

Comparing Juvenile and Adult Justice Systems

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Children or minors who find themselves entangled in criminal offenses are always subjected to a juvenile system of criminal justice as opposed to the adult system of criminal justice. This is owing to their little understanding of the law and their entitlement to certain special protections within the justice system. There are several significant differences and similarities between the criminal justice systems for juveniles and for adults (Langer, 2017).

Generally, the criminal justice system for juveniles largely focuses on the prosecution of delinquent acts rather than prosecution of criminal acts that may have been committed. In cases where delinquent acts are considered to be extremely serious, they may be regarded as criminal acts, thus taking the format of processes used in criminal justice systems for adults. It is worth noting that juveniles are usually not subject to a public trial by a jury as is the case with adults (Mays and Ruddell, 2012).

In this regard, juveniles facing criminal charges are expected to be taken through trial involving a judge who looks at the evidence and determines whether the accused is delinquent. The proceedings in this case may be referred to as adjudication hearing sessions. Once the accused has been determined to be delinquent, it is up to the court to decide the actions to be taken in accordance with the applicable laws. In contrast, the adult system of criminal justices involves a different approach towards the purpose and course of action (Siegel and Worrall, 2015).

Fundamentally, the juvenile criminal justice system places more emphasis on the achievement of a rehabilitated minor, thus serving the best interest of the accused in the end. On the contrary, the criminal justice system for adults is usually more concerned with administering punitive measures as a way of serving justice and discouraging people from engaging in criminal activities. As such, the consequences of criminal offenses in a juvenile system of justice direct an offender towards resuming a normal functioning within the

society. In this case, the penalties involve alternative sentences that do not have to take place in jail such as diversionary programs, parole and probation (Mays and Ruddell, 2012).

Juvenile codes in criminal justices systems often do not demand that minors are subjected to a process of taking a plea of not guilty or guilty. As such, the accused minor usually denies or admits facts in the petitions during an initial hearing session. In the event that the minor expresses admission regarding the facts contained in the petition, the court is tasked with the responsibility of determining an appropriate sentence in accordance with the law and constitutional guidelines. On the contrary, the accused persons in the adult system of criminal justices are usually required to take a plea of not guilty or guilty before the hearing and subsequent acquittal or conviction (Siegel and Worrall, 2015).

Another fundamental difference between adult and juvenile criminal justice systems is based on the principle of disposition or phase of punishment. In adult criminal proceedings, if an accused person is convicted, the case proceeds to the phase of punishment where sentences or jail terms are issued. By contrast, the cases in juvenile criminal proceedings move to the stage of disposition hearing upon the conviction of a minor. In this case, the respondent or the accused is not entitled to making a choice on the one determining the disposition. Moreover, the kind of justice systems through which juveniles are usually taken are often characterized with informalities and considerable leniencies. On the other hand, adults who are accused of committing criminal acts are usually subjected to formal court processes with very strict procedures and consequences (Langer, 2017).

Nonetheless, several similarities exist between juvenile and adult systems of criminal justice. The key principles behind these similarities revolve around the entitlements and rights accorded to minors and adults during the court process and proceedings. The accused persons in both systems of justice retain similar rights such as protection against self-

incrimination, entitlement to an attorney as well as the right to be notified regarding the charges. In addition, both systems of justice are expected to only convict any accused person based on proof and sufficient evidence that goes above a reasonable doubt (Mays and Ruddell, 2012).

Another principle behind the differences existing between juvenile and adult systems of criminal justice involves various constitutional protections. Court proceedings involving juvenile accused persons have not heard juries who are their peers, and they are not entitled to public trials, as there is a case with adult accused persons. However, the juvenile criminal justice systems function based on certain constitutional protection principles such as the records of juvenile criminal offenders being sealed and expunged upon becoming adults if they meet certain preset conditions. The juveniles are also always entitled to a public defender without paying for the things they are unable for afford. This is not always the case with adult criminal justice systems (Langer, 2017).

Furthermore, judges adjudicating on matters involving juvenile criminal acts are often expected to follow prescribed guidelines and requirements issuing sentences to the minors. When it comes to the adult system of criminal justice, the rules are stricter with relatively few protections and judges expected to issue rulings based on the evidences presented and the law without caring much about the consequences of the sentences (Mays and Ruddell, 2012).

In summing up, the juvenile justice and adult justice systems have a wide range of fundamental differences that often present different principles anchored in law and constitution. Notably, the juvenile system of justice often maintains its autonomy from the system of justice for adults, thus the two systems function and operate basing on different principles despite having a few similarities.

References

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