

State of Illinois

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Illinois Criminal Justice Information Authority

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# Implementing balanced and restorative justice

Victim • Offender • Community



A guide for defense attorneys

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# Foreword

Created in 1983, the Illinois Criminal Justice Information Authority is a state agency dedicated to improving the administration of criminal justice. The Authority works to enhance the information tools and management resources of state and local agencies, and it serves as a statewide forum for criminal justice coordination, planning and problem solving. It is also responsible for research, information systems development, and administration of federal funds. The Authority's specific powers and duties are spelled out in the Illinois Criminal Justice Information Act [20 ILCS 3930/1 et seq.].

The Authority created this series of BARJ implementation guides to provide profession-specific information on how the BARJ philosophy could be used across the juvenile justice system

ICJIA supports the use of balanced and restorative justice (BARJ) in Illinois' juvenile justice system in accordance with the state's policy on BARJ as outlined in the Juvenile Court Act. In recent years, the agency has made BARJ a research and funding priority. In 2003, the Authority sponsored a statewide BARJ summit attended by juvenile justice professionals across Illinois. The goal of the summit was to develop a statewide strategy to systematically implement BARJ-based programs and principles for juveniles throughout the state.

Participants identified several needs to aid them in the implementation of BARJ principles. One need was continuing education on programmatic applications of the BARJ philosophy. This led to a conference in March 2005 entitled, "Juvenile justice in Illinois: Implementing restorative justice in your community."

The Authority created this series of BARJ implementation guides to provide profession-specific information on how the BARJ philosophy could be used across the juvenile justice system. For more information about BARJ, visit the Authority's website at [www.icjia.state.il.us](http://www.icjia.state.il.us).

# About this guide

This publication is one in a series of guides designed to assist in the statewide promotion of balanced and restorative justice. BARJ is a philosophy of justice that can guide the work of individuals who deal with juvenile offenders, their victims, and the communities in which they live.

## The goals of this guide are to:

- Promote compliance among those working in juvenile justice in Illinois with the state's policy on BARJ outlined in the Juvenile Court Act.<sup>1</sup>
- Improve the response to juvenile conflict and crime by increasing the knowledge and understanding of BARJ by juvenile justice professionals, agencies, communities and their members.
- Offer strategies, programs, and practices that incorporate the values and principles of BARJ.

*Implementing balanced and restorative justice: A guide for defense attorneys* is specifically designed to provide defense attorneys with practical BARJ strategies that can be utilized on a daily basis. This guide includes information on community courts, community defense, and useful court diversion programs, as well as strategies to use during juvenile court proceedings.

# Balanced and restorative justice

Restorative justice<sup>2</sup> is a philosophy based on a set of principles that serve to guide the response to conflict or harm. Restorative justice principles can guide responses to conflicts in many settings, not just those caused by a violation of law. The balanced and restorative justice<sup>3</sup> model was a concept developed in part by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, in order to make the philosophy of restorative justice applicable to the modern U.S. justice system. BARJ uses restorative justice principles to balance the needs of three parties—those identified as offenders or law violators, the crime victim, and the affected community.

## Principles of restorative justice

The principles of restorative justice<sup>4</sup> are:

- Crime is injury.
- Crime harms individual victims, communities, and offenders, and creates an obligation to address that harm.
- All parties should have an opportunity to respond to the crime, including victims, the community, and the offender.
- The victim's perspective is central in deciding how the harm should be repaired.
- Accountability for the offender means accepting responsibility and acting to repair the harm done.
- The community is responsible for the well-being of its members, including both victim and offender.
- All human beings have dignity and worth.
- Restoration, repairing the harm, and rebuilding community relationships is the primary goal of restorative justice.
- Results are measured by how much repair was done rather than how much punishment was handed out.
- A high degree of crime control cannot be achieved without active community involvement.
- The justice process is respectful of age, abilities, sexual orientation, family status, and diverse cultures and backgrounds, whether racial, ethnic, geographic, religious, economic, or other. All are given equal protection and due process.

BARJ is not a program, but a philosophy with a coherent set of values and principles to guide the administration of justice.

BARJ is not a program, but a philosophy with a coherent set of values and principles to guide the administration of justice. The programs described in this guide are based on the philosophy of BARJ and will be referred to as “BARJ programs.” Although BARJ can also be applied to adult offenders, it has gained a wider acceptance in Illinois for use with youth in the juvenile justice system.

BARJ recognizes three parties with an important role and stake in the justice process: victims, offenders, and communities.

BARJ's three main goals include:

- **Accountability.** BARJ strategies provide opportunities for offenders to be accountable to those they have harmed and enable them to repair the harm they caused to the extent possible.
- **Community safety.** BARJ recognizes the need to keep the community safe. Community safety can be accomplished through BARJ strategies by building relationships and empowering the community to take responsibility for the well-being of its members.
- **Competency development.** BARJ seeks to increase the pro-social skills of offenders. Addressing the factors that lead youth to engage in delinquent behavior and building on the strengths evident in each youth increases their competencies.

BARJ recognizes three parties with an important role and stake in the justice process: **victims, offenders, and communities.**

Crime is viewed as harm to individuals and communities, rather than merely a violation of state laws. As a result, the administration of justice is guided not only by the interests of the state, but also the interests of victims and community members. A crime may produce a clear victim, an individual who was directly harmed, or victims who were harmed indirectly. For example, drug crimes may appear to have no clear victim, but families and communities are very much affected when one of their members abuses drugs. The involvement of both direct and indirect victims of crime is necessary in the justice process for offenders to gain a better understanding of the harm they have caused and learn empathy for others.

The BARJ philosophy differs from the dominant justice philosophies of retribution and rehabilitation. Retribution reacts to an offense through punishment, while rehabilitation seeks to improve the individual offender through treatment. In both philosophies, offenders remain relatively passive and are not expected to accept responsibility for their crimes. In fact, retributive and rehabilitative justice systems may encourage offenders to deny responsibility, due in part to the adversarial processes involved in the determination of guilt and appropriate punishment.

Many criminal justice professionals have embraced the BARJ philosophy due to the limitations evident in the absence of accepting responsibility and the exclusion of victims and community members from the justice process. Many BARJ principles and practices enhance the juvenile justice system. Many BARJ-based practices do not, or cannot, apply in all cases. But when the conditions are right for BARJ implementation, better outcomes can be seen for victims, offender, communities, and the juvenile justice system. There is a possible restorative response to any harm or crime, even if the offender is incarcerated.

BARJ has been implemented all over the world, but most extensively in Western Europe, New Zealand, and Canada. Nationally, BARJ has been endorsed by the U.S. Department of Justice through the Office of Juvenile Justice and Delinquency Prevention, which has funded the National Balanced and Restorative Justice Project since 1993. Housed at Florida Atlantic University, the BARJ Project provides training and technical assistance and develops a variety of materials to inform policy and practice related to balanced approach and restorative justice. (*See Appendix for contact information.*)

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BARJ increases offender satisfaction with the court process and helps them understand the impact of their actions.

As of March 2005, at least 16 states included balanced and restorative justice in the purpose clauses of their juvenile courts.<sup>5</sup> In 1998, Illinois' Juvenile Court Act was revised to include a purpose and policy statement adopting BARJ for all juvenile delinquency cases. Many jurisdictions in Illinois are operating BARJ-based programs and practices and numerous state and local initiatives promote BARJ.

## **Benefits of balanced and restorative justice**

Research has shown that BARJ:

- Offers a more cost-effective means to handle crime over the traditional court system.<sup>6</sup>
- Reduces recidivism rates.<sup>7</sup>
- Increases satisfaction of victims<sup>8</sup> and offenders with the justice system.<sup>9</sup>
- Improves competencies of offenders.<sup>10</sup>
- Increases completion of restitution agreements.<sup>11</sup>
- Lessens the fear felt by victims of crime.<sup>12</sup>
- Increases community involvement.
- Provides individualized attention and services for offenders and their victims.

## **Why should courts use BARJ?**

BARJ provides a common philosophy and mission for promoting cohesion and collaboration among those who work in the courts. Specific benefits include:

- The provision of alternatives to formal prosecution for low-level youth offenders.
- The option of a quicker resolution to community problems and delinquency.
- A lighter local juvenile court caseload due to the fact that communities are empowered to address some of the conflict and delinquency that occurs in their neighborhoods.
- A reduction in recidivism and the cycling of youth through the juvenile justice system.

BARJ enhances the work of defense attorneys in a variety of ways. BARJ:

- Offers non-punitive responses.
- Offers diversion programs that reduce the necessity of court appearances.
- Helps offenders avoid permanent juvenile records.



- Increases offender satisfaction with the court process and helps them understand the impact of their actions.
- Provides opportunities for offender participation and input in sentencing.
- Promotes individualized sentences.
- Focuses on increasing offender competencies.

# The community justice movement

The community justice movement, which includes policing, courts, prosecution, and probation models, has the goal of community involvement in common with BARJ. Community justice aims to increase collaboration with the community to improve the effectiveness of police, prosecutors, defense attorneys, and the courts. BARJ goes a step beyond community involvement by involving all parties who have an interest in and are affected by crime.

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## Community courts

Community courts allow victims and residents accessibility to, and participation in, the justice process. These courts are in more than 20 communities in the U.S. and vary according to each community's needs. Because of the increased participation of community members in the justice process inherent in this model, community courts facilitate the improved understanding of local problems and the resolution of local disputes before a crime even occurs. Community courthouses are designed to be accessible and less intimidating to all parties, housing courtrooms, social service agencies, and public meeting rooms in one location.<sup>13</sup>

The Midtown Community Court in New York City has handled low-level civil and criminal cases since 1993. In addition, it makes services that typically are only accessible by offenders, such as Alcoholics Anonymous and GED programs, available to all residents of the community. A 1997 study of the Midtown Community Court reported that it handled an average of 65 cases a day and an annual total of 16,000, making it one of the busiest courtrooms in the city. The court successfully reduced prostitution arrests by 63 percent and illegal vending by 24 percent. The compliance rate for community service was 75 percent, the highest in the city during the year studied. Offenders provided an estimated \$175,000 in service to the community.<sup>14</sup>

## Community courts and BARJ

Community courts hold promise as a vehicle for improving the practices and performance of the juvenile court, especially when guided by the BARJ philosophy. While aspects of community courts are consistent with the principles of BARJ, they may still rely on punitive measures as the formal response of the justice system. Punitive responses do not require the offender to take responsibility for their actions. Punishment excludes victims and community members in the justice process. Victims are left feeling frustrated and their trust in the system is diminished. BARJ seeks to involve victims and offenders in the administration of justice. Community members and victims can be involved through their participation on advisory boards and in BARJ programs.

The planning of community courts has been spearheaded by judges, court administrators, criminal justice commissions, elected state prosecutors, and other political figures.<sup>15</sup> However, many communities will not be able to make such drastic changes to their courts for reasons

such as a lack of funding or support. Regardless, each courtroom can apply practices of a community court while incorporating BARJ principles.

## Community defense

Some defense attorneys have expanded the traditional role of counsel to better aid their clients, their clients' families, and the community.<sup>16</sup> Public defenders around the country have offered community education programs, organized community meetings around pressing issues, and tried to build trust by reaching out to residents and their families.<sup>17</sup>

In 1990, New York City's Harlem borough put community defense into practice when it developed the Neighborhood Defender Service (NDS). NDS emphasizes accessibility to services for clients and families, early intervention, and comprehensive representation on civil and criminal matters.<sup>18</sup> The service offers legal assistance beyond criminal cases for issues such as housing, public aid, health care, child custody, and child support. Each client also receives earlier contact with a public defender, rather than meeting him or her just prior to court proceedings, allowing more preparation time. Social workers provide services required by the defendant and his or her family. In addition, NDS provides community forums that educate residents on their rights as citizens.

Public defenders around the country have offered community education programs, organized community meetings around pressing issues, and tried to build trust by reaching out to residents and their families.

### Community defense and BARJ

Balanced and restorative justice can be implemented through community defense because of its community focus. Community defense attorneys can assist clients and community members, while recognizing the needs of victims. When a defendant pleads guilty, the defense attorney's role may be to facilitate the process through which the client takes responsibility for his or her actions and repairs the harm caused to the victims. A balanced and restorative response to crime is one that restores not only the victim, but also the offender and the community.

Public defender offices may hire a victim liaison to help facilitate plea agreements that are acceptable to all parties. The BARJ approach has even worked in capital cases. Defense-based victim liaisons can communicate with the victim's family to negotiate a plea agreement.<sup>19</sup>

BARJ practices encourage collaboration in the courtroom among the judge, prosecutor, and defense attorneys, along with victims, communities, and offenders. However, attorneys still retain their traditional roles. The adversarial system will still be used whenever a client pleads not guilty or opts not to participate in a BARJ process. In addition, defendants who are repeat offenders or who plead guilty to a serious or violent crime may not be appropriate for serving their sentences within the community.

# Putting balanced and restorative justice into practice in the courts

The roles of the court and the defense lawyer are changing. In a balanced and restorative justice system, instead of defense attorneys' success being determined by their ability to obtain the most lenient sentence for the offender, success should be measured by whether the responses to crimes where defendants have accepted responsibility for their actions are appropriate and fair, given the harm caused. These responses should be determined through the meaningful participation of offenders, victims, and community members. How well the courts achieve the goals of BARJ—accountability to victims, community safety, and competency development—will determine success.

BARJ practices encourage collaboration in the courtroom among the judge, prosecutor, and defense, along with victims, communities, and offenders.

Defense attorneys can play a variety of roles in a balanced and restorative process, from educating their clients about BARJ programs to serving in a supportive capacity if an offender admits guilt and decides to participate in a BARJ program.

Youth can become involved with a BARJ program at various points in the juvenile justice process. Law enforcement may divert cases to BARJ programming as a part of a formal or informal station adjustment. Prosecutors may choose to divert cases to a BARJ program in lieu of a formal charge or negotiate with defense attorneys for guilty plea agreements requiring participation in the program. Judges can order an offender who has acknowledged responsibility for an offense to participate in a BARJ program. Probation officers may develop conditions of probation, in some cases along with citizens and victims, which follow the principles of BARJ. A detention or corrections facility can have offenders participate in BARJ programs within the facility, which can aid in an offenders' successful reentry back into the community. In addition, a BARJ program can handle violations of probation or disciplinary actions within a juvenile facility. Finally, offenders may voluntarily agree to participate in a BARJ program or practice separate from any obligations imposed by the court system.

BARJ-based practices also are used outside of the system to handle neighborhood disputes and misconduct in schools.

Defense attorneys can use BARJ principles to meet their primary objective of assisting offenders, while supporting victims. *Figure 1* outlines the roles that any justice system professional can play in meeting the goals of BARJ.

## The defense attorney/client relationship and BARJ

The American Bar Association's Model Code for Professional Responsibility for the legal profession encourages lawyers to discuss legal as well as moral issues with their clients.<sup>21</sup> It states:

*“Advice of a lawyer to his client need not be confined to purely legal considerations...In assisting his client to reach a proper decision, it is often desirable for a lawyer to point out those factors which may lead to a decision that is morally just as well as legally permissible.”<sup>22</sup>*

<b>Figure 1: The role of juvenile justice system professionals in the facilitation of balanced and restorative justice</b>	
<b>Accountability</b>	<ol style="list-style-type: none"> <li>1) Facilitate mediation.</li> <li>2) Ensure restoration (ways for offenders to pay restitution).</li> <li>3) Develop creative and restorative community service options.</li> <li>4) Educate community members on their potential role and engage them in BARJ-based practices.</li> </ol>
<b>Competency development</b>	<ol style="list-style-type: none"> <li>1) Develop ways for young offenders to increase competency.</li> <li>2) Assess and build on youth and community strengths.</li> <li>3) Develop community partnerships.</li> </ol>
<b>Community safety</b>	<ol style="list-style-type: none"> <li>1) Develop incentives and consequences to ensure compliance with supervision objectives.</li> <li>2) Assist school and family efforts to handle and maintain offenders in the community.</li> <li>3) Develop prevention capacity of local organizations.</li> </ol>

*Adapted from Bazemore, Gordon and Charles Washington "Charting the Future for the Juvenile Justice System: Reinventing Mission and Management," Spectrum, The Journal of State Government 68 (2) (1995): 51-56.*

Robert Cochran, a professor at Pepperdine University School of Law, suggests that not only should defense attorneys and clients discuss restorative justice, attorneys have an obligation to do so.<sup>23</sup> The client's decision to accept responsibility for his or her actions is an important moral decision offering a means to restore the client to the community. Defense counsel should make clients aware of the restorative justice process and discuss the impact of crime on the community and victims. According to Cochran, discussions regarding harm caused conveys to the client that the victim is important. Therefore, failure to raise these questions suggests to the client that the victim is not important. Cochran writes:

*"The lawyer can engage the client in moral discourse, without compromising the ability of the lawyer to serve as an aggressive advocate in other phases of the representation. Moreover, the question whether to seek restorative justice is central to the client's interest. The restorative justice process can lead to redemption, forgiveness, and reconciliation. These may be more important to the client than the ultimate resolution of the criminal charge."*

Defense attorneys can engage in initial discussions of BARJ principles and processes with their clients and share the advantages of participation. Defenders may negotiate with prosecutors for an amendment of charges, dismissal of charges, or a reduction in sentences, in exchange for guilty pleas and participation in a BARJ-based program. Clients, with the advice of counsel, are empowered to make the decision on participation in a restorative process, giving them a voice in how the justice system responds to their actions.

The Milwaukee Public Defender's Office in Milwaukee, Wis., has participated in community conferencing since 2000. Milwaukee public defender Terese Dick believes defense lawyers should support BARJ programming.

"First it is an opportunity to provide our client with his or her own voice," Dick said. "So often we speak for our client, about our client, and merely repeat what he or she has told us. The setting allows our client to speak for him or herself, with the support of counsel, but using his or her own words and expressing his or her feelings directly. Also, this takes away the labels we have so often heard placed on our clients, such as 'offender,' 'defendant,' 'perpetrator,' or 'criminal actor.' In this

*“We are being challenged to explore and change our ways of thinking about the criminal justice system and the role we play in relation to the prosecutor, the judiciary, our clients, and the community in which we live.”*

BARJ programs are often informal and require an admission of guilt, so offenders are not represented in a traditional way by counsel.

process our clients are treated as individuals who committed a criminal act—criminal in the sense that a law was broken as opposed to being perceived as a criminal without any redeeming qualities.

“Not only are our clients given an opportunity to experience the criminal justice [system] differently, so are we. We are being challenged to explore and change our ways of thinking about the criminal justice system and the role we play in relation to the prosecutor, the judiciary, our clients, and the community in which we live. This is an opportunity to serve our clients differently and ultimately to their advantage. Traditional court hearings, traditional mindsets and traditional resolutions, such as jail, probation or prison, do not always provide our clients with the opportunity to be heard or seen or even treated as unique individuals. Under some circumstances, our clients are better served in a setting that is not adversarial in nature.”<sup>24</sup>

### **Benefits to clients**

There are many benefits to clients who participate in BARJ-based programs. These benefits include:

- Non-punitive responses aimed at responsibility and repairing harm.
- Diversion from the court process and the opportunity to avoid a record.
- More involvement in the justice process and increased satisfaction.
- More meaningful and individualized agreements.
- Increased skills and offers of support and services.
- Repaired relationships and the establishment of new and supportive ones.
- The possibility of forgiveness and reconciliation.

### **Defense concerns**

Defense attorneys have voiced the following concerns regarding balanced and restorative justice.<sup>25</sup>

#### **Due process**

BARJ programs are often informal and require an admission of guilt, so offenders are not represented in a traditional way by counsel. Potential participants in a BARJ-based practice should be made aware of its process and requirements and then decide whether to participate with the guidance of a defense attorney.

BARJ practices are not adversarial, with two sides pitted against one another. BARJ practices aim to increase understanding of why the offense occurred and encourage the affected parties to form an agreement together. Offenders do not need anyone to advocate or speak for them if these practices are applied correctly. Offenders share information that is not meant to be held against them, but to be used to increase awareness, develop relationships, and create the best agreement for all parties.

## Coercion

Offenders may feel compelled to participate in a BARJ process for fear of harsher consequences through the court process. BARJ programs are voluntary, and it is true that there may be perceived or actual benefits to participation. But while these programs are not punitive, they are not easy by any means. It can be very difficult for youth to accept responsibility for their actions and face those whom they have harmed. One might argue that it is easier for a young offender to remain passive while a trained attorney does the work and speaks entirely on his or her behalf. BARJ promotes a process of accepting responsibility and gaining empathy that ultimately may be more beneficial to the offender.

BARJ promotes a process of accepting responsibility and gaining empathy that ultimately may be more beneficial to the offender.

## Net-widening

There is concern that BARJ-based practices sometimes “widen the net” by including youth who otherwise would not have been involved with the system. If practiced correctly, BARJ resolves issues collectively with a mutually acceptable agreement rather than punishing, labeling, or recording wrongdoings of the offender.

In addition, opportunities for participation exist in a community-based BARJ process that do not require justice system intervention. These processes still have the benefits of establishing or repairing relationships, resolving misunderstanding, improving understanding, increasing empathy, and reducing community and victim fear. However, participants are not obligated to follow the requirements of an informal agreement, as there is no threat of sanction by the justice system. The victim must be made aware that any action the young offender may choose to take to repair harm beyond initial participation is voluntary.<sup>26</sup>

## Additional requirements

BARJ-based programs may require more of the offender than traditional court sentences. Often offenders on court supervision or probation are merely monitored. Their cases are considered successful if there is no additional wrongdoing during the assigned period of time. However, these practices have little or no value for the offender. They treat each person the same despite their unique needs and circumstances.

BARJ requirements are explicitly intended to build the competency skills of the individual offender. Critics may argue that additional requirements and more supervision could lead to higher failure rates. BARJ requirements are not meant to create obligations that an offender cannot fulfill. Agreements are developed with the offender who can share any foreseen difficulties in completion.

## Shaming

Some critics view BARJ-based practices as a way for community members to shame offenders. In *Crime Shame and Reintegration*, John Braithwaite describes two kinds of shaming, reintegrative and disintegrative.<sup>27</sup> Reintegrative shaming offers an expression of community disapproval for an individual’s actions followed by reacceptance into the community. The act (or delinquent offense) is condemned rather than the actor (the youth). Integral to a reintegrative response is that people who make a mistake are not defined by those mistakes and are still valued members of the community. Disintegrative shaming negatively labels and makes community outcasts of individuals who have committed an offense. Restorative practices attempt to provide reintegrative shaming along with community support to reduce future criminal behavior.



Significant effort should be made not to revictimize or blame the victim.

### **Victim influence**

Critics have argued that victims are emotional, angry, and out for revenge. Depending on the type of crime, victimization can range from an inconvenience to traumatization. Each victim's response to crime also may vary. Victims may need empowerment, reassurance, vindication, and an understanding of what happened.<sup>28</sup> Sometimes these needs are not met by the traditional justice system. BARJ-based processes, in contrast, are better designed to meet the range of crime victims' needs. Research suggests that victims are open to sentences that are restorative and often do not desire the incarceration of their offender. In addition, victims want their offenders to receive treatment.<sup>29</sup>

### **Defense and victims**

Crime can be traumatic. The criminal justice system has often been criticized for being insensitive, unresponsive to victim needs, and even causing further harm. Significant effort should be made not to revictimize or blame the victim. BARJ seeks to treat victims with compassion and sensitivity in an environment that is attentive to each victim's feelings and needs. Studies also have shown that BARJ practices offer high victim satisfaction and reduce fear and anxiety.<sup>30</sup>



# Balanced and restorative justice practices for defense attorneys

The following justice practices may already be used in some jurisdictions, but the degree to which they can be considered BARJ-based may vary. BARJ-based practices adhere to the balanced approach by giving equal attention, whenever possible, to victims, offenders, and communities, and are based on the principles of restorative justice. Several ways exist to make current practices more effective and consistent with the BARJ philosophy.

## Current justice practices

### Community service

Community service has long been an option in response to juvenile offending. It has not always been restorative, however. Offenders should be provided, when appropriate, with meaningful community service options. For communities to experience restoration through community service, the service should be both visible and valuable. Ideally, community service will either be linked to the harm caused by the crime or be chosen by the victim(s). It should also take into account the strengths, interests, and skills of the offender leading to increased competencies. Some activities may include tutoring or mentoring youth; helping at faith institutions, shelters, hospitals, or nursing homes; or attending an extracurricular activity that interests them in their school or community. These activities build skills and engage offenders in a positive way by building lasting relationships, which are more likely to impact them beyond completion of their community service.<sup>31</sup>

### Restitution

When applicable, a sentence should include specific ways that offenders will complete payment of victim restitution. However, many young offenders find it difficult to pay. The burden of payment often falls on the offender's parents. Offenders can work to repair the harm they caused, ideally in areas that increase their competencies. For example, an offender can work for a business owner from whom he or she stole or repair damage that was the result of vandalism or graffiti. These opportunities give young offenders the ability to provide restitution to victims, while learning of the impact of their behavior.

Many communities are finding new ways to assist juvenile offenders in paying restitution. In Operation Payback, an innovative program out of St. Louis, Mo., service organizations raise money that allows juveniles to earn an hourly wage for community service. Once earned, the funds are sent to victims by the service organization in the form of restitution.

### Victim impact panels

Mothers Against Drunk Driving held the first victim impact panel in 1982. Victim impact panels allow crime victims of similar offenses to share their experiences and impact of crime with offenders. These panels allow victims to talk with offenders of similar crimes when it might be too difficult or impossible for them to talk with their own offender. This process also allows offenders to learn the impact of their actions, even though they are not hearing it directly from those they have harmed.

Victim participation is voluntary in any BARJ-based response to juvenile offending. Sometimes, victims are unable to or opt not to meet with their offenders face-to-face. Other times there is no direct victim of a crime.

### Victim impact statements

Victims may provide written statements in lieu of meeting with an offender. The statements share the effect of the crime and may influence the sentence or program outcomes. The first use of impact

Offenders who are unable to apologize to victims in person may write letters to their victims or others affected by their offense.

By offering opportunities for open and safe communication, circles resolve conflict, strengthen relationships between participants, empower all parties involved, and emphasize respect and understanding.

statements in the U.S. was in 1976 by the probation department in Fresno County, Calif., which used them to guide sentencing in court.

Although victim impact statements are typically used post-conviction and pre-sentencing, other opportunities exist for use of victim impact statements. For example, in certain BARJ programs, a facilitator reads a statement written by the victim that describes the harm caused by the offender.

### **Apology letters**

Offenders who are unable to apologize to victims in person may write letters to their victims or others affected by their offense. The content of these letters should be reviewed before being shared with victims to ensure that they are sincere and will cause no further harm. Victims should always be asked first if they are willing to receive an apology letter from the youth. Even if the victim declines to receive the apology letter, it may still be a worthwhile undertaking, as the exercise will require the offender to consider the harm caused by his or her actions.

### **Balanced and restorative justice-based programs**

Juvenile BARJ-based programs often have several common elements. They:

- Are offered to juvenile offenders who are willing to accept full responsibility.
- Are provided with participant referrals at the discretion of the juvenile justice system.
- Are facilitated by a trained individual, who may be an employee of a juvenile justice agency, an allied non-profit agency, or a volunteer from the community.
- Involve victims and/or community members in the process, but participation is voluntary.
- Keep proceedings confidential.

The following programs may be used by law enforcement as a condition of a station adjustment, by prosecutors who refer youth to BARJ-based programs as an alternative to formal processing in juvenile court, or by probation departments as a condition of probation. These programs have shown promise and have been replicated in different countries and communities. This is not an exhaustive list and program variations may exist that adhere to the principles of BARJ.

### **Circles**

Circles provide an informal opportunity to bring parties in conflict together to resolve an issue. They also may be used in more formal processes, such as sentence determination. A trained facilitator, often called the circle keeper, allows all interested parties to share any feelings and information related to the conflict or offense. The facilitator may use a talking piece, an object that is passed from person to person indicating that it is that person's turn to speak. By offering opportunities for open and safe communication, these programs resolve conflict,

strengthen relationships between participants, empower all parties involved, and emphasize respect and understanding.

### **Community reparative boards**

Community reparative boards, also known as neighborhood accountability boards, merchant boards, and youth panels in other parts of the country, allow the community to get involved in the justice process by addressing offenders in a constructive way. These boards bring the offender before a panel of local citizens who hold hearings and determine dispositions. Typically, local courts refer cases to the board. Community volunteers go through intensive training to participate on the board. This training might include the board process (or issues related to working with youth), but must also include BARJ-based principles to be restorative.

One reparative board initiative, the Community Panels for Youth Project has operated in seven Chicago neighborhoods since 1997. Panels of community volunteers hear juvenile offender cases referred by the Cook County State's Attorney's Office.

Vermont also has a successful reparative probation program that invites dialogue between citizen volunteers, victims, and offenders to negotiate restorative probation agreements.<sup>32</sup>

In jurisdictions in Illinois and around the country, BARJ-based programs are used by law enforcement as a condition of a station adjustment, by prosecutors who refer youth to them as an alternative to formal processing in juvenile court, and by probation departments as a condition of probation.

### **Family group conferences**

Also called community, accountability, and restorative group conferences, family group conferences differ from mediation in that the offender and victim are allowed to bring members of their support systems, typically family members, to the conference.<sup>33</sup> Guided by a trained facilitator, participants are allowed to express their feelings about the young offender and the crime he or she committed. An agreement is developed that describes what the offender must do to repair the harm. Conferencing allows people to work together to resolve problems through cooperation, support, and empowerment. Research has shown high levels of satisfaction with this program, with participants preferring a conference to a court appearance,<sup>34</sup> as well as lower recidivism rates than traditional court processing.<sup>35</sup>

### **Victim offender conferencing programs**

Victim offender conferencing programs are facilitated by a trained mediator and bring together the offender and victim.<sup>36</sup> A discussion takes place and an agreement for the offender to follow is developed. These programs are also referred to as victim offender mediations, victim offender reconciliation programs, or community mediations. Although the term "mediation" may imply that the victim and offender are equals, this is not the case. The offender has the obligation to restore the victim. Community mediation programs can be designed to involve the community and mediate between a victim and an offender. Research has shown that both parties in these programs have consistently been satisfied with the process. Some say the process is fairer than court proceedings.<sup>37</sup>

### **Other programs**

Youth court programs and community mediation panels have the potential to be restorative when implemented in a manner that is consistent with the BARJ philosophy.

## A victim-offender conferencing program in action

Mary Hoeft, a volunteer facilitator for Barron County Wisconsin Restorative Justice Programs, Inc., shared the following story for an issue of *The Wisconsin Defender*. She has co-facilitated numerous victim offender conferences over the years. The case she describes here was in many ways for her the most rewarding. Barron County has implemented several restorative justice programs including victim-offender conferencing, victim impact panels, teen court, and the Restorative Discipline in School Communities program.

*When I phoned the victim, a woman whose snowmobile had been stolen, and asked if she would be willing to participate in a victim pre-conference, there was a long pause at the other end. When she finally spoke, her response was, "No."*

*When I asked why, she spoke of her fear that the offenders might take out their anger on her family once they were able to identify her as their victim. She spoke of her sense of violation. This was the first new machine she had ever owned. How dare those punks do this to her! She spoke of her desire to see these kids get the punishment they deserve. As she spoke, I listened.*

*When she ran out of things to say, I spoke. I explained that my partner and I would make sure that she had an opportunity to express her feelings to the offenders in a "safe place." I talked about the healing that I had witnessed in the previous conferences that I had facilitated. I concluded by saying, "But it is your choice. Think about it. If you change your mind, call me."*

*In the meantime, I called the offenders; three young men in their late teens. I explained how lucky they were to have been considered for the program. I told them that the victim was uncertain about her participation but that if she decided to go to conference these young men would indeed be fortunate. Each boy agreed.*

*The victim called me at home the next night. She asked if I had spoken to the boys. When I explained that each of the boys seemed to be genuinely remorseful and that I felt she would feel much better if she were to participate, she reluctantly agreed.*

*My partner, Dan, and I met with the offenders first. One young man spoke of his fear that this crime would ruin his chances to join the army. Another spoke of his shame. His father had been murdered a few years earlier. The young man had vowed to lead a life that would make his father proud. The third young man, whose idea it was to take the machine, sat silently as he listened to his friends speak of the crime into which he had drawn them.*

*Then Dan and I conferenced with the victim and her husband. She was articulate, controlled and determined to see that the boys received the punishment they deserved. She wanted every penny back for the machine. She wanted each offender to do 150 community service hours. She had found a friend who needed help on his farm. They had better be willing to work. Dan and I listened.*

*Then it was time to bring victim and offenders together. The victim spoke first. She told the boys of her fears for her family. She expressed her sense of violation. She spoke of the anger that she held and her desire for justice. The offenders sat with eyes fixed on her.*

*Then, it was their turn.*

*The young man whose father had been murdered, said, "I feel like a murderer myself." He went on to explain how he wanted his life to be better. After his father had died, he had moved in with his grandmother. Now, the woman who had been so good to him had to deal with this shame.*

*As the victim listened, she began to console the young man. She said, "You are not a murderer. Your grandmother has much to be proud of."*

*The young man who was about to enter the army expressed his regret. He told her that he feared this incident would ruin his life. He used to be proud to walk down the streets of his town. He was a good student and a fine athlete. He donated his time coaching young boys. Now he was ashamed to walk down the street. He knew that people were talking about him and the things they were saying weren't nice.*

*Then, the third young man spoke. He said, "It's my fault. I saw your machine and wanted it. I deserve to be punished. I'll do whatever you want."*

*The victim, who had feared these young men and had only wanted to see them punished, spoke again. She looked at me and said, "I'm afraid 150 hours of community service is too much to ask. What do you think, Mary, do you think 75 hours are enough for the two boys who were accomplices?"*

*The young man whose father had died said, "It isn't enough. I deserve more!" The victim looked at the young man who had stolen her machine and said, "I don't think you are a bad boy, but you made a bad choice. I want you to do 150 hours." He shook his head and said, "I'll do as many hours as you want."*

*The victim asked the boys how they planned to repay her. Each boy presented his plan. Two boys could pay \$50 per month. The third could pay \$100 per month.*

*As the conference was coming to an end, the victim asked to speak one more time. She told the boys that she thought they were good boys who had done a foolish thing. She wished them well. She told the one young man that his father would be proud of him. She told the other boy that she hoped he would be a good soldier. She told them that she felt everyone deserved a second chance and that this was theirs. "Use it well," she said. "Don't make me regret my decision!"*

*As the boys got up to leave, they walked around the table to the victim. Each boy shook her hand and thanked her. One young man said, 'I'll try to make you proud.'*

*As the young woman left the room, she hugged me. As I looked at her face, I saw strength where fear had been. I saw compassion where anger had been. I saw empowerment where helplessness had been. And I said to myself: Restorative justice works!*

*--Reprinted with permission from Hoeft, Mary, "Barron County Restorative Justice: A Case Study," The Wisconsin Defender (Summer 2002) 10(3) 22-24.*

## Youth court programs

Youth courts, also called teen courts and peer juries, are programs in which youth volunteers hear cases of juvenile delinquency or school misconduct and make recommendations. In Illinois, most of these programs operate through police departments for station-adjusted youth as a diversion from juvenile court.<sup>38</sup>

Community service work should be meaningful and related to the offense.

These programs have used the BARJ philosophy to varying degrees. Because of the popularity of youth courts, particularly with police departments in Illinois, a real opportunity exists for these programs to implement BARJ. Youth courts offer victims and community members the opportunity to be present at hearings, provide input into sentencing, and receive verbal or written apologies. Sentences should improve competencies and take into account the interests and talents of offenders. Community service work should be meaningful and related to the offense.

## Community mediation panels

In practice, community mediation panels share much with community reparative boards. The goal is to make the juvenile understand the seriousness of his or her actions and the effect that a crime has on the minor, his or her family, the victim, and the community.<sup>39</sup> Although the Illinois' Juvenile Court Act explicitly gives responsibility to the state's attorney for the establishment of community mediation panels, the statute states that these panels should be provided to informally hear cases that are referred by a police officer as a station adjustment, a probation officer as a probation adjustment, or referred by the state's attorney as an alternative to prosecution.<sup>40</sup>

Adjustments to current practices can make existing programs more restorative.

## Implementation

Implementing BARJ-based practices doesn't necessarily require the creation of new programs. Adjustments to current practices can make existing programs more restorative. Starting a successful BARJ-based practice or program takes work, but evidence shows that BARJ offers much more than the conventional justice system.

*Figure 2* provides a description of BARJ-based programs and their goals. The programs are very similar. They all follow the principles of restorative justice. However, one program may be more desirable for certain cases than another. Mediation may be preferred when there is a direct victim who wishes to speak face-to-face with the offender. A circle may be better when there is conflict or a crime that has affected a large group of people. A conference may be preferred if the offense directly involves the family and other people close to the youth. A community board may be desired if the offense has a great impact on the community. Ideally, many program options would exist for young offenders.

There are several steps to developing a program. Points to consider include:

- Establishing a referral procedure, and determining whether referrals will be accepted by other entities, such as schools or parents.



**Figure 2: Comparison of BARJ-based programs**

	<b>Description</b>	<b>Goals</b>
<b>Circles</b>	<ol style="list-style-type: none"> <li>1) Involve victim, offender, community participants, and supporters.</li> <li>2) Led by a trained facilitator.</li> <li>3) Allow all parties to share information.</li> <li>4) Lead to an agreement.</li> </ol>	<ol style="list-style-type: none"> <li>1) Provide awareness of victim and community impact of crime.</li> <li>2) Reconnect victim and offender.</li> <li>3) Aid victim in healing process.</li> <li>4) Develop a collective response to crime and conflict.</li> </ol>
<b>Conferences</b>	<ol style="list-style-type: none"> <li>1) Involve victim, offender, and supporters.</li> <li>2) Led by a trained facilitator.</li> <li>3) Allow all parties to share information.</li> <li>4) Lead to an agreement.</li> </ol>	<ol style="list-style-type: none"> <li>1) Provide awareness of victim, family, and community impact of crime.</li> <li>2) Connect all affected by crime.</li> <li>3) Develop a collective response to crime and conflict.</li> </ol>
<b>Community boards</b>	<ol style="list-style-type: none"> <li>1) Involve victim, offender, community, and volunteers.</li> <li>2) Led by trained facilitator.</li> <li>3) Ask questions of victim and offender to illustrate crime's impact.</li> <li>4) Lead to an agreement.</li> </ol>	<ol style="list-style-type: none"> <li>1) Provide awareness of victim and community impact of crime.</li> <li>2) Reconnect victim and offender.</li> <li>3) Empower citizens and reduce criminal justice reliance.</li> <li>4) Develop a collective response to crime and conflict.</li> </ol>
<b>Mediation</b>	<ol style="list-style-type: none"> <li>1) Becomes an option when there is a direct victim.</li> <li>2) Involves victim and offender.</li> <li>3) Led by trained mediator.</li> <li>4) Involves mediated discussion in which both parties share information.</li> <li>5) Leads to an agreement.</li> </ol>	<ol style="list-style-type: none"> <li>1) Provide awareness of victim impact of crime.</li> <li>2) Reconnect victim and offender.</li> <li>3) Aid victim in healing process.</li> <li>4) Develop a collective response to crime and conflict.</li> </ol>

*Adapted from Bazemore, Gordon and Mark Umbreit, "Conferences, Circles, Boards, and Mediation: Restorative Justice and Citizen Involvement in the Response to Youth Crime." Final report for Office of Juvenile Justice and Delinquency Prevention, grant number 95-JN-FX-0024. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention, 1999: 27-34.*

- Identifying the types of offenses and youth that will be accepted.
- Fostering links with community agencies and groups.
- Determining available community service options.
- Recruiting and promoting the BARJ program in the community.
- Training staff and/or volunteers and educating offenders.
- Developing a process for monitoring, follow-up, and evaluation.

## Evaluation

Courts may gather information through surveys and focus groups designed to help determine victim and community satisfaction with the courts and gain input on what problems exist in their neighborhoods. The same research methods also may be used to measure the impact of BARJ-based practices and programs. BARJ-based practices themselves, including the elements of a formal agreement of a program, such as restitution and community service, should be examined to determine if they are consistent with the BARJ philosophy. In addition, community service completion and restitution

Restorative justice is a trend both nationally and internationally.

compliance rates can be measured. Although many offices do not have the resources to implement these information-gathering techniques, many colleges and universities are interested in providing research support.



# Conclusion

The juvenile justice system has been criticized for failing to be responsive to victims and the communities it serves. Many citizens distrust and fear police and are intimidated by what is often a confusing and overburdened court system. Traditional justice processes encourage community residents to leave the issue of justice to the professionals. But crime affects all members of society, and involvement of local citizens can be vital to the reduction of crime. In *Crime Shame and Reintegration*, John Braithwaite writes, “Low crime societies are societies where people do not mind their own business, where tolerance of deviance has definite limits, where communities prefer to handle their own crime problems rather than hand them over to professionals.”<sup>41</sup> BARJ is able to provide a framework for involving all parties affected by crime in the justice process and has the potential to build societies like those Braithwaite describes.

Restorative justice is a trend both nationally and internationally. Over the past decade, states have implemented BARJ-based practices and programs and have adopted BARJ-based policies for juvenile justice. The U.S. Office of Juvenile Justice and Delinquency Prevention endorses BARJ, and Illinois adopted BARJ as its purpose and policy for responding to juvenile delinquency. This philosophy can guide the work of defense attorneys and aid in the administration of justice. Research shows that BARJ-based programming is associated with high satisfaction with the juvenile justice system and low recidivism rates.

This guide is intended to further the knowledge, understanding, and practice of balanced and restorative justice. Agencies are encouraged to move toward a restorative juvenile justice system by using the philosophy of BARJ and the practices and programs described in this guide. The BARJ-based strategies implemented should be geared toward the needs of the community and its individual victims, offenders, and citizens.

# Notes

<sup>1</sup> 705 ILCS 405/5-101

<sup>2</sup> This philosophy is based on practices used in indigenous cultures and religious groups for centuries.

<sup>3</sup> The concept and term *balanced and restorative justice* was developed by the Balanced and Restorative Justice Project, funded by the Office of Juvenile Justice and Delinquency Prevention. The project sought to make the concepts of restorative justice applicable to our modern justice system and its professionals.

<sup>4</sup> Pranis, Kay, *Guide for Implementing the Balanced and Restorative Justice Model*, Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 1998, NCJ 167887.

<sup>5</sup> Griffin, Patrick, Linda Szymanski, and Melanie King, *National Overviews, State Juvenile Justice Profiles*, National Center for Juvenile Justice Online (2005).

<sup>6</sup> Native Counseling Services of Alberta, "Cost Benefit Analysis of Hollow Water's Community Holistic Circle Healing Process" Ottawa, Ontario: Solicitor General of Canada, Aboriginal Corrections Policy Unit, (2001).

<sup>7</sup> See e.g., Latimer, Jeff, Craig Dowden, and Danielle Muise, "The Effectiveness of Restorative Practices: A Meta-Analysis," Research and Statistics Division Methodological Series. Ottawa, CA, Department of Justice Canada, 2001.; McGarrell, Edmund, F., Kathleen Olivares, Kay Crawford, and Natalie Kroovand, "Returning Justice to the Community: The Indianapolis Juvenile Restorative Justice Experiment," Indianapolis: IN: Hudson Institute Crime Control Policy Center, 2001.; Nugent, William R., Mark S. Umbreit, Lizabeth Wiinamaki, and Jeff Paddock "Participation in Victim Offender Mediation and Severity of Subsequent Delinquent Behavior: Successful Replications?" *Journal of Research in Social Work Practice* (2004) 14.

<sup>8</sup> See e.g., McGarrell, Edmund, F., Kathleen Olivares, Kay Crawford, and Natalie Kroovand, "Returning Justice to the Community: The Indianapolis Juvenile Restorative Justice Experiment," Indianapolis: IN: Hudson Institute Crime Control Policy Center, 2001.; Latimer, Jeff, Craig Dowden, and Danielle Muise, "The Effectiveness of Restorative Practices: A Meta-Analysis," Research and Statistics Division Methodological Series. Ottawa, CA, Department of Justice Canada, 2001

<sup>9</sup> Umbreit, Mark S., "Restorative Justice Through Victim-Offender Mediation: A Multi-Site Assessment," *Western Criminology Review* 1998 1(1).

<sup>10</sup> Roberts, Tim, "Evaluation of the Victim Offender Mediation Project, Langley, BC: Final Report," Victoria, BC: Focus Consultants (March 1995).

<sup>11</sup> Umbreit, "Restorative Justice Through Victim-Offender Mediation: A Multi-Site Assessment."

<sup>12</sup> Ibid.

<sup>13</sup> Feinblatt, John and Greg Berman, *Community Court Principles: A Guide for Planners*, Washington, DC: U.S. Department of Justice, Bureau of Justice Assistance, 1997: 3-6.

<sup>14</sup> Feinblatt, John, Greg Berman, and Michele Sviridoff, *Neighborhood Justice: Lessons From the Midtown Community Court*, Washington, DC: U.S. Department of Justice, National Institute of Justice, 1998: 5.

<sup>15</sup> Eric Lee, *Community Courts: An Evolving Model*, Washington, DC: Bureau of Justice Assistance, 2000, NCJ 183452: 4.

<sup>16</sup> Clarke, Cait, "Community Defenders in the 21<sup>st</sup> Century: Building on a Tradition of Problem Solving for Clients, Families, and Needy Communities," Washington, DC: United States Department of Justice Executive Office for United States Attorneys *United States Attorney's Bulletin*, (January, 2001): 20.

<sup>17</sup> Ibid, 23.

<sup>18</sup> Community Justice Exchange, "First Person: Leonard Noisette, Defense Attorney, New York, New York" (2000) Retrieved from the World Wide Web: <http://www.communityjustice.org> October 18, 2004.

<sup>19</sup> Grunewald, Kristen and Priya Nath, "Defense-Based Victim Outreach: Restorative Justice in Capital Cases," *Capital Defense Journal*, Washington & Lee University School of Law, Lexington, VA 15 (Spring 2003).

<sup>20</sup> Cochran, Robert F., Jr., "The Criminal Defense Attorney: Roadblock or Bridge to Restorative Justice," *The Journal of Law and Religion* 14 (1999-2000): 211.

<sup>21</sup> American Bar Association, "Model Code of Professional Responsibility," (adopted 1969, amended 1980).

<sup>22</sup> Ibid, 49.

<sup>23</sup> Cochran, "The Criminal Defense Attorney: Roadblock or Bridge to Restorative Justice," 224.

<sup>24</sup> Dick, Terese, "Milwaukee County's Community Conferencing Program: The Role of the Defense Lawyer," *The Wisconsin Defender* (Summer 2002) 10(3): 16.

<sup>25</sup> Emmons, Stephanie, "Restorative Justice," American Prosecutor Research Institute, *JUMPSTART Training Resource Manual*: 7-8.

<sup>26</sup> Clements, Jo et al., "Group Conferencing: Restorative Justice in Practice," Center for Restorative Justice and Mediation, Restorative Justice Consortium, and Mediation U.K. (March 1999): 15-16.

<sup>27</sup> Braithwaite, John, *Crime Shame and Reintegration*, New York: Cambridge University Press, 1989:55.

<sup>28</sup> Zehr, Howard, *Changing Lenses: A New Focus for Crime and Justice*, Scottsdale, PA: Herald Press, 1990:193.

<sup>29</sup> Ibid, 194.

<sup>30</sup> Ibid, 194.

<sup>31</sup> Community service and restitution require supervision by either a community service agency or the police department. Community volunteers may also be trained to monitor youth offenders working in the community.

<sup>32</sup> Karp, David R. and Kevin M. Drakulich, "Minor Crime in a Quaint Setting: Practices, Outcomes, and Limits of Vermont Reparative Probation Boards," *Criminology and Public Policy* 3(4) (2004): 656.

<sup>33</sup> Family group conferences first emerged in New Zealand in 1989 and are based on the country's concept of Maori justice.

<sup>34</sup> Umbreit, Mark and Claudia Fercello, "Practicing Restorative Justice: Family Group Conferencing and Juvenile Crime in the Suburban Metro Area," *CURA Reporter* (June 2000): 17-18.

<sup>35</sup> Hines, David, "The Woodbury Police Department Restorative Justice Program Recidivism Study," Interfaith Ministries (2002). *The study found recidivism rates for the family group conferencing program at 33 percent compared to 72 percent of youth processed. In addition, conference participants who recidivated did so after a longer period of time and committed less serious offenses.*

<sup>36</sup> This is different from mediation for civil disputes because there is an admitted wrongdoer and victim, and the main focus is not on a monetary settlement, although restitution is common.

<sup>37</sup> Mirsky, Laura, "A Summary of 'A Survey of Assessment Research on Mediation and Restorative Justice' by Paul McCold," *International Institute for Restorative Practices E-Forum* (June, 2004): 2.

<sup>38</sup> "Teen court" is mentioned in the Illinois Compiled Statutes, 705 ILCS 405/5-330.

<sup>39</sup> 705 ILCS 405/5-310 (1)

<sup>40</sup> 705 ILCS 405/5-310 (3) (a)

<sup>41</sup> Braithwaite, John, *Crime Shame and Reintegration*, New York: Cambridge University Press, 1989: 8.

# Appendix

The inclusion of resources in this appendix does not indicate an endorsement of any agency, program, service, or individual. This appendix is intended to provide a broad range of resources for information on balanced and restorative justice.

## Illinois Resources

### Local Resources

Bloom Township Youth and Family Services  
Mediation and Family Group Conferencing Programs  
425 S. Halsted St.  
Chicago Heights, IL 60411-1212  
Phone: 708-754-9400

Champaign County Victim Offender  
Reconciliation Program  
Contact: Mark Krug  
Court Diversion Services  
Champaign County Regional Planning  
Commission  
1776 E. Washington St.  
Urbana, IL 61802-4578  
Phone: 217-328-3313  
E-mail: mkrug@ccrpc.org

Community Panels for Youth  
Contact: Robert Spicer  
Community Justice for Youth Institute  
10 W. 35th St., Suite 9C 4-1  
Chicago, IL 60616-3717  
Phone: 773-842-4987  
E-mail: rspicercpy@yahoo.com

Cook County Juvenile Probation Department  
Contact: Chuck Michalek, Deputy Chief  
Probation Officer  
1100 S. Hamilton Ave.  
Chicago, IL 60612-4207  
Phone: 312-433-6639  
E-mail: michalekchas@aol.com  
Website: [www.cookcountycourt.org/services/programs/juvenile/balanced.html](http://www.cookcountycourt.org/services/programs/juvenile/balanced.html)

Ford County Family Group Conferencing  
Program  
Ford County Probation and Court Services  
200 W. State St.  
Paxton, IL 60957-1179  
Phone: 217-379-2221  
E-mail: [probation@fordcountycourthouse.com](mailto:probation@fordcountycourthouse.com)

Macon County Teen Court  
Contact: David Kidd, Coordinator  
253 E. Wood St., 4th floor  
Decatur, IL 62523-1483  
Phone: 217-424-1400  
E-mail: [dkidd723@hotmail.com](mailto:dkidd723@hotmail.com)

Neighborhood Restorative Justice Institute, Inc.  
Contact: Elizabeth Vastine  
155 N. Michigan Ave., Suite 744  
Chicago, IL 60601  
Phone: 312-616-4465  
E-mail: [lizjim.enteract@rcn.com](mailto:lizjim.enteract@rcn.com)

Victim-Offender Conference Program  
Contact: Daniel Smith  
Department of Probation and Court Services  
Eighteenth Judicial Circuit  
503 N. County Farm Rd.  
Wheaton, IL 60187-3942  
Phone: 630-407-8350  
E-mail: [dan.smith@dupageco.org](mailto:dan.smith@dupageco.org)

### Statewide resources

Illinois BARJ Initiative  
Contact: Sally Wolf  
Ford County Probation and Court Services  
200 W. State St.  
Paxton, IL 60957-1179  
Phone: 217-379-2221  
E-mail: [probation@fordcountycourthouse.com](mailto:probation@fordcountycourthouse.com)

Illinois Youth Court Association  
Contact: Amy Zimmerman, Children's Policy  
Advisor  
Office of the Illinois Attorney General Lisa  
Madigan

100 W. Randolph St.  
Chicago, IL 60601-3218  
Phone: 312-814-2823  
E-mail: [azimmerman@atg.state.il.us](mailto:azimmerman@atg.state.il.us)  
Website: [www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov)

Website: [www.youthcourt.net](http://www.youthcourt.net)  
Youth website: [www.ycyouth.net](http://www.ycyouth.net)

## Other resources

The Balanced and Restorative Justice Project  
Florida Atlantic University  
111 E. Las Olas Blvd.  
Askew Tower, Suite 613  
Ft. Lauderdale FL 33304  
Phone: 954-762-5668  
E-mail: [odixon@fau.edu](mailto:odixon@fau.edu)  
Website: [www.barjproject.org](http://www.barjproject.org)

Restorative Justice Online  
Prison Fellowship International Centre for  
Justice and Reconciliation  
P.O. Box 17434  
Washington, DC 20041  
Phone: 703-481-0000  
E-mail: [rjonline@pfi.org](mailto:rjonline@pfi.org)  
Website: [www.restorativejustice.org](http://www.restorativejustice.org)

Center for Restorative Justice and Peacemaking  
School of Social Work  
University of Minnesota  
1404 Gortner Ave., 105 Peters Hall  
St. Paul, MN 55108-6160  
Phone: 612-624-4923  
E-mail: [rip@che.umn.edu](mailto:rip@che.umn.edu)  
Website: [www.2ssw.che.umn.edu/rjp](http://www.2ssw.che.umn.edu/rjp)

International Institute for Restorative Practices  
P.O. Box 229  
Bethlehem, PA 18016  
Phone: 610-807-9221  
E-mail: [info@restorativepractices.org](mailto:info@restorativepractices.org)  
Website: [www.iirp.org](http://www.iirp.org)

JustBridges  
National Clearinghouse for Defense-Based  
Victim Outreach  
Institute for Justice and Peacebuilding  
Eastern Mennonite University  
1200 Park Rd.  
Harrisonburg, Virginia 22802  
Phone: 540-432-4696  
Website: [www.emu.edu/ctp/justbridges.html](http://www.emu.edu/ctp/justbridges.html)

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