

# How judges and attorneys use research in the juvenile court system

Elizabeth Jordan and Kelly Murphy

## Introduction

Each year, America's juvenile courts handle approximately one million delinquency (juvenile justice) cases. Youth who come into contact with the juvenile justice system face a myriad of troubling outcomes [later in life](#)—with higher rates of criminal justice system involvement and mental health and substance abuse problems, and poorer educational and occupational [outcomes](#). An expanding portfolio of research—including on the tenets of youth development, the effectiveness of evidence-based programs and services, and the benefits of alternatives to incarceration—offers insights into how to best support this population while still maintaining public safety. Despite the availability of this research, there is often a large [gap](#) between research and practice in the juvenile justice system.

Child Trends conducted a study to expand the field's understanding of how decision makers in juvenile justice settings, especially judges and attorneys, use research in their work. These practitioners have a unique opportunity to promote tools, programs, and interventions that have been shown to improve youth outcomes. Over the course of the study, we conducted interviews with 30 judges and 28 attorneys across the country, asking them how they define, acquire, interpret, and use research, and about the forces that shape their use of research.

## Key findings

**Practitioners receive research findings frequently and in a variety of ways.** Practitioners receive research through trainings, listservs, practitioner networks, professional development organizations, and from colleagues. In general, they rarely read peer-reviewed journals. Research also makes its way into the courtroom through risk assessments and expert testimony.

**Practitioners like to ask questions and understand the implications of research.** Practitioners particularly appreciate trainings because of the opportunity to ask questions and to probe presenters on how research can be relevant to their specific roles in the juvenile justice system. Practitioners need research to be written in a lay-friendly and clear manner, ideally with viable recommendations for improving practice and policy.

**It can be difficult for practitioners to assess the quality of research.** Practitioners noted that research study findings can sometimes conflict with each other, particularly in an adversarial legal setting when attorneys may use research to argue conflicting sides of a case. To assess quality, practitioners look at the reputations of organizations that produce and fund research, the characteristics of the study, whether it was peer-reviewed, and whether other practitioners in the field accept and use the research.

**Practitioners are willing and eager to use research.** Practitioners feel that research can inform decisions that will result in the best outcomes for youth and the greater community. They noted that exposure to research often results in moments of revelation that change the way they think about their cases. Practitioners also use research more directly to inform decisions—for example, through the use of risk assessments to inform detention decisions.

**Research is only one tool in a practitioner’s decision-making toolbox.** Judges and attorneys consider many factors when making decisions, including legal research, state policies, the constraints of their individual roles, the availability of resources, and the interests of their clients.

**Policies can be a barrier or a facilitator for practitioners’ use of research.** Court rules or state law can put requirements in place that limit the use of research in decision making. For example, if a state mandates that a juvenile justice case move to adult court if the youth is over age 16, a judge will not have the discretion to keep the case in juvenile court (which is focused on rehabilitation). Additionally, if a community lacks the resources to implement evidence-based programs or services, practitioners cannot use these services to supplement or replace court sanctions such as probation or incarceration.

**Practitioners want more research and greater access to researchers.** Practitioners are eager to learn more about the youth on their caseloads, and how to support these youth while maintaining public safety. They mentioned a need for more data, a better understanding of how risk assessments work, and information on the effectiveness of interventions. Many practitioners were interested in partnering with researchers to establish research-practice partnerships.

## Implications

Although these findings are exploratory (i.e., based on a small sample of respondents whose choice to participate suggests they may have a more positive perception of research), they can provide valuable insights to multiple audiences.

### Juvenile justice practitioners, coalitions, working groups, and associations

As the primary sources of research for practitioners, membership organizations for juvenile justice practitioners—along with state and local juvenile justice agencies and attorney coalitions—should do the following:

- Provide ample training opportunities that share research and implications with members. Membership organizations should also continue their important roles in translating research and providing guidance on applying research in a juvenile justice setting.
- Provide forums for dialogue about the role of research for practitioners, bringing together practitioners and researchers to discuss research needs and challenges in using research in legal settings. It may be especially useful if membership organizations highlight examples of how research has been used in the past, along with challenges and successes associated with research use.
- Demand more research and data from the research community. Membership organizations should help researchers better understand the juvenile justice community’s needs, as well as the ways in which research could improve the decision making of practitioners and the lives of youth involved in the juvenile justice system.

## Policymakers

Given that state policies and budgets drive the structure and operation of juvenile justice systems, policymakers play a critical role in bridging research and practice. State policymakers should consider the following:

- Promote policies that facilitate the use of research in juvenile justice settings. Policies that require evidence-based programming, considerations of adolescent development, or judicial trainings can help get research to practitioners. However, policymakers should be aware that barriers may remain, even when a policy requires or promotes the use of research. For example, some practitioners in rural jurisdictions would like to use evidence-based programming for their youth, but lack the resources to bring such programs to their communities.
- If providing juvenile justice services or requiring evidence-informed tools, ensure adequate funds to assess quality of implementation as well as whether and how these benefit youth. Once these studies are conducted, policymakers should share the resulting knowledge with judges and attorneys to build their confidence in how research is used in the courtroom.
- Include the voices of practitioners in the policy process, engaging them on whether and how research can be used in juvenile justice settings. Among our interview respondents, judges were especially interested in participating in the policy process.

## Researchers

Researchers have been successful in generating a body of knowledge that can be used to improve juvenile justice systems. Although practitioners believe that research has helped enhance their decision making, they also feel that research could be more practical and tailored to meet their needs. Researchers interested in bridging the gap between research and practice in the juvenile justice system should consider the following:

- Recognize that, although research can play a valuable role in juvenile justice settings, it is only one piece of what practitioners consider when making decisions. Before determining the implications of their research for practitioners, researchers must engage with and learn the roles of different legal practitioners and familiarize themselves with the local and state rules and laws that proscribe activities within the court, as well as the communities in which the court is situated.
- Disseminate research to intermediary groups, including professional organizations and state agencies, that work with practitioners regularly. Researchers should engage these groups to determine what materials and formats will be most useful for practitioners.
- Pursue research-practice partnerships with juvenile justice judges and attorneys, working with them to define and answer research questions that will improve their work.

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