

Introduction

Engagement can be defined as defendants' understanding and appreciation of their legal situation, participation in legal proceedings, and interactions with legal actors. For the most part, legal involvement for juvenile defendants is equitable with the plea process, as 95-99% of adjudicated youth plead guilty.

Youth engagement in the plea bargaining process is likely to be low. Youth and parents in a focus group evaluation "reported leaving court with virtually no idea of what had happened and hoping that, once outside the courtroom, the youth's attorney or a probation officer would provide an explanation" (p. 87; CFCC, 2008). Other assessments have similarly noted that youth seem to lack understanding of the process; report feeling pressured to plea by legal professionals and/or parents; and appear to participate only minimally (e.g., Crawford, Dohrn, Geraghty, Moss, & Puritz, 2007). Similarly, Redlich and Shteynberg (2016) experimentally demonstrated that youth had poor plea comprehension, even though they read a written tender-of-plea form, listened to an oral colloquy, and were given multiple opportunities to ask questions.

What remains less clear is how legal actors perceive juveniles' engagement in the plea process. One 25-year-old study (Sanborn, 1992) found that juvenile court judges and attorneys believed that fewer than half of juvenile defendants understood the plea colloquy.

Therefore, the objectives of the current analyses are to:

- (1) Identify the degree to which youth are perceived by adult legal professionals to be engaged in the plea process, and
- (2) Evaluate how perceptions of engagement differ between legal professionals and on which characteristics they vary.

Methods

We are surveying prosecutors, defense attorneys, guardians ad litem, and judges in California and Virginia, and via national listservs. At the current time, respondents include 6 prosecutors, 85 defense attorneys, 23 guardians ad litem, and 33 judges. Respondents had an average of 13.68 years of experience ($SD = 10.05$). Given the small sample size, prosecutors were not included in the present analyses.

We assessed perceptions of youthful defendants' engagement via:

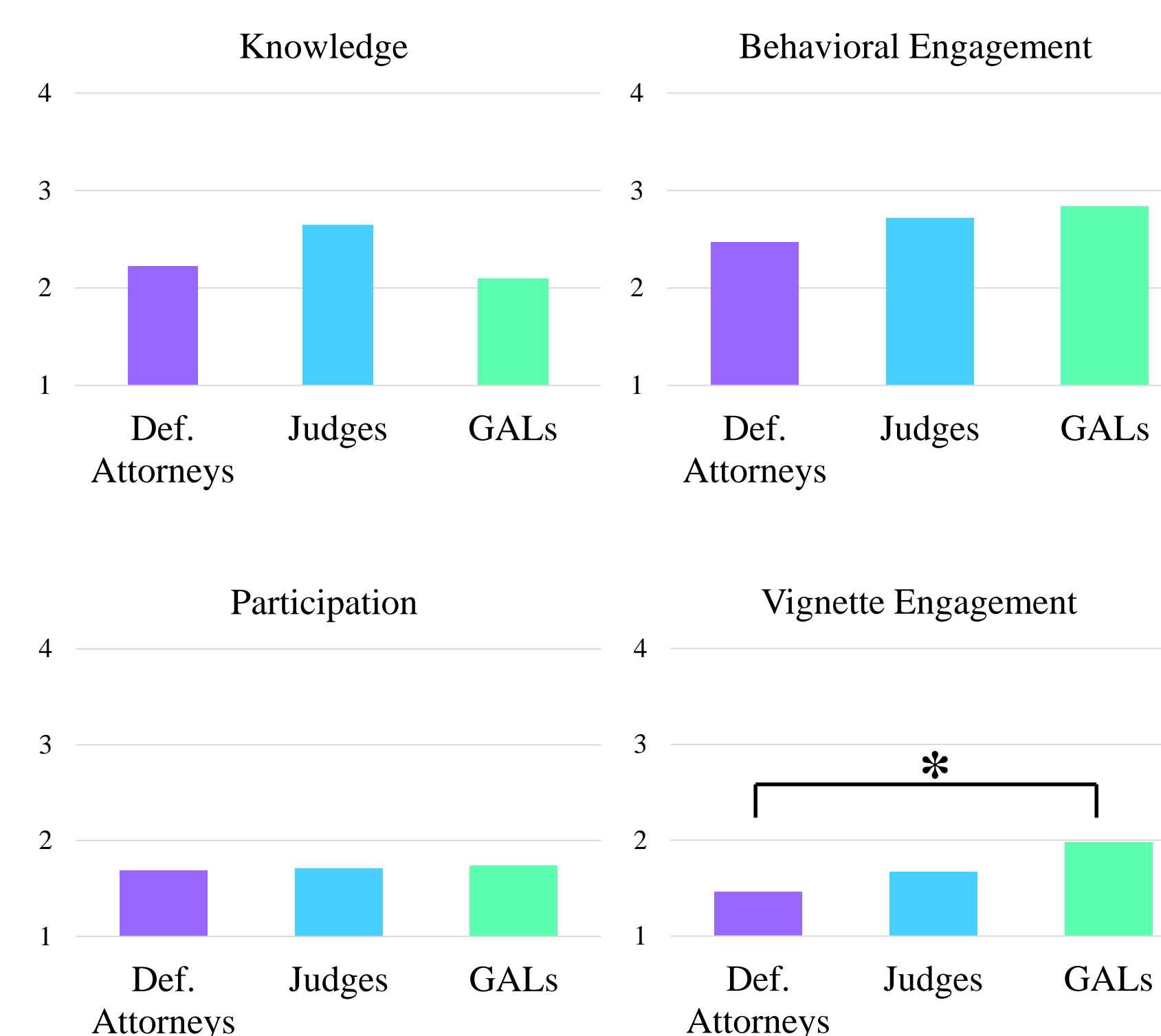
- ❖ Knowledge, such as understanding ramifications of a guilty plea ($\alpha = .97$)
- ❖ Behavioral engagement, such as whether defendants sustain their attention during plea hearings ($\alpha = .93$)
- ❖ Participation, such as how often defendants ask questions ($\alpha = .87$)

Respondents also read a hypothetical vignette concerning a public defender who explains a plea agreement to a juvenile and gives him a written plea form to review. The judge then reads the plea colloquy.

Respondents answered questions about the juvenile's engagement in the plea process, including the defendant's understanding and the knowingness, intelligence, and voluntariness of the plea ($\alpha = .93$).

Results

Measures of perceived engagement did not differ between legal actors ($ps \geq .200$), with the exception of engagement in the hypothetical vignette ($p = .027$). Scheffe post-hoc tests indicated that guardians ad litem thought the defendant had greater understanding and a greater knowing, intelligent, and voluntary plea than did defense attorneys.



	# of Years in Legal Actor Role	% of Cases are Youth Defendants
Knowledge	.18*	.08
Behavioral Engagement	-.03	.10
Participation	.08	.10
Vignette Engagement	.19*	-.23**

Discussion

Although data collection is ongoing and the findings are preliminary, these results shed light on legal actors' perceptions of juvenile engagement in the plea bargaining process. Across multiple measures, legal professionals generally agree on juveniles' degree of engagement in the plea process. These results align with research on juveniles' comprehension of pleas (CFCC, 2008; Crawford et al., 2007; Redlich & Shteynberg, 2016). Interestingly, legal actors with more experience on the job viewed the youthful defendant in the vignette as more knowledgeable, whereas legal actors who handle more cases with youth defendants viewed defendants as less knowledgeable.

The next phases of the project involves coding defendants' engagement in juvenile and criminal courtrooms. In addition, we will be interviewing juvenile and adult plea-takers soon after their plea hearings to assess their knowledge and perceptions of the process.

References

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