

BACKGROUND

The Juvenile Arbitration Program was started in Florida over twenty years ago to give the first time juvenile offender an opportunity to clear his/her record by completing requirements determined by a Volunteer Arbitrator. In 1983, Solicitor Donald V. Myers and the Grand Jury recommended the program for Lexington County. Juvenile Arbitration is a diversion program for the Eleventh Judicial Circuit Solicitor's Office.

OBJECTIVES OF THE JUVENILE ARBITRATION PROGRAM

- Permit the first time non-violent juvenile offender to clear his/her court record by completing a list of tailor-made requirements determined by a Volunteer Arbitrator.
- Reduce the workload of the Department of Juvenile Justice by removing first time offender cases from the system, allowing the staff to concentrate on the serious, violent, and repeat offenders.
- Allow the community to become involved in the Juvenile Justice

System.

HOW IT WORKS

When a juvenile is charged with a crime, the information is sent to the SC Department of Juvenile Justice with a recommendation by the arresting officer to propose the juvenile be allowed to participate in this program. The Department of Juvenile Justice will review the youth's prior record and will forward the file to the Arbitration Program if it meets all criteria. The Community Juvenile Arbitration Program will establish a hearing date once they have received the case from DJJ, usually within three (3) weeks. The Program will inform the following parties of the hearing date:

- Juvenile and parents
- Victim
- Arresting Officer

The program is voluntary and at any point the juvenile or family may terminate their participation in the program and the case will be forwarded to the Solicitor's Office for prosecution in the Juvenile Justice System. At the hearing, the Arbitrator determines the facts of the case and elicits appropriate action on the part of the juvenile for their criminal behavior. The Arbitrator will also attempt to determine if the

family is in need of assistance from available community resources (counseling or other referrals).

The Arbitrator will determine a program for the juvenile to complete that will include the following elements:

- Education - attend a session of General Sessions Court; visit a correctional institution; attend substance abuse counseling; attend other counseling or programs as deemed appropriate
- Restitution to victim
- Community Service - work in the community for a certain number of hours
- Referrals to other social service agencies if appropriate

Once all requirements are satisfied, the Arbitrator assigned to the case will notify the Arbitration Program Director, who will inform the Solicitor's Office that no court record be created. A youth who successfully completes the program can truthfully say that he/she has never been convicted of a crime. Hopefully, this will end his/her involvement with the Criminal Justice System.

VOLUNTEERS

The program is built around citizen volunteers who act as the Arbitrators who conduct hearings. The Arbitrator monitors the juvenile's progress in meeting the requirements for 90 days. To develop qualified Arbitrators, a 24 hour training course is conducted by the Solicitor's Office at the Criminal Justice Academy with classes in the following areas:

- Juvenile Criminal Justice
- Criminal Law
- Communication Skills
- Hearing Format and Technique
- Victimization

The Arbitrators, once they have passed all requirements and are certified, will usually be assigned one case per month. The Arbitrator will follow-up on the required sanctions given to the youngsters, for a total time commitment of approximately 8 hours per month, or two hours per week. A typical case takes approximately 3 months for the juvenile to complete the required sanctions.

VOLUNTEER ELIGIBILITY

Eligibility requirements to become a volunteer Arbitrator are as follows:

- Must be 21 Years of Age
- Must have a High School Diploma
- No Criminal Record
- Must complete 24 hours of Arbitrator Training

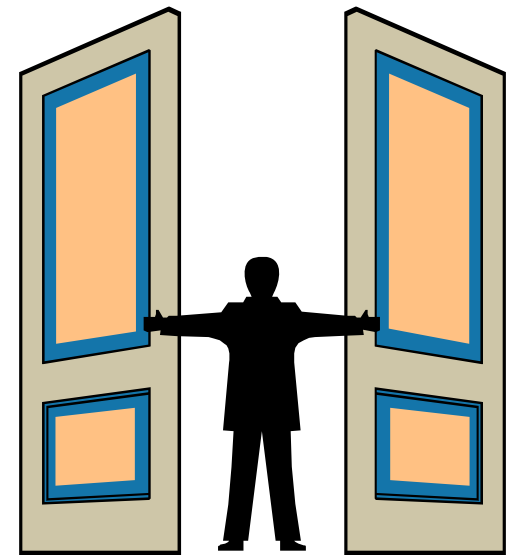
HOW DO YOU BECOME INVOLVED?

Send name, address and phone number to:

Juvenile Arbitration Program
205 East Main Street, Room 211
Lexington, SC 29072
Phone: (803) 785-8355
Fax: (803) 785-8610

Tri-County Office: Edgefield,
McCormick & Saluda
400 Church Street
Post Office Box 454
Edgefield, SC 29824
(803) 637-5630

COMMUNITY JUVENILE ARBITRATION



**AN
OPPORTUNITY
FOR
JUSTICE**

**11th JUDICIAL CIRCUIT
Lexington McCormick Saluda
Edgefield
South Carolina**