported that more 16 and 17 year old were arrested and referred to the juvenile courts than their younger aged peers and were more likely to be placed in residential facilities.

Most youths involved in juvenile justice proceedings were male (72.3%) (Knoll & Sickmund, 2012). Males were more likely to formally charged with crimes, more likely to be waived to adult court, more likely to be detained in secure facilities before their court appearances, and more likely to be placed in out of home placements after being adjudicated delinquent than females.

African American youths were overrepresented in the juvenile justice system (Puzzanchera et al., 2012). In 2009, Black/African American was the ethnicity identified for 33.5% of the total population of youths involved in the juvenile justice system in comparison to their percentage within general population percentage which was 16%. Additionally, African American youths were more likely to be detained, more likely to be formally petitioned, more likely be involved in the adjudication process, and more likely to be placed in out of home placements than any other race.

There are few studies that provide data on the prevalence of youth with disabilities in the juvenile justice system (JJS) both as a distinct population and in comparison to
their typically developing peers (Morris & Morris, 2006). Results from these few studies indicate that youth with disabilities are likely to be involved in the JJS, are likely to be overrepresented in this system in comparison to their representation in a school-based population, particularly in the cases of youth in the juvenile justice system diagnosed with Specific Learning Disabilities and with Emotional Disturbance.

Youth with disabilities are more likely to be involved in the juvenile justice system. Burrell and Warboys’s (2000) study on behalf of the OJJDP found that youth with learning disabilities were arrested at higher rates than their typical peers. Additionally, the researchers found that as many as 1 out of 5 students eligible for special education services under Emotional Disturbance were arrested at least once before they leave school. In another national study conducted on behalf of the Department of Educations’ Office of Special Education Programs (OSEP) found that 32% of all students with learning disabilities and 57% of students with an emotional disturbance had been arrested (Wagner, D’Amico, Marder, Newman, & Blackorby, 1992).

Youth with disabilities are overrepresented in the juvenile justice system in comparison to their typically developing peers and in comparison to the estimated prevalence of students with disabilities among their school based typical peers. Recent studies report a range of 30% to 60% of the total population of youth in juvenile justice system as being diagnosed with disabilities (Morris & Morris, 2006). Quinn et al.’s (2005) study surveyed all 50 states’ departments of juvenile corrections and all states’ local and state juvenile detention agencies to determine the prevalence of incarcerated
youth with disabilities. Survey results indicated that the mean percent of youth with disabilities involved in the juvenile justice system accounted for 33.4% of the total population of incarcerated youth. Morris and Morris (2006) meta-analysis of juvenile justice studies from 1975 to 2005 identified the percentages of youth with disabilities involved in the juvenile justice system. The average percentage of youths with disabilities in the juvenile justice system was reported as being somewhere just over 30% of the total juvenile justice system population. In comparison to the ranges reported of youth with disabilities in juvenile justice system, between 13.2% and 13.8% of students in schools were students receiving special education services over the past 10 years (Quinn et al., 2005).

While it is evident that youth with disabilities are involved in the juvenile justice system more frequently than their typically developing peers, these numbers may actually underestimate the number of youth of disabilities involved in the juvenile justice system. The variability in the prevalence estimates of youth with disabilities in the juvenile justice system has been attributed to the difficulty in identifying youths in the juvenile justice system who have disabilities, lack of good evaluation tools, and the masking of the disability in comparison to life circumstances (Leone, Drakeford, & Meisel, 2002; Morris & Morris, 2006; Quinn et al., 2005).

Due to their involvement in the juvenile justice system, it is imperative that youths with disabilities be given every opportunity to increase their legal knowledge and be determined to be competent to stand trial before proceeding through the adjudicatory process.
Juvenile Competency to Stand Trial

One of the most important trial related rights that can be invoked to protect juveniles facing the adjudication process is their right to be deemed competent to stand trial. Juvenile Competency to Stand Trial (juvenile competency) is frequently raised as a strategy by defense attorneys either to keep their juvenile clients from being certified/waived into adult criminal court or to persuade the judge to drop the charges altogether (Baranoski, 2003). Juvenile competency is commonly raised when a juvenile client has a history of mental illness (McKee & Shea, 1999; Oberlander et al., 2001; Sanborn, 2009), is unable to provide his attorney with imperative information to help with his defense (Cowden and McKee, 1995) or is fairly young (Ryba, Cooper, & Zapf, 2003).

Once juvenile competency is raised, there is a legal presumption that all juveniles are competent unless proven otherwise (Baranoski, 2003; Viljoen et al., 2007). If a juveniles’ competency are questioned, competency evaluators are hired by legal counsel or by the juvenile justice court to assess their competency ability and to provide a competency evaluation report to the court. Evaluators assess juveniles’ competency ability using a variety of measures and data collection procedures. Based on the data collected, evaluators make a conclusion in their reports on whether the juvenile assessed is competent or incompetent to stand trial (Grisso, 1997). Competency evaluation reports are given to legal counsel for review. Legal counsel then argues competency at a competency hearing. Based on the arguments and evaluation reports, juvenile justice judges or hearing masters determine competency and make one of the following rulings:
(a) the juvenile is competent to stand trial and can proceed through the adjudicatory process; (b) the juvenile must attend a competency remediation program and upon the conclusion of the program, the court will determine competency, or (c) the juvenile is incompetent beyond remediation and the charge against the juvenile is most likely dismissed (Grisso et al., 2003).

**Juveniles Competency Standards**

**The Dusky Standard.** The current competency standard for adults in criminal court was articulated by the Supreme Court in *Dusky v. US, 362 U.S. 402 (1960).* To be deemed competent to stand trial, a defendant must have “sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding and he must have has a rational and factual understanding of the court proceedings” (p. 402-403). This articulation of the competency standard is known anecdotally in the legal field as the *Dusky standard.*

While the Dusky standard has been applied universally by legal precedence in adult criminal courts across the United States, no similar, universal competency standard has been adopted by juvenile justice courts nationally. Each state has the discretion to determine its own juvenile competency standard. Individual state’s competency standards can be categorized into three main approaches (Sanborn, 2009). Twenty states determine juvenile competency judicially without any clear and broad competency standard. Eighteen states have adopted and codified juvenile competency standards that include elements of the Dusky standard. Thirteen states have mostly
transported *Dusky* in part or in whole into their juvenile competency statute. Thus, a majority of the states have codified some element of the Dusky standard to determine juvenile competency.

**Controversy Regarding the Dusky Standard.** While most states have adopted or adapted the Dusky standard in their juvenile competency standard, the appropriateness of the use of the Dusky standard with juveniles has been the subject of debate (Grisso, 1997; Sanborn, 2009). Advocates have questioned whether the Dusky standard should be applied to juveniles and juvenile justice courts in whole, in part, or not at all (Grisso et al., 2003; Sanborn, 2009). Some experts argue to do away with Dusky altogether because the standard is too generic and instead competency should be determined on the criminal charges the juvenile faces and the developmental level of the juvenile (Cowden & McKee, 1995). Grisso et al. (2003) suggest that alternate juvenile competency standards should be created; standards that differ from adult standards due to the recognition that the difference between children and adults have been recognized legally in the creation of a separate court system for juveniles with goals unique to juveniles’ needs.

Several experts have suggested alternative standards and practices to the Dusky standard. Grisso et al. (2003) recommend the creation of a statutory minimal age before competency can be questioned. Bonnie and Grisso (2003) suggest creating a more relaxed standard that includes a basic understanding of the court proceeding and minimal standards for assisting counsel. Other advocates propose forming a new standard with the assumption that most juveniles are incompetent due to their immature
development (Grisso et al., 2003; Sellers & Arrigo, 2009). Oberlander et al. (2001) suggest that the competency of preadolescents (children under the age of 13) should be measured under a different standard than adolescents (children ages 13-17) to account for developmental immaturity. While alternative standards and practices differ in their approach, most alternative theories recognize that a competency standard for juveniles should involve recognition of a juveniles’ unique place in development and thus does not need to strictly adhere to the adult Dusky standard. Many suggested alternatives to the Dusky standard involve developmental and age related considerations.

Assessing Juvenile Competency

Assessing juvenile competency has been a struggle for juvenile justice courts across the United States. Juvenile competency standards and assessment practices are currently in debate. Recent scholarship on juvenile competency illuminates the difficulty in measuring a juveniles’ competency ability. There is no agreed upon threshold on how to determine whether juvenile competency standards have been met. Little research has been undertaken on what assessments should be used in determining competency and what assessments are appropriate to be used with juveniles. It is also undetermined what weight should be given to the importance of characteristics unique to the individual characteristics of the juvenile whose competency is being questioned.

There is no standardized approach to assessing juvenile competency (Oberlander et al., 2001). Additionally, there is no standardized measure normed on juvenile populations (Cooper, 1997; Viljoen et al., 2007). Juvenile competency evaluators
struggle with how to measure the abstract concept of competency based on their states’ standards. Forensic psychologists lack guidelines for assessing juveniles referred for competency and how development may factor into juveniles’ competency ability (Oberlander et al., 2001; Ryba et al., 2003). Most evaluators piece together various cognitive and forensic assessments and then make an ultimate determination based upon their findings in their competency reports.

In addition to the lack of consensus on a standardized assessment process, empirically tested forensic assessments are infrequently used in juvenile competency evaluations. This is surprising considering the popular opinion of the importance of their use in determining juvenile competency. In the only two studies of its kind on juvenile competency assessment, Christy, Douglas, Otto, and Petrila (2004) and Ryba et al. (2003) surveyed juvenile competency evaluators to determine what factors their competency determination relied upon and what measures they used to assist them in their ultimate competency conclusion. Christy et al. examined 1,374 reports completed on 674 juveniles by 252 evaluators. Ryba et al. surveyed 82 juvenile competency evaluators who had spent an average of 19 years doing juvenile competency evaluations. Seventy percent of evaluators surveyed by Ryba et al. stated that data gleaned from forensic assessments were “essential” or “recommended” (as opposed to “optional” or “contraindicated”) for including in a juvenile competency report. However, both Christy et al. and Ryba et al. found that only 25% and 34% of evaluators use forensic assessments. For the quarter to the third of evaluators who used the forensic assessments, only 26% of those evaluators stated they used the measure “all the
time,” between 13% and 15% said they used a forensic assessment “sometimes” or “rarely” in their evaluations, and 9% said they used one “frequently” (Ryba et al., 2003). Thus competency evaluations have little consistency in instrumentation and approach.

There is little consensus among juvenile competency evaluators on the most appropriate instrument for assessing juvenile competency. In their research, Christy et al. (2004) and Ryba et al. (2003) surveyed juvenile competency evaluators to determine what measures they used to assist them in their ultimate competency conclusion. In Ryba et al. survey, the researchers found that 45% of the evaluators that used forensic assessments used the Competency Assessment to Stand Trial for Defendants with Mental Retardation (CAST-MR), an assessment created and normed for use with adults diagnosed with mental retardation. Twenty one percent of evaluators each used either the MacArthur Competency Assessment Tool- Criminal Adjudication (MacCAT-CA) or the Competency Screening Test (CST). Ryba et al. found that other assessments were used less than 15% of the time. In Christy et al.’s study, no single assessment was used more than 10% of the time in the 1,374 evaluations they reviewed. The MacCAT-CA was most commonly used forensic instrument in empirical studies on juvenile competency (Burnett et al., 2004; Grisso et al., 2003; Ficke et al., 2006; Redlich et al., 2003; Viljoen et al., 2007; Warren et al., 2003).

In his meta-analysis of juvenile competency, Sanborn (2009) discusses issues regarding the validity and reliability of current assessments used for juvenile competency evaluations. Many competency instruments do not specifically reflect the
standard laid out in the Dusky standard or may even use a higher threshold than articulated in the Dusky standard. Sanborn found that competency forensic assessments often measured a knowledge based component but did not measure the capacity for accruing knowledge or measuring any conceptual understanding of components that affect competency. Many assessments measure competency ability based on a total test score composed of an aggregate of scores on various sections of the assessment. These total test scores are scored in a way that could mask a significant deficit in the area of competency and could lead to a determination of competency or incompetency that would not reflect juveniles’ true competency ability. As most instruments used in juvenile competency assessments were normed on adults, these instruments only give credit to answers stated in specific way in order to get the maximum score on an item. This specificity is particularly problematic for juveniles as they articulate concepts very differently than adults. The assessments do not involve a qualitative component for scoring and do allow for patterns of answers that may reflect what a juvenile has been told by counsel or that may stem from a juveniles’ unique reasoning ability.

Additionally, current competency assessments are not able to meaningfully measure juveniles’ global functioning abilities (Baeger et al., 2003). Researchers continue to advocate for an approach that takes into account the unique abilities and development of children and adolescents (Baranoski, 2003; Grisso, 1997; Oberlander et al., 2001; Sellers & Arrigo, 2009). Grisso (1997) suggests that an assessment of juvenile competency must include an assessment of the developmental, social, and cognitive abilities of the particular juvenile. Information on these abilities would be
looked at holistically to determine how individual and total abilities would affect juveniles’ competency as evidenced by his basic understanding of the court proceedings and his psychological ability to assist counsel in decision-making. Baranoski (2003) poses that children can often learn facts without really understand their meaning and applications and that social attachment and peers may affect children’s choices. A lack of conceptual understanding of a topic and peer pressure should both be assessed and taken into account during juveniles’ competency assessments. Oberlander et al. (2001) suggests the use of supportive practices such as building rapport, getting children’s assent for evaluation, approaching the child with developmentally appropriate questions and communication, and focusing on children’s conceptual understanding of a topic while recognizing that children’s cognitive limitations and the particular child’s capacities along the development continuum be used in competency assessments.

Research suggests that juvenile justice courts strongly consider creating developmentally-appropriate juvenile competency-related teaching and assessment tools.

**Juvenile Competency Studies**

As early as 1984, empirical studies emerged in efforts to understand the complexity of juvenile competency. Twelve studies examined juvenile competence to stand trial and what factors affect a juveniles’ competency ability (Baerger et al., 2003; Burnett et al., 2004; Cooper, 1997; Cowden & McKee, 1995; Dreyer & Hart, 2008; Ficke et al., 2006; Grisso et al., 2003; McKee & Shea, 1999; Redlich et al., 2003; Savitsky & Karras, 1984; Viljoen et al., 2007; Warren et al., 2003). Most of the studies
investigated possible characteristics that affect juvenile competency using samples populations of juveniles involved in the juvenile justice system who were either referred for competency determinations or whose competency abilities had been previously been evaluated and determined.

The majority of researchers divided their subjects into age-related peer groups to determine the effect that that adolescence might have on juvenile competency perceptions and abilities. Generally, researchers separated children into age related groups composed of preadolescents (a combination of 11, 12, and 13 year olds) and compared these preadolescents to either a middle adolescent group (13, 14 and/or 15 years old) and an older adolescent group (16-17 years old) or compared them to an overall adolescents group (14-17 years old). The youngest children assessed for competency purposes were between the ages of 9 and 11 (Baerger et al. 2003; Burnett et al., 2004; Cooper, 1997; Cowden and McKee, 1995; Dreyer & Hart, 2008; Grisso et al. 2003; Viljoen et al., 2007; Warren et al., 2003). Some studied divided juveniles into groups consisting of 12 years old and under, 13-14 years old, 15-16 years old, and 17 years old and older participants (Burnett et al., 2004; Baerger et al., 2003; Cowden & McKee, 1995; Ficke et al., 2006) while other studies divided juveniles into age groups of 11-14 years old, 14-16 years old, and 16-17 years old participants (Grisso et al., 2003; Dreyer & Hart, 2008; & Viljoen et al.; 2007). A few studies divided participants into preadolescent and adolescent groups and made comparisons among these groups and among adults. Savitsky and Karras (1984) included 12 year olds as representatives of the preadolescent groups and 15-17 year olds the adolescent group. Redlich et al.
(2003) investigated adolescents aged 14-17 in comparison to adults age 18 years and older. Warren et al. (2003) divided their participants into the two categories of preadolescents under the age of 14 and adolescents 14 years old and over.

There was a trend among researchers in their choice of forensic assessments to use with juvenile populations. Of the 10 studies that incorporated a forensic assessment in its design as the competency measure, a majority of researchers used the MacArthur Competency Assessment Tool-Criminal Adjudication (MacCAT-CA) in their studies (Burnett et al., 2004; Grisso et al., 2003; Ficke et al., 2006; Redlich et al., 2003; Viljoen et al., 2007; Warren et al., 2003). The other studies used a variety of competency assessments (Cooper, 1997; Dreyer & Hart, 2008; Cowden & McKee, 1995; Savitsky & Karras, 1984). All but one of the studies that did not use the MacCAT-CA were conducted prior to the first empirical study of the MacCAT-CA in 1998.

Factors Affecting Juvenile Competency

Results from juvenile competency studies have provided empirical data to assist in establishing what factors are related to juveniles’ competency to stand trial. These results have helped drive juvenile competency policies and have contributed to answering the important questions of juveniles’ abilities and limitations in the participation of the adjudication process. Two important factors, a juveniles’ age and juveniles’ disabilities, were found to affect a juveniles’ actual and perceived competency ability.
Age and Competency. Quas, Cooper, and Wandrey (2009) summarize the small body of research on children’s legal knowledge and concluded most of the research showed that age and legal knowledge are positively correlated but that even older adolescents exhibit some deficits in their understanding of the legal system. Similarly, nearly all the studies that examined the effect of age on competency found that age and competency were positively correlated in competency determinations and on scores on forensic assessments (Baerger et al. 2003; Burnett et al., 2004; Cowden & McKee, 1995; Dreyer & Hart, 2008; Ficke et al., 2006; Grisso et al. 2003; McKee & Shea, 1999; Redlich et al. (2003), Savitsky & Karras, 1984). Only Warren et al.’s (2003) study did not find an age effects on the MacCAT-CA.

Generally, age was a predictor of both competency and incompetency in juveniles. Younger adolescents were more likely to be considered incompetent and showed more impairment in their competency-related abilities as determined by their scores on competency measures. Baerger et al. (2003), Cowden and McKee (1995), Dreyer and Hart (2008), and Grisso et al. (2003) found that preadolescence was a predictor of incompetency. Between 70% and 97% of children in between the ages of 10-12 involved in their studies were considered incompetent based on their scores on a competency assessment. Between 70% and 85% of preadolescent participants showed impairment on the competency assessment measure in Grisso et al.’s (2003) study.

Most of the studies suggested that juveniles under the age of 13 may have a higher risk of being considered incompetent; juveniles between the ages of 13-15 may have a fairly equal chance of being evaluated as competent or incompetent; and juveniles
above the age 16 are likely to be deemed competent. In studies that examined competency determination across ages, most studies determined that juvenile competency ability increased by age and then stopped increasing in juveniles by the age of 17 (Baerger et al. 2003; Burnett et al., 2004; Cowden & McKee, 1995; Dreyer & Hart, 2008; Ficke et al., 2006; Grisso et al. 2003; Savitsky & Karras, 1984). By 17, most juveniles’ scores on the competency assessments were comparable to adults’ scores. In Baerger et al.’s (2003) study, most juveniles 15-16 years old were deemed competent. In Cowden and McKee’s study (1995), between 72% and 86% of juveniles in that same age range were found to be competent. While competency ability was increased in the above studies, several studies found that youths regardless of age showed categorical incompetence in comparison to adults. In Cooper (1997) study, Dreyer and Hart’s (2008) study, and Viljoen et al.’s (2007) study, participants under the age of 17 demonstrated major deficits in their legal knowledge and were deemed incompetent based on their competency-related test scores.

Only one study found that there was no difference in the competency ability of participants based on age. Warren et al.’s (2003) study found no significant overall differences in participants’ overall competency scores on the MacCAT-CA in participants grouped by juveniles under the age of 14 and juveniles aged 14 and above. However, Warren et al. admit that there may have been a masking effect in scoring which may have contributed to the non-significant effect in their study. The researchers discuss that while there were no significant overall age effects, they only analyzed data based on participants’ composite score of all three sections on the MacCAT-CA.
Despite overall non-significant results, a review of the data revealed that many younger youths aged 10-13 struggled with the Understanding and Reasoning sections of the MacCAT-CA and older youths aged 14-17 struggled with the Appreciation section of the assessments.

In studies that examined competency as determined by scores on the MacCAT-CA (Burnett et al., 2004; Grisso et al., 2003; Ficke et al., 2006; Redlich et al., 2003; Viljoen et al., 2007), age was commonly a predictor of scores on the three sections of the MacCAT-CA. Children under the age of 12 scored in the clinically significant range on MacCAT-CA and between 70% and 85% of participants showed impairment on every section of the MacCAT-CA in Grisso et al.’s (2003) study. On the Understanding scale, the scale that investigates a juveniles’ basic understanding of the court proceedings and the measure used in the current study, studies suggest that children under that age of 13 score in the clinical impairment range, children between the ages of 14-15 showed mild to moderate impairment, and children by the age of 16 showed less impairment that the other two groups. However, youth of all ages demonstrated significant impairments in the Understanding sections in comparison to adult groups in the studies. On the Reasoning section of the assessment, the scale that assesses whether a juvenile can assist counsel with pertinent information for his defense, most of the studies found that adolescents 14 years old showed no impairment or a very mild impairment compared with the scores than their older peers and even with the scores of adults (Ficke et al, 2006; Grisso et al., 2003; Redlich et al., 2003). Grisso et al. (2003) found a positive correlation between age and scores on the Reasoning scale through the
age of 14. Finally, on the Appreciation scale, the scale that measures a juveniles’ understanding of their positions as a defendant in criminal proceedings, studies showed that scores of juveniles under the age of 13 fell into the clinical impairment category, scores of children above the age of 16 showed little impairment, and children between the ages of 14-15 years old did better than their younger peers but not as well as the older peers and adults (Burnett et al., 2004; Ficke et al., 2003; Grisso et al., 2003).

Studies suggest that age and competency are positively correlated on assessment scores and affect evaluators’ perceptions of juveniles’ competency abilities. Preadolescents are more likely to be deemed incompetent. Older adolescents are more likely to be found competent. The competency ability of adolescents 14 to 15 years old cannot be categorized and may depend on various factors. However, studies also suggest that categorically youth shows major impairment in various areas of competency-related capacities that manifest on assessments and will likely affect a determination of their competency ability.

**Disability and Competency.** Very little research has been undertaken on the effect of disability on juveniles’ competency ability. Eligibility for special education services may be correlated with competency ability or scores on a competency assessment (Baerger et al., 2003; Cowden & McKee, 1995; McKee & Shea, 1999; Warren et al., 2003). Baerger et al., (2003) and Cowden and McKee (1995) found that most juveniles found incompetent to stand trial had a history of being placed in a special education classroom. Baerger et al. (2003) determined that 72% of juveniles evaluated as incompetent to stand trial had special education needs and special education related
diagnoses in comparison to 36% of juveniles deemed incompetent who did not have any special education needs or diagnoses.

Studies suggest that juveniles’ disabilities may have an effect on the determination and perception of juveniles’ competency to stand trial. However, there is very little data on the effect of a disability and the effect of particular disabilities on competency. There are no studies that examine the effect of a disability on juveniles’ legal knowledge. Examining the effect of disability and competency ability is an area of needed research due to youths with disabilities’ overrepresentation in the juvenile justice system (Quinn et al., 2005; Morris & Morris, 2006).

According to results from juvenile competency studies conducted over the last few decades, age and the presence of a disability have an effect on juvenile competency perceptions and abilities. Several studies indicate that age and competency abilities are positively correlated. However, results from studies have indicated that adolescents still show competency-related deficits in comparison to adults, particularly for adolescents 15 years old and younger. Thus, results from juvenile competency studies indicate that meeting all elements of the Dusky standard (understanding, appreciation, and reasoning) may be a struggle for youths. Current research has indicated that juveniles may have difficulty understanding the charges against them and the basic elements of the adversary system as posed in the Dusky standard since youths may not understand the adjudication process.
Youths’ Legal Knowledge

Studies indicate that juveniles possess very little knowledge about the law. Saywitz et al.’s (1990) study focused on the legal knowledge of children ages 5-13 in kindergarten, third grade, and sixth grade. Approximately 60% of sixth graders understood the term “defendant” and “hearing.” Less than 40% of the sixth graders could explain the concepts of “charges” and “minor.” One quarter of sixth graders or less involved in the study understood the concepts of “motions,” “petitions,” and “competence,” and “allegations.” Scores for kindergarteners and third graders were significantly lower than sixth graders on each item and as a whole. The researchers found that developmental factors influence legal knowledge and discuss the importance of providing legal terminology to children per their developmental ability.

Dreyer and Hart (2008) also found that a majority of youths aged 10 through 17 knew very little about the law and legal proceedings. More than 80% of the participants in their study did not meet the criteria to be classified as “competent” on a forensic competency assessment modified to be used with youth to determine their legal knowledge. Specifically, 97% of 10-11 year olds, 86% of 12-13 year olds, 69% of 14-15 year olds, and 61% of 16-17 year olds were found to be incompetent per the scoring criteria of the assessment. Of the 20% of participants who achieved a total score that would deem them “competent” per the scoring criteria, 80% of these participants were 14 years old and older.
Dreyer and Hart (2008) examined how each age group performed on particular items that identified various legal concepts. Many participants answered items correctly that ascertained the role of the judge and where the judge sits. Half of the 10-13 year olds and 40% of the 14-17 year olds were not able to give a correct or partially correct answer on the defense attorney’s role in court, the location of the defense attorney and prosecutor in the courtroom, how to assist their attorneys in their defense, to whom to address questions to in court to, and whether a witness can tell a judge when they don’t understand a question or concept. Participants 10-13 years old particularly struggled with getting items even partially correct regarding the meaning of a charge and the prosecutor’s role in the adjudication process. Finally, all participants struggled with the concepts of pleas and plea bargaining as 54% of participants could even not partially correctly explain this concept.

In addition to studies that were undertaken to investigate youths’ legal knowledge, studies of juvenile competency have determined that most juveniles under the age of 15 show little understanding of court proceedings. Burnett et al. (2004), Cooper (1997), Grisso et al. (2003); Ficke et al. (2006); Redlich et al. (2003), Viljoen et al. (2007), and Warren et al. (2003) found that on competency assessments that measure youths’ legal knowledge, youths under that age of 13 score in the clinical impairment range, youths between the ages of 14-15 showed mild to moderate impairment, and youths by the age of 16 showed less impairment in comparison to their younger adolescent peers on competency related assessments. Studies that compared youths’ scores on forensic
assessments to adults’ scores showed significant differences between groups of youths’ at all ages and adults’ legal knowledge.

Besides legal knowledge affecting a child’s competency ability, studies indicate that legal knowledge or lack thereof may be correlated with their court related anxiety. This anxiety has been suggested to impair youths’ ability to testify in court and ultimately affect their competency ability.

Youths’ Court Related Anxiety

Troxel, Ogle, Cordon, Lawler and Goodman (2009) provide an overview of the effects of anxiety and stress on children involved in the legal process. In addition to a general lack of knowledge of the legal process, they identify three additional court related factors that contribute to children’s stress: the adversarial and formal nature of court; direct and cross examination; and facing the defendant. The authors cite research from the few studies completed in the early 1990s that investigated the effects of these factors on children as witnesses in court. Hudson and Williams (1995) suggest that court related anxiety may stem from children’s lack of understanding of adults’ behavior in court such as the use of angry words, wild gesticulations, and altercations among courtroom players. The authors also discuss that children may experience reoccurring trauma when being asked to repeat a sequence of events to different adults and may experience a sense of betrayal by being questioned by adults who seemed like they believed the children’s story initially.
In addition to these factors, research in the late 1990s and into the new millennium found that besides court related proceeding, the courtroom environment itself was a primary source of stress for children. Goodman et al. (1992) found that children’s anxiety levels were negatively correlated to their level of fear of facing the defendant in the courtroom prior to going to court. Those children exhibiting higher levels of stress were less likely to answer questions from prosecutors when discussing allegations of sexual abuse. In post court interviews, children felt better after their experience in court and stated it was either not as scary as they thought or just felt glad that they got it over with. However, even if they felt better after testifying, a substantial subgroup of children stated they were unhappy about testifying; particularly about testifying in front of a defendant.

A similar study conducted by Goodman et al. (1998) investigated children’s anxiety levels before and after testifying either in open court or via close circuit technology (CCTV). The researchers also examined how anxiety affected other factors that play a role in child witness testimony. One hundred and eight six children ages 5 to 9 participated in the study. After being videotaped while playing a game with an unfamiliar male figure that the children were lead to believe was videotaped, the children were told they going to go downtown to talk about the movie they made with the man. All participating children were brought to a courtroom. Half of the children were told that they were going to testify in a trial in the open courtroom. The other half of the children were told they would be testifying inside an interview room via CCTV. Both groups of participants were shown the rooms they would be testifying in. Prior to
testifying and after testifying, the children were administered several assessments to measure their anxiety and legal knowledge levels. One quarter of the 186 participants simply refused to testify so they did not participate in the study. Court-related anxiety and feelings of “unhappiness” about going to court were cited as reason these children were refusing to testify. Pretest and posttest data analysis identified that age was correlated with anxiety levels. Younger participants were more likely to refuse to testify than older participants. Children who were told they were going to testify in open court prior to the trial felt more negatively about testifying than those who were told they were going to testify via CCTV. After testifying in the mock trial, children who participated in the courtroom trial showed a significantly higher level of anxiety than those involved in the CCTV environment. Anxiety was significantly greater for older children than younger children and for females versus males after the mock trial. The researchers also examined the correlation between legal knowledge and anxiety. They found that they were inversely correlated. Children with more legal knowledge exhibited less court related anxiety.

Nathanson and Saywitz (2003) found that the courtroom environment affected the children’s heart rates and recall ability. The researchers interviewed 81 eight to ten year olds recall ability and anxiety level after being involved in a staged event where a male researcher assistant taught the children about the human body. The children were interviewed about the event in either an interview room or an open courtroom. To measure children’s anxiety levels when being asked questions in both environments, the researchers used an anxiety measure, the Court Related Stress Scale (CRSS), and
measurements of the children’s heart rate. The CRSS is the same measure used in the current study to measure court related anxiety. They also looked at children’s legal knowledge and whether this knowledge would mitigate the effects of anxiety in children. When the researchers compared children’s recall in a courtroom versus a smaller private room, they found that children interviewed in the courtroom recalled significantly less correct information than children interviewed in the small, private room. Children interviewed in the private room recalled almost twice as much information as children interviewed in the courtroom.

Analyses on children’s anxiety revealed that children interviewed in the courtroom demonstrated significantly more heart rate variability (indicative of a stress response) than children interviewed in the small, private room (Nathanson, 2006). Participants resting heart rate was found to range from 60-90 beats per minute. The variability of the participants’ heart rate of those answering questions about the event in the small room environment ranged from 60-120 beats per minute. The heart rate of participants being asked question in the open courtroom ranged from 60-240 beats per minute. However, there were no significant effects on either the anxiety measure or the CRSS. The researcher hypothesized that participants may not have indicated their true anxiety levels due to anxiety being socially undesirable. Additionally, the researchers felt that non-significant effects on the self-report measures may have been attributed to the study’s lack of creating the complexity of a real trial and the lack of creating a real witness-victim experience. The lack of saliency for participants as a reason for non-significant results was strengthened by the findings of Nathanson, Murdock, and
Golanics (2008). The researchers found that youths who were going to testify in court as witnesses and victims rated their court related experiences as stressful and non-neutral. Legal knowledge and court related anxiety were not found to be correlated in Nathanson and Saywitz’s (2003) study.

Recent scholarship has identified what role anxiety plays on other aspects of courtroom procedures. Blandon-Gitlin and Pezdek (2009) discuss the effects that anxiety can have in the courtroom and on children’s testimony. The findings from recent studies indicate that children are more suggestible and demonstrate an increased rate of false memories when in a highly anxious, emotional state.

Results from the few studies on the effects of court related anxiety cited above indicate that anxiety plays a role in children’s ability to recall information regarding an event and that the courtroom environment itself may be a stressor to children attending court. As there is a limited amount of research on this subject, additional research is important to continue to investigate factors affecting court related anxiety in children. No study to-date has investigated the effect of the courtroom environment and other stressors on children involved in the legal system as defendants. Moreover, no studies were found that investigated the effect of a disability on court related anxiety. Finally, no studies were found on older adolescent youths’ court related anxiety. Participants in the previous studies were under the age of 11. Thus, further research in this area of court related anxiety is necessary to identify factors affecting youth’ anxiety in adolescents and based on various roles in which youths play when involved in court.
The Effects of a Teaching Intervention on Juveniles’ Legal Knowledge and Competency Ability

Viljoen et al.’s (2007) study and Cooper’s (1997) study are the only two published studies that examined whether a teaching intervention was associated with improved legal knowledge in juveniles. Similar to other studies that suggested that youth lack knowledge of the adversary system and court proceedings, results from both Viljoen et al.’s (1997) and Cooper’s (1997) studies indicate that youths had deficits in their legal knowledge prior to being administered a teaching intervention. Both researchers found that informing youths about legal proceedings improved their understanding of legal concepts after being administered an instructional intervention and that age was a factor affecting their legal knowledge both pre-intervention and post-intervention. However, even with being administered an intervention, youths in both studies still showed demonstrated difficulty in understanding certain legal concepts. Additionally, in Cooper’s (1997) study, almost all participants did not meet the cut-off criteria that would demonstrate adjudicative competency according to the measures used by the researchers post-intervention.

Viljoen et al. (2007) found that adolescents 15 and younger had limited capacity for understanding legal proceedings. However, by providing youths with a teaching component on various legal concepts, youths’ demonstrated improvement in their understanding of the law regardless of age. Viljoen et al.’s study was a companion study to the large-scale study conducted by Grisso et al. (2003). Grisso et al. administered the MacArthur Competency Assessment Tool – Criminal Adjudication
(MacCAT-CA) to 927 youths between the ages of 11 and 17 and to 466 adults and compared their scores on the assessment. Participants’ scores on the MacCAT-CA were compared to each other by age and to adult participants’ scores. A summary score and item score were obtained and used to determine what legal concepts these groups were struggling with pre-intervention and post-intervention.

The intervention used by Viljoen et al. (2007) was the teaching component in the Understanding section of MacCAT-CA, the measure used in the current study. The Understanding section of the MacCAT-CA has a teaching component on 6 of the 8 items. The teaching component is to be used in within the normal course of administering the MacCAT-CA and is to be administered to examinees if they do not receive the ideal score on that particular item for their initial responses to the item. The six items that include a teaching component investigate the following legal topics: Role of the Defense and Prosecuting Attorneys; Role of the Jury; Role of the Judge in a Trial; Consequences of Conviction; Consequences of Guilty Plea; and Rights Waived with a Guilty Plea. Examinees receive 0, 1, or 2 points on each item based on the adequacy of their response. A score of 2 points indicates a full understanding of that legal aspect and that all essential elements of that legal concept were articulated by the participant. A score of less than 2 points indicates a less than full understanding of that legal concept.

Youth and adults who had scored less than 2 points on any of the six Understanding items in MacCAT-CA during Grisso et al.’s (2003) study were identified as participants for the study for Viljoen et al.’s (2007) study. More than 98% of all 1,400 participants in Grisso et al.’s study received a score of 0 points or 1 point on at
least 1 of the 6 Understanding items. Therefore all but a few participants from Grisso et al.’s original study were included in Viljoen et al.’s study. Participants’ initial scores prior to being provided to the teaching intervention were used as participants’ pretest scores. Posttest scores reflected the scores on the six items after being administered the teaching component of the MacCAT-CA. Both the pretest and posttest scores were determined from a single administration of the MacCAT-CA.

An analysis of participants’ pretest scores on the six items showed a fluctuation of levels of understanding of on the various legal topics. Most participants struggled with the items that assessed the Role of the Judge (87% of participants), the Rights Waived with a Guilty Plea (86% of participants), and the Consequences of Conviction (77% of participants) as participants scored less than perfect on these items pre-intervention. Approximately 50% of all participants struggled with the Role of the Jury. Roughly 30% of all participants struggled with Role of the Defense and Prosecuting Attorneys and Consequences of a Guilty Plea.

Viljoen et al. analyzed participants’ posttest scores to determine the effectiveness of the instructional component of the MacCAT-CA. If participants responded with anything less than an adequate response or received less than 2 points on the item, the researchers read the teaching component to the participant. Each teaching component involved a direct definition of the legal concept that the participant was being asked about in the item. After being read the teaching component on the item, participants were then immediately asked to answer to repeat what they had learned in their own words. The participants’ responses to the items after receiving the teaching component
were recorded as their posttest scores. These responses were given a score of between 0 and 2 points.

Participants’ pre-instruction and post-instruction scores on the Understanding section of the MacCAT-CA were compared by item and by overall scores via two methods. The first method involved taking pretest scores on each item and an overall summary score and subtracting the pretest scores from posttest scores to determine improvement scores. The second method used Structural Equation Modeling to account for a possible fluctuation of scores between pretest scores and posttest scores due to guessing or further understanding of the legal concepts from pretest to posttest.

Multiple regression analyses were ran to determine whether various demographic trends were found to affect participants’ scores on the Understanding section of the MacCAT-CA. Age was one of the factors investigated.

Viljoen et al. (2007) found that age affected both participants’ overall scores and particular items scores on MacCAT-CA. For comparison purposes, participants’ scores were divided and analyzed based on categories of younger adolescents ages 11-13, middle adolescents ages 14-15, older adolescents ages 16-17, and adults 18+. On the pretest, younger adolescents scored significantly lower than middle adolescents, middle adolescents score significantly lower than older adolescents, and older adolescents scores significantly lower than adults. Thus all youths in the experimental group under the age of 17 scored well below their adult control group counterparts. All results above were reported with a significance level of $p = .001$ or $p < .001$. Thus age and
understanding of the legal process were positively correlated both prior to and after receiving the teaching component.

The researchers found that the teaching intervention significantly increased participants’ scores on the MacCAT-CA post-intervention at the p<.001 level. On average, participants who received the teaching component on items gained nearly half (47.3%) of the possible points after being administered the teaching component. Results from the study also showed that all participants’ knowledge of the legal process improved regardless of age but that age was positively correlated with improvement level on the MacCAT-CA. While each age group of participants showed improvement from their pretest to posttest overall scores, younger adolescents participants aged 11-13 and middle adolescent participants aged 14-15 had similar posttest scores. Both groups showed significantly less improvements than older adolescents aged 16-17 on their posttests. Participants who were 16 and 17 years old made the most improvements in their posttest scores and their score approximated the adult control groups’ scores. Adolescents aged 15 and younger overall scored significantly lower on than adults on the posttest.

Participants’ scores on each item were also analyzed and compared for improvement from the pre-intervention to post-intervention conditions. There was fluctuation in improvement rates on items from pretest to posttest. Posttest scores showed improvements on all items except for one. Approximately 70% of all participants showed improved scores on the items that measured participants’ knowledge on the Consequences of Conviction and the Rights Waived with a Guilty
Plea. Almost 50% of participants demonstrated increased knowledge of the Role of the Defense and Prosecuting Attorneys, the Role of the Jury, and the Role of the Judge in Jury Trials. These items were the ones that participants most struggled with as indicated by their posttest scores. Less than 30% of participants’ posttest scores showed a better understanding of the Consequences of a Guilty Plea. The overall item analysis indicated that providing brief instruction to participants about legal concepts may increase their knowledge of these concepts.

Results from Viljoen et al.’s (2007) study indicate that youths of all ages know very little about the law prior to being taught about it. Participants in their study demonstrated increased knowledge after being provided with information about legal concepts. However, as the increases in scores are based upon participants repeating information from the information given to them a few moments prior to responding, it is unclear whether participants really understood the concepts or simply repeated the information to receive full points for the response. Additionally, while there was enhanced understanding across ages, youth under the age of 15 demonstrated less legal knowledge than adults in both the pretests and posttests and demonstrated less improvement categorically than their older adolescent counterparts and adults. These results indicate that youths under the age of 15 are more likely to have competency related deficits that may be less likely accelerated by instruction.

In their discussion section, Viljoen et al. (2007) discuss the importance of using a teaching component to identify not only youth’s legal knowledge but also their true capacity to accrue knowledge. While it was likely that the learning from the teaching
component caused in the increase from pre-intervention to post-intervention scores, the researcher pose that future research on the MacCAT-CA is needed to determine if gains found can be attributed to true learning from the teaching component or if these gains are simply due to testing bias due to the elimination of anxiety or confusion. The researchers also indicate that future research is needed to examine if the improvements in performance remain if the participants are tested post-intervention after a longer periods of time between administrations. It is important to note that Viljoen et al. did not sum total scores or determine if the change in participants’ pre-intervention and post-intervention scores allowed the participant to achieve the requisite composite score on the MacCAT-CA’s for the participants to be considered competent. Thus while almost all participants showed an increase in their legal knowledge it is unclear if this increase could change their competency determination.

Cooper’s (1997) study yielded similar results to Viljoen et al.’s (2007) study regarding an age effect but instead found that younger adolescents, rather than older ones showed the greatest gain in understanding the legal system after being administered a teaching intervention. The purpose of Cooper’s study was to examine juvenile offenders’ understanding of factual information about trials. Cooper measured 13, 14, 15, and 16 year old youths’ performance on a competency assessment modified for use with youths after providing them with a video-taped teaching intervention on factual information about going to court. Cooper hypothesized that the all the 13 year old participants, a majority of the 14 and 15 year olds participants, and half of the 16 year old participants would be considered incompetent based on their scores on the
Cooper theorized that older children would benefit from the presentation of factual information about court but not the younger children. Cooper assumed that older children would show growth in their legal knowledge because they possessed knowledge and life experience that would allow them to understand legal concepts.

Cooper (1997) administered the Georgia Court Competency Test – Junior (GCCT-JR) as a pre-intervention measure to approximately 112 youth that were involved the juvenile justice system and that had been adjudicated for a crime by the juvenile courts. The GCCT-JR was created as a modified version of the Georgia Court Competency Test- Mississippi State Hospital (GCCT-MSH) to be used with juveniles. The GCCT-JR contained 32 multiple choice and some short answer items that assess five areas of legal knowledge: understanding of the courtroom layout; understanding of the functions and roles of courtroom personnel; ability to assist one’s attorney; understanding of the nature and consequences of the charges; and knowledge of the roles of judges and attorneys in specific situations. The item assessing the five areas of legal knowledge components were then divided into 5 subscales: Pictures of the Court (Pictures); Function of Participants (Functions); Charges and Consequences (Charges); Ability to Assist Attorney (Assist); and General Questions about Specific Situations (General). Participants’ scores on the GCCT-JR were summed. A summed score under 30 out of the 50 possible points on the multiple choice questions and a lack of identifying 6 critical items out of 12 critical items in the short answer section were assumed to indicate juveniles’ incompetence to stand trial.
Participating youths were administered the GCCT-JR verbally and asked to record their answers on a document pre-intervention. An analysis of the pretest scores determined that 110 out of 112 youths scored below the cut-off score on the GCCT-JR and would be considered incompetent per the scoring protocols. Thus only 2 of the youths prior to the use of an intervention were considered competent per the GCCT-JR. The 110 youths who were deemed incompetent were included in Cooper’s study.

The study took place over a 3 day period. Participants were administered the GCCT-JR on the first day of the study. The day after taking the first GCCT-JR, participants were shown a 50 minute video tape developed by Cooper (1997) to provide general instruction about juvenile justice personnel and court proceedings. The material in the video covered the material specifically assessed on the GCCT-JR. The video discussed the various roles of court related personnel, showed participants a diagram of a courtroom to indicate where they would be seated in a courtroom, instructed participants on various types of charges and the penalties associated with those charges, and gave participants general instructions on how to contact and assist their attorneys in their defense. A question and answer session was conducted with participants after they viewed the video. The day after juveniles watched the video, they were administered the GCCT-JR again.

Cooper found that participants demonstrated impairment in their legal knowledge as determined by their GCCT-JR pretest scores and found that participants showed significant improvements based on their GCCT-JR posttest scores. Results from the study also indicated that participants’ ages had an effect on both their pretest and
posttest scores. On the pretest, there were no differences among the 14, 15, and 16 year old participants’ scores. However, 13 year olds participants had significantly lower scores on GCCT-JR than the 14, 15, and 16 year old juveniles. On the posttest, there was no significant difference in the mean scores of each age group. Thus, in contrary to Viljoen et al’s (2007) study, it was the younger participants who made the most gains in their legal knowledge after being given an intervention.

While all participants in Cooper’s (1997) study showed improvement in their knowledge about the law, approximately 90% of the children still did not meet the criteria to demonstrate an understanding of legal concepts and meet the criteria to be deemed competent to stand trial. Only 12 out of the 110 students received a score above the cut off score used as the criteria to measure competency in the areas of legal knowledge. Only 12 out of the 110 students received a score above the cut off score used as the criteria to measure competency in the areas of legal knowledge. The mean age for the children who met the competency criteria was 15 years old.

Paired T-tests were conducted on the five subscales to determine in which areas participants’ legal knowledge improved. Participants in each age category showed significant increased knowledge in the areas of Picture, Functions, Assist, and General. Significance levels in these four areas were reported as p=.000. However, there was no significant change in participants’ scores on the Charges subscale. Participants still demonstrated a deficit in understanding both charges and consequences of charges based on their post-test scores.
Cooper’s (1997) study indicated that all children benefit from teaching about legal concepts. However, participants still showed significant deficits in their legal knowledge despite the use of the videotape intervention. Improvement with teaching was particularly seen in the youngest group of participants comprised of the 13 year olds as their pretest scores were significantly below their older adolescent counterparts yet their scores on the posttests did not differ from their older peers. This larger increase in scores indicates that younger adolescents’ legal knowledge may particularly be increased with teaching. This finding is contrary to Cooper’s original hypothesis that only older adolescents would benefit from teaching. Cooper concluded that these findings indicate the need for a teaching intervention with younger adolescents as they could benefit the most from teaching.

Nevertheless, while results from Cooper’s study indicate that a teaching component can increase youths’ legal knowledge, participants’ pretest and posttest scores on the GCCT-JR indicate that even with a teaching component, youths may be limited in how much their legal knowledge could improve. Cooper’s videotape intervention still did not increase participants’ legal knowledge enough to meet the criteria which would make a juvenile competent per the scoring standard. Cooper discusses that this finding was particularly surprising as the participants in the study had already been adjudicated in legal proceedings at least one if not repeatedly. Even after involvement in the juvenile justice system and being adjudicated delinquent, participants still demonstrated deficits in legal knowledge. Cooper strongly suggests that results from the study indicate that presumption that youths are competent to stand
trial is erroneous and that the practice of holding youth to the same standard as adults should be critically examined.

Viljoen et al.’s (2007) and Cooper’s (1997) studies indicate that age is a significant factor in understanding legal proceedings and that teaching can significantly increase a juveniles’ understanding of legal and court proceedings across all adolescent ages. All youths in both studies showed a lack of legal knowledge prior to being administered an intervention. Youth under the age of 13 had the largest deficit in knowledge on pre-test measures. Participants demonstrated an increase in legal knowledge after being administered a teaching intervention and the improvements on the posttest measures all positively correlated with age. Younger adolescents showed the most increase in legal knowledge and their knowledge approximated their older peers on post-intervention scores on competency assessments in Cooper’s (1997) study. In contrast to these results, older adolescents showed the highest increase in legal knowledge in Viljoen et al.’s (2007) study.

Both studies indicated that 15 may be a pivotal year in legal knowledge acquisition. Viljoen et al.’s study found that there was no difference in improvements in youth between the ages of 11 through 15 but that youths age 15 and older demonstrated greater legal knowledge than their younger peers after being administered a teaching intervention. The mean age of youth that obtained a score above the cut off score on the GCCT-JR in Cooper’s study was 15 years old. Participants in both studies under the age of 15 did not make enough gain to reach a level of competency in the area of legal knowledge despite being administered an intervention. Viljoen et al.’s and Cooper’s
study suggest that achieving the age of 15 may be a critical cut off age in legal knowledge as well as in determining competency.

Besides examining overall scores in the area of legal knowledge, both studies indicate that certain legal topics are difficult for youths across age categorically. Cooper (1997) and Viljoen et al. (2007) indicate that teaching can improve youths’ understanding of the roles of those involved in the juvenile justice system, their presence in the courtroom, the consequences of being convicted of a crime, and how to assist their attorneys in their defense. However, both studies indicate that youth had difficulty demonstrating an understanding of charges against them, consequences associated with these charges, and the concept of pleas. Youth showed less improvement in these areas from pre-intervention to post-intervention. The lack of improvement on these items could also signify that these concepts are difficult for youth to grasp even with explicit teaching.

Cooper’s (1997) and Viljoen et al.’s (2007) findings indicate further research need to done in the area of using a teaching intervention with youth to increase their legal knowledge. The studies found the opposite effects of age on improvement with instructional intervention. Additionally, further studies are needed as neither study used a control group in its design to help determine if there were any confounding threats to results such as maturity, history, and testing biases. Both studies involved a relatively short period of time from pretest to posttest. Thus it is unknown if participants were able to retain the knowledge more than one day after the intervention took place. Both studies indicate that although an instructional intervention had positive effects on legal
knowledge, youths still struggle with various legal topics and also may not show enough growth in their legal knowledge to be considered competent. Only Cooper’s study determined whether participants’ scores would deem them competent or incompetent to stand trial post-intervention. Participants even after being taught about the legal system were still considered incompetent to stand trial in Cooper’s study. Viljoen et al.’s study showed improved scores on the MacCAT-CA after using the teaching component but did not report whether the participants reached a level of competency per the assessment’s protocols. Thus there is very little research that indicates whether a teaching intervention is effective in increasing youths’ legal knowledge enough to reach a level of competency to meet the understanding element of the Dusky standard.

In summary, the effects of the use of a teaching intervention to teach youths about the law is timely and could add to research in the areas of legal knowledge, juvenile competency, and court related anxiety. More youths are involved in formal court proceedings and consequently have their trial related rights invoked. These rights could provide them with important legal protections. Determining if a juvenile is competent to stand trial is one of those essential rights. It is currently unclear whether juveniles are competent to stand trial and unclear whether they can meet juvenile competency standards in the competency element of legal knowledge without a teaching intervention. Previous studies have found that youths know very little about the law and even when they are taught about the law, they do not make enough gains in their legal knowledge to be considered competent in this area. Anxiety may also affect a juveniles’ involvement in court. No study has investigated the effect of a teaching
intervention on legal knowledge, competency, and anxiety. Additionally, no study has investigated the effect of a teaching intervention on youths with disabilities and youths who might be involved in delinquency proceedings.
CHAPTER 3

METHODS

Rationale for the JCCS Study

This study investigated the Knowledge component of the Juvenile Competency Court School Curriculum (JCCS curriculum), a teaching intervention created and intended to teach youths about the law and court proceedings using best teaching practices with youths. The researcher was interested in determining whether the interventions’ design would increase participants’ legal knowledge generally and also increase knowledge enough to meet the threshold criteria for participants to be considered competent in the area of legal knowledge as measured by the Understanding section of the MacCAT-CA (MacCAT-CA).

Previous studies (Cooper, 1997; Viljoen et al., 2007) indicated that despite teaching children about the legal system and adjudicative procedures, youths still displayed competency related deficits in legal knowledge as almost all participants did not meet the minimum criteria to be considered competent in the area of legal knowledge per the studies’ competency measures. Most youth showed a lack of understanding of the concepts of charges and pleas in the adjudicatory process. Additionally, youths under the age of 15 displayed more legal knowledge, competency-related deficits than their older adolescent peers.
This study could add valuable information in area of juvenile competency and legal knowledge. Results from the current study could shed light on the issue of whether if the legal knowledge competency-related deficits demonstrated in other studies may be attributed to developmental limitations or to limitations on the intervention design or on the level of abstractions of certain legal terms. It was hypothesized that the intervention effects of JCCS curriculum would significantly add to the body of research on what factors may contribute to these competency-related deficits and on what particular aspects involved in teaching interventions may be able to mitigate the effects of any apparent competency-related deficits. The JCCS curriculum’s effect on the primary factors of age and the presence of a disability and exploratory factors of gender, ethnicity, and academic achievement involved in this study will also add to the literature on legal knowledge and juvenile competency.

There is no empirical research on the effect that the presence of a disability could have on juveniles’ competency ability and whether the disability effect can be mitigated by effective teaching instruction. Neither Cooper (1997) nor Viljoen et al. (2007) examined the effect of disability on juveniles’ ability to demonstrate increased legal knowledge after being administered a teaching intervention. Considering a majority of youth found to be incompetent to stand trial have a disability and that youth with disabilities are overrepresented in the juvenile justice system, a study on the effects of a teaching intervention on both typically developing youths’ and youths with disabilities’ legal knowledge could contribute significantly to research in the area of juvenile
competency and could help drive supportive practices for juveniles whose competency is questioned.

Age and disability were examined as factors of competency ability and as factors in participants’ legal knowledge of court proceedings based on their performance on a pretest and posttest competency assessment measure. Participants’ scores based on their ages in years were analyzed for cross study comparisons and also to add to the literature on whether participants’ ages show trends in legal knowledge both prior to and after being administered the *Juvenile Competency Court School* curriculum. Investigating the effect of a disability as a factor in competency and legal knowledge acquisition was chosen as research in this area could significantly add valuable empirical data in the area of juvenile competency and help drive supportive practices for youth with disabilities involved in the juvenile justice system. Present studied indicate there is a positive relationship among age and legal knowledge. However, deficits are still apparent in the understanding of various legal topics. It is unclear whether these deficits can be remediated with empirically based instruction.

Besides investigation legal knowledge, as Viljoen et al. (2007) discuss in their study, no study has examined the effect of anxiety on a child’s legal involvement and on a competency assessment. This will be the first study that examines this anxiety level as well as anxiety levels of youths as defendants and of adolescent youths.

Finally, this study’s comprehensive research design will help to identify other possible questions that the other studies were not able to answer based on the limitations
of their designs. No other studies examined the acquisition of legal knowledge over a longer period of time.

**Research Questions**

The current study addresses the following research questions:

1. Does the JCCS curriculum significantly increase juveniles’ legal knowledge as measured by the MacCAT-CA?
2. Does the JCCS curriculum increase juveniles’ legal knowledge enough to be determined competent in the area of legal knowledge per MacCAT-CA scoring criteria?
3. Does the JCCS curriculum significantly increase legal knowledge in all areas of the law or are deficits still apparent in certain legal concepts, particularly in youths’ empirically demonstrated struggle to understand the legal concepts of “charges” and “pleas” as measured by the MacCAT-CA?
4. Does age significantly affect juveniles’ legal knowledge prior to and after the use of the JCCS curriculum as indicated by pretest and posttest scores on the MacCAT-CA?
5. Does the presence of a disability significantly affect juveniles’ legal knowledge prior to and after the use of the JCCS curriculum as indicated by pretest and posttest scores on the MacCAT-CA?
6. Does the JCCS curriculum significantly decrease juveniles’ court related anxiety as measured by the Court Related Stress Scales (CRSS)?
(7) Does the JCCS curriculum significantly decrease anxiety for all court related proceedings or is anxiety still apparent on certain court proceedings as indicated by the item scores on the CRSS?

(8) Does age significantly affect a juveniles’ court related anxiety before and after the use of the JCCS curriculum as indicated by the CRSS?

(9) Does the presence of a disability affect juveniles’ court related anxiety prior to and after the use of the JCCS curriculum as indicated by the CRSS?

(10) Are legal knowledge and court related anxiety correlated?

**Hypotheses**

The researcher made the following hypotheses:

(1) The *JCCS* curriculum will significantly increase juveniles’ legal knowledge.

(2) The JCCS curriculum will increase juveniles’ legal knowledge enough to be determined competent in legal knowledge.

(3) The *JCCS* curriculum will significantly increase youths’ legal knowledge on all legal concepts measured by the MacCAT-CA.

(4) Age will have an effect on juveniles’ legal knowledge as indicated on the MacCAT-CA pretest overall score but on the MacCAT-CA posttest overall score, all youths taught the JCCS curriculum will demonstrate a significant increase in legal knowledge regardless of age.

(5) The presence of a disability will have an effect on juveniles’ legal knowledge on the MacCAT-CA pretest overall score but on the MacCAT-CA posttest overall score,
all youths receiving the JCCS curriculum will demonstrate a significant increase in legal knowledge regardless of the presence of a disability.

(6) The JCCS curriculum will significantly decrease juveniles’ court related anxiety.

(7) The JCCS curriculum will significantly decrease juveniles’ court related anxiety on all court related proceedings but moderate anxiety will still be reported by participants on both the CRSS pretest and posttest.

(8) Age will not significantly affect juveniles’ court related anxiety on both the pretest and posttest CRSS.

(9) The presence of a disability will not significantly affect juveniles’ court related anxiety on both the CRSS pretest and posttest.

(10) There is a no correlation between legal knowledge and court related anxiety.

It was hypothesized that the best teaching approaches for use with youths embedded in the JCCS curriculum would significantly increase participants’ legal knowledge and competency ability as well as significantly decrease participants’ court related anxiety. However, despite the hypothesis that the curriculum would significantly decrease youths’ court related anxiety, youths indicated court related anxiety both prior to and after attending court as demonstrated in previous studies. Therefore, it is hypothesized that youths would still demonstrate court anxiety regardless of age, disability, and an increase in legal knowledge.
Participants

An a priori power analysis was conducted to determine sample size needed for the study. A power analysis of F-test Multiple Regression based on an alpha level of .05, medium effect size (.15), power level .95, and 2 predictors (age and disability) determined that 107 students would be needed for a sample size to maintain a critical F. A target number of 150 students to be recruited to participate in the study was set to ensure that at least 107 students participate in the study from start to finish and to ensure that the sample size is large enough have sufficient power for a critical F.

One hundred and three middle school and high school students attending two behavior schools in the Clark County School District (CCSD) participated in this study. Seventy eight participants (76%) were taught the JCCS Curriculum. Twenty five participants (24%) received the control curriculum. Of the participants receiving the JCCS Curriculum, 75% were between the ages of 11 and 15 (n=59) and 24% were 16 and 17 years old (n=19). These percentages mirror the number of children involved in the juvenile justice system as 79% of those involved were under the age of 15 (Puzzanchera et al., 2012). Of the participants receiving the control curriculum, 64% of participants were between the ages of 11 and 13 (n=16) and 36% were 16 and 17 years old (n=9). Nineteen participants were identified as receiving services for special education services. Of the 19 participant students with disabilities, 14 were taught the JCCS Curriculum (74%) and 5 received the control curriculum (26%).
Three hundred and fifty six consent/assent forms were distributed to students during the study’s administration. One hundred and thirty seven were returned for a response rate of 38%. Of the 137 students who agreed to be in the study, 34 students were unable to complete the study for several reasons. Fourteen students were not able to participate in the study because they were released from behavior school and sent back to their respective schools in the middle of the study. Eight students were absent during the last week of the study and were unable to be administered the posttests. Seven students were suspended or expelled from the behavior schools during the course of the study. Three students never officially enrolled in the behavior schools and were not present on campus during the study. Two students were excluded from the study; one of these two students was nine years old and did not meet the age criteria and the other student did not speak English well enough to understand what was being asked in the dependent measures.

Students attending behavior schools were selected as the sample population in the study to strengthen external validity because this population of students has similar attributes to youths involved in the juvenile justice system. There were many more similarities between the population of students attending behavior school and the youths in the juvenile justice system as compared to the typical student population of the Clark County School District. These attributes include the same range of ages, similar demographics, comparable involvement in a disciplinary procedure due to rule-breaking activity, and an overrepresentation of certain minority populations including males, Black/African American youths and youths with disabilities. The JCCS curriculum
was designed for use with youths involved in the juvenile justice system so it was anticipated that finding a sample population to approximate youths who would be engaged in the curriculum would allow for better generalization of results.

**Characteristics of Participants**

Participants’ demographic information was taken from their student records and was compared to CCSD’s overall student demographics, to juvenile justice population’s demographics, and to the demographics of students involved in competency studies to help ensure external validity. CCSD student demographics were taken from the Nevada Department of Education’s 2011-2012 Nevada Report of Accountability (Accountability Report). Statistics of the juvenile justice population for comparison purposes was taken from the Office of Juvenile Justice and Delinquency Prevention’s Easy Access to Juvenile Court Statistics -1985-2010 (OJJDP Statistics 2012) and Juvenile Court Statistics 2009 (Puzzanchera et al, 2012). Despite that participants were chosen from only two behavior schools in Clark County School District, the comparison of participants’ demographics with the overall student profiles in Clark County (district-wide) and Nevada (state-wide) and with the profile of youths involved in the juvenile justice system demonstrated that the study participants had similar demographics profiles to youths attending behavior schools overall and had similar representation of certain key populations of youths involved in the juvenile justice system.

Participating students were between the ages of 11 and 17 (M = 14.12, SD = 1.79). These are the ages of youths typically involved in formal proceedings in the juvenile
justice system. Youths younger than 11 were excluded from the study as youths this age are less likely to be involved in formal proceedings since they are often put on informal probation or given other similar type of consequences depending on state laws governing juvenile justice. Once youths turn 18, they are considered adults in the legal system and are often under the jurisdiction of the adult criminal courts depending on particular state statutes. Participants’ ages were reported from their student records based on their age on the date they were administered their posttests. Seventy-three percent of the participants were 15 years old and younger. Twenty-seven percent were 16 and older. Youths younger than 15 comprised the majority of youths generally involved in the justice system and also were the age group identified in competency studies as much more at-risk of not understanding the legal system and being deemed incompetent to stand trial.

A much higher percentage of males participated in the study than females. This was not surprising as males accounted for a majority of students attending behavior schools. Males accounted for 79% of the study’s participants (n=81) and females accounted for 21% of the participants (n=21). This higher number of males and smaller number of females is similar to percentages of males and females in the juvenile justice system reported at 72% and 28%. Additionally, males involved in the juvenile justice system had the highest risk of being adjudicated on charges and had the highest risk of being given more serious consequences when adjudicated. Thus males’ legal knowledge level and competency ability could have a more drastic effect on their involvement in the juvenile justice system.
Most of the participants in the study were Hispanic. However, Black/African American students in the study were overrepresented in percentages similar to their counterparts in the juvenile justice system. Students whose ethnicity was identified as Hispanic composed 37% of the participants (n=38). The percentage of Hispanic participants was similar to number of Hispanic students attending behavior school overall (41%) and to overall number of Hispanic students district-wide (43.4%) and state-wide (39.6%). The number of Hispanic youth involved in the juvenile justice system was not reported. Students identified as Black/African American consisted of 26% of the total population of participants (n=27). This percentage is almost identical to the percentage of Black/African American students attending behavior schools (29%) and is much closer to the number of Black/African American students in the juvenile justice system (33.5%). The percentage of participants who fall under the Black/African American ethnicity category is considerably higher than their percentages reported district-wide (12%) and state-wide (9.6%). Similar percentages of participants in the study were identified as Multi-Race (7%) to district-wide (5.8%) and state-wide (5.3%) numbers. Participants identified as Asian (n=3), American Indian (n=2), and Pacific Islander each comprised less than 5% of the participant population. This mirrors this population’s statistics involved in the juvenile justice system that were also under 5%. Participants identified as White comprised 26% (n=27) of the study’s population.

A higher percentage of students with disabilities participated in the study in comparison to reported district and state statistics. Eighteen percent of the study participants (N=19) were identified as having a disability. This percentage comes
closer to approximating the higher percentages of youth with disabilities in the juvenile justice system (30% - 33.4%) and is higher than both the district (10.3%) and state (10.8%) percentages of student receiving special education services. Fourteen of the 19 participants received the JCCS curriculum and 5 received the control curriculum. Of the 19 participating students with disabilities, 8 were identified as needing special education services under the category of Specific Learning Disability, 4 were identified under the Emotional Disturbance category, 3 were identified as needing services for Other Health Impairments (all participants in this category were diagnosed with ADHD as specified in their records), 2 students received services under the Speech and Language Impairment category, and 1 student each received services under the category of Autism and Multiple Impairment. Over half of the students needing services were eligible under Specific Learning Disability and Emotional Disturbance, the two most prevalent categories of eligibility/disabilities that youth in the juvenile justice system needed services for. All students receiving services under the Specific Learning Disabilities and Emotional Disturbance categories were taught the JCCS curriculum.

The academic achievement of participants was similar to the achievement level of students enrolled in behavior school overall and much lower than students’ overall academic achievement scores both district-wide and state-wide. Sixty eight percent of participants took the Criterion Reference Tests (N=70). Most participants who took the CRTs did not meet state standards in both Reading and Mathematics. Sixty eight percent of participants who took the CRTs did not meet state standards in Reading (n=48). This percentage was much higher than percentages of overall CCSD students
district-wide (45%) and statewide (30%) who did meet state standards. Seventy two percent of students who took the CRTs did not meet standards in Mathematics (n=51). This was also much higher percentage of students who did not meet standards district-wide (30%) and state-wide (40%). The twenty three percent of participants who took the Proficiency Exams (n=24) faired only slightly better than their younger peers. Half (50%) of the participants scored a “Fail” on the Reading Proficient Exam (n=12). This is more than double the 24% of students district-wide and double the 23% of students state-wide who failed the Reading Proficiency Exam. However, only 37% of participants failed the Math Proficiency Exam which was closer to the percentage of students who failed district-wide (28%) and state-wide (27%). There were no reported CRT or Proficiency scores available for eight percent of participants (n=8).

The study’s participant population and the student population attending behavior school are comparable with youths involved in the juvenile justice system. All populations involve the same age general range of youths – youths 11 to 17 years old. There is an overrepresentation of males, Black/African American youths, and youth with disabilities in the participant population, in the student population attending behavior schools, and in the population involved in the juvenile justice system. Students attending behavior schools, juveniles involved in the juvenile justice system, and juveniles involved in previous juvenile competency studies have been adjudicated in a court or administrative related procedure for breaking a rule. Data indicate youths with disabilities are overrepresented in behavior schools similar to their overrepresentation in the juvenile justice system. The percentage of students with
disabilities is much higher among behavior schools and among the juvenile justice system populations than found district-wide and state-wide. Thus, the participant population involved in the study is reflective of the behavior school population overall, the juvenile justice population, and of juveniles involved in competency studies. As such, this school-based population approximates the one that the JCCS curriculum would be used with and the one in which the effect of the JCCS curriculum could have important implications for.

Measures

The pretest and posttest measures in the study were the Understanding Scale of MacArthur Competency Assessment Tool – Criminal Adjudication (Hoge et al., 1996) and the Court Related Stress Scale (Nathanson & Saywitz, 2006). These measures were chosen due to their use with the juveniles involved in court proceedings and in empirical studies on youths’ legal knowledge and court-related anxiety.

The MacArthur Competency Assessment Tool – Criminal Adjudication (MacCAT-CA)

The MacCAT-CA is a forensic assessment commonly used in juvenile competency evaluations (See Appendix A). Although it used with juvenile populations, it was created for and normed on adult populations. Nevertheless, the MacCAT-CA is the most commonly used forensic assessment in empirical studies of juvenile competency (Burnett et al., 2004; Grisso et al., 2003; Ficke et al., 2006; Redlich et al., 2003; Viljoen et al., 2007; Warren et al., 2003) and the only empirically tested assessment involved in
juvenile competency studies that incorporates an instructional component (Viljoen et al., 2007). The MacCAT-CA has been found to have adequate inter-rater reliability ($R = .75$ for the Appreciation Scale, $R = .85$ for the Reasoning Scale, $R = .90$ for the Understanding Scale) and internal consistency ($a = .88$ for the Appreciation Scale, $a = .81$ for the Reasoning Scale, $a = .85$ for the Understanding Scale) (Otto et al., 1998).

The MacCAT-CA was used with juveniles because it was developed using the framework that competency expert Grisso (1997) suggests for use with juveniles. According to Grisso (2003), the assessment measures juveniles’ understanding, reasoning, and appreciation of court proceedings as delineated in the Dusky standard. The Understanding Scale of the MacCAT-CA has been identified as assessing factual understanding of the court proceedings or legal knowledge component of the Dusky standard.

The MacCAT-CA’s design and scoring involve best practices used with youth as discussed by Sanborn (2009). It not only measures a knowledge-based component but also measures the capacity for accruing knowledge and measures the conceptual understanding of legal proceedings that affect competency by incorporating a teaching component. Administrators can ascertain participants’ understanding of the concept both before and after a teaching component is administered. Scoring in this way allows for the assessment not only of youths’ legal knowledge as presented but on their ability to understand legal proceedings after having concepts explained to them. Additionally, other assessments measure competency ability based on a total test score composed of an aggregate of scores on various sections of the assessment. Aggregate scoring can
mask competency deficits in and lack of understanding of particular legal concepts. The MacCAT-CA assesses the three components of competency per the Dusky standard in its three scales. Scoring is done both item-wise and by scale. Sectioning the assessment into scales and scoring the MacCAT-CA by scale allows administrators to identify participants’ competency-related deficit area as a whole and on particular concepts within the scale. Finally, the scoring of the MacCAT-CA allows participants to respond verbally to items but identifies key components of in their response to determine an understanding of the basic element of each legal concept. Thus juveniles do not obtain a lower score for their unique, developmentally related response as long as their response indicates those elements.

The items on the Understanding Scale of the MacCAT-CA are based on a scenario of two men getting into a fight at a bar. Fred is accused of assaulting Reggie with a pool stick. Participants are asked questions about court related procedures that Fred must go through when he is charged with assault and about people who are involved in Fred’s case throughout the adjudication process.

There are eight items on Understanding Scale. The eight Understanding items establish the basis of a participant’s knowledge of the following legal concepts: Role of Defense/Prosecution (MacCAT-CA Item 1); Elements of an Offense (MacCAT-CA Item 2); Elements of a Lesser Offense (MacCAT-CA Item 3); Role of Jury (MacCAT-CA Item 4); Role of Judge in Trial (MacCAT-CA Item 5); Consequences of a Conviction (MacCAT-CA Item 6); Consequences of a Guilty Plea (MacCAT-CA Item 7); and Rights Waived with a Guilty Plea (MacCAT-CA Item 8). Six of the eight Items
have a teaching component that is to be used when a participant receives less than a perfect score on a participant’s initial response to that item. The items of Elements of an Offense and Elements of a Lesser Offense do not have a teaching component associated with them.

Participants are read each item orally by the administrator from a booklet. Based on the score on the question, the administrator may be prompted to move to the next question or to provide the teaching component and then move onto the next item. A participant can receive 0, 1, or 2 points on each item based on the adequacy of the participant’s response. The participants’ highest score either prior to or after the teaching component is administered is recorded for the score on that item. A total score of 2 points on each item is considered a perfect score on that item.

An example of the administration and scoring of an item on the MacCAT-CA can be found using Item 1. Item 1 of the MacCAT-CA measures participants’ knowledge of the Roles of the Defense and Prosecuting Attorneys. Item 1 also involves an instructional component. In Item 1, the administrator asks the participant the following: “Let’s say that Fred gets arrested and charged with a crime. Fred gets a lawyer. Fred’s lawyer is called the attorney for the defense. What is the job of the attorney for the defense?” The participant’s answer to the question verbatim is recorded. The administrator then gives the participant a score of 0 points or 1 point on that response. The administrator gives the participant a score of 1 point if the participant recognized that the attorney for the defense represents the defendant’s side of the case. The administrator gives the participant a score of 0 points if the participant
shows inadequate recognition of the role of the defense attorney. The administrator is then prompted to read the second question of Item 1: “There is another lawyer involved in Fred’s case who is called the prosecutor. What is the job of the prosecutor?” The participant’s answer is again recorded and scores as either 0 points or 1 point. The administrator gives the participant 1 point if the participant recognized that the prosecutor is opposed to the defendant in the case. The administrator gives the participant 0 points if the participant shows inadequate recognition of the role of the prosecutor.

After the participant’s answers are recorded for the first two questions in Item 1, the administrator sums the two scores. If the participant receives a perfect score of 2 points, the participant recognizes the role of the defense attorney as representing Fred’s side of the case and recognizes the prosecutor as being opposed to Fred in the case. The administrator then moves onto Item 2 and does not need to administer the teaching component. If the participant receives a score of 1 point, the participant recognizes only one of the attorney’s roles in the adjudication process. The administrator is then prompted to read the teaching component of this item. If the participant scores a “0” on the 2 questions in Item 1, the participant has inadequate recognition of the role of either attorney and the administrator is prompted to move onto the teaching component of Item 1.

If the participant received 0 points or 1 point on the first part of Item 1, the administrator is prompted to read the following paragraph to the participant: “Fred learns something about how the legal system works. There are two sides. On one side
is Fred’s lawyer who is called the attorney for the defense. He will try to show that Fred did not commit a crime. Also, as the case goes on, the defense attorney will tell Fred what his choices are. On the other side is a lawyer called the prosecutor. The prosecutor will try to show Fred did commit a crime and that there is no excuse for what Fred did. In your own words, tell me what Fred just found out about the legal system.”

The participant’s response is again recorded verbatim. The participant’s response is assigned a score of 0 points, 1 point, or 2 points on this instructional component section. The participant’s summed score on the first two questions of Item 1 is then compared to the score of the response after the teaching component was administered. The higher of the two scores is recorded as the participant’s final score for Item 1.

An aggregate score of 16 points on the Understanding Scale of the MacCAT-CA is a maximum score a participant can receive (Pothyress el al., 1999). Scores between 16 and 10 points on the MacCAT-CA are interpreted as a participant having “minimal impairment” or “no impairment” in the area of legal knowledge. Scores of 9 and 8 points indicate that a participant has a “mild impairment” in this area. Scores below 7 points indicate a participant exhibiting “significant clinical impairment” in legal knowledge. The score of 8 points on the MacCAT-CA was determined to be the cut off score for determining competency legal knowledge. Scores above and below 8 points were used in data analysis.
The Court Related Stress Scale (CRSS)

The Court Related Stress Scale (Saywitz & Nathanson, 2006) is a scale used to measure youths’ court-related anxiety (See Appendices B and C). Saywitz and Nathanson adapted Yamamoto and Byrnes (1987) Stressfulness of Life Events Scale so that it could be used to measure anxiety related to legal proceedings. To date, the Court Related Stress Scale is the only scale used in an empirical study on youths’ court related anxiety (Nathanson & Saywitz 2003). The CRSS is administered in pretest/posttest situation to determine if a youth’s anxiety has lessened with the use of an intervention. Items on the CRSS can be scored item-wise and on an aggregate score to determine change in overall court related anxiety level and to determine change in anxiety levels for particular court related experiences.

There are 10 items on the CRSS. Each item begins with “How would you feel about…” and identifies a court experience that a youth attending court might be involved with. These court related experiences are: going to court (CRSS Item 1); being a witness in court (CRSS Item 2); answering attorneys’ questions in court (CRSS Item 3), answering question in front of a judge in court (CRSS Item 4); answering questions in front of strange adults in court (CRSS Item 5); having people not believe you in court (CRSS Item 6); not knowing the answers to questions asked in court (CRSS Item 7), answering embarrassing questions in court (CRSS Item 8); answering questions in front of someone who might have hurt you in court (CRSS Item 9), and crying in court (CRSS Item 10).
Participants are read each item from the CRSS pretest or posttest protocol and then asked to rate how upsetting or bothersome the aspect of going to court covered in each item would be to them. Participants are then given time to respond to the same numbered item on a CRSS Answer Sheet (See Appendix D). Participants respond by putting an “X” on a face that represents their feelings on that aspect of court. Each item has a row of 5 faces in a Likert scale. The first face’s mouth is a straight line indicating a neutral face or “least unhappy” face. The fifth, last face’s mouth is an upside down semi-circle indicating the “unhappiest face.” The three faces in between have mouths ranging from slightly turned down at each corner to almost completely turned down. These middle faces indicate a response that is more bothersome than “least unhappy” but less bothersome than the “unhappiest” one. Participants are provided an example question to a practice item prior to administration of the actual items to ensure that participants understand how to respond correctly.

**Intervention**

Participants in the study were taught one of two curriculums as the intervention. Study participants assigned to the experimental group received the *Juvenile Competency Court School* curriculum (JCCS curriculum). Participants assigned to the control group received a curriculum that explained the Clark County School District’s Expulsion Proceedings (control curriculum). The curriculums were created to be similar in design as they involved the same methodology and were to be taught over the course of 2 hours.
Juvenile Competency Court School Curriculum (JCCS curriculum)

The JCCS curriculum was created based on the current *Kids’ Court School* curriculum by Nathanson and Saywitz (2003) (See Appendix E). The empirically based *Kids’ Court School* curriculum teaches children about the investigative and judicial processes in order to educate them about court appearances in which they might testify as witnesses or victims of crime. Studies on the effect of the *Kids’ Court School* curriculum have revealed that the curriculum significantly decreases anxiety associated with going to court (Nathanson & Saywitz, 2003).

The JCCS curriculum was intended for juveniles involved in delinquency court proceedings to teach them about the adjudicative proceedings they will be facing as defendants. Like the MacCAT-CA, it was created based upon the juvenile competency standard involving juveniles’ understanding, reasoning, and appreciation of the legal system as articulated in the Dusky Standard. The curriculum is also based on the premise that competency instruments used with juveniles must take into account their unique abilities and development and designed with the understanding that children can often learn facts without really comprehending their meaning and application (Baranoski, 2003; Grisso, 1997; Oberlander et al., 2001; Sellers & Arrigo, 2009). The new curriculum involves stress inoculation techniques such as self-talk and deep breathing techniques to reduce court related stress. It also teaches communication strategies to facilitate participants’ ability to communicate with and assist counsel in their defense.
Key learning objective of the JCCS curriculum are: (a) participants will gain a factual understanding of juvenile delinquency proceedings; (b) participants will gain a rational understanding or appreciation of juvenile delinquency proceedings; (c) participants will learn a decision-making strategy to enable them to make decisions regarding legal issues pertaining to them; and (d) participants will gain the ability to assist their legal defense by being able to both understand their attorney and communicate their own thoughts effectively. The curriculum focuses on five areas associated with determining juvenile competency: (1) knowledge; (2) appreciation; (3) decision-making; (4) communication; and (5) emotion.

This study examines the effect of the JCCS curriculum’s Knowledge component; one of the three components of the curriculum. The Knowledge component of the JCCS curriculum was created to teach juveniles’ about court proceedings and to present factual information on delinquency proceedings in the following areas: (1) pre-trial process (charge, investigation, evidence collection, proof); (2) roles and functions of courtroom participants (i.e. judge, bailiff, prosecuting and defense attorneys, defendant); and (3) court proceedings (i.e., plea hearing, contested hearings). Legal concepts are taught in the curriculum using a scenario where a 10th grade student named John is accused of stealing an IPOD. John is taken through the adjudication process when he is charged with theft. The adjudication process is taught by providing youths with a developmentally-appropriate definition of a legal concept using terminology used in court proceedings, relating the concept to an analogous event in youths’ lives to facilitate abstract-to-concrete thinking, having youths repeat back the definition of the
concept, giving youths the opportunity for feedback to demonstrate their understanding or lack of understanding of the concept, and reinforcing youths for their response efforts. This approach allows the instructor to conduct a formative evaluation of participants’ knowledge of the concept.

An example of how the JCCS curriculum deals with legal concepts can be found in the explanation of what it means to be “accused” of a crime. Participants are taught that the definition of accused is to “blame someone for doing something wrong.” The instructor then gives participants an example that if the participants “accuse someone of taking a pencil, the participants “are blaming that person for taking their pencil.” The participants are then asked if they have ever been accused of something. Once they respond, they are asked if they really did what they were being accused of. Regardless of their admission of guilt or innocence, participants are told that just because someone is accused of something, it does not mean that that person did it for certain. Participants are provided with various reasons why accusations occur. Finally, participants are asked to respond in their own words as to what it means to be accused of something. If participants do not show an understanding of what accused means, the instructor provides the definition again. The instructor then praises the participants for their participation and moves on to the next concept.

Within the Knowledge component of the JCCS curriculum, there are points in which the instructor conducts a summative evaluation of participants’ understanding of legal concepts. The summative evaluation sections allow the instructor to ensure that the participants understood the concepts after a time lapse and allow the opportunity to
provide corrective feedback if there is a lack of understanding. After each of the areas covered (pre-trial, roles and functions of courtroom participants, and courtroom procedures), participants are each handed a red card with the word “WRONG” on it and a green card with the word “RIGHT” on it. The instructor then reads several phrases relating to the curriculum and asks participants to hold up the appropriate card to indicate their responses to the phrase. If participants show confusion or a lack of understanding of a concept, the instructor provides the correct response.

**Control Curriculum**

The control curriculum was created to mirror the design of the Knowledge component of the JCCS curriculum (See Appendix F). The control curriculum teaches youth about expulsion proceedings in the Clark County School District. It takes the participants through: (1) the initial expulsion referral (i.e. rule violation, recommendation for expulsion, meeting with the dean/principal, decision to contest/not contest the recommendation); (2) the roles and functions of CCSD personnel involved in the expulsion proceedings (i.e. principal, ESD representative, Expulsion Hearing Panel); and (3) the official expulsion proceedings (i.e., meeting with the ESD representative, meeting with Expulsion Hearing Panel, meeting with Board of Trustees Expulsion Review Board). Information for the control curriculum was taken directly from Clark County School District’s Policies and Regulations.

Similar to the way the JCCS curriculum unfolds, participants are taught about the expulsion process using a scenario where John the 10th grader is being
recommended for expulsion from his school because someone said he stole an IPOD. Participants go through the expulsion procedure and are taught concepts used in this procedure. Expulsion procedures are taught using definitions relating to expulsion, analogies relating to their lives, repetition of the definition of the expulsion proceedings and personnel in their own words, and use of corrective feedback of any lack of understanding. The control curriculum also contains the three sections for summative evaluation built into it.

While the design of the control curriculum is identical to the JCCS curriculum and takes participants through a particular school process, the control curriculum does not contain any legal terms or concepts related to delinquency proceedings. Upon the control curriculums’ creation, it was ensured that both the terminology and proceedings discussed did not relate to aspects taught in the JCCS curriculum.

Procedure

Site Recruitment

The researcher began recruiting sites to conduct the study by meeting with a director in the Clark County School District’s Educational Services Division, the division that oversees the behavior schools. The researcher discussed the JCCS Study with the director and asked for his support. The director sent an email introducing the researcher to the five behavior school principals and asked the principals to consider participating in the JCCS study. The researcher then contacted the principals via email to inform them of the study and gage their level of interest. The principal of two
behavior schools did not respond to the researcher’s emails. The principals of three behavior schools - Peterson Behavior JR/SR High School, Jeffrey Behavior JR/SR High, and Morris Behavior JR/SR High School – emailed the researcher and stated they were interested in participating in the study. The researcher met with all three principals in person to discuss the particulars of the study. They all agreed to allow the researcher to conduct research on their campuses. Between the time of the initial contact to gage interest in the study and the implementation of the study, the principal at Jeffrey Behavior JR/SR High School transferred to a different administrative position. Thus the JCCS study was conducted on the Peterson and Morris JR/SR High School campuses only.

A few weeks prior to the beginning of the study on each campus, all teachers at the behavior school were informed of the study by their administrators. The week before the study was going to begin, the researcher met with the teachers to enlist their support, discuss the scope of the study, identify when the researcher would be coming in to teach the curriculums in their classes, and ascertain what was going to be asked of participating students.

**Student Recruitment**

To recruit student participants, the researcher attended selected classes prior to the beginning of the study and asked students to consider participating in the study. The researcher read the *Script for Requesting Student Participation* to each class (See Appendix G). The *Script* describes what the students will be asked to do if they agree
to participate in the study and the risks/benefits of participation. The Parental Consent and Youth Assent Forms (Forms) were handed out and read aloud (See Appendices H and I). The researcher then answered any questions the students had. Forms were collected by students’ first period teachers throughout the week. The administrators of the behavior school also provided incentives to help the researcher gain participants. They agreed to deliver donuts to students who agreed to participate in the study during the recruitment phase. The researcher collected all returned Consent/Assent Forms and prior to the first date of the pretest.

**Training Research Assistants**

Eight research assistants were hired and trained to administer the MacCAT-CA and CRSS pretests and posttests. Persons other than the researcher were chosen to administer the tests to control for any possible researcher bias. Research assistants were recruited via an email to the UNLV Boyd School of Law student list-serv.

During an initial meeting, the researcher and principal investigator trained the research assistants on how to administer the measures. The researcher and principal investigator read through each measure and through their scoring criteria with the assistants. They modeled the administration of each assessment using a “mock student.” The researcher and principal investigator discussed how the mock student’s answers should have been recorded and scored on each assessment. The research assistants were then observed administering the assessments to each other and were evaluated in their administration of the assessments. Confusing or ambiguous answers
were discussed en masse to foster better inter-rater reliability. The research assistants were informed that if they were confused about a participant’s answer or about how to score an answer during their administration of the assessments to participants, they should put a post-it note on the page with information about the confusion. The researcher and principal investigator reviewed the notes and made a final determination on the controversial response. The research assistants were then required to practice administering the assessments on their own time to facilitate ease of administration and to see if any other ambiguity arises in their administration.

A second meeting was set up with the research assistants after they had time to practice their administration of the MacCAT-CA and CRSS. Questions about administration were answered. The researcher watched the assistants administer the measures to one another once again.

It was ascertained that all research assistants were competent in administering the assessments prior to allowing them to administer the assessments to participants. Additionally, all researchers were required to complete the CITI Human Subjects course and provide the researcher a certificate of completion prior to assessing the participants.

**Data Collection**

Data collection took place three times over the course of the 2012-2013 school year. The study was conducted in November/December at Peterson Behavior JR/SR High School, in February/March at Morris Behavior JR/SR High School, and in April/May at Peterson Behavior JR/SR High School again. These months were
suggested by the schools’ administrators because there would be a more stable student population attending behavior schools during these time periods.

Cluster sampling was used to assign students to either the experimental or control group by class. In order to ensure that there was a large enough sample size to evaluate the effects of the JCCS curriculum on juvenile competency, it was decided that all participants in the first two rounds of the study would be assigned to the experimental group and be taught the JCCS curriculum. Due to the unpredictable variability of attendance at behavior school, it was unclear until data collection was taking place if there would be enough subjects to use a control group or if a control group would have to be omitted. By assigning all the participants to the experimental group in the first two rounds of the study, the researcher was able to maximize the number of participants receiving the experimental curriculum and ascertain the number of participants needed to be taught the control curriculum. Additionally, by ensuring that all students in the first two rounds of the study be involved in the experimental group, participants from both schools were ensured participation in the experimental group.

Data from the first two rounds of data collection were analyzed to determine both which school the researcher would conduct the last round of the study at and how many participants would be needed for an appropriate size control group. The analysis of the first two rounds of study determined that there was already a significant overall effect on the change from pretest to posttest on one of the assessments (p<.001). With this significant effect, the researcher decided that the goal of the last round of the study
would be to get an appropriate sized control group and to ensure an even number of participants in the experimental group from both schools. As 20 students from Peterson completed the first round of the study and 33 Morris students participated in the study in the second round, the researcher chose to return to Peterson for the last round of the study. Fifty nine students from Peterson consented to be in the study during the final round of the study’s administration. Of the 59 students who consented to participate in the study at Peterson, it was estimated that approximately 45 would complete the study. Thus it was estimated that 98 student would participant in the study altogether. Attempting to ensure a 2:1 ratio of participants in the experimental to control groups, the researcher aimed to obtain 30 participants for the control group and the rest to the experimental group. The researcher counted the number of participating students in the last round of the study by period and by type of class. This allowed the researcher to assign classes to the control group to reach close to 30 participants and also to ensure that the control group was made up of both middle school and high school participants for comparison purposes.

Each round of the study was administered over the course of four weeks. During the first week of the study, the researcher recruited student participants. Throughout the second week of the study, the research assistants administered the MacCAT-CA and CRSS as the pretests to participating students. On the third week of the study, the researcher taught one of the two interventions to all students attending the behavior school during the course of two days. The research assistants administered the
MacCAT-CA and CRSS as the posttests to participating students on the fourth and last week of the study.

After recruiting students during the first week of the study, participating students who turned in their forms to their teachers were administered the MacCAT-CA and CRSS pretests by research assistants in a private or semi-private location on the second week. Research assistants picked up their testing materials from a box in the principals’ office every day. The assistants pulled participating students from their classes to pretest them. The assessments were read verbatim. Before, after, and in between the assessments, the assistants were given allowable prompts to use with participants to ensure consistency of administration of the assessments and also to ensure that the assistants were not leading the participants inadvertently (See Appendix J). When the pretest assessment was completed with a participant, the research assistant returned the participant to class and got the next participant. This routine continued until all participants were pre-tested. At the end of each day of the pretest administration, all research assistants returned their testing materials to the box in the principal’s office. The researcher ensured that all participants who consented to be in the study were pretested prior to when the intervention took place.

The researcher came in the third week of the study to teach the interventions in Explorations and Guidance Classes. These courses were chosen to teach the intervention because they were mandatory for every student attending behavior schools. Thus it was assured that the researcher would have access to all students on campus at the time of administration. The curriculums were taught over the course of two days with each
session being taught during a 53 minute period. The number of students in classes ranged from 5 students to 20 students.

All participating students who were pretested on the first week of the study were administered the posttests on the last week of the study by research assistants. The posttest protocols were identical to pretest ones with one additional directive to help control for a confounding variable. As not all research assistants were able to work every week of study, it was determined that all participants would be administered the posttests by a different research assistant than the assistant that administered them the pretests. This would help limit any biasing effect by the tester. Research assistants were instructed accordingly. Similar to the pretesting procedure, research assistants pulled participants from their classes, administered the pretest assessments in a private or semi-private room, used the allowable prompts provided with their testing materials, and returned the participants to their classes. Research assistants returned their testing materials to the principal’s office at the end of each day. The researcher again ensured that as many participants’ posttests were completed as possible.

On the last day of each round of the study, the researcher collected the demographic information of all participants who completed the study from CCSD’s database and students’ school folders. Participants’ ages, disabilities, genders, ethnicities, and academic achievement scores were recorded for analysis purposes.
CHAPTER 4

RESULTS

Data Coding

The participants’ ages, genders, ethnicities, disabilities, academic achievement, and item and overall scores from the MacCAT-CA and CRSS were coded and entered in SPSS Statistics 22. All demographic data were coded based on participants’ school records.

Participants’ ages by year on the date the participants were administered the posttests were recorded. The data was coded both by year as a continuous variable as well as grouped by ages of 11-13, 14-15, and 16-17. Ages were coded this way due to previous studies indicating that juveniles under the age of 13 may have a higher risk of being considered incompetent, juveniles between the ages of 14-15 may have a fairly equal chance of being evaluated as competent or incompetent, and juveniles above the age 16 are likely to be deemed competent. It was hypothesized that examining participants’ scores based on age by year as well as groups would add to juvenile competency literature and to assist in identifying trends of legal knowledge at particular ages that may be been masked by groupings.

Participants’ ethnicities were determined by the ethnicity codes reported in their student records. Ethnicity codes used by the Clark County School District are
White, Black/African American, Hispanic, Asian, American Indian/Native Alaskan, Multi-Race, and Pacific Islander.

Participating students’ school records were reviewed to determine if a participant was a student with a disability. If a participant’s school record did not identify that the participant has a disability, the lack of a disability was noted in the data. If a participant was identified as having a disability, the participant’s disability was reported based on the eligibility code connoted in the student’s current Individualized Education Program (IEP). Participants in the study were eligible for special education services under the following disability categories: Specific Learning Disabilities, Emotional Disturbance, Health Impairment (ADHD), Autism, Speech and Language Impairment, and Multiple Impairments. Data was coded and analyzed to examine the effect of particular disabilities on legal knowledge and court related anxiety.

Participants’ academic achievement in both Reading and Mathematics were determined by participants’ most recent scores on state-wide criterion assessments. These criterion tests were either Criterion Reference Tests (CRTs) or the High School Proficient Exam (HSPE) in both subjects. Students’ scores ranged from 100 and 500 on each of the CRTs in Reading and Mathematics. CCSD’s Reading and Mathematics HSPEs were recorded as either “Pass” or “Fail” per CCSD’s coding system.
Participant’s pretest and posttest scores on the MacCAT-CA overall and on each item were entered into the data set. Each of the eight Understanding Items on the MacCAT-CA was scored as a 0, 1, or 2 points per the MacCAT-CA scoring protocols (Pothyress et al., 1999). A score of 0 points indicated a lack of understanding of that particular concept. A score of 1 point indicated a partial understanding of that legal concept. A score of 2 points indicated a full understanding of that topic. For scoring and analysis purposes, any score less than 2 points would be considered less than a full understanding of that particular legal topic.

To determine overall pretest and posttest scores on the MacCAT-CA, participants’ scores on each item prior to receiving the brief instruction on the particular item were recorded, summed, and used for data analysis. Pretest and posttest scores were reported in this way to help isolate the effect of the treatment condition and to control any testing bias. Thus participants’ legal knowledge prior to receiving any instruction was reported as participants’ overall pretest score on the MacCAT-CA. Viljoen et al. (2007) reported their pretest scores similarly to indicate participants’ legal knowledge on the MacCAT-CA prior to intervention thus allowing for better comparisons between the two studies. Participants’ scores after the intervention but before the brief instruction involved in MacCAT-CA posttest was reported as participants’ overall posttest score. Per MacCAT-CA scoring protocols, overall scores of 16 through 8 points were considered no impairment, minimal impairment, or mild impairment in legal knowledge. Overall scores below 7 points were considered “significant clinical impairment” in competency ability. Therefore, a
score of 8 points on the MacCAT-CA was used as the cutoff score to determine competency in the study.

Each of the 10 items on the CRSS was recorded along with an aggregate score of all items on participants’ pretest and posttest CRSS. For scoring purposes, each of the 5 faces on the Likert scale of faces on an item was given a numerical value. The most neutral or “least unhappy” face was recorded as 1 point and the “unhappiest” face was recorded as 5 points. Faces between the two extreme faces starting next to the neutral face were recorded as 2, 3, or 4 points. The range of total scores a participant could receive was from 10 to 50 points. Participants could obtain a total score as low as 10 points if they received a score of 1 point per item and marked the “least unhappy” face for each item. This score would indicate a very low level of anxiety related to court proceedings. A participant could score an aggregate score as high as 50 points if participants marked the “unhappiest” face on each item and received a score of 5 points per item. A score of 50 points would indicate a high level of court-related anxiety. Scores in between 10 and 50 points would indicate court related anxiety from low to high depending on where the scores lies along the continuum. Changes in scores from pretest to posttest scores were used to determine a participants’ change in anxiety level.

Data Analysis

Descriptive and inferential statistics were computed to identify the effects of the JCCS curriculum on legal knowledge and court related anxiety. The researcher
computed and ran statistics of participants’ overall pretest and posttest scores on both the McCAT-CA and CRSS by age (groups and years), disability, gender, ethnicity, and academic achievement. To determine inferential statistics, in most cases, repeated measure tests were chosen for data analysis. Repeated measures tests were selected in this study because they account statistically for the confounding effects that the exposure to a dependent variable used more than once during the administration of a study might have on participants’ pretest and posttest scores and also to account for how the participants’ legal knowledge and court related anxiety might change over time.

**Preliminary Analyses**

To ensure there were no differences between the participant groups who received the JCCS curriculum and the control curriculum on legal knowledge and court related anxiety, preliminary analyses were conducted. There were no significant differences were found between the two groups on the pretest measures overall and by individual item on the MacCAT-CA and CRSS. Thus, there were no statistical differences found among the participants assigned to the control group and participants assigned to the experimental group. Tests of normality were also conducted before conducting analyses. These tests indicated that the assumptions of normality were not violated as skewness and kurtosis were both under the absolute value of 1.
Effects of the JCCS Curriculum on Legal Knowledge

To determine the effects of the JCCS curriculum on legal knowledge, repeated measure tests were conducted using the pretest and posttest MacCAT-CA overall scores as the dependent variables and the experimental/control with the other independent variables (i.e. age, disability, gender, ethnicity, and academic achievement) as the between-subject variables.

The repeated measure test revealed an overall significant treatment effect of the JCCS curriculum on legal knowledge from pretest to posttest, $F(1, 14.16) = 3.96$, $p < .05$, $\eta^2 p = .038$. Participants receiving the JCCS curriculum ($M_{pre} = 5.73$, $SD_{pre} = 2.68$; $M_{post} = 8.21$, $SD_{post} = 2.99$) demonstrated a significant increase in their legal knowledge in comparison to participants receiving the control curriculum ($M_{pre} = 6.46$, $SD_{pre} = 2.59$; $M_{post} = 7.59$, $SD_{post} = 3.16$).

To investigate the JCCS curriculum’s effect on participants’ understanding of various legal topics, repeated measures tests were conducted with each item’s pretest and posttest score imputed as dependent variables and the treatment effect as the between–subject variable. There was one statistically significant treatment effects on the items - Rights Waived with a Guilty Plea (Item 8), $F(1, 4.74) = 8.13$, $p < .05$. Participants receiving the JCCS curriculum ($M_{pre} = .26$, $SD_{pre} = .55$; $M_{post} = .82$, $SD_{post} = .81$) demonstrated a significant increase in understanding on this topic whereas participants receiving the control curriculum did not demonstrate a statistical increase in knowledge ($M_{cntlpre} = .28$, $SD_{cntlpre} = .46$; $M_{cntlpost} = .32$, $SD_{cntlpost} = .55$).
Descriptive statistics on the MacCAT-CA items revealed that participants struggled with the other legal topics based on their posttest scores (See Table 1). Participants could earn a score of between 0 and 2 points on each item. A score of 0 points was considered a lack of understanding on a particular item measuring a legal concept; a score of 1 point was considered partial understanding of the concept; and a score of 2 points was considered a full understanding of the legal concept the item was measuring. Participants’ posttest scores indicate that participants had a partial and approaching full knowledge of the Role of Defense/Prosecution and the Consequences of a Guilty Plea. Participants had a partial understanding of the Role of a Jury. Participants had a less than partial knowledge of Elements of a Lesser Offense, Rights Waived with a Guilty Plea, the Consequences of a Conviction, Role of Judge in a Trial and Elements of an Offense. All mean posttest scores were reported below 2 points indicating that participants demonstrated a less than full understanding of most legal concepts even after being administered the JCCS curriculum.
Table 1: Participants’ Posttest Mean Scores on MacCAT-CA Items

<table>
<thead>
<tr>
<th>MacCAT-CA Item</th>
<th>JCCS M (SD)</th>
<th>Control M (SD)</th>
<th>F(1)</th>
<th>p</th>
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</thead>
<tbody>
<tr>
<td>Consequences of a Guilty Plea (Item 7)</td>
<td>1.69 (.52)</td>
<td>1.64 (.57)</td>
<td>.184</td>
<td>.669</td>
</tr>
<tr>
<td>Role of Defense/Prosecution (Item 1)</td>
<td>1.56 (.68)</td>
<td>1.58 (.72)</td>
<td>.024</td>
<td>.887</td>
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<tr>
<td>Role of Jury (Item 4)</td>
<td>1.08 (.66)</td>
<td>1.08 (.81)</td>
<td>.000</td>
<td>.985</td>
</tr>
<tr>
<td>Elements of a Lesser Offense (Item 3)</td>
<td>.88 (.84)</td>
<td>.92 (.81)</td>
<td>.063</td>
<td>.802</td>
</tr>
<tr>
<td>Rights Waived with a Guilty Plea (Item 8)</td>
<td>.82 (.82)</td>
<td>.32 (.56)</td>
<td>8.129</td>
<td>.005</td>
</tr>
<tr>
<td>Consequences of a Conviction (Item 6)</td>
<td>.74 (.71)</td>
<td>.76 (.72)</td>
<td>.009</td>
<td>.923</td>
</tr>
<tr>
<td>Role of Judge in Trial (Item 5)</td>
<td>.74 (.71)</td>
<td>.52 (.71)</td>
<td>1.87</td>
<td>.174</td>
</tr>
<tr>
<td>Elements of an Offense (Item 2)</td>
<td>.63 (.76)</td>
<td>.76 (.83)</td>
<td>.546</td>
<td>.461</td>
</tr>
</tbody>
</table>

**Age and Legal Knowledge**

A repeated measure test was conducted to determine the effect that age had on legal knowledge. Age by year and the experiment/control condition were entered as the between-subjects variables on the MacCAT-CA pretest and posttest. Analyses
were run on age both as a continuous and categorical variable as discussed in the Data Coding section. Results indicated that there was no significant age effect on participants’ overall responses from pretest to posttest on the MacCAT-CA after being administered the JCCS curriculum.

**Disability and Legal Knowledge**

Disability was also examined as a factor in participants’ legal knowledge. A repeated measure test with disability and the treatment condition entered as the between-subject variables on the MacCAT-CA pretest and posttest overall scores indicated that disability did not affect legal knowledge.

**Other Demographics and Legal Knowledge**

Exploratory analyses on the effects of gender, ethnicity, and academic achievement were conducted using repeated measure tests on the pretest and posttest MacCAT-CA scores with treatment condition and the particular demographic of the participant as between-subject variables. Results indicated that there were no significant effects of these demographics on legal knowledge.

In sum, analyses indicated that there was a significant treatment effect for the JCCS curriculum. However, despite the increase in legal knowledge that participants receiving the JCCS curriculum exhibited, youths still struggled with fully understanding many aspects of the law as demonstrated by their posttest item scores.
Additionally, age, disability, gender, ethnicity, and academic achievement did not have an effect on participants’ legal knowledge.

**Effects of the JCCS Curriculum on Juvenile Competency to Stand Trial**

To determine the effect that the JCCS curriculum had on competency, data was analyzed to determine participants’ overall score on the MacCAT-CA prior to participants receiving the teaching component of the MacCAT-CA. A one way ANOVA revealed that there was no significant difference between pretest means on the MacCAT-CA of the participants in the treatment group (M=5.71, SD=2.67) and in the control group (M=6.40, SD = 2.55). Since both reported means were less than the cutoff score of 8 points, the means of both groups indicate that participants would have been considered incompetent before any teaching occurred. In addition to significantly increasing legal knowledge at the p<.05 level in comparison to the control curriculum, the JCCS curriculum brought participants from incompetency to competency. Participants receiving the JCCS curriculum went from being considered incompetent (M= 5.73, SD = 2.68) to competent after the intervention as their mean scores were above 8 (M= 8.21, SD= 2.99). Participants who received the control curriculum were considered incompetent (M = 6.46, SD = 2.59) prior to intervention and remained incompetent (M= 7.59, SD = 3.16), after intervention. Descriptive statistics revealed a similar pattern. Of the participants who received the JCCS curriculum who were deemed incompetent based on pretest scores, 56% were considered competent after they received the treatment. Only 38% of participants who received the control curriculum went from incompetent to competent based on
their pretest and posttest scores after the intervention. A higher percentage of participants receiving the JCCS curriculum were considered competent based on posttest means.

**Effects of the JCCS Curriculum on Court Related Anxiety**

To determine if court related anxiety was affected by the use of the JCCS curriculum, multiple regression tests were conducted using the pretest and posttest CRSS as the dependent variables and both treatment and the demographics of age, disability, gender, ethnicity, and academic achievement as the between-subjects variables. A repeated measure test revealed that there was no significant effect of the JCCS curriculum on court related anxiety. The JCCS curriculum did not significantly decrease juveniles’ court related anxiety levels as measured by the CRSS. There were also no significant effects for the JCCS curriculum on each of the CRSS items. Thus there was no statistically significant change in participants’ anxiety on any specific court related proceeding and on court related anxiety generally from pretest to posttest.

Despite no statistically significant decrease in participants’ anxiety levels regarding various aspects of court, descriptive data was analyzed to examine what aspects of court juveniles are anxious about as this could add to the few studies on this topic. On the CRSS, responses to each of the 10 items were recorded on a Likert face scale from 1 to 5 points with 1 point indicating a low level of anxiety on this aspect and 5 points indicating a high level anxiety on this aspect of court.
total scores could range between 10 and 50 points. The pretest and posttest means were computed of participants in both conditions. Overall participants’ means on the pretests and posttests in the treatment group ($M_{pre} = 32.03$, $SD_{pre} = 7.53$; $M_{post} = 32.08$, $SD_{post} = 8.71$) and in the control group ($M_{pre} = 31.68$, $SD_{pre} = 6.89$; $M_{post} = 30.20$, $SD_{post} = 9.20$) were in the low 30’s.

These scores indicate a “neutral” anxiety level as these scores are between low and high levels of court-related anxiety throughout the study for both groups of participants. On individual items, means scores reported a neutral level of anxiety on each of the court-related experiences measured on the CRSS items except for one item (See Table 2). Participants indicated a neutral level of anxiety on the following court-related experiences: going to court; being a witness in court; answering attorneys’ questions in court; answering question in front of a judge in court; answering questions in front of strange adults in court; not knowing the answers to questions asked in court; answering embarrassing questions in court; answering questions in front of someone who might have hurt you in court; and crying in court. Participants’ mean scores on these items were found to be between 2 and 4 points. The court-related experience that caused the most anxiety for participants was having people not believe you in court. Participants’ means scores on both groups were over 4 points; indicating a high level of stress regarding their perceived culpability.
Table 2: Participants’ Posttest Mean Scores on CRSS Items

<table>
<thead>
<tr>
<th>CRSS Item</th>
<th>JCCS M (SD)</th>
<th>Control M (SD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Being a witness in court (Item 2)</td>
<td>2.23 (1.21)</td>
<td>2.16 (1.31)</td>
</tr>
<tr>
<td>Answering attorneys’ questions in court (Item 3)</td>
<td>2.27 (1.29)</td>
<td>2.44 (1.23)</td>
</tr>
<tr>
<td>Going to Court (Item 1)</td>
<td>2.63 (1.37)</td>
<td>2.56 (1.45)</td>
</tr>
<tr>
<td>Answering questions in front of a judge in court (Item 4)</td>
<td>2.69 (1.35)</td>
<td>2.44 (1.23)</td>
</tr>
<tr>
<td>Not knowing the answers to questions you are asked in court (Item 7)</td>
<td>3.00 (1.39)</td>
<td>3.56 (1.26)</td>
</tr>
<tr>
<td>Answering questions in front of strange adults in court (Item 5)</td>
<td>3.35 (1.32)</td>
<td>3.08 (1.44)</td>
</tr>
<tr>
<td>Answering questions in front of someone who might have hurt you in court (Item 9)</td>
<td>3.41 (1.40)</td>
<td>3.08 (1.73)</td>
</tr>
<tr>
<td>Crying in court (Item 10)</td>
<td>3.62 (1.57)</td>
<td>3.72 (1.34)</td>
</tr>
<tr>
<td>Answering embarrassing questions in court (Item 8)</td>
<td>3.77 (1.29)</td>
<td>3.20 (1.53)</td>
</tr>
<tr>
<td>Having people not believe you in court (Item 6)</td>
<td>4.14 (1.18)</td>
<td>4.00 (1.32)</td>
</tr>
</tbody>
</table>

**Age and Court Related Anxiety.** A repeated measure test was conducted to determine the effect that age by year had on court related anxiety. Results indicated that there was no age effect on participants’ overall and item responses to the CRSS after being administered the JCCS curriculum.
Disability and Court Related Anxiety. Disability was also examined as a factor in participants’ scores on the CRSS. Analysis based on the repeated measure test indicated that there were no significant effects for disability.

Other Demographics and Court Related Anxiety. Gender, ethnicity, and academic achievement were analyzed to determine their possible effect on court related anxiety. Analyses on these demographics were conducted using multiple regression tests with the CRSS as the dependent variable and the treatment condition and the particular demographic as the between subject factors. Results indicated that there were no significant effects of gender, ethnicity, and academic achievement on court related anxiety.

Overall, analyses indicate that participants’ court related anxiety related to various court experiences did not decrease with being taught the JCCS curriculum. Participants’ anxiety levels measured anywhere on a continuum between low to high anxiety levels. Thus participants experienced at least a moderate level of stress regarding court and court proceedings. Age, disability, gender, ethnicity, and academic achievement had no significant effect on court related anxiety in this study.

Legal Knowledge and Court Related Anxiety

A Pearson product-moment correlation coefficient was computed to assess if there was a correlation between legal knowledge and court related anxiety. Overall scores on the McCAT-CA and CRSS pretests and posttests were entered as variables
for analysis. No significant correlations between legal knowledge and court related anxiety were found.
CHAPTER 5

DISCUSSION

Summary of Findings

Data analysis revealed that the JCCS curriculum had a significant effect on legal knowledge. Participants who were taught the JCCS curriculum demonstrated a larger increase in legal knowledge in comparison to participants who were taught the control curriculum. Additionally, participants who received the JCCS curriculum became competent after the intervention but participants who received the control curriculum were still considered incompetent as evidenced by their group mean scores on the MacCAT-CA from pretest to posttest. There was one statistically significant effect on an individual MacCAT-CA item (Rights Waived with a Guilty Plea) based on the treatment. Participants in both conditions still struggled with various legal topics based on their posttest mean scores and still demonstrated a less than full understanding of most of the legal topics investigated by the MacCAT-CA. Age had no significant age effect on participants’ overall responses to the MacCAT-CA. Additionally, disability, gender, ethnicity, and academic achievement had no significant effects on legal knowledge.

There was no statistically significant change in anxiety levels on any specific court related proceeding or on general court related anxiety from pretest to posttest of participants in either treatment condition. Descriptive statistics revealed that youths experienced a neutral level of anxiety on most court related experiences but
experienced high anxiety about their perceived credibility. Age, disability, gender, ethnicity, and academic achievement had no significant effects on court related anxiety. Inferential statistics also revealed that there was no significant correlation between legal knowledge and court related anxiety.

**Effects of the JCCS Curriculum on Legal Knowledge**

It was hypothesized that participants who received the JCCS curriculum would show gains on legal knowledge overall as well as on individual legal concepts. It was also assumed that age and disability would have an effect on the pretest scores of participants in the treatment condition but not on the posttest scores as participants would demonstrate statistically significant increases in their legal knowledge as the curriculum’s developmentally sensitive design would mitigate these effects on the posttests. These hypotheses were partially correct.

The JCCS curriculum significantly increased participants’ legal knowledge overall. This increase occurred irrespective of age, the presence of a disability, gender, ethnicity, and academic achievement. These results indicate that the use of the JCCS curriculum may be beneficial for youths ages 11-17 regardless of their unique demographics.

It is hypothesized that this overall increase and these significant results can be attributed to the JCCS curricular design using best teaching approaches for use with youths and using a developmentally sensitive approach to explaining legal concepts. Providing participants with a developmentally-appropriate definition of a legal
concept using important legal terminology used in court proceedings may have facilitated a better understanding of that topic. Relating the concept to an analogous event in youths’ lives facilitates abstract-to-concrete thinking which is important in adolescent development as youths may likely show less understanding of events that they have no prior knowledge or no experience with. Having youths repeat back the definition of the concept immediately allows the instructor to determine if youths are not only listening to the instruction but are able to articulate the definition in their own words. This approach allows the instructor to conduct a formative evaluation of the participants’ understanding of the legal concept. The JCCS curriculum also involves a point after each of the areas covered in JCCS curriculum (pretrial process, role and functions of courtroom participants, and courtroom procedures) in which the instructor conducts a summative evaluation of participants’ understanding of legal concepts within that area. The summative evaluation sections allow the instructor to ensure that the participants understood the concepts past an immediate ability to recall the information and allow the instructor to provide corrective feedback if there is a lack of understanding of the concept.

Besides the statistical significance of the treatment effect, a review of the data revealed that the participants who received the JCCS curriculum demonstrated an understanding of legal topics as related to how they were discussed in the curriculum. This provides further evidence that it may have been the information imparted in JCCS curriculum that may be responsible for the significant increase in knowledge for participants assigned to the treatment condition. A review of the data revealed
that participants who were taught the JCCS curriculum used more legal terminology as used in the curriculum from pretest to posttest and used more legal terminology that those assigned to the control condition. An illustration of the use of legal terminology can be found in how participants articulated the role of the prosecutor after receiving the JCCS curriculum or the control curriculum. The JCCS curriculum defines a prosecutor and a prosecutor’s job as “to take the evidence from the police investigation and decide if there's enough evidence to go to court and have a trial. The prosecuting attorney also has to prove its case in court, prove that the defendant really is guilty.” Participants learn that the prosecutor’s job is to collect evidence and prove its case against the defendant in court from the JCCS curriculum. They are also introduced to legal terminology involved with the prosecutor’s job such as “guilt,” “proof,” “case,” and “evidence.” These are terms often used when proceeding through the adjudication process. In contrast, participants who received the control curriculum received no instruction using legal terminology and could only gain information from the teaching component on MacCAT-CA pretest. Per the MacCAT-CA pretest, participants were told that “the prosecutor will try to show that Fred did commit a crime and that there is no excuse for what Fred it.” The only legal term involved in the MacCAT-CA’s definition of a prosecutor’s job was the term “crime.”

A review of participants’ posttest responses on this item revealed that participants who were taught the JCCS curriculum and who received partial or full credit on their responses often explained the prosecutor’s job using the terms “guilt,”
“proof,” “case,” and “evidence” in a contextually correct manner on their posttest responses. These terms were not often used in their pretest responses. In contrast to the pattern of responses of participants involved in the treatment condition, a review of the participants receiving the control curriculum who received partial or full credit on their responses to items revealed that the responses were reflective of the responses provided in the teaching component of the MacCAT-CA which involved a crime and no excuses for Fred’s actions.

Thus a comparison of these types of responses may lend evidence that it was the JCCS curriculum’s approach to teaching concepts that could be attributed to the treatment effect. Additionally, the qualitative difference in responses may also demonstrate a practical benefit of the curriculum. It can be argued that participants taught the JCCS curriculum were introduced to more legal terminology, demonstrated an understanding of the legal terminology, and demonstrated an understanding on how the legal terminology related to the broader legal concepts. As legal terminology is likely to be used in court related proceedings, knowing these terms could have practical benefits for youths as they proceed through the juvenile justice system.

While it is likely that the teaching techniques used in the JCCS curriculum may have been responsible for the treatment effect, there may be other variables that may contribute to the effect. As participants in both the treatment and control conditions were exposed to the teaching component of the MacCAT-CA once prior to being administered the posttest, it is possible that there was still some testing bias or effect that the exposure to teaching component as well as the curriculum may have
had on the results. This may have reduced the magnitude of the instructional effect of the curriculum. As previously mentioned, a review of the data revealed that the participants receiving the JCCS curriculum used more legal terminology which may indicate that significant results are related to information from the curriculum. However, further research and perhaps a more comprehensive qualitative data analysis may be needed to help verify this hypothesis. Additionally, further research using a similar study but omitting the teaching component of the MacCAT-CA in the pretest and posttest conditions could help determine the magnitude of this effect.

Besides this testing effect, it is possible that the limitation of the study such as having a smaller sample size or the limited range of assessments could have influenced these significant findings. These limitations are discussed later in this chapter.

Despite overall positive results, there were still identified gaps in youths’ understanding of the legal system and of the legal concepts assessed by the MacCAT-CA. Results from the present study are consistent with many of studies that found that youths know very little about the law without intervention (Burnett et al., 2004; Dreyer & Hart, 2008; Grisso et al., 2003; Ficke et al., 2006; Redlich et al., 2003; Saywitz et al., 1990; Warren et al., 2003) and with studies that found that youths struggle with legal concepts even after being administered a teaching intervention (Cooper, 1997; Viljoen et al., 2007).

Cooper (1997) and Viljoen et al. (2007) found that intervention could improve youths’ understanding of the roles of those involved in the juvenile justice system, their presence in the courtroom, the consequences of being convicted of a crime, and
how to assist their attorneys in their defense. Still the researchers found that youth had difficulty demonstrating an understanding of charges against them, consequences associated with these charges, and the concept of pleas. Findings from this study are generally consistent with these results, particularly with Viljoen et al.’s study, with some exceptions. Per their MacCAT-CA posttest scores, participants demonstrated a partial to fuller understanding of the role of court related personnel except for the role of a judge in a jury trial. A possible factor related to why youths do not understand the roles of judges when juries are present is that there are no juries involved in juvenile justice proceedings. Therefore there may be a lack of exposure to this aspect of court. As this item is generally not applicable to youths’ involvement in court, participants’ lack of understanding of on this item and the effect that this lack of exposure could have on competency ability should the MacCAT-CA be used in competency assessment should be further examined.

Participants in both groups demonstrated a less than partial understanding of what consequences they will receive if they are convicted of a crime in comparison to the previous studies. This finding was consistent with Cooper’s (1997) and Viljoen et al.’s (2007) study. Still, there may have been an issue with how the item scores understanding of this concept. Per the item scoring protocol, participants were supposed to not only understand that there were several charges that could be filed against a defendant and understand that there were different types of sanctions that defendants adjudicated delinquent could receive, but participants also had to identify that the type of punishment would likely be directly related to the charge for full
points on this item. As the MacCAT-CA was normed on adult populations, it is possible that youths may have had a hard time understanding or articulating the relationships among these two factors of conviction.

Participants still struggled with the legal concept of “charges.” Mean scores of both groups indicated that participants demonstrated a lack of understanding to a partial understanding of the elements of a charge and/or of a lesser charge. There was a teaching component involved on the charge items on the MacCAT-CA. The items on the MacCAT-CA that deal with pleas involve asking participants to state what facts the prosecutor had to prove to show the defendant was guilty of a crime. To demonstrate a full understanding of charges, participants had to describe two elements of a charge including what action against another person took place (i.e. hitting or knocking the person down) and what the participant’s intent was in the action against the other person (i.e. intending or not intending to hurt that person). In examining the participants’ responses, it seemed that many participants struggled to describe the action description or intent individually, let alone identify the action and intent together to demonstrate a full understanding of this topic. Additionally, a review of participants’ answers revealed that many participants stated that there was some sort of physical evidence (i.e. a videotape, a witness, a photograph) was needed to prove the guilt. There was no mention of physical evidence in the scenario that the MacCAT-CA was based upon. It is assumed that participants may have been focusing on the concept of tangible “proof” and drawing on outside knowledge or experience (such as the media) regarding what type of proof is necessary for guilt. As
participants even in the treatment group struggled with understanding charges, it may be beneficial for the JCCS curriculum designer to investigate alternative ways to teach this concept to foster a better understanding of charges among youth.

The greatest gain that participants who were taught the JCCS curriculum made on aspects of legal system was in the area of “pleas.” Participants in the control curriculum demonstrated significantly less understanding of this topic. It is believed that the developmentally sensitive, direct approach to this topic may have been helpful in explaining this concept to youths. However, despite the gains that participants receiving the JCCS curriculum made, they only demonstrated a partial understanding of this topic even with the intervention. This is consistent with findings from previous legal knowledge and competency studies that participants still struggles with the concept of pleas (Cooper, 1997; Viljoen et al., 2007). Another factor in their partial understanding of this topic may be that the MacCAT items measuring an understanding of pleas were difficult for participants to gain full points on. Participants had to understand what charge they were pleading guilty to (MacCAT-CA Item 6) and at least two rights they were giving up (MacCAT-CA Item 8) to obtain full points on these items. The two rights they had to identify included the right to a trial, the right to force the prosecution to prove its case, the right to offer proof of innocence and challenge the allegations, the right to remain silent and protect against self-incrimination, and the right to appeal a case. It is possible that youths would struggle with understanding the complexity of pleading to charges, knowing rights waived, and understanding the concept of waiver.
A pattern emerges upon a review of youths’ struggles with legal concepts. With or without an intervention, youths seem to struggle with more abstract, complex legal concepts and less with concrete, more straightforward legal concepts. It was easier for participants to understand the roles of the attorneys and juries in the courtroom but they demonstrated less understanding about the role of a judge when the jury was in the courtroom. Understanding that two parties could be responsible for decision-making in the courtroom and that anyone but a judge makes important decisions in a courtroom may be difficult for youths as they would normally only encounter a judge in court. Understanding elements that must be proved to charge someone with a crime and how those elements play into determining court related sanctions was difficult for participants. Participants had to understand each legal concept of elements of a charge and types of legal sanctions first individually before demonstrating an understanding of how these concepts interact in the consequences of conviction. Participants struggled with the concept of pleas despite improvement in their understanding of it after instruction. More research that investigates whether or not there are developmental limitations in understanding the above concepts and whether or not these limitations could be mitigated with alternative methods of explaining the more abstract legal concepts to youth should be pursued. Additionally, these findings also warrant reviewing the JCCS curriculum to determine how to break down these topics further for youths to foster better legal knowledge acquisition.
Age and Legal Knowledge

It was hypothesized that age would have an effect on juveniles’ legal knowledge on the item scores and overall summed scores on the MacCAT-CA pretest but that all youths receiving the JCCS curriculum would demonstrate an increase in legal knowledge regardless of age on the MacCAT-CA posttests due to the JCCS curriculum’s developmentally and empirically based instructional design. This hypothesis was partially correct. An analysis of the data revealed that there were no significant differences among all participants on pretest scores, posttest scores, and improvement with treatment based on age. The lack of differences among the treatment and control groups on both the pretest and posttests did not support studies that found age related differences existed on legal knowledge. In a majority of other studies that examined legal knowledge, age was found to positively correlate with legal knowledge (Baerger et al. 2003; Burnett et al., 2004; Cowden & McKee, 1995; Dreyer & Hart, 2008; Ficke et al., 2006; Grisso et al. 2003; McKee & Shea, 1999; Savitsky & Karras, 1984; Warren et al., 2003). Age was also identified as a factor in improving legal knowledge when an intervention was used (Cooper, 1997; Viljoen et al. 2007).

Despite the age effect found in their studies, Cooper (1997) and Viljoen et al. (2007) found that youths under the age of 15 were still found to have deficits in their legal knowledge. Results from this study indicate that youths of all ages, not just youths 15 and under, demonstrated legal knowledge deficits even after the use of an
intervention but that all youths knowledge still increased after being administered the JCCS curriculum.

It is hypothesized that the JCCS curricular design using best teaching practices with youths may be responsible for this overall increase. However, there may be another reason that could be attributed to the lack of age effects due to a limitation of this study. This study only investigated the age effects of one element of competency – the Understanding element of the Dusky standard as measured by the Knowledge component of the MacCAT-CA. Many of the studies that investigated age related differences among participants discussed their results on a more global definition of competency or based on a competency assessment in its entirety. These studies investigated not only youths’ understanding of the legal process but also their reasoning ability to give important information to counsel and their appreciation ability to understand their role as defendants in their cases. Previous studies indicated that age had a significant effect on these elements. Additionally, while legal knowledge may be increased regardless of age differences, this may not be true of reasoning or appreciate abilities. These abilities may be more affected by age and developmental limitations. It is possible that if all abilities were investigated, results may have indicated age related differences. As the JCCS curriculum in its entirety investigates youths’ rational and appreciate abilities, further research investigating the entire curriculum’s effect on age is necessary to truly determine its age effect.
Disability and Legal Knowledge

It was hypothesized that disability would have an effect on participants’ pretest scores on the MacCAT-CA but that regardless of the presence of a disability, participants would show an increase in legal knowledge after being administered the JCCS curriculum. Similar to the findings on age effects, there were no disability-related effect on legal knowledge as determined by pretest scores, posttest scores, and involvement with treatment. These results differ from the studies conducted by Baerger et al (2003) Cowden & McKee (1995), McKee & Shea (1999) and Warren et al. (2003). These researchers found that students’ status as receiving special education services influenced their scores on competency assessments and correlated with a higher probability of being deemed incompetent. The present study does not support these findings. All participants who were taught the JCCS curriculum regardless of the presence of a disability showed improvements in their legal knowledge. Thus, the use of the JCCS curriculum is just as effective as an intervention for youths with disabilities as for their typically-developing peers. The presence of any type of disability, including Specific Learning Disability and Emotional Disturbance, did not hinder participants’ ability to make greater gains in legal knowledge any more than it did their typically developing peers. These results have implications due to the overrepresentation of youths with disabilities in the juvenile justice system. However, as only 19 participants in the study were identified as having a disability, 5 of those 19 participants were assigned to the control condition, and participants were identified as having 7 different types of disabilities,
more research is necessary to validate the effect of the JCCS curriculum on youths with disabilities from this study.

While the developmental approach to teaching legal concept was attributed to the non-significant results of the demographic effects, there are other factors that may have had some effect on the results. With a sample size of only 38% of all participants who were invited to participate in the study, it is possible that significant results were attributed to this smaller sample size. Should a larger percentage of participants have participated reflecting a different demographic makeup of the sample, it is possible that results could produce a different result.

It was also hypothesized that legal knowledge and court related anxiety were not correlated as youths exhibited court related anxiety even after going to court. This hypothesis proved to be partially correct as discussed further in this chapter.

**Effect of the JCCS Curriculum on Juvenile Competency to Stand Trial**

It was hypothesized that the JCCS curriculum would increase juveniles’ legal knowledge enough to be determined competent in the area of legal knowledge. This hypothesis was verified in the present study. Several important factors regarding juvenile competency emerged. Most participants knew very little about the law prior without any instructional intervention. A staggering percentage of youths were not considered competent on legal knowledge competency assessments without any intervention in previous studies. Hence, the assumption that all juveniles are considered competent unless proved otherwise deserves further investigation. Results
from the present study indicate that juveniles may not have a factual understanding of court proceedings per the Dusky standard and may not meet this assumption without the use of an intervention. This has important policy implications as if youths must legally be considered competent to move through the adjudication process and yet might not reach competency in at least the understanding element of the Dusky standards, child advocates should lobby their jurisdictions’ legislatures and judiciaries to investigate their competency policies and create better practices with youths. Thus, an alternate, more relaxed, or more juvenile appropriate standard as discussed by Bonnie and Grisso (2003), Cowden and McKee (1995), and Grisso et al. (2003) deserves consideration. However, as age had no bearing on participants’ legal knowledge, results from this research do not support suggestions that juvenile competency standards should incorporate a statutory minimum age (Grisso et al., 2003) or that preadolescents should be measured based on a different standard.

Additionally, this study’s results shed light on youths’ ability to retain legal knowledge beyond being able to recall it either immediately or one day after the intervention is taught. A review of the literature revealed that it was unclear if youths learn facts without understanding them (Baranoski 2003) or maintain that knowledge over time (Viljoen et al., 2007). Sanborn (2009) identified that assessments do not measure the capacity for accruing knowledge. While preliminary results from both Cooper (1997) and Viljoen (2007) indicate that an instructional component furthers children’s legal knowledge either immediately after being administered a teaching intervention or one day post-intervention, the current study investigates legal
knowledge measured one week after the intervention occurred. Results indicate that youths maintain knowledge longer than these more immediate time lapses. Thus if a youth is taught legal concepts, shows an understanding of those topics within a short period of time but then cannot maintain that knowledge for longer than the day after learning the information, more evaluation may be warranted on what other factors might be responsible for the youth’s inability to retain the information past the next day. However, while the use of an instructional component as measuring legal knowledge is valuable in competency assessment, its’ use should be given appropriate weight in light of other factors affecting a youth’s competency ability during the assessment process and per the competency standard used in determining competency.

**Effect of the JCCS Curriculum on Court Related Anxiety**

It was assumed that JCCS curriculum would significantly decrease juveniles’ court related anxiety overall as on individual court related experiences. Data analysis revealed that the JCCS curriculum did not significantly decrease juveniles’ court related anxiety levels. There were also no overall significant effects for the JCCS curriculum on individual court related experiences. Participants rated going to court and various court related experiences as neutral. These results were initially surprising, as in previous studies, youths indicate a very high level of anxiety regarding court related proceedings even being shown the courtroom environment prior to attending court and after attending court (Goodman et al. 1992; Goodman et al., 1998). However, in the previous studies on the effect of the courtroom
proceedings and the courtroom environment on youths’ anxiety levels, youths had to testify in a court related environment (Goodman et al., 1998) or they were interviewed after going to court (Goodman et al., 1992). Participants in these studies experienced some direct court related experience so the court related experiences they were facing were salient to them. There was no experiential court related component involved in the present study. The results of the present study are similar to results obtained by Nathanson and Saywitz (2003). The researchers also found non-significant results in their studies as participants rated their court related experiences neutrally as well. The researchers posed that their findings may have been a result of participants not being involved in actual court proceedings. However, Nathanson et al.’s (2008) study conducted with actual child witnesses and victims had participants rating a much higher level of anxiety regarding going to court.

While the participant sample was chosen from a sample population that mirrored the juvenile justice population, participants were not necessarily facing impending involvement in court related proceedings. It is hypothesized that the stress of going to court was neither imminent nor concrete for participants involved in the study. Thus, results from this study indicate that court related anxiety may be correlated with the degree to which a court related experience is salient for youths. However, this hypothesis should be investigated in future studies. Particularly, a similar study should be conducted using participants who were facing adjudicative proceedings as defendants to help verify this hypothesis.
Overall, there was no statistically significant change in participants’ anxiety on almost all specific court related experience or general court related anxiety from pretest to posttest except for one aspect of going to court – believed culpability. Although the participants were not necessarily involved in court related proceedings, it is hypothesized that youths involved in this study may have experienced circumstances in which being believed by an authority had significant implications for them and that these experiences may have influences their responses. Students attending behavior school were placed there after being recommended for a disciplinary action based on an alleged infraction and meeting with a school district administrator who ultimately determines the discipline. They are often asked for a statement about what happened and their role in the event leading the disciplinary action by the school based administrator. Thus the importance of their side of the story and being believed may be salient to them in a different context.

Age, Disability, and Other Demographics and Court Related Anxiety

This study was the first study that investigated court related anxiety in youths over the age of 10. This study was also the first study that investigated youths with disabilities’ court related anxiety. Thus results from this study could add to the literature on in this area.

It was hypothesized that neither age nor disability would have an effect on youth’s court related anxiety. Results from the present study confirmed these hypotheses. These findings were consistent with court related anxiety studies
indicating that all youths regardless of their particular demographics experience some stress regarding going to court. However, these results were contrary to Goodman et al.’s (1998) finding that older children experienced more stress than others. Still, Goodman et al.’s study involved participants between the ages of 8 to 10. Participants in the current study were all older than 10. This difference in population may account for the difference in results.

No other exploratory demographic in this study (gender, ethnicity, and academic achievement) was found to affect court related anxiety. As discussed above, youths regardless of particular demographics experience some stress about going to court so it is not surprising that these demographics do not influence court related anxiety. This study’s results differ from Goodman et al.’s (1998) findings that females experienced more court related anxiety than males. Additional research in this area could illuminate the effect gender has on this type of anxiety and provide support to either of the studies.

**Legal Knowledge and Court Related Anxiety**

It was hypothesized that there was no correlation between legal knowledge and court related anxiety. The rationale for this hypothesis was that previous studies indicated that youths exhibit court related anxiety both before and after going to court and therefore even with increased legal knowledge, youths may not feel any less anxious about going to court. Results from this study support this hypothesis but identify a new possible rationale. No significant correlations between legal
knowledge and court related anxiety were found. Thus this study supports Nathanson and Saywitz’s (2003) study but does not support Goodman et al.’s (1998) study. However, as discussed in previous research and in this study’s discussion on court related anxiety, youths who are not facing court related proceedings do not exhibit much court related anxiety. In this study, participants rated their court related experiences as mostly neutral. Thus, it may not be a high level of anxiety but rather the lack of anxiety that participants felt both prior to and after being administered the JCCS curriculum due to court experiences not being salient to them that may explain the lack of correlation between legal knowledge and court related anxiety. Still, there are only two studies that investigated the relationship between these two factors and the two studies involved contradictory findings. Additional research should be undertaken to look at the relationship between these factors as both factors affect youths’ performance in court.

Limitations of the JCCS Study and Implications for Future Research

This study was an initial study investigating the JCCS curriculum. While the results showed an increase in legal knowledge in participants who were taught the JCCS curriculum versus the control curriculum, decisions made regarding the study’s design may have limited its generalizability. The intervention and sampling were limited in scope. Interrater reliability was not analyzed in this study. Additionally, testing bias cannot be ruled out being a confounding variable on this study’s significant results. More research is needed to identify the impact of the JCCS curriculum on juvenile competency.
While there are positive findings from the current study on the impact that the JCCS curriculum could have on youths’ legal knowledge and competency ability, this study investigated the Knowledge component of the JCCS curriculum only. Per the Dusky standard, legal knowledge is only one element among three used to determine competency. It is juveniles’ legal knowledge along with juveniles’ appreciation of juveniles’ situation as defendants in a criminal proceeding and juveniles’ reasoning ability to relate pertinent information to counsel that is used to determine juveniles’ global competency ability. While it is important to assess legal knowledge of juveniles in determining their competency, juveniles’ legal knowledge level cannot be the sole indication of juveniles’ competency ability and cannot be used in isolation from the other elements since they involve other essential factors to consider regarding competency. Future research is necessary to help determine the effect that the JCCS curriculum overall would have on youths’ legal knowledge and competency ability as neither the rational, nor appreciation components of the curriculum were investigated in the present study.

External validity may have been threatened based on the chosen sampling techniques. The JCCS curriculum is intended to be administered to youth involved in the juvenile justice system facing adjudication proceedings. This study used a more convenience school based sample that approximated this population as much as possible. While the study’s participant population approximated the youth population involved in the juvenile justice system, participants in this study may not have necessarily been involved in any juvenile justice proceedings. There may be a
difference in how youths facing juvenile proceedings approach the curriculum and perform on competency assessments when the information presented has real implications for them. Additionally, with a sample size of only 38%, it is unclear if the results would have been the same with a larger population of participants reflecting greater demographic variability. Thus it is important that future studies on the effects of JCCS curriculum on youths involved in the juvenile justice system and with the use of a larger sample size be conducted. The generalizability of the results of this study should be verified by these subsequent studies.

Interrater reliability on the MacCAT-CA was not analyzed in this study. There was no analysis conducted regarding the consistency in which research assistants scored similar items. Thus there may be an element of measurement error that has influenced the study’s results.

This study only used one measure of legal knowledge and one measure of court related anxiety. It is possible that the use of other assessments or the use of more than one assessment to measure these factors may have yielded different results.

This study did not employ a comprehensive qualitative data analysis to determine if further practical benefits were found among participants who received the JCCS curriculum. Using both quantitative and qualitative data analysis may have revealed more significant and practical results.

This study’s finding countered other studies’ findings that age affects legal knowledge and is positively correlated with it. Results from the current study also
imply that perhaps using a developmentally sensitive approach to teaching the legal system could mitigate age effects. It has also been discussed that this study only looked at the age effects on the understanding element of the Dusky standard based scores obtained on the MacCAT-CA. Therefore, in light of the present study, additional studies should be conducted to determine the effect of age on juvenile competency and on the possible mitigation effect of instruction using best teaching practices with youths on legal knowledge and competency ability.

Additionally, it is unclear the effect that testing bias had on results. Despite a review of the data that identified that participants receiving the JCCS curriculum used more legal terminology in their responses, most participants demonstrated increased legal knowledge from pretest to posttest. All participants were exposed to the teaching component of the MacCAT-CA during the administration of the study regardless of the assignment to condition. Thus further studies that investigate the JCCS curriculum without the use of any other teaching component is important to help ascertain on the effect of the JCCS curriculum on legal knowledge, competency, and anxiety.

With this study being the first study on the effect of a teaching intervention on youth with disabilities, further research on the JCCS curriculum on this population is needed. As there was only a small subset of the participants identified as having disabilities, future studies should recruit larger populations of youths with disabilities in order to identify if various types of disabilities affect legal knowledge and court related anxiety. These groups of youths with disabilities should include youths
diagnosed with Learning Disabilities and Emotional Disturbance due to the particular vulnerability of these youths with disabilities’ involvement in the legal system.

The current study illuminates the importance of the use of teaching interventions, particularly the JCCS curriculum due to its treatment effect, when determining youths’ legal knowledge and competency ability. The study also raises important policy related questions about juvenile competency to stand trial. If the Dusky standard continues to be incorporated into most states’ juvenile competency statues, additional research regarding the importance of using both JCCS curriculum and any other teaching intervention with youths is critical. Additionally, as discussed by Viljoen et al. (2007), further research on the validity and appropriateness of using the MacCAT-CA when assessing juvenile competency is necessary as the assessment was neither created nor tested on juvenile populations. This study offers some support indicating that it may not be an appropriate measure for youths. Due to results indicating that juveniles lack an understanding of the legal process and may not be considered competent per current competency standards, debates should ensue to discuss the possibility of the juvenile justice court systems returning back to the parens patriae doctrine of dealing with juveniles delinquency. As juveniles struggle with understanding the legal system despite being taught about it in a developmentally sensitive way, having the courts make decisions in the best interests of youths involved in the system may be a more appropriate philosophy for dealing with youths in the system. While currently youths may be charged with a crime and may face more formal adjudicative proceedings, their ability to help defend
themselves effectively may be questioned. Thus, until a philosophical shift occurs to
treat children as a vulnerable population to the perils of adjudicative proceedings, it is
vital to ensure that legal practices support youths involved in delinquency
proceedings and facing legal sanctions. Society has legal and moral obligation to
provide these youths with every legal protection and right they are entitled to.
Introduction

I'm going to read you a brief story. Then, based on that story, I'm going to ask you some questions about how the legal system works.

Two men, Fred and Reggie, are playing pool at a bar and get into a fight. Fred hits Reggie very hard with a pool stick. Reggie falls and hits his head on the floor so hard that he nearly dies.
SCORING CRITERIA: ITEM 1

A1 Criteria:
1 = Recognition of the role of the defense attorney as representing the defendant’s side of the case.
0 = Inadequate recognition.

A2 Criteria:
1 = Recognition of the role of the prosecutor as being opposed to the defendant in the case.
0 = Inadequate recognition.

B Criteria:
2 = Responses that meet the criteria for a score of 1 in both A1 and A2.
1 = Responses that meet the criteria for a score of 1 in either A1 or A2.
0 = Responses that meet the criteria for a score of 0 in both A1 and A2.

ITEM 1 CRITERIA:
The item score is the higher of:
(i) The sum of the scores for A1 and A2, or
(ii) The B score.
If (i) and (ii) are equal, the item score is the same.
UNDERSTANDING ITEM 1

A1. Let’s say that Fred gets arrested and charged with a crime. Fred gets a lawyer. Fred’s lawyer is called the attorney for the defense. What is the job of the attorney for the defense?

Response:

A1 Scoring: 0 1

A2. There is another lawyer involved in Fred’s case who is called the prosecutor. [use nomenclature appropriate to the jurisdiction]. What is the job of the prosecutor?

Response:

A2 Scoring: 0 1

Instruction: If A1 = 1 and A2 = 1, go to next page. If not, read B below.

B. Fred learns something about how the legal system works. There are two sides. On one side is Fred’s lawyer who is called the attorney for the defense. He will try to show that Fred did not commit a crime. Also, as the case goes on, the defense attorney will tell Fred what his choices are. On the other side is a lawyer called the prosecutor. The prosecutor will try to show that Fred did commit a crime and that there is no excuse for what Fred did.

In your own words, tell me what Fred just found out about the legal system.

Response:

B Scoring: 0 1 2

ITEM 1 SCORE: 0 1 2

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SCORING CRITERIA: ITEM 2

ITEM 2 CRITERIA:

2 = Recognition that aggravated assault entails both of the following:
    (a) Knocking Reggie down or hitting him.
    (b) Intending, trying, or meaning to injure Reggie.

1 = Recognition of one of the above.

0 = Recognition of neither of the above.
UNDERSTANDING ITEM 2

Fred’s attorney tells Fred that he has been charged with a crime called “aggravated assault.” In order to show that Fred is guilty of aggravated assault, the prosecutor will have to prove that Fred knocked Reggie down with a pool stick and that he meant to hurt Reggie badly.

In your own words, tell me what facts the prosecutor will have to show in order to prove that Fred is guilty of aggravated assault.

Response:
SCORING CRITERIA: ITEM 3

ITEM 3 CRITERIA:

2 = Recognition that simple assault entails both of the following:
   (a) Knocking Reggie down or hitting him.
   (b) Intending to knock Reggie down but not intending, trying, or meaning to injure him.

1 = Recognition of one of the above.

0 = Recognition of neither of the above.
Fred’s attorney tells Fred that he could be found guilty of a less serious crime called “simple assault.” This could happen if the prosecutor shows that Fred knocked Reggie down on purpose even though he didn’t mean to hurt Reggie when he did this.

In your own words, tell me what facts the prosecutor will have to show in order to prove that Fred is guilty of simple assault.

Response:
SCORING CRITERIA: ITEM 4

**A Criteria:**

2 = Recognition of two of the following:
   (a) The jury listens to both sides of the case.
   (b) The jury renders a verdict (judgment/decision) about the case.
   (c) The jury could recommend a sentence [only in jurisdictions where this is the law].

1 = Recognition of one of the above.

0 = Recognition of none of the above.


**B Criteria:**

2 = Recognition of both of the following:
   (a) The jury listens to both sides of the case.
   (b) The jury renders a verdict (judgment/decision) about the case.

1 = Recognition of one of the above.

0 = Recognition of neither of the above.


**ITEM 4 CRITERIA:**

The higher of the A or B score. If A and B are equal, the item score is the same.
A. Let's say that Fred's case goes to court for a jury trial. What are some of the jobs of the jury?

Response:

A Scoring: 0 1 2

Instruction: If score = 2, go to next page. If not, read B below.

B. Fred's lawyer tells Fred what will happen if his case is decided at a jury trial. A group of people called a jury will listen to both sides of the case. The jury will decide whether Fred is guilty or not guilty.

In your own words, tell me what Fred just found out about the jobs of the jury.

Response:

B Scoring: 0 1 2

ITEM 4 SCORE: 0 1 2
Scoring Criteria: Item 5

A Criteria:
2 = Recognition of two of the following:
   (a) That the judge instructs the jury about the law.
   (b) That the judge rules on the admissibility of evidence.
   (c) That the judge sees that the rules are followed in order to ensure fairness in the proceedings.
   (d) That the judge might be responsible for imposing a sentence.
1 = Recognition of one of the above.
0 = Recognition of none of the above.

B Criteria:
2 = Recognition of both of the following:
   (a) That the judge instructs the jury about the law.
   (b) That the judge rules on admissibility of evidence.
1 = Recognition of either of the above.
0 = Recognition of neither of the above.

Item 5 Criteria:
The higher of the A or B score. If A and B are equal, the item score is the same.
**Understanding Item 5**

A. At Fred’s jury trial, what are some of the jobs of the judge?

Response:

A Scoring: 0 1 2

Instruction: If score = 2, go to next page. If not, read B below.

B. Fred’s lawyer says that one of the jobs of the judge at Fred’s jury trial is to decide what evidence the jury should be allowed to see or hear. Another job of the judge is to tell the jury about the law.

In your own words, tell me what Fred just found out about the jobs of the judge.

Response:

B Scoring: 0 1 2

**Item 5 Score: 0 1 2**
**Scoring Criteria: Item 6**

**A Criteria:**

2 = Recognition of **both** of the following:
   (a) That the type or severity of punishment could depend on the seriousness of the offense.
   (b) That there are at least two possible sentencing options (e.g., jail, prison, probation, fine).

1 = Recognition of **either** of the above.

0 = Recognition of **neither** of the above.

**B Criteria:**

Same as **A criteria** (above).

**Item 6 Criteria:**

The higher of the A or B score. If A and B are equal, the item score is the same.
**Understanding Item 6**

A. Let's say that Fred is found guilty of either aggravated assault or simple assault. Depending on which crime he is found guilty of, what is likely to happen to him next?

Response:

A Scoring: 0 1 2

Instruction: If score = 2, go to the next page. If not, read B below.

B. Fred's lawyer says that Fred is likely to be punished if he is found guilty. If Fred is found guilty of aggravated assault, he will probably spend time in jail or prison. But, if Fred is found guilty of the less serious crime of simple assault, he may just have to pay a fine or he may be put on probation.

In your own words, tell me what Fred just found out about what is likely to happen if he is found guilty.

Response:

B Scoring: 0 1 2

**Item 6 Score: 0 1 2**
**Scoring Criteria: Item 7**

**A1 Criteria:**
1 = Recognition that pleading guilty to simple assault means that Fred admits that he knocked Reggie down or hit him.
0 = Inadequate recognition.

**A2 Criteria:**
1 = Recognition that Fred cannot try to prove his innocence once he pleads guilty.
0 = Inadequate recognition.

**B Criteria:**
2 = Responses that meet the criteria for a score of 1 in both A1 and A2.
1 = Responses that meet the criteria for a score of 1 in either A1 or A2.
0 = Responses that meet the criteria for a score of 0 in both A1 and A2.

**Item 7 Criteria:**
The item score is the higher of:
(i) The sum of the scores for A1 and A2, or
(ii) The B score.

If (i) and (ii) are equal, the item score is the same.
UNDERSTANDING ITEM 7

A. Let's say that Fred is thinking about pleading guilty to simple assault. If he pleads guilty to simple assault, what will he admit to having done?

Response:

A1 Scoring: 0 1

If Fred pleads guilty, can he still try to convince the judge that he is innocent?

Response:

A2 Scoring: 0 1

Instruction: If A1 = 1 and A2 = 1, go to next page. If not, read B below.

B. If Fred pleads guilty to simple assault, he will have to go in front of the judge and admit that he hit Reggie on purpose. Fred will not have the opportunity to prove to the judge that he was really innocent.

In your own words, tell me what Fred just found out about pleading guilty to simple assault.

Response:

B Scoring: 0 1 2

ITEM 7 Score: 0 1 2
# Scoring Criteria: Item 8

## A Criteria:

2 = Recognition of **two** of the following:
   
   (a) The right to a trial.
   (b) The right to force the prosecution to prove its case.
   (c) The right to offer proof of his innocence or to challenge the allegations.
   (d) The right to remain silent/protection against self-incrimination.
   (e) Some rights to appeal his case.

1 = Recognition of **one** of the above.

0 = Recognition of **none** of the above.

## B Criteria:

2 = Recognition of **both** of the following:

(a) Fred would give up the right to a trial.
(b) Fred would give up the right to force the prosecution to prove its case.

1 = Recognition of **one** of the above.

0 = Recognition of **neither** of the above.

## Item 8 Criteria:

The higher of the A or B score. If A and B are equal, the item score is the same.
A. Now, if Fred pleads guilty, he would give up some legal rights. What are they?

Response:

A Scoring:  0  1  2

Instruction: If score = 2, go to next page. If not, read B below.

B. If Fred pleads guilty, he will be giving up some of his legal rights. There won’t be a trial. And, the prosecutor won’t have to prove the charge against him.
In your own words, tell me what Fred just found out about his legal rights.

Response:

B Scoring:  0  1  2

Item 8 Score:  0  1  2
**MacCAT-CA Scoring Summary**

**Defendant:**

**Examiner:**

**Date of Examination:**

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<th>Ability II: Reasoning</th>
<th>Ability III: Appreciation</th>
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**Reasoning Total (0-16):**  
**Appreciation Total (0-12):**  

**Normative Interpretation of Measure Scores**

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<td>Clinically significant impairment</td>
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APPENDIX B: COURT RELATED STRESS SCALE PRETEST

COURT-RELATED STRESS SCALE PRETEST
Non-Witness Version

Developed by Karen J. Saywitz, Ph.D. and Rebecca Nathanson, Ph.D.

I want to talk to you about how you might feel if you had to go to court. I will describe ten things about going to court. Think about each thing and decide how upsetting it would be to you. If it bothers you very much, put an X on the last face, the unhappiest one (point to last face). If it bothers you very little, put an X on the first face, the least unhappy one (point to first face). If it is somewhere in between, put an X on one of the faces in the middle (point to middle faces).

Let’s first try a practice question. Look at the faces by the butterfly. Which of these faces shows how you feel about being asked questions about going to court? If it is very upsetting to you, put an X on the last face (point to last face). If it upsets you very little, put an X on the first face (point to first face). If it upsets you more than a little but not a whole lot, put an X on any of the middle faces (point to middle face). Put an X on the face that shows how upsetting it makes you feel to be asked questions about going to court.

Check for understanding. Read each item, asking children to put an X on the face that shows how upsetting it would be.

1. How would you feel if you had to go to court?
2. How would you feel about being a witness or having to tell something you saw, heard, or happened to you in court?
3. How would you feel about having an attorney ask you questions in court?
4. How would you feel about answering questions in front of a judge in court?
5. How would you feel about answering questions in front of a lot of strange adults in court?
6. How would you feel if you thought people did not believe you in court?
7. How would you feel if you did not know the answers to questions you are asked in court?
8. How would you feel about answering embarrassing questions in court?
9. How would you feel about answering questions in court in front of a person who might have hurt you?
10. How would you feel about crying in court?

Adapted from Stressfullness of Life Events Scale, Yamamoto & Byrnes, 1987. Copyright © 1991; 2006 by Karen J. Saywitz and Rebecca Nathanson. All rights reserved. Do not reproduce without written permission of authors. Revised 01/31/07.
APPENDIX C: COURT-RELATED STRESS SCALE POSTTEST

COURT-RELATED STRESS SCALE POSTTEST
Non-Witness Version

Developed by Karen J. Saywitz, Ph.D. and Rebecca Nathanson, Ph.D.

Now that you have learned a little bit about going to court, I want to talk to you about how you might feel if you had to go to court. I will describe ten things about going to court. Think about each thing and decide how upsetting it would be to you. If it bothers you very much, put an X on the last face, the unhappiest one (point to last face). If it bothers you very little, put an X on the first face, the least unhappy one (point to first face). If it is somewhere in between, put an X on one of the faces in the middle (point to middle faces).

Let's first try a practice question. Look at the faces by the butterfly. Which of these faces shows how you feel now about being asked questions about going to court? If it is very upsetting to you, put an X on the last face (point to last face). If it upsets you very little, put an X on the first face (point to first face). If it upsets you more than a little but not a whole lot, put an X on any of the middle faces (point to middle face). Put an X on the face that shows how upsetting it makes you feel to be asked questions about going to court.

Check for understanding. Read each item, asking children to put an X on the face that shows how upsetting it would be.

1. How would you feel if you had to go to court?
2. How would you feel about being a witness or having to tell something you saw, heard, or happened to you in court?
3. How would you feel about having an attorney ask you questions in court?
4. How would you feel about answering questions in front of a judge in court?
5. How would you feel about answering questions in front of a lot of strange adults in court?
6. How would you feel if you thought people did not believe you in court?
7. How would you feel if you did not know the answers to questions you are asked in court?
8. How would you feel about answering embarrassing questions in court?
9. How would you feel about answering questions in court in front of a person who might have hurt you?
10. How would you feel about crying in court?

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APPENDIX D: EXAMPLE COURT-RELATED STRESS SCALE ANSWER SHEET

# __________

Court Related Stress Scales - Pre-Test

1. 🙁 😞 😞 😞 😞 😞
2. 😞 😞 😞 😞 😞
3. 😞 😞 😞 😞 😞
4. 😞 😞 😞 😞 😞
5. 😞 😞 😞 😞 😞
6. 😞 😞 😞 😞 😞
7. 😞 😞 😞 😞 😞
8. 😞 😞 😞 😞 😞
9. 😞 😞 😞 😞 😞
10. 😞 😞 😞 😞 😞
APPENDIX E: JUVENILE COMPETENCY COURT SCHOOL (JCCS CURRICULUM)

Juvenile Competency Court School Curriculum
JUVENILE COMPETENCY COURT SCHOOL CURRICULUM

Session 1: Investigative and Judicial Process

I. INTRODUCTION

Today we are going to learn about court. First, to help you learn about court, I am going to tell you a brief story. Then, based on the story, I’m going to explain to you how the legal system works.

One day John, a 10th grader, had just sat down at the lunch table at school when he realized he forgot a fork. He left his belongings - his backpack, cell phone, & ipod on the lunch table while he jumped up to get a fork. When he returned, his ipod was gone. He saw a kid running away from the table, holding an ipod that looked just like his. The kid said the ipod belonged to him and that it was not John’s. A guy who was standing near the kid said the ipod belonged to the kid. He said he saw him with it a few days earlier. But a girl came up to John and said she saw the kid take his ipod. The girl accused the kid of stealing John’s ipod.

II. PRETRIAL PROCESS

Do you know what accused means? Good. Accused means to blame someone for doing something wrong. The girl accused the kid of stealing John’s ipod. That means she blamed the kid for stealing the John’s ipod. If you accused someone in your class of taking a pencil, than what does that mean? Good. It means you blamed them for taking your pencil.

Has anyone ever accused you of doing something? What was it? Ok. Did you really do it? If you're accused of doing something, does it mean you did it? Good. Just because somebody says someone else did something, it doesn't mean they did.
Maybe they did it. Maybe they didn’t. The person who accuses someone of doing something wrong could be making a mistake.


The girl in our story accused the kid of breaking the law. Do you know what the law is? Good. The law is a set of rules that everyone in the United States has to follow. It is kind of like rules you have at school. Can you tell me one rule you have at school? Good. Now can you tell me any laws we have in the United States? Good.

When someone breaks the law, it is called a crime. So what does a crime mean? Good. A crime is when someone breaks the law. After someone is accused of a crime, a policeman does an investigation. Do you know what investigation means? Good. An investigation means a policeman collects all the evidence or facts about what happened.

The first thing a policeman does during an investigation is find the person who is accused of a crime and asks them questions about what happened. Who was accused of a crime in our story? Good. The policeman will ask the kid questions. Why will he talk to the kid? Good. He will talk to the kid because the kid is accused of stealing John’s ipod.

During an investigation, the policeman will also ask other people questions - people who saw or heard something, or had something happen to them. These people are called witnesses. Who are the witnesses that the policeman in our story is going to talk to? Good. The guy is a witness. Why will the policeman talk to the guy? Good. He will talk to the guy because he said that the kid did not steal John’s ipod – he said
he saw the kid with it a few days earlier. Who else will the policeman talk to? Good.
The policeman will also talk to the girl. Why will he talk to the girl? Good. He will talk
the girl because she said she saw the kid steal John’s ipod. Who is the last person
the policeman will talk to? Good. The policeman will talk John. Why will he talk to
John? Good. He will talk to John because John had his ipod stolen. The policeman
will ask the guy, the girl, and John questions since they are all witnesses.

So what is a witness? Good. A witness is someone who saw or heard something
happen, or had something happen to them.

After an investigation, after a policeman collects all the evidence, he gives the
evidence to a special person called a **Prosecuting or District Attorney**. Do you know
what a Prosecuting Attorney is? Good. A Prosecuting Attorney’s job is to decide if
there is enough evidence, or proof, to go to court and to try and prove that someone
committed a crime.

**III. REVIEW: PRETRIAL PROCESS**

Now we are going to take a break from our story and play a game called red
card/green card. *(Pass out red and green card to each student).* Everybody hold up
the green card. What does it say? Good. It says “True”. Now put the green card
down and hold up the red card. What does it say? Good. It says “False”. Now
everybody put your cards down.

Now I am going to say some sentences. If a sentence is true, which card should you
hold up? Good, you hold up the green card. If a sentences are false, which card do
you hold up? Good, you hold up the red card. *(Note: Reinforce after each statement.
If the sentence is "false" repeat the question and ask, "Why is that false?")
We are learning about court.
TRUE: (Make sure “right” card is raised)

You are in elementary school.
FALSE: (Make this statement wrong and make sure “wrong” card is raised)

The girl accused John of stealing the kid's ipod.
FALSE: The girl accused the kid of stealing John's ipod.

Accused means to blame someone for doing something wrong.
TRUE

The law is a set of rules that everyone in the United States must follow.
TRUE

If someone follows the law it is a crime.
FALSE: If someone breaks the law it is a crime.

The policeman's job is to find someone who is accused of a crime.
TRUE

Evidence means the facts about what happened.
TRUE

An investigation means the policeman will go to court.
FALSE: An investigation means that a policeman will collect evidence about what happened. He will also ask witnesses questions.

The policeman asks witnesses questions during an investigation.
TRUE
9- A witness is someone who saw or heard something happen, or had something happen to them.

TRUE

10- After an investigation, the policeman will decide if there is enough evidence, or proof to go to court.

FALSE: After an investigation, a district attorney will decide if there is enough evidence, or proof, to go to court.

IV. TRIAL PROCESS: ROLES & FUNCTIONS OF A JUDGE, BAILIFF, DEFENDANT, AND WITNESS

Now back to our story. Since the kid is accused of stealing John's ipod, he will have to go to court so a decision can be made about what happened. He will be charged with theft. Do you know what theft means? Good. Theft means unlawfully taking the property of another person. Theft can be a felony or a misdemeanor. Do you know what a felony is? Good. A felony is a serious crime. Do you know what a misdemeanor is? Good. A misdemeanor is a "lesser" criminal act.

The kid will have a plea hearing. Do you know what a plea hearing is? Good. A plea hearing is where someone accused of a crime tells the court if they are guilty or not guilty. What does guilty mean? Good. Guilty means the person accused of a crime really did it or the evidence makes it seem like the person did it. If a person pleads guilty, they will have to give up some legal rights. For example, they will have to give up their right to a trial. If a person pleads guilty, they will also have to give up the right to force the prosecution to prove its case, to prove that they really committed the crime.
What does **not guilty** mean? Good. Not guilty means the person accused of a crime did not do it or the evidence makes it seem like the person did not do it. If a person pleads not guilty, then there will be a **contested hearing**. Do you know what a contested hearing means? Good. A contested hearing means that there will be a **trial**. Do you know what a trial is? Good. A trial is kind of like a discussion in court. We have trials to protect the rights of people, like the kid in our story. He is accused of a crime, but he is not guilty until it is proven in a trial in court.

So what is a trial? Good. A trial is something like a discussion in court. And why do we have trials? Good. We have trials to protect the rights of people, and hear all of the evidence and make a decision about something that may have happened.

During a trial, the prosecuting attorney shows all the evidence in court. Evidence is shown by having people go to court and tell what happened. If someone is accused of breaking the law, they go to the trial. So the kid in our story will go to the trial because he is accused of stealing the John’s ipod. Witnesses also go to the trial so they can tell the judge what they saw or heard. Who are the people in our story who will go to trial? Good. The guy, the girl, and John will all go to court because they are witnesses.

Why is the kid going to trial? Good. The kid in our story will go to trial because he is accused of breaking the law. The kid is accused of stealing the John’s ipod. Somebody said he did it, but they have to prove it in court. Why are the guy, the girl, and John going to trial? The guy, the girl, and John will go to the trial because they are witnesses. They saw something happen or had something happen to them.

Let’s talk about some of the people in the court during a trial. (**Point to judge.**) Who is this? This is a **judge**. The judge is in charge of the courtroom. Kind of like your
teacher is in charge of the classroom. The judge, who can be a man or woman, wears a dark robe and sits up high in this chair. The judge is not on anybody's side. The judge's job is to make sure that everything that happens in court is fair.

Do you know what a judge does in court? Good. The judge listens to people tell what they have seen or heard, or about something that has happened to them. The judge listens to witnesses answer questions. Sometimes he decides if the person who is accused of a crime is guilty or not guilty - if they really did the crime or not. The judge then decides the sentence, or punishment, like if the accused person should go to jail or not.

(Point to Bailiff.) Who is this? Good. This is the bailiff or marshal. The bailiff or marshal is like a policeman in court. What is the bailiff or marshal's job? Good. The bailiff or marshal's job is to protect the people in court, to make sure nobody gets hurt.

(Hold up the kid accused of stealing the ipod and put him in the defendant's seat.) Who is this? Good. This is the kid who is accused of stealing the John's ipod. He is the defendant. The defendant is someone who is accused of breaking the law. It doesn't mean that the defendant broke the law, it just means that he is accused of breaking or blamed for breaking the law.

(Point to the guy, the girl, and John in the story.) Who are these people? Good. They are witnesses. A witness is a person who goes to court to tell the judge about something that has happened to them, or something they saw or heard.

Who are the witnesses in our story? Good. John is a witness. Why is he a witness? Good. He is a witness because something happened to him - his ipod was stolen. Who else is a witness? Good. The guy is a witness. Why is he a witness? The guy is
a witness because he saw something happen - he saw the kid with the ipod a few days earlier. Is anyone else a witness? Good. The girl in our story is also a witness. Why is she a witness? The girl is a witness because she saw the kid steal John’s ipod.

Being a witness is an important job. When a witness comes into the courtroom, they sit in a special chair next to the judge. (Point to the witness stand). This chair is called a witness stand.

When a witness first comes to the witness stand the witness must take an oath. Do you know what an oath is? Good. An oath is a promise to tell the truth. Taking an oath means that the witness promises to tell the truth. Have you ever seen witnesses on t.v. being told to raise their right hand and promise to tell the truth? (demonstrate) This is taking an oath. So what is an oath? Good. An oath is a promise to tell the truth.

Why is it important to tell the truth? Good. It is important to tell the truth so that a decision can be made based upon all of the facts about what happened. What would happen, for example, if the girl was not telling the truth and she didn’t really see the kid taking John’s ipod? Good. The kid might go to jail for a crime he didn’t commit. What if the guy was not telling the truth and he didn’t really see the kid with the ipod a few days ago? Good. The kid might have stolen the ipod and would not be punished for it. If the witness didn't tell the truth, a person might go to jail and be punished for something they didn’t do or a guilty person may be set free and do the crime again.

A witness must always tell the truth and must always tell everything they remember about what happened. They do this by answering questions on the witness stand. When they answer questions on the witness stand, it is called testifying. When a
witness testifies, what they say is called their testimony. The guy, the girl, and John in our story will each have a turn to sit at the witness stand and tell what they remember about the ipod being stolen. The guy, the girl, and John will each testify in court. What they say in court is their testimony.

When YOU go to court, it is important to always tell everything you remember about what happened. What if you are asked a question by an attorney and you do not know an answer, what do you think you can you say? Good. You can say, “I don’t know.” What if you are asked a question about something and you just don’t remember or you forgot something that happened, what can you say? Good. You can say, “I don’t remember or I forgot”. What if an attorney asks you a question and you don’t understand the question, what do you think you can say? Good. You can say “I don’t understand the question.” It is important to always tell the truth and tell everything you remember, but if you do not know something, can’t remember something, or don’t understand something, it is O.K. to say “I don’t know,” “I don’t remember,” or “I don’t understand.”

V. REVIEW: TRIAL PROCESS: ROLES & FUNCTIONS OF JUDGE, BAILIFF, DEFENDANT, AND WITNESS

Now we are going to play red card/green card again. Ready? O.K. If I say something that is true, which card do you hold up? Good. The green card. If I say something that is false, which card do you hold up? Good. The red card.

(NOTE: Reinforce after each statement. If sentence is "false" repeat the question and ask, "Why is that false?")
1- A plea hearing is where the defendant pleads guilty.

**FALSE:** A defendant can plead guilty or not guilty at a plea hearing.

2- If a defendant pleads guilty, they would have to give up some of their legal rights.

**TRUE**

3- A bailiff’s job is to protect people in court.

**TRUE**

4- A judge’s job is to do an investigation.

**FALSE:** A judge’s job is to make sure that everything that happens in court is fair.

5- John in our story is the defendant.

**FALSE:** The kid in our story is the defendant.

6- A defendant is someone who is accused of breaking the law.

**TRUE**

7- A witness is a person who goes to court to tell the judge about something that happened to them, or about something they saw or heard.

**TRUE**

8- An oath means to talk loud on the witness stand.

**FALSE:** An oath is a promise to tell the truth.

9- Testify means to take a test.

**FALSE:** Testify means to answer questions on the witness stand.
Your testimony is what you say on the witness stand.

TRUE

VI. TRIAL PROCESS: ROLES & FUNCTIONS OF PROSECUTING ATTORNEY, DEFENSE ATTORNEY, AND JURY

There are different kinds of attorneys or lawyers. An attorney's job to stand up for, or represent, someone in court and prove his or her side of the case.

Attorneys may look the same, but they have different jobs. One kind of attorney is a Prosecuting Attorney. Another name for a prosecuting attorney is a District Attorney or DA. This is the prosecuting attorney (point to prosecuting attorney). Do you know what a prosecuting attorneys job is? Good. The prosecuting attorney's job is to take the evidence from the police investigation and decide if there's enough evidence to go to court and have a trial. The prosecuting attorney also has to prove its case in court, prove that the defendant really is guilty. They do this by showing evidence in court and asking witnesses about what happened by asking them questions when they are on the witness stand. So what is a prosecuting attorney or DA's job? Good. The prosecuting attorney or DA's job is to decide if there is enough evidence to go to trial and to prove its case in court, prove that the defendant really is guilty.

Another kind of attorney is a defense attorney. (Point to defense attorney.) This is the defense attorney. The defense attorney's job is to show that the defendant is not guilty. In our story, the defense attorney tries to show that the kid did not steal the ipod, that the girl is wrong or that she made a mistake. So what is the defense
attorney's job? Good. The defense attorney's job is to show that the defendant is not guilty.

(Point to Jury.) Who are these people? Good. These people are the jury. The jury is not on anybody's side. The jury's job is to listen carefully to everything that is said during a trial and makes a decision about something that happened. The jury decides if the defendant is guilty or not guilty.

When all of the witnesses have answered questions (testified), the judge or jury makes a decision. This decision is called the verdict. A verdict is a decision of guilty or not guilty. In our story, the judge and jury will listen carefully to what the guy, the girl, and John say during the trial. The judge or jury will make a decision as to whether they think the kid stole John's ipod. The judge or jury will decide the verdict.

After the judge or jury decides the verdict, the judge announces the verdict. If the defendant is found not guilty, it means the judge and the jury do not think the defendant committed the crime based on the evidence. Maybe someone else could have committed the crime. It doesn't mean the witness is guilty. The witness will not get in trouble. Someone else could have committed the crime.

If the defendant is found guilty, it means the judge and jury think that the person did commit the crime based on the evidence. If the defendant is found guilty, the judge will also sentence the defendant. That means the judge will give the defendant a punishment. If the defendant is found guilty of committing a felony, a serious crime, they might have to go to jail. If they are found guilty of a lesser crime, a misdemeanor,
they might have to pay a fine or be put on probation.

VII. REVIEW: TRIAL PROCESS: ROLES & FUNCTIONS OF PROSECUTING ATTORNEY, DEFENSE ATTORNEY, AND JURY

Now we are going to play red card/green card. Ready? O.K. If I say something that is true, which card do you hold up? Good. The green card. If I say something that is false, which card do you hold up? Good. The red card.

(NOTE: Reinforce after each statement. If sentence is "false" repeat the question and ask, "Why is that false?")

1- An attorney is a policeman.
   
   FALSE: An attorney is a lawyer.

2- The District Attorney and Prosecuting Attorney are not terms used for the same people.
   
   FALSE: The District Attorney and Prosecuting Attorney are terms used for the same person.

3- The DA or prosecuting attorney's job is to decide if there is enough evidence to go to court and have a trial. And to prove its case, that the defendant really is guilty.
   
   TRUE

4- The defense attorney's job is to prove that the defendant is guilty.
   
   FALSE: The defense attorney's job is to prove that the defendant is not guilty.

5- The jury doesn't listen to what the witnesses say in court.
   
   FALSE: The jury does listen to what witnesses say in court.
6- The judge or jury decides the verdict.

TRUE.

7- A verdict means the defendant is not guilty.

FALSE: A verdict is a decision of guilty or not guilty.

8- If someone is found guilty, it means the jury thinks the witness committed the crime.

FALSE: If someone is found guilty, it means the judge and jury think the defendant committed the crime.

9- A misdemeanor is a less serious crime than a felony.

TRUE

10- If someone is found guilty of a felony, they might have to go to jail.

TRUE
Juvenile Competency
Court School
Control Curriculum
I. INTRODUCTION

Today we are going to learn about disciplinary and expulsion procedures in the Clark County School District. First, to help you learn about disciplinary procedures, I am going to tell you a brief story. Then, based on the story, I’m going to explain to you how discipline works.

One day John, a 10th grader, had just sat down at the lunch table at school when he realized he forgot a fork. He left his belongings - his backpack, cell phone, & ipod on the lunch table while he jumped up to get a fork. When he returned, his ipod was gone. He saw a kid running away from the table, holding an ipod that looked just like his. The kid said the ipod belonged to him and that it was not John’s. A guy who was standing near the kid said the ipod belonged to the kid. He said he saw him with it a few days earlier. But a girl came up to John and said she saw the kid take his ipod. The girl told the dean that the kid stole the ipod. The kid was then referred and recommended for expulsion from school.

II. REFERRAL PROCESS

Do you know what it means to be referred or recommended for something? Good. It means that someone suggests that something happens. If you recommended to receive an award, what does that mean? Good. It means someone suggests that you receive an award.
Has anyone ever recommended you for something? What was it? Ok.

The kid in our story is being recommended for expulsion. Do you know what expulsion means? Good. Expulsion is the removal of a student from school for acts that break a school rule or policy. Does anyone know what a rule or policy is? A rule or policy is something every student at a school has to follow. Can anyone name a school rule or policy? Good.

When a student is thought to break a rule or policy, it is a violation. What does a violation mean? Good. A violation is when someone breaks a school rule. When a violation occurs, a principal tries to find out what happened.

If after the principal finds out what happens, the principal believes there was a violation of a school rule, a principal or a dean may suspend the student and then may recommend the student for expulsion. Within 3 days of the suspension, the principal or dean must conduct a meeting with the student and student’s parents to discuss what happened, what rule was violated, what other disciplinary issues the student has had in the past year, and any information that the student’s parents would like the dean or principal to consider related to act leading to the suspension or recommendation for expulsion. At the conclusion of the meeting, the principal shall make a decision regarding the disciplinary action which may include a recommendation for expulsion.

If a student is being recommended for expulsion, the parents of the student must be informed of their rights. These rights include the right to a meeting with the school principal and the right of written notice to the parents of the official decision to recommend expulsion. Then the parents must decide if they want to contest or not contest the expulsion. Do you know what contest mean? Good. Contest means to
argue against. If a parent contests the recommendation for expulsion, they disagree with the recommendation. If parent does not contest the recommendation for expulsion, it means they are not arguing against the recommendation. The recommendation is then sent to the Educational Services Division to determine whether the expulsion should be limited, permanent, or modified.

III. REVIEW: REFERRAL PROCESS

Now we are going to take a break from our story and play a game called red card/green card. (Pass out red and green card to each student). Everybody hold up the green card. What does it say? Good. It says “True”. Now put the green card down and hold up the red card. What does it say? Good. It says “False”. Now everybody put your cards down.

Now I am going to say some sentences. If a sentence is true, which card should you hold up? Good, you hold up the green card. If a sentences are false, which card do you hold up? Good, you hold up the red card. (Note: Reinforce after each statement. If the sentence is “false” repeat the question and ask, “Why is that false?”)

* We are learning about how the recommendation for expulsion procedure occurs.
  TRUE: (Make sure “right” card is raised)

* You are in elementary school.
  FALSE: (Make this statement wrong and make sure “wrong” card is raised)
1- John is being recommended for expulsion for stealing the kid’s IPOD.

FALSE: The kid is being recommended for expulsion for stealing John’s IPOD.

2- Recommended means that someone suggests that something happens.

TRUE

3- If someone follows school rules it is a violation.

FALSE: If someone breaks the rule/policy it is a violation.

4- The principal’s job is to meet with the student and parent to discuss what happened and what rule may have been violated.

TRUE

5- A principal decides the disciplinary action of a student which may include a recommendation for expulsion.

TRUE

6- The principal should consider information from a student’s parents when considering the discipline of a student.

TRUE

9- A principal decides if the student will ultimately be expelled.

FALSE – The Educational Services Division will determine whether recommended expulsion should be limited, permanent, or modified.
IV. EXPULSION PROCESS:

Now back to our story. Since the kid is accused of stealing John’s IPOD, he may be recommended for expulsion by his school’s principal. He will be cited for the violation of theft. Do you know what theft means according to school rules? Good. According to school rules, Theft means taking or attempting to take the property of another.

If the kid is recommended for expulsion from his school, the kid and his parents will meet with someone from the Educational Services Division. The Educational Services Division representative will review the recommendation and determine if there really was a violation of a school rule.

The ESD representative will then determine whether the recommended should be permanent, limited, modified, or denied. Does anyone know what a permanent expulsion means? A Permanent expulsion means the student will be permanently removed from a regular school campus and will only be allowed to attend an alternative school placement like a behavior or consequence school.

Does anyone know what Limited Expulsion is? If the ESD representative gives a student a Limited expulsion, the student must attend an alternate school setting and once the student is successful in that setting, the student can return to a regular school campus. The regular school campus that the student returns to may or may not be the school the student was recommended for expulsion from. The student will be allowed to go back to a regular campus on a trial enrollment. This means that the student must follow all school rules again. If the student does not follow the school rules again, the student can be removed from the school and be recommended for expulsion again.
An expulsion can also be modified. If an expulsion is modified then the ESD representative will recommend another school placement for the child. If the expulsion is considered modified, it is not an expulsion at all and does not go on a student’s record as an expulsion.

If an expulsion recommendation is denied by the ESD representative, the student returns to the school that the student was being recommended for expulsion from and the student is not expelled.

If the student’s parent contests the expulsion recommendation made by the ESD representative, the parent must notify the Associate Superintendent of the ESD within 14 days. Fourteen days after the parent notifies the Associate Superintendent contesting the expulsion, a formal meeting will be held by a Hearing Panel.

Does anyone know what happens during this formal meeting with a Hearing Panel? Good. At the formal meeting, a discussion takes place that determines whether the student has committed a violation of school rules, whether the ESD representative’s recommendation was appropriate, and then what they think is the appropriate consequence and educational placement for the student based on the violation.

During the formal meeting, the Panel must consider the type of the offense; the student’s disciplinary record for one calendar year before the date of the recommendation for expulsion; the student’s academic record and any academic concerns, and any fitting school district regulations and state or federal laws. If the Panel determines that the student committed the violation, the Panel will decide whether the student will be expelled and what kind of expulsion it will be. If the
student's parent then does not agree with the decision of the Panel, the parent may appeal the decision to the Board of School Trustees Expulsion Review Board.

V. REVIEW: EXPULSION PROCEDURE

Now we are going to play red card/green card again. Ready? O.K. If I say something that is true, which card do you hold up? Good. The green card. If I say something that is false, which card do you hold up? Good. The red card.

(NOTE: Reinforce after each statement. If sentence is “false” repeat the question and ask, "Why is that false?")

1- At a formal meeting, there is a discussion that determines whether the student has committed a violation of school rules and what the appropriate consequence and educational placement will be for the student.

TRUE

2- The Educational Services Division representative may decide if a student’s expulsion is permanent, limited, modified or denied.

TRUE

3- A limited expulsion means that a student may not return to a regular school and has to stay at an alternative school for as long as the student is in school.

FALSE: A limited expulsion means that a student may return to a regular school campus after a successful period at alternative school placement
4- A Panel will look at a student’s disciplinary record for the past calendar year to help determine disciplinary actions

**TRUE**

5- A student’s parents has no rights in the expulsion process

**FALSE** – a student’s parents has the right to contest the recommendation for expulsion at various levels and get written notice of the recommendation

**VI. EXPULSION PROCESS: ROLES & FUNCTIONS OF DISTRICT STAFF**

Let's talk about some of the people involved in the expulsion process. What role does the principal play in the disciplinary/expulsion procedures? The principal tries to find out about the incident and makes the recommendation for the disciplinary action including the official recommendation for expulsion. Per regulation, the principal is required to protect students and school personnel from danger and maintaining order and discipline among students who do not comply with rules.

What is the job of the Educational Services Division representative? The ESD representative will review the recommendation of the school and make the official school recommendation on whether a student’s expulsion will be permanent, limited, modified or denied.

What is the job of the Expulsion Review Board? If the parent contests the recommendation from the Educational Services Division representative, the Board will review the ESD representative’s recommendation and then determine whether the student’s expulsion will be permanent, limited, modified, or denied.
After determining whether the student violated the rule/policy, the Educational Services Division representative or the Hearing Panel recommends the punishment. What happens to a student if the student’s expulsion is limited? Good. If the expulsion is limited, a student will be assigned to alternative school placement like behavior school for a period of time. Once the student successfully completes the time at the alternative behavior school, they will be returned to a regular school campus on a trial enrollment basis which may or may not be the school that recommended the student’s expulsion. Where does a student go to school if the student is permanently expelled? If the expulsion is upheld on a permanent basis, the student will be sent to an alternative school placement and will likely not be able to return to a regular school campus. Does the student get to go back to the student’s school if the expulsion recommended is modified? Good. Yes, if the expulsion is modified, the student will not be expelled from the school but may still be given a consequence. With a modification, the ESD designee or Panel may recommend a variety of consequences depending on the unique circumstances of the violation and information about the student. If the expulsion is denied, what do you think that means and what will happen to the student? Good. If the expulsion is denied, it means the ESD designee or Panel either does not think a violation occurred or does not agree with the recommendation for expulsion. The student returns to the student’s school.

VII. REVIEW: EXPULSION PROCESS: ROLES & FUNCTIONS OF DISTRICT STAFF

Now we are going to play red card/green card. Ready? O.K. If I say something that is true, which card do you hold up? Good. The green card. If I say something that is false, which card do you hold up? Good. The red card.
(NOTE: Reinforce after each statement. If sentence is "false" repeat the question and ask, "Why is that false?")

1- The job of the school’s principal is to maintain the safety of the school

   TRUE

2- A student who is permanently expelled may not be able to return to a regular school campus.

   TRUE

3- If a student’s expulsion is limited, the student may be able to go back to the student’s school

   TRUE

4- It is possible for an expulsion will be denied by the ESD representative or the Panel.

   TRUE
APPENDIX G: SCRIPT FOR REQUESTING STUDENT PARTICIPATION

Script for Requesting Student Participation

My name is Leslie Murdock and I am a graduate student at UNLV in areas of education and law. I am conducting a research project about what youths know about the law and about going to court. I am trying to learn about what youths know about the law and see if teaching youths about the law helps them better understand it. I hope to one day work with youth involved in the law and help create good practices for them.

I am here at your school and in your class to ask for your participation in my study because you are going to take a specialized 2 hour class about the law and going to court. However, you have the right not to participate in the study. No one will be upset if you don’t participate in the study. Your choice of participating in the study or not participating in the study will not affect your grade in your class in any way.

If you agree to participate in the study, you will be asked approximately 25 questions about what you know and about how you feel about the law and about going to court. You will be asked these questions privately and your answers will be recorded in an answer booklet. One week after you take the specialized 2 hour class, you will be asked the same 25 questions about the law.

If you agree to be in this study your school records will reviewed for research purposes only. Information from your records that will be recorded includes how old you are, if you are male or female, your ethnic background, your scores on any district or state tests, your academic and behavioral performance in school, IQ, and disability (if you have one) will be recorded. Your name will not be linked to this study. Once you agree to participate, you will be assigned an ID number. This number will be put on all documents related to the study and to your information from school records. Once you are assigned a number, your name will not be used or asked for.

A risk of participating in the study is that you might feel some stress about answering questions about the law. You also might be worried about having your records reviewed. However, your answers to questions about the law will only be used for research and will not influence your class grade in any way. Your records will only be reviewed for research and your name will not be linked to the study.

A benefit of participating in the study is that you can help show what you know about the law and how you might feel about going to court. You can help determine whether teaching youths about the law helps them learn more about it and make them feel better about going to court. You can possibly help drive good practices for courts working with youths.
You do not have to participate in this study if you do not want to. I will be asking your parents if you can participate in the study too. Even if your parents agree to let you participate, you can still choose not to. If you decide to participate in the study and then change your mind, you can stop participating. Participating in the study means you agree to answer the questions before and after being taught the lesson and have your records reviewed. If you do not want to be in the study, you will still be taught the lesson but you will not answer questions before and after the lesson and your records will not be reviewed.

I will now pass out the Youth Assent Form and Parent Permission Form that you and your parents will need to sign if you agree to be in the study. Please follow along with me as I read both forms to you.

*Forms will be read to students.*

Do you have any questions about the study that I can answer for you?

If you would like to be a part of the study, please turn in both of these forms to your teacher.

Thank you for letting me come to your class, for listening to me, and for considering participating in my study.
APPENDIX H: PARENT CONSENT FORM

PARENT CONSENT FORM
Department of Educational Psychology/Boyd School of Law

TITLE OF STUDY: The Effects of the Juvenile Competency Court School Curriculum on Juveniles' Factual Knowledge of Court Proceedings

INVESTIGATORS: Dr. Rebecca Nathanson & Leslie Murdock

CONTACT & CONTACT PHONE NUMBER: Dr. Rebecca Nathanson (702) 895-2323

Purpose of the Study
Your child has been invited to participate in a research study. The purpose of this study is to see if teaching youths about the law and court proceedings affects their knowledge of the legal process and affects how they feel about the law and going to court. Results from this study may help create beneficial legal practices for youths involved in the legal system.

Participants
You are being asked to permit your age 11-17 child to participate in this study because your child is about to take a specialized 2 hour class about the law and about going to court.

Procedures
If you consent to have your child participate in this study, the following steps will be taken involving your child: (1) your child will be taken out of class for forty five minutes to answer approximately 25 questions about the law and court proceedings from legal knowledge and legal stress scale assessments (i.e. What is the role of a judge? How would you feel about going to court?) prior to participating in a specialized 2 hour class on the law and court proceedings that will be taught at your child’s school. (2) One week after the curriculum is taught, your child will be taken out of class again and will be asked the same 25 questions about the law and court proceedings. (3) Your child’s school records will be reviewed and information about your child’s age, gender, ethnicity, test scores, disciplinary records, IQ, and disability (if your child has one) will be recorded. This information will be used for research purposes only.

Benefits of Participation
Your child may help create important positive practices regarding youth in the legal field.

Risks of Participation
There are risks involved in all research studies. This study includes only minimal risks. A possible risk for your child is anxiety usually associated with taking tests. Another possible risk is that your child worries that his/her effort on the questions about the law will affect his/her grade in the class. Your child might also be worried about having his/her school records reviewed. Your child will be informed that participation in the study is voluntary and that his/her answers to the questions about the law and that information from his/her school records will only be used for research purposes only, that your child’s name will not be used in the study, and that his/her answers on the assessments will not affect his/her grade in the class in any way.

Approved by the UNLV IRB. Protocol #1201-4011
Received: 06-29-12 Approved: 04-12-12 Expiration: 04-11-13
PARENT CONSENT FORM
Department of Educational Psychology/ Boyd School of Law

TITLE OF STUDY: The Effects of the Juvenile Competency Court School Curriculum on Juveniles’ Factual Knowledge of Court Proceedings

INVESTIGATORS: Dr. Rebecca Nathanson & Leslie Murdock

CONTACT & CONTACT PHONE NUMBER: Dr. Rebecca Nathanson (702) 895-2323

Cost/Compensation
There will not be financial cost to you or your child to participate in this study. The study will take no more than one and half hours of your child’s time. Neither you nor your child will be compensated for participating in this study.

Contact Information
If you have any questions or concerns about the study, you may contact Dr. Rebecca Nathanson at 702-895-2323. For questions regarding the rights of research subjects, any complaints or comments regarding the manner in which the study is being conducted you may contact the UNLV Office of Research Integrity – Human Subjects at 702-895-2794.

Voluntary Participation
If your child does not wish to participate in the study, your child’s school records will not be reviewed and your child will not answer questions about the law before and after the 2 hour class. Your child’s participation in this study is voluntary. You may refuse to have your child participate in this study. You may refuse to have your child’s school records reviewed. Your child may withdraw from the study at any time. A withdrawal from the study by either you or your child will not affect your child’s grade in his/her class in any way. You are encouraged to ask questions about this study at the beginning or any time during the study’s administration.

Confidentiality
All information gathered and reviewed in this study will be kept completely confidential. Your child will be assigned an ID number. No reference will be made in written or oral materials that could link your child to this study or to any information collected from your child’s school record. All records will be stored in a locked facility at UNLV for at least 5 years after completion of the study. After the storage time, the information gathered will be destroyed.

Approved by the UNLV IRB. Protocol #1201-1011
Received: 06-29-12 Approved: 04-12-12 Expiration: 04-11-13
PARENT CONSENT FORM
Department of Educational Psychology/ Boyd School of Law

TITLE OF STUDY: The Effects of the Juvenile Competency Court School Curriculum on Juveniles' Factual Knowledge of Court Proceedings
INVESTIGATORS: Dr. Rebecca Nathanson & Leslie Murdock
CONTACT & CONTACT PHONE NUMBER: Dr. Rebecca Nathanson (702) 895-2323

Participant Consent:
I give my permission for my child to participate in this research study and for my child’s school records to be reviewed for research purposes. A copy of this Consent Form has been given to me.

Signature of Participant’s Parent

Participant’s Parent’s Name (Please Print)

Child’s/Participant’s Name (Please Print)

Date

Approved by the UNLV IRB. Protocol #1201-4011
Received: 06-29-12 Approved: 04-12-12 Expiration: 04-11-13

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APPENDIX I: YOUTH ASSENT FORM

UNLV
UNIVERSITY OF NEVADA LAS VEGAS

YOUTH ASSENT FORM
Department of Educational Psychology/Boyd School of Law

TITLE OF STUDY: The Effects of the Juvenile Competency Court School Curriculum on Juveniles' Factual Knowledge of Court Proceedings

INVESTIGATORS: Dr. Rebecca Nathanson & Leslie Murdock

CONTACT & CONTACT PHONE NUMBER: Dr. Rebecca Nathanson (702) 895-2323

1. My name is Leslie Murdock.

2. I am asking you to take part in a research study because you are about to take a specialized 2 hour class about the law and we are trying to learn more about what youths know and how they feel about the law and going to court. I want to see if teaching youths about the law and court will help youth learn more about them and make them feel better about the law and about going to court.

3. If you agree to participate in this study, we will pull you out of class for forty five minutes and you will be asked to answer approximately 25 questions about the law and going to court from both a legal knowledge and a legal stress scale assessment. After 1 week you will be pulled out of class again for forty five minutes and we will ask you the same 25 questions about the law and about going to court. Also, if you agree to participate in this study, your school records will be reviewed and information about how old you are, if you are male or female, your ethnic background, your scores on any district or state tests, your academic and behavioral performance in school, IQ, and disability (if you have one) will be recorded. This information will be used for research purposes only. If you do not agree to be in the study, you will not be asked questions about the law and your school records will not be reviewed.

4. The only risks of participating in the study is that you might feel some stress when you are answering questions about the law and going to court, kind of like you might feel when you take a test in school. You also might be nervous about having your records reviewed. However, your answers to questions about the law and about going to court will only be used for research purposes and will in no way influence your class grade. Also, if you participate in this study, you will be given an ID number and your name will not appear on anything.

5. By participating in this study, you can help show what youths know about the law and going to court and whether teaching them about the law and court helps them understand more about these topics. You can also maybe help create good practices for courts that deal with youths.

6. Please talk this over with your parents before you decide whether or not to participate. We will also ask your parents to give their permission for you to take part in this study. But even if your parents say “yes” to let you participate in the study, you can still decide not to participate.

7. You don’t have to participate in the study. No one will be upset if you don’t want to participate or even if you change your mind later and want to stop.

8. You can ask any questions that you have about the study. You can call me and Dr. Nathanson at 888-1170/895-2323 or email me at murdockl@unlv.nevada.edu. If I have not answered your questions or you do not feel comfortable talking to me about your question, you or your parent can call the UNLV Office of Research Integrity-Human Subjects at 702-895-2764.

Approved by the UNLV IRB. Protocol #1291-4011
Received: 06-29-12 Approved: 04-12-12 Expiration: 04-11-13
TITLE OF STUDY: The Effects of the *Juvenile Competency Court School* Curriculum on Juveniles' Factual Knowledge of Court Proceedings

INVESTIGATORS: Dr. Rebecca Nathanson & Leslie Murdock

CONTACT & CONTACT PHONE NUMBER: Dr. Rebecca Nathanson (702) 895-2323

9. **Signing your name at the bottom of this Form means that you agree to be in this study. You and your parents will be given a copy of this form after you have signed it.**

Print your name
Sign Your Name
Date

Approved by the UNLV IRB. Protocol #1201-4011
Received: 06-29-12 Approved: 04-12-12 Expiration: 04-11-13
Intro and Prompts for Research Assistants

**Prior to Giving the Assessments**

Hi, how are you today? Hi my name is ________________ and it is nice to meet you. I am going to be asking you some questions about the law. Are you ready to get started? Great.

**Between the MacCAT-CA and CRSS**

You’re doing a great job. I have a few more questions to ask you. Are you ready to continue?

**After Assessments are Completed**

That’s it. You’re done. Nice work. Thanks for participating in this study. The monitor will take you back to class/I will take you back to class now.

**Other Ok Prompts**

“You’re doing a great job”

“Only a few more questions – hang in there”

“Can you explain to me what (ambiguous term) means to you?”

“Can you explain what that means in your own words?”
REFERENCES


doi: 10.1177/0093854804265175


*In re Gault*, 387 U.S. 1 (1967)


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EDUCATION

University of Nevada Las Vegas - William S. Boyd School of Law  
Juris Doctorate, December 2013  
Las Vegas, NV

University of Nevada Las Vegas  
Doctorate of Philosophy, Educational Psychology, December 2013  
Las Vegas, NV

Columbia University  
Masters of Arts, Learning dis/Abilities, May 2005  
New York, NY

University of Colorado at Boulder  
Certificate, Elementary Education, May 1999  
Boulder, CO

University of Colorado at Boulder  
Bachelor of Arts, Sociology, May 1998  
Boulder, CO

PROFESSIONAL EXPERIENCE

Legal Aid Center of Southern Nevada  
Coordinator, Educational Surrogate Parent Program, May 2010-Present  
Advocate, Special Education Program, May 2010-Present  
Law Clerk, Children’s Attorney Project/Special Education Program, January-May 2010  
January 2010 – Present  
Las Vegas, NV

Clark County Department of Family Services  
Co-Chair and Education Representative  
Community Partnership Workgroup, Quality Research Initiative  
September 2012- Present  
Las Vegas, NV

Clark County School District  
Student Attendance Review Board Member, January 2013-Present  
Las Vegas, NV

Nevada State Commission for the Education of Foster Children  
Member, June 2012- Present  
Las Vegas, NV

University of Nevada Las Vegas/William S. Boyd School of Law  
Graduate Assistant, August 2005 – December 2010  
Coordinator, Kids’ Court School, August 2005 – December 2010  
Part-Time Instructor, August 2009 – May 2010  
Las Vegas, NV
Juvenile Division of District Attorney’s Office

Clark County, NV

Columbia University
National Council for Accreditation of Teacher Education
Representative/Research Assistant, March-May 2005
Disability Forum Committee Member, January – May 2005

New York, NY

Primary School 9
Teacher/Assistant Teacher, September 2003 – June 2005

New York, NY

Jewish Day School of Metropolitan Seattle
Teacher, September 2001 – June 2002

Bellevue, WA

Washington State Holocaust Education Resource Center
Education Director, August 1999-June 2003
Web Designer/Consultant, June 2003-August 2003

Seattle, WA

COMMUNITY EXPERIENCE

Jewish Community Center
Treasurer, January 2012 – Present
Board Member, June 2007 – Present
Vice President, January 2010 – January 2011

Las Vegas, NV

Jewish Federation of Las Vegas
Jewish Community Leader Strategic Planning Committee Member, June 2013-Present
New Family/JewishYouth and Teen Committee Members, 2005 – 2009

Las Vegas, NV

Governor’s Council for Education Related to the Holocaust
Council Member, June 2005 – June 2010

Las Vegas, NV

Midbar Kodesh Temple
Early Childhood, Religious School, and Gala Committees, September 2005 – Present

Henderson, NV
PRESENTATIONS


- Murdock, L. & Rhu, A. (2010-2013). Behavioral and Disciplinary Protections for Children with Disabilities. Powerpoint presentations throughout the years to Department of Family Services Personnel and Foster homes, State of Nevada Division of Child and Family Services, Court Appointed Special Advocates, Therapeutic Foster Homes Agencies, and Community Agencies, Las Vegas, NV.

- Murdock, L. & Rhu, A. (September – December 2013). The Individualized Education Plan (IEP) and the IEP Process. Powerpoint presentations to Department of Family Services Personnel and Foster homes, State of Nevada Division of Child and Family Services, Court Appointed Special Advocates, Therapeutic Foster Homes Agencies, and Community Agencies, Las Vegas, NV.

- Murdock, L. & Rhu, A. (2010-2012). The Basics: Special Education Law, Evaluation, and Placement. Powerpoint presentations throughout the years to Department of Family Services Personnel and Foster homes, State of Nevada Division of Child and Family Services, Court Appointed Special Advocates, Therapeutic Foster Homes Agencies, and Community Agencies, Las Vegas, NV.


CERTIFICATIONS/MEMBERSHIPS

• Member, Council for Parents, Advocates, and Attorneys
• Member, American Bar Association – Student Division
• Member, Council for Exceptional Children
• Member, American Educational Research Association