

Legal Representation and Education for Minority Youth Intervention

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Literature has revealed that ethnic/racial minority youth are over-represented in the juvenile justice system. The present study investigated whether providing legal representation to ethnic/racial minority youth in juvenile court would lead to fewer convictions and less severe sanctions. The sample consisted of 10,938 youth (2003–2007), with 32% ethnic/racial minority youth. The state's juvenile sentencing guidelines were used to evaluate the legal representation practice. Multinomial regressions were conducted to examine the effect of legal representation and ethnicity on convictions and sanctions, controlling for criminal history and severity of offense. Results were that legal representation for both ethnic/racial minority and non-minority youth decreased the likelihood of convictions. However, legal representation was also associated with less and more severe sanctions than recommended sentencing guidelines. Taken together, legal representation for youth in juvenile court may lead to dismissal of criminal charges, but for those youth who are convicted, attorney presence may lead to receiving more severe sanctions.

Juveniles in the United States today live in a world different from that of juveniles of previous generations. Today, the proportion of juveniles living in poverty, being raised in single-parent households, dropping out of high school, having children out of wedlock, and being involved with the juvenile justice system is greater and evolving in a manner differently than it was 20 years ago (Snyder, 2006; Snyder & Sickmund, 2006; Federal Interagency

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Forum on Child and Family Statistics, 2001). Involvement with the juvenile justice system is further compounded when examining ethnic/racial minority youth. In the United States, ethnic/racial minority youth, African Americans, American Indians, Asians, Hispanics, and Pacific Islanders make up less than one-third of the national youth population but represent more than two-thirds of the population in the juvenile justice system (Bonavita & Fairchild, 2001; Snyder & Sickmund, 1999).

Overrepresentation of ethnic/racial minority youth in the juvenile justice system is well-established (Hsia, Bridges, & McHale, 2005; Poe-Yamagata & Jones, 2000). On a national level, ethnic/racial minority youth are arrested, sentenced, and detained in numbers greatly disproportionate to their numbers in the national population (Bonavita & Fairchild, 2001; Bishop & Frazier, 1996). Research shows that ethnic/racial minority youth commonly receive harsher treatment and more severe outcomes than non-minority youth at every stage of the juvenile justice process, such as arrest, detention, petition, adjudication, and disposition (Bishop & Frazier, 1996; DeJong & Jackson, 1998; Frazier, Bishop, & Henretta, 1992; Kempf-Leonard & Sontheimer, 1995; Pope, Lovell, & Hsia, 2002; Pope, Lovell, Stojkovic, & Rose, 1996). For example, on average, a non-minority youth charged with a violent offense serves a 193-day sentence, while an African American youth serves 254 days, and a Hispanic youth serve 305 days (Bonavita & Fairchild, 2001). African American males are confined at rates 7 to 9 times higher than non-minority males (Hawkins & Jones, 1989). In another example, Fagan, Forst, and Vivona (1987) collecting data on actions taken by the police, the prosecutor, the juvenile court, the probation department, and corrections found that after controlling for a wide range of offenses and offender characteristics, ethnic/racial minority youth consistently received harsher and more punitive dispositions than did non-minority youth. McCarthy and Smith (1986) collecting data at intake screening, detention, and adjudication found that race is an important influence when youth are selected into the system for further processing.

Given the complexities associated within the juvenile justice system, one of them being overrepresentation of ethnic/racial minority youth, state legislatures have sought to combat the problem by providing ethnic/racial minority youth with legal representation intended to ensure that ethnic/racial minority youth are receiving a fair trial and the legal process is operating according to a legitimate and justice-oriented framework.

Studies have found that 15–95% of juvenile offenders were assisted by an attorney (e.g., Aday, 1986; Clarke & Koch, 1980; Feld, 1993a, 1993b). There are a variety of possible explanations for why so many youth appear unrepresented in juvenile courts: parental reluctance to retain an attorney, inadequate legal services in various geographic areas, judicial readiness to find right-to-counsel waivers, brief and misleading information that inadequately convey the importance of the right to counsel, judicial hostility to

the role of advocate, or a judicial predetermination of dispositions where probation is the anticipated outcome (Feld, 1989; Stapleton & Teitelbaum, 1972). In many instances, the most common explanation for why so many juveniles are unrepresented is that they waive their right to counsel (Feld, 1989).

However, while it has been assumed that legal representation may support and benefit youth in the juvenile justice system, research on the effectiveness of legal representation for juvenile offenders has been mixed (Feld, 1989; Guevara, Spohn, & Herz, 2004). For example, some studies have found that youth represented by counsel were more likely to have their case dismissed and were less likely to receive a secure confinement disposition than youth who appeared without counsel (Ferster & Courtless, 1972; Ferster, Courtless, & Snethen, 1971). On the other hand, studies have found that the presence of counsel in juvenile court was related to negative outcomes for the youth. Duffee and Siegel (1971) found that youth with counsel significantly increased the likelihood of incarceration and decreased the likelihood of dismissal. Similarly, Feld (1991, 1993b) found that youth represented by counsel were 3 times more likely than those without counsel to receive a severe disposition. Additionally, other studies have found that juvenile offenders with counsel were more likely to be removed from their homes than juvenile offenders appearing without counsel (Burruss & Kempf-Leonard, 2002; Feld, 1989).

Furthermore, several studies found that youth represented by private attorneys received better outcomes than youth represented by public defenders. Carrington and Moyer (1990) found that youth represented by private attorneys were less likely to be adjudicated and more likely to have the charges dismissed. Feld (1993b) found that youth with private counsel had the lowest rates of out-of-home placement and secure confinement. Clarke and Koch (1980) found that youth who were either unrepresented or represented by private counsel had high rates of dismissal and low rates of confinement.

The evidence pertaining to the effectiveness of legal representation among ethnic/racial minority juvenile offenders is scarce. Research examining legal representation among ethnic/racial minority youth has focused primarily on juvenile court outcomes. While these outcomes are invaluable to further understanding the processes and problems associated with overrepresentation of ethnic/racial minority youth in the juvenile justice system, the research negates one area—legal representation that is intended to support youth, especially ethnic/racial minority youth in navigating and operating within the juvenile justice system. Building upon these limitations, Guevara et al. (2004) conducted a study examining the influence of legal representation and type of counsel across race on juvenile court outcomes. The results indicated that ethnic/racial minority youth with public or private counsel were more likely than ethnic/racial minority youth without counsel

to receive probation and less likely to receive a secure confinement. Non-minority and ethnic/racial minority youth with public counsel were more likely than non-minority and ethnic/racial minority youth with private counsel to receive a residential placement and less likely to be securely confined. This effect was more significant for non-minority youth. Non-minority and ethnic/racial minority youth with private counsel were less likely to have the charges dismissed and more likely to receive a secure confinement. This effect was more pronounced for ethnic/racial minority youth. Ethnic/racial minority youth with private counsel were more likely to receive probation and less likely to be securely confined. In contrast, non-minority youth with private counsel were less likely to receive probation and more likely to be securely confined.

In the state of Utah, ethnic/racial minority youth are over-represented in the Utah Court system, and the disproportionate ratios become worse at every legal decision point. For example, Hispanic youth have been shown to receive the most severe sentences than any other racial/ethnic youth group, after controlling for offense history (Van Vleet, Vakalahi, Holley, Brown, & Carter, 1999). Unfortunately, this study did not include whether the youth had private, public, or no counsel. Given the mixed findings on the interaction between legal counsel, race/ethnicity, and juvenile justice outcomes, and the findings (and gaps) of juvenile youth in Utah, we explored the effect of legal representation on ethnic/racial minority youth in juvenile courts. Specifically, we investigated the effect of a particular legal practice aimed at reducing the over-representation of ethnic/racial minority youth in juvenile justice: Legal Equity for Minority Youth (LEMY) program. The LEMY program was created to address the problem of negative legal outcomes for minorities, using a three-prong approach: (a) provide no-cost legal representation in juvenile court by well trained, culturally diverse attorneys; (b) provide opportunities for continuing cultural competency training for court personnel and officers who have contact with juvenile offenders; and (c) establish a non-governmental community-based local resource center to provide ethnic/racial minority youth and their families with free information and contact with family and support services, including drug rehabilitation programs. The purpose of this study was to investigate the effects of the LEMY program, as well as the effects of other types of legal representation for both ethnic/racial minority and non-minority youth.

The research questions for the present study were (a) among youth in juvenile court who have the same criminal history and presenting offense, does legal representation versus no legal representation reduce convictions?; (b) among ethnic/racial minority youth in juvenile court, does receiving legal representation by LEMY lawyers decrease the likelihood of convictions as compared to other youth without LEMY lawyers and who have the same criminal history and presenting offense?; and (c) among ethnic/racial minority youth in juvenile court, does receiving legal representation by LEMY

lawyers decrease the likelihood of receiving more severe sanctions as compared to other youth without LEMY lawyers and who have the same criminal history and presenting offense?

METHODS

Procedure

District courts referred youth to the LEMY program and attorneys administered the program. The LEMY attorneys were also responsible for recording how many times youth attended the educational component of the LEMY program, whether the youth was represented in court, and whether or not the youth's parents participated. Non-LEMY youth did not receive the additional educational component of the LEMY program.

Outcomes for LEMY youth were evaluated using juvenile court data. Court records were queried for all youth adjudicated in one district between 2003 and 2007. The outcome variable utilized was the disposition or sanction that the juvenile received for each charge. Specific sanctions were classified into their corresponding "level" or severity according to the state juvenile sentencing guidelines. Juvenile court researchers were consulted to assist with the classification. Great care was taken to only classify clear dispositions and ignore ambiguous ones. Dispositions were also classified as signifying convictions, dismissals, and pleas in abeyance.

For all youth that met the qualifying criteria (adjudicated between 2003 and 2007), full offense histories were retrieved. These offense histories were used to calculate the youths' sentencing guideline recommended sanction (a table that uses prior convictions and presenting offenses to create a recommended sentence). All qualifying cases were used (instead of randomly selecting one case per individual).

Participants

Participants were 10,938 youth who met the inclusion criteria. The sample consisted of 31.7% ($n=3,467$) ethnic/racial minority youth, 67.1% male, and 64.1% ($n=7,011$) were between 15 and 17 years old (Table 1). The LEMY program improved opportunities of ethnic/racial minority youth in the juvenile court. Assuming the LEMY youth would not have been otherwise represented (81.9% did not receive legal representation), the LEMY program nearly doubled the number of ethnic/racial minority cases having representation, with 295 LEMY youth and 333 ethnic/racial minority youth with other lawyers. As a result, ethnic/racial minority youth had a much higher percentage of representation than non-minority youth, 18% and 10% respectively.

TABLE 1 Demographic Data for Participants ($N=10,938$)

Characteristic	<i>n</i>	%
Race/ethnicity		
American Indian/Alaska Native	120	1.1
Asian	79	.7
Black or African American	75	.7
Latino/Hispanic	1,684	15.4
Native Hawaii/Pacific Islander	109	1.0
Other	1,400	12.8
Non-minority	7,471	68.3
Gender		
Male	7,339	67.1
Female	3,599	32.9
Age at intake		
$M = 14.94$; $SD = 2.37$		
8 or Below	142	1.3
9–11	525	4.8
12–14	3,260	29.8
15–17	7,011	64.1
Legal representation		
Non-minority total	7,471	68.3
Without lawyer	6,672	89.3
With lawyer	799	10.7
Ethnic/racial minority total	3,467	31.7
Without lawyer	2,839	81.9
With LEMY lawyer	295	8.5
With other lawyer	333	9.6

Note. LEMY = Legal Equity for Minority Youth.

Statistical Analyses

The program was evaluated using two outcomes: whether or not the youth were convicted of the crime and the severity of the convicted youth's sanction. The statistical procedure used was multinomial regression, which is a way of sorting out what variables predict which categorical outcomes (convicted, dismissed, etc.). To evaluate outcomes, we used the state's juvenile sentencing guidelines, which consist of a matrix with presenting offense on the horizontal axis and offense histories on the vertical axis. Judges use the "sentencing matrix" as a guideline for sentencing youth. The sentencing guidelines give a practical method of examining the recommended sanction for a given case in the state. Other studies that have examined this issue are often lacking adequate ways to account for presenting offense and offense histories.

RESULTS

The first research question (Among youth in juvenile court who have the same criminal history and presenting offense, does legal representation versus no legal representation reduce convictions?) was addressed by the first

multinomial logistic regression analysis (Table 2). Results were that the independent variables included in the model (criminal history score, severity of charge, presence of an attorney, and ethnic/racial minority status) significantly predicted legal outcome ($\chi^2 = 1,290$, $df = 12$, $p < .001$). The Nagelkerke R-squared indicated that these variables predicted 14.0% of the variance in the dependent variable (legal outcome). After controlling for criminal history and severity of the youth's presenting offense, presence of an attorney significantly predicted legal outcome. The odds ratios indicated that if a youth had an attorney present he or she was 2.3 times more likely to have all charges dismissed rather than convicted. Another finding was that, after controlling for criminal history and severity of the youth's presenting offense, ethnic/racial minority status significantly predicted legal outcome. If a youth was an ethnic/racial minority, she or he was 1.2 times more likely to have all charges dismissed rather than convicted.

This second multinomial logistic regression model (Table 3) examined the effect of the interaction of ethnic/racial minority status with type of legal

TABLE 2 Multinomial Logistic Regression for Legal Outcomes (Compared to All Charges Convicted^a)

Predictor	β	SE	Odds ratio
All dismissed ^b			
Criminal history	-.019	.026	.98
Severity of charge	.051**	.019	.008
Attorney present	.87***	.067	2.39
Minority status	.19**	.062	1.21
All pled in abeyance ^c			
Criminal history	-.58**	.053	.56
Severity of charge	.21**	.021	1.23
Attorney present	1.28**	.086	3.74
Minority status	.64**	.102	.52
Mixed ^d			
Criminal history	.27***	.023	1.31
Severity of charge	.21***	.016	1.23
Attorney present	1.16***	.068	3.20
Minority status	.18**	.067	1.19

Notes. $\chi^2 = 1,290$, $p < .000$, $n = 9,578$; Nagelkerke $r^2 = .14$. Severity of charge = the severity rating of the youth's presenting offense, the scale is based on the Utah Juvenile Sentencing Matrix; criminal history score = the severity rating of the juvenile's prior convictions, also based on the Utah Juvenile Sentencing Matrix.

^aAll convicted: All charges for the specified incident were marked as convicted.

^bAll dismissed: None of the charges for the specified incident were marked as convicted.

^cAll pled in abeyance: This denoted that all charges were pled in abeyance. This means that the charges were removed from the youth's record after a he or she had fulfilled certain demands of the court such as community service or completion of instructional classes.

^dMixed: There were various outcomes for the specified incident (some convicted, pled in abeyance or dismissed).

* $p < .05$. ** $p < .01$. *** $p < .001$.

TABLE 3 Multinomial Logistic Regression for Legal Outcomes (Categories Compared to All Charges Convicted^d)

Predictor	β	SE	Odds ratio
All dismissed ^b			
Criminal history	-.01	.026	.98
Severity of charge	.05**	.019	.008
Legal Representation \times Minority Status ^c			
LEMV attorney	.91***	.146	2.49
Minority with other attorney	.96***	.138	2.63
Non-minority with attorney	.98***	.082	2.67
Minority without attorney	.28***	.072	1.32
All pled in abeyance ^d			
Criminal history	-.58***	.053	.56
Severity of charge	.21***	.021	1.23
Legal Representation \times Minority Status ^c			
LEMV attorney	.47**	.220	1.61
Minority with other attorney	.93***	.181	2.54
Non-minority with attorney	1.24***	.099	3.47
Minority without attorney	-.79***	.138	.45
Mixed ^e			
Criminal history	.27***	.023	1.31
Severity of charge	.21***	.016	1.23
Legal Representation \times Minority Status ^c			
LEMV attorney	1.36***	.138	3.93
Minority with other attorney	1.24***	.135	3.46
Non-minority with attorney	1.19***	.084	3.31
Minority without attorney	.20*	.082	1.22

Notes. $\chi^2 = 1303$, $df = 18$, $p < .001$; $n = 9,578$; Nagelkerke $R^2 = .14$. LEMV = Legal Equity for Minority Youth; severity of charge = the severity rating of the youth's presenting offense, the scale is based on the Utah Juvenile Sentencing Matrix; criminal history score = the severity rating of the juvenile's prior convictions, also based on the Utah Juvenile Sentencing Matrix.

^aAll convicted: All charges for the specified incident were marked as convicted.

^bAll dismissed: None of the charges for the specified incident were marked as convicted.

^cLegal representation categories all compared to non-minority youth with no attorney.

^dAll pled in abeyance: This denoted that all charges were pled in abeyance. This means that the charges were removed from the youth's record after a he or she had fulfilled certain demands of the court such as community service or completion of instructional classes.

^eMixed: There were various outcomes for the specified incident (Some convicted, pled in abeyance or dismissed).

* $p < .05$. ** $p < .01$. *** $p < .001$.

representation but more specifically addressed the second research question (among ethnic/racial minority youth in juvenile court, does receiving legal representation by LEMV lawyers decrease the likelihood of convictions as compared to other youth without LEMV lawyers and who have the same criminal history and presenting offense?). The independent variables (criminal history, severity of presenting offense, Legal Representation \times Minority Status) significantly predicted legal outcome ($\chi^2 = 1303$, $df = 18$, $p < .001$).

The Nagelkerke R-squared indicated that these variables predicted 14.2% of the variance in the dependent variable (legal outcome). After controlling for criminal history and severity of presenting offense, Legal Representation \times Minority Status significantly predicted legal outcome. Compared to non-minority youth without attorneys, LEMY attorneys were 2.4 times more likely to have all charges dismissed rather than convicted of all charges. Additional results were that non-minority youth and ethnic/racial minority youth with non-LEMY attorneys were also more likely to have all charges dismissed (2.7 times and 2.6 times, respectfully) as compared to non-minority youth without attorneys. Interestingly, ethnic/racial minority youth without attorneys, compared to non-minority youth without attorneys, were 1.3 times more likely to have all charges dismissed.

The third multinomial logistic model addresses the third research question: Among ethnic/racial minority youth in juvenile court, does receiving legal representation by LEMY lawyers decrease the likelihood of receiving more severe sanctions as compared to other youth without LEMY lawyers and who have the same criminal history and presenting offense? This multinomial logistic model (Table 4) specifically included only youth who received a sanction (removing youth who were dismissed on all charges) and found that the interaction of attorney and type legal representation significantly predicted what sanction the youth received ($\chi^2 = 123.28$, $df = 10$, $p < .001$). Compared to non-minority youth with no attorney, LEMY ethnic/racial minority youth, ethnic/racial minority youth with other attorneys, and non-minority youth with an attorney increased the likelihood of receiving a less severe sanction than the sentencing guidelines recommended (OR = 1.50, 1.50, and 1.75, respectively).

TABLE 4 Multinomial Logistic Regression for Difference between Sanction Received and Sanction Recommended

Predictor	β	SE	Odds ratio
Less severe sanction than guideline ^a			
Legal Representation \times Minority Status ^b			
LEMY attorney	.406	.134	1.501**
Minority with other attorney	.408	.129	1.503**
Non-minority with attorney	.565	.134	1.759***
Minority without attorney	-.042	.068	.959
More severe sanction than guideline ^a			
Legal Representation \times Minority Status ^b			
LEMY attorney	.614	.201	1.848**
Minority with other attorney	.619	.193	1.857**
Non-minority with attorney	.511	.121	1.666***
Minority without attorney	-.082	.118	.921

Notes. LEMY = Legal Equity for Minority Youth; Nagelkerke $R^2 = .016$.

^aCategories compared to guideline recommended sanction.

^bLegal representation categories all compared to non-minority youth with no attorney.

* $p < .05$. ** $p < .01$. *** $p < .001$.

Surprisingly though, results were also that compared to non-minority youth with no attorney, ethnic/racial minority youth participating in the LEMY program, ethnic/racial minority youth with other attorneys, and non-minority youth with an attorney increased the likelihood of receiving a more severe sanction than the sentencing guidelines recommended (OR = 1.84, 1.85, and 1.66, respectively). Finally, ethnic/racial minority youth without attorneys did not receive significantly different sanctions from Caucasian youth without attorneys.

DISCUSSION

The present study found that, in general, legal representation for both ethnic/racial minority and non-minority youth in juvenile court decreased the likelihood of convictions. Both multivariate analyses revealed that after controlling for criminal history and severity of the youth's presenting offense, the presence of an attorney significantly reduced the likelihood of convictions. Additionally, youth with LEMY attorneys were more than twice as likely to have all charges dismissed but so were non-minority and ethnic/racial minority youth with non-LEMY attorneys. Although the LEMY program did not decrease convictions more than other youth with legal representation, LEMY did double the opportunities for ethnic/racial minority youth in the juvenile court to access legal representation, so much so that ethnic/racial minority youth had higher percentage of representation than non-minority youth. As legal representation decreased the likelihood of convictions, this was not necessarily the case with sanctions. Multivariate analysis revealed that legal representation among youth in justice court, whether LEMY or not, increased the likelihood of less severe sanctions than the recommended sentencing guidelines, but legal representation also increased the probability of more severe sanctions.

Taken together, the results of the present study suggest that legal representation for youth in juvenile court may lead to dismissal of criminal charges; but for those youth who are convicted, having an attorney present will likely lead to not receiving recommended sanctions, which may be more severe or less severe. These results may help explain some of the inconsistent findings in the literature in that legal representation is not simply beneficial or detrimental for youth in juvenile courts. Court interactions are extremely complicated, as there are several parties involved in this judicial process (e.g., youth, family, judge, lawyers, caseworkers, probation officer, youth advocate, etc.) and it may be that there are different dynamics involved during adjudication and sanctioning. Therefore, legal representation for youth may be a significant factor in addressing overrepresentation of ethnic/racial minority youth in the juvenile justice system, but this study suggests that attorneys need to fully understand the sanctioning process.

Limitations to the Study

The present study has several limitations. First, the juvenile justice court system differs significantly from the adult justice court system and therefore, the efficacy of representation may depend on the lawyer's familiarity with the local juvenile court. The LEMY lawyers spent three years representing a large number of cases in one district. Additionally, LEMY lawyers were intimately involved with the youth and their families and referred them to needed services. Their success may rely on this important aspect of their program. While the study included 5 years of data, it was conducted in only one district court and may not generalize to other regions. The study did not explore any of the contextual issues that may have led to the findings. Although the study did control for the offense type and criminal history of the youth, other factors may be present that influence convictions and sanction severity, such as private versus public defense lawyers, family support of youth, judge's attitudes toward legal representation for youth, and the cohesiveness of all the parties involved in the court.

CONCLUSION

Although some have recommended abolishing the juvenile courts (e.g., Feld, 1998), the present study suggests that the practice of using legal representation for youth in justice court can be beneficial for minorities and non-minorities but only to a point, as sanctions can be potentially more severe than the recommended guidelines. Trainings that include information on how to work with youth/families, with sections focused on working with ethnic/racial minority youth/families, should be highly encouraged for all parties involved in juvenile courts. LEMY not only increased lawyer involvement with each case, but also increased youth and family involvement in the judicial process, which included service providers that work with the courts. A one-time or even a once a year training on diversity issues is not enough to understand the cultural issues involved when providing service ethnic/racial minority youth. Understanding the cultural dynamics of group processes is vital in the community's perception of justice. For example, more collectivist communities may not report certain illegal acts (e.g., stealing) not because the acts are not seen as wrongful but rather, because these acts are perceived to be the responsibility of the family and/or community and not the official government entities. A professional unaware of the cultural distinctions between community and governmental responsibilities may view a family as being deceptive and/or secretive, leading to a hostile, adversarial relationship. In turn, the community would perceive the professional's behavior as an unjust, oppressive action meant to continue the oppression by the dominant group.

The district court that participated in this study showed cohesiveness among all parties involved (e.g., judge, attorneys, case managers), which is

similar to the non-adversarial nature of drug courts. The team approach may have led to better outcomes for youth, a result that has been consistently found in studies that test the effectiveness of adult drug courts in reducing recidivism (Belenko, 2001; Gottfredson, Najaka, & Kearley, 2003). Therefore, the inclusion of counsel may not be enough, but rather the effect found in this study may reveal more on how cohesiveness and team approach can lead to better outcomes for the youth.

Future research should be conducted to address the “the black box” issue within the court interventions. That is, future studies are needed to explore why counsel reduced juvenile convictions and why, if convicted, increased sanctions. This is similar to the findings of juvenile drug courts that have also produced mixed results, such as not affecting future drug use but decreasing other delinquent behavior (Gottfredson et al., 2003; Henggeler et al., 2006; Hickert, Becker, Kunz, & Próspero, 2011). Qualitative methods should be used to reveal court dynamics during the conviction and sanctioning stages, elicit judges’ attitudes toward legal representation for youth, and explore if outcomes are affected by lawyer characteristics (e.g., knowledge of juvenile court procedures, private vs. public, etc). LEMY did improve access to legal representation for 365 ethnic/racial minority youth, which then led to decreased convictions. However, what parts of this process were actually related to this finding is not fully understood. Lastly, process evaluations should be conducted to ensure that practices are implemented with fidelity according to the “best practices” literature. The simple presence of an attorney for youth would not provide adequate representation; therefore, all parties involved in the court processes should be evaluated to measure level of fidelity. This would provide an overall evaluation of the system that is tasked to provide offender accountability/rehabilitation and victim/public safety.

REFERENCES

- Aday, D. P., Jr. (1986). Court structure, defense attorney use, and juvenile court decisions. *Sociological Quarterly*, 27, 107–119.
- Belenko, S. (2001). *Research on drug courts: A critical review. 2001 update*. New York, NY: Columbia University, The National Center on Addiction and Substance Abuse.
- Bishop, D. N., & Frazier, C. E. (1996). Race effects in juvenile justice decision-making: Findings of a statewide analysis. *The Journal of Criminal Law and Criminology*, 86, 392–414.
- Bonavita, N., & Fairchild, M. (2001). *Disproportionate minority representation in the juvenile justice system*. Washington, DC: National Conference of State Legislatures.
- Burruss, G. W., & Kempf-Leonard, K. (2002). The questionable advantage of defense counsel in juvenile court. *Justice Quarterly*, 19(1), 37–68.

- DeJong, C., & Jackson, K. C. (1998). Putting race into context: Race, juvenile justice processing, and urbanization. *Justice Quarterly*, *15*, 487–504.
- Fagan, J., Forst, M., & Vivona, S. (1987). Racial determinants of the judicial transfer decision: Prosecuting violent youth in criminal court. *Crime and Delinquency*, *33*, 259–286.
- Federal Interagency Forum on Child and Family Statistics. (2001). *America's children: Key national indicators of well being*. Washington, DC: U.S. Govt Printing Office.
- Feld, B. (1989). The right to counsel in juvenile court: An empirical study of when lawyers appear & the difference they make. *Journal of Criminal Law & Criminology*, *79*, 1185–1346.
- Feld, B. (1993a). Criminalizing the American juvenile court. In M. Tonry (Ed.), *Crime & justice: A review of research* (Vol. 17, pp. 197–280). Chicago, IL: University of Chicago Press.
- Feld, B. (1993b). *Justice for children: The right to counsel and the juvenile courts*. Boston, MA: Northeastern University Press.
- Feld, B. (1998). Abolish the juvenile court: Youthfulness, criminal responsibility and sentencing policy. *The Journal of Criminal Law and Criminology*, *24*, 189.
- Ferster, E. Z., & Courtless, T. F. (1972). Pre-dispositional data, role of counsel and decisions in a juvenile court. *Law and Society Review*, *7*, 195–222.
- Ferster, E., Courtless, T., & Snethen, E. (1971). The juvenile justice system: In search of the role of counsel. *Fordham Law Review*, *39*, 375–412.
- Frazier, C. E., Bishop, D. M., & Henretta, J. C. (1992). The social context of race differentials in juvenile justice dispositions. *The Sociological Quarterly*, *33*, 447–458.
- Gottfredson, D. C., Najaka, S. S., & Kearley, B. (2003). Effectiveness of drug treatment courts: Evidence from a randomized trial. *Criminology & Public Policy*, *2*, 171–196.
- Guevara, L., Spohn, C., & Herz, D. (2004). Race, legal representation, and juvenile justice: Issues and concerns. *Crime & Delinquency*, *50*, 344–371.
- Hawkins, D., & Jones, H. (1989). Black adolescents and the criminal justice system. In R. Jones (Ed.), *Black adolescents* (pp. 403–425). Berkeley, CA: Lobbard Henry.
- Henggeler, S. W., Halliday-Boykins, C. A., Cunningham, P.B., Randall, J., Shapiro, S. B., & Chapman, J. E. (2006). Juvenile drug court: Enhancing outcomes by integrating evidence-based treatments. *Journal of Consulting & Clinical Psychology*, *74*(1), 42–54.
- Hickert, A., Becker, E., Kunz, C., & Próspero, M. (2011). *Impact of juvenile drug courts on drug use & criminal behavior*. Manuscript submitted for publication.
- Hsia, H.M., Bridges, G.S., & McHale, R. (2005). *Disproportionate minority confinement: 2002 update*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice & Delinquency Prevention.
- Kempf-Leonard, K., & Sontheimer, L. (1995). The role of race in juvenile justice processing in Pennsylvania. In K. Kempf Leonard, C. Pope, & W. Feyerherm, (Eds.), *Minorities in juvenile justice* (pp. 98–127). Thousand Oaks, CA: Russell Sage.
- McCarthy, B., & Smith, B. L. (1986). The conceptualization of discrimination in the juvenile justice process: The impact of administrative factors and screening decisions on juvenile court dispositions. *Criminology*, *24*, 41–64.

- Poe-Yamagata, E., & Jones, M. (2000). *And justice for some: Differential treatment of minority youth in the juvenile justice system*. Washington, DC: Building Blocks for Youth.
- Pope, C. E., Lovell, R., & Hsia, H. M. (2002). *Disproportionate minority confinement: A review of the research literature from 1989 through 2001*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Pope, C. E., Lovell, R., Stojkovic, S., & Rose, H. (1996). *Minority overrepresentation: Phase II Study final report*. Milwaukee, WI: Wisconsin Office of Justice Assistance, Governor's Commission on Juvenile Justice.
- Snyder, H. M. (2006, November). *Juvenile arrests 2006* (Juvenile Justice Bulletin).. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Snyder, H. M., & Sickmund, M. (1999). *Minorities in the juvenile justice system*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Snyder, H. M., & Sickmund, M. (2006). *Juvenile offenders and victims: 2006 national report*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Stapleton, W. V., & Teitelbaum, L. E. (1972). *In defense of youth: A study of the role of counsel in American juvenile courts*. New York, NY: Russell Sage.
- Van Vleet, R. K., Vakalahi, H., Holley, L., Brown, S., & Carter, C. (1999). *Minority overrepresentation in the Utah Juvenile System*. Salt Lake City: Utah Commission on Disproportionate Minority Confinement.