

Juvenile court receiving fair treatment, study says

By JUDY TATHAM
Herald & Review Staff Writer

Juvenile court is not shunted aside or getting significantly less priority than other divisions of the Circuit Court.

That is one of the findings of a juvenile courtwatching project by the League of Women Voters.

Regarding the demeanor of judges, the local league's report said, "The judges observed were reported as being patient and polite in hearing both sides of the case and of being careful — most of the time — to explain the procedure of the hearings and its results. In only a few instances did the judge fail to read the rights to the respondents at a first appearance in court."

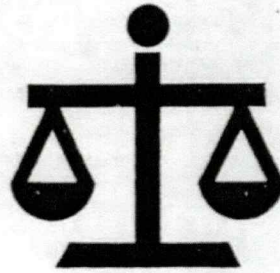
There were 450 juvenile petitions filed in Macon County in 1980, according to the reports. Most of these petitions require more than one court hearing.

Dee Meyerson, coordinator of the Macon County courtwatchers, said Janet Otwell, president of the Illinois League of Women Voters, has noted that the number of cases filed in Macon County is among the highest outside Cook County.

During the 838 hearings observed by 12 citizens in Macon County courts, juvenile males outnumber girls 3-1. There were more 15-year-olds than any other age group.

The breakdown by race and sex included: 300 white males, 155 black males, 83 white females, 34 black females and one Latino female. There 265 unknown by sex or race because they were not present in the court during the hearing.

About half, or 49 percent of the cases, involved delinquency petitions, or violations of criminal law. The other cases included minors in need of supervision, or those youths



brought to court because of allegations of neglect and dependency against their parents or guardians.

Theft and burglary were the most frequently recorded reasons for delinquency petitions. Other allegations included armed robbery, assault and battery and criminal damage to property.

Eighty percent of the youths were represented by public defenders at taxpayer expense and the remainder were represented by private counsel.

Some of the monitoring was conducted while former Circuit Court Judge Frank Gollings presided and supervised the juvenile court. Associate Judges W.A. Sappington and John L. Davis also heard cases.

Some comments made by local courtwatchers were negative. Mrs. Meyerson said the points should be considered in some instances, but she cautioned that their impact should not be distorted since they do not reflect the consensus of the courtwatchers.

Davis said some comments may have come because the courtwatchers were not familiar with efforts made by police or court personnel outside the courtroom setting.

He noted the critical comment made by one monitor. It said, "The whole juvenile court process is taken

with an air of unimportance and general boredom by every professional involved within the court spectrum. There is entirely too much time and a waste of taxpayers' money when every case on the docket is continued because everyone is ill-prepared."

Davis said, "It is simply not true. Everyone is concerned."

He added that such a comment could have been prompted because the observer saw only a small portion of the entire court process.

Other negative remarks included the following:

- "Facilities were very noisy with people waiting outside in the hall."

- "... The cases were handled so quickly and the officials of the court used the court terminology so glibly that that I am not sure the juveniles and their parents really understood what happened."

"Recommendations? Several individuals from the Illinois Department of Children & Family Services (caseworkers) sat in the back of the room. Some were never called and hence wasted their morning. One person could be designated to attend court and be given a briefing of the cases that were the responsibility of DCFS.

- "The state's attorney often does not appear ready and familiar with his cases. He seems to ramble often during proceedings about the juvenile."

- "We began in one courtroom with a judge who doesn't usually do juvenile cases, and then we moved to another court. At one point, someone was sent back to hunt for clients. When one of the prime players is absent, as the public defender was, it seems to seriously impede progress ... too bad."

Readers' Forum

Judge selection important

To the Editor:

One hears and reads considerable discussion as to the proper method of selecting judges — that is unless he happens to be one of the many who considers himself above the question of politics and the responsibilities of being a citizen.

There has been considerable proof lately that we are saddled with a court system and judges that make it worthwhile to consider other methods of selecting judges.

There seems to be no way of avoiding politics in this choice. Under our present system it is almost as hard to get rid of an incompetent judge as it is to impeach the president of the United States. A few years ago two judges in Sangamon County had announced their intention of standing for retention. The Bar Association in a secret ballot on the abilities of the two judges announced in the paper that one of them was eminently well qualified but that the other was not qualified. In the election that followed the unqualified judge got nearly as many votes as his running mate.

If a committee of selection of three or more candidates presents the list to the governor and he doesn't see anyone of his party he likes, he can refuse to

make an appointment from that list and order a new list prepared.

None of these or other proposals gets to the basic problems. 1. Judges must be licensed attorneys. 2. Justice Burger stated that not 50 percent of the attorneys in this country are capable of appearing in court and properly representing a defendant. 3. Our own judges have said they need a raise because none of the practicing attorneys of quality want the job as judge at the present salaries which places our judges in the over 50 percent that Justice Burger was talking about. 4. Some of the pronouncements of our courts have indicated that the judges have not read the Illinois Constitution.

A school drop-out has to pass an examination referred to as G.E.D. before he can get a certificate equivalent to a high school diploma. Part of that examination is on the Illinois Constitution. Is it too much to ask that a would-be candidate for a judgeship be required to pass such an examination before his name be entered into consideration? He should also write a paper on his interpretation of the provisions in the Constitution. The method of selection should be based on this foundation.

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