A Seminar in Juvenile Problems

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LAW SCHOOL DEVELOPMENTS

Once a year this department will carry figures on law school registration. In addition it will provide a medium for the description of experiments in curriculum, teaching method, and administration. Like "comments," the typical law school development note will be characterized by brevity and informality; unlike them, it will be descriptive rather than argumentative and will deal primarily with devices which have been tested in actual operation. As a general rule, the authors will gladly answer inquiries and, to the extent available, upon request supply copies of materials referred to.

A SEMINAR IN JUVENILE PROBLEMS

DAN HOPSON, JR.*

Recent articles in this Journal point up the fact that American law schools now are recognizing the need to instruct their students in those areas of human conduct where law, sociology, and social work come into contact. One such area is the juvenile court.

In the spring of 1955, Professor Quintin Johnstone, of the University of Kansas School of Law, now of the Yale Law School, conceived the idea of offering a seminar in juvenile problems. It was to be a "practical" seminar, with the students acting as probation officers for the local juvenile court. The faculty of the law school granted approval, and Professor Johnstone then contacted Judge Charles Rankin of the Douglas County Juvenile Court in Lawrence, Kansas, who enthusiastically agreed to cooperate. It was arranged that Judge Rankin would appoint as his probation officers, senior law students who would receive no money, but who would receive one semester-hour law school credit.

Later that spring, Professor Johnstone accepted a position at the Yale Law School, to start in the fall of 1955, and I was asked to take over the seminar. Professor Johnstone introduced me to Judge Rankin, and it was agreed to go ahead with the project.

We hoped to have the seminar work along the following lines: For the first month, the students would do intensive reading in the law of our juvenile courts—its establishment and philosophy, in the causes and treatment of juvenile delinquency from both the psychological and sociological viewpoint, and in the philosophy and techniques of juvenile court probation officers. Then, the court would assign a delinquent, and the practical work would start. During the remainder of the year, the seminar was to meet

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1 Ellingston, A Sociologist's Participation in Criminal Law Instruction, 8 J.LEGAL ED. 207 (1955); Reeder and Speca, A Seminar in Courts for Children, 8 J.LEGAL ED. 349 (1955).

235
about twice a month, at which meetings the students were to discuss the
assigned readings and the problems arising out of the practical work.

We were able to follow this plan with a moderate degree of success. Dur-
ing the two semesters, we met 17 times—about twice a month. At the first
meeting, Judge Rankin talked to the students, and I outlined the academic
work in some detail and gave assignments. During the first month, we had
four meetings at which we discussed the court and its philosophy and the
material on the causes and the solutions of juvenile problems.

The practical side of the course would not wait until we had read our
books, however, as Judge Rankin was in need of probation officers. At the
beginning of the year, therefore, I made up a duty roster according to which
each student was to be on duty once every ten days. If he was unavailable
that day, he was to notify the judge. During the first two weeks, four men
were assigned juveniles, and by the end of five weeks, everyone had at least
one delinquent.

As soon as the students had delinquents to handle, they wanted materials
on the duties of probation officers: how you interviewed your delinquent,
how you met his parents, how you conducted an investigation. I had diffi-
culty obtaining material that would answer these questions. The experts
claim that interview technique is an art, not a science. The National Proba-
tion and Parole Association Journal (NPPA) has some articles in point, but
they seemed inadequate.

Almost immediately we also had the problem of how many and what type
of reports to use. We spent one early meeting deciding this question and
finally settled on four formal reports. Once the delinquent was assigned,
the student was to make a thorough investigation. The report of this study
was to cover, in detail, the merits of the particular offense; the boy's back-
ground, home, friends, school, and job; and a recommendation by the officer
as to the disposition of the case. An investigation and a report was to be
made even in those cases where no formal hearing was contemplated by the
court, for the court felt that a confidential file on all known delinquents would
be of use presently and in the future.

The law student-probation officer was also to keep a card for each de-
linquent assigned to him, which would give the dates he met with the de-
linquent and a few appropriate comments. The students did not do this
very well. The courthouse had no regular room where the students could
bring their charges. Consequently, the officers met them at odd times and
places where the cards were not available, and they frequently would be
forgotten the next time the students went to the office.

During the year, I assigned readings in the following material: Paul W. Tap-
pan, Juvenile Delinquency (1949); Walter Gellhorn, Children and Families
in the Courts of New York City (1954); U.S. Children's Bureau, The Standards
for Specialized Courts Dealing With Children (prepared in cooperation with
the National Probation and Parole Ass'n and the National Council of Juvenile Court
Judges) (1954). I also assigned various articles in the Journal of Criminal Law,
Criminology, and Police Science and Federal Probation. The United States Depart-
ment of Health, Education and Welfare publishes several pamphlets on delinquency
problems; we looked at several of them, but most are too general.
A final report was to be submitted immediately prior to the discharge of the delinquent. In this report, the officer reviewed the progress of the delinquent and usually recommended discharge.

Finally, I required the students to hand in bi-monthly progress reports. These reports were to be short and merely gave a list of the delinquents assigned to the student, what was currently being done for each one by the officer, and the number of hours spent on seminar work since the last report.

In early October, we visited the Boys Industrial School at Topeka, Kansas. I felt that before the officers should recommend that their charges be sent to B.I.S., they should see what it was like. It was a profitable afternoon. The officials at the school spent most of the time explaining just how we should handle our boys. They gave us a good outline of the facilities they offered and what they expected of us.

The judge and I were both worried about the reaction of the police department and the local social welfare department. “To win friends and influence people,” the judge had a “coffee” in his offices in late September. He invited his staff, myself and my probation officers, the officers of the local police department, the sheriff and his deputies, the two members of the State Highway Patrol, the Kansas University campus police, and the members of the Douglas County welfare office. Representatives from every department showed up. The staff of the welfare office arrived in force. There were about fifty out of a possible eighty people present. Everyone seemed pleased with the program and offered their best wishes.

During the remainder of the year, the seminar continued to meet about twice a month. We spent a little more time on the theoretical materials, but the students wanted and I agreed to the necessity to discuss the particular problem situations confronting the students. The students would raise such problems as how to get the boy interested in school, how to get the mother to cooperate, where to find a place for the boy away from his home; then other students would offer suggestions. Usually I stayed out of the discussions.

We also had several special topics we discussed at our seminar meetings. The students were interested in the constitutional rights of and due process for juveniles. I assigned some special material and had four students debate the issue of due process v. individual help. In March and April, we were plagued with an increase in the number of minor traffic violations. Therefore, we had a report by four students on what could be done to curb reckless driving.

Toward the end of the year, I discovered from reading the students bi-monthly reports that our delinquents were interacting in two or possibly three groups. I had the students read Whyte's *Street Corner Society*, feeling that we might be able to chart our groups as he had in his book. I hoped to be able to use the information not for a sociological report on delinquent groupings in Lawrence, but as an aid to future officers and the court. If we knew the place of a delinquent in the group, we could better decide what to do with him. Two seminar meetings were devoted to this problem, and

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3 WILLIAM FOOTE WHYTE, STREET CORNER SOCIETY (1955).
a chart was made. However, without prior instruction, the officers had not looked for the proper information; and lacking complete facts, we were able to work up no more than a basic outline.

In March, Mr. James Reefer, Chief Probation Officer of the Jackson County (Kansas City, Missouri) Juvenile Court came over and had lunch with us. He told us of their fine but expensive program in Kansas City and then spent about an hour answering practical questions from the students.

Judge Rankin supervised the practical side of the seminar. He and the students had remarkably good luck. The court assigned a total of sixty-one delinquents to student officers. About one-half of the delinquents were merely traffic violators or truants. The others had committed such "crimes" as grand and petty larceny, malicious mischief, running away from home, and sexual deviation. One student officer who had previously worked full time for the court handled most of the traffic violations. He also worked with the parolees from B.I.S., most of whom he had helped before. Of the sixty-one delinquents assigned, he had twenty-nine. This left the other nine students with thirty-two generally more serious delinquents. The one officer who handled the traffic offenders spent 140 hours with his twenty-nine delinquents. The other nine students spent 502 hours working with their delinquents. That was about fifty-six hours, on the average, for each of the nine officers for the whole year, or about two hours per week. The actual time spent varied from twenty-four to one hundred and ten hours, but does not include report writing or seminar time. As a matter of practice, the student would work several hours during the first week following a new assignment and then would have only his periodic interviews until he received a new boy.

A formal hearing was had for six boys. Three of these boys were lost to B.I.S.; all of the others were placed on probation. The officers would meet with the boys from once a week to once a month. Altogether, there were 145 meetings between the nine probation officers and the delinquents. The tenth boy met his twenty-nine charges ninety-five times. By June, most of the delinquents had been discharged, but six were still on probation. However, we were fortunate in having three officers who stayed on for summer school, and they continued to work for the court on a noncredit, unofficial basis.

This, then, was the program during the school year. Basically, the seminar was a success. Both the judge and I were satisfied with the results. The court was quite pleased with the way the boys handled their charges. However, we did have some problems. Our biggest worry was whether the community at large and the various social agencies handling juvenile problems would accept our law-trained efforts. We kept publicity on the program to a minimum. If we were successful, the public would discover our activities. What few reactions we had from the citizens of Lawrence were favorable: Someone was attempting to do something; this was good. The police department and the sheriff's office were doubtful of our efficacy; but they were willing to work with us, and so far we have had no complaints.

Our most serious conflicts were with the Douglas County Social Welfare Department and some of the University of Kansas psychiatrists and social workers. There were basically three areas of conflict. Occasionally, the
Douglas County welfare group complained that we were invading their territory. In working with a delinquent, a student would discover that a possible solution to the delinquent's problem would be to find his father a job, arrange for an operation, or find a new place for the family to live. Many of these families were under the care of the welfare department. When the student would attempt to work the solution through the family rather than the delinquent himself, the case worker would complain to the judge or the family that we were exceeding our authority. Usually a plea that we were merely trying to do what was best for the delinquent would smooth the ruffled feelings.

We also had some conflicts with the University staff arising from two different causes. In discussions with Judge Rankin, some of the experts would remark that the program was nice, "but, after all, these boys are not trained social workers." The judge did not care for these remarks and would say so. The basic problem was that the student-probation officers, being hand-picked from a senior law school class, were mature, intelligent, and resourceful individuals. Naturally, the judge had a higher opinion of these young lawyers-to-be than of the rank-and-file middle-aged women social workers. On the other hand, the professors felt that we had not realized that our untrained officers could not be as effective in certain areas as would be trained social workers.

It was also suggested to me by some of the University social work staff that our students should have some one trained in the field with whom they could discuss their problems. The social workers offered to give their time for these meetings. I discussed this suggestion with my students and Judge Rankin, who felt that it was not worth the time and effort. However, something along this line may be worked out in the future. I found that my students tended to use me for a sounding board for their problems. There were several other things that bothered us, and we hope they will be worked out by next year. Good reading materials were hard to find. The available sociological and psychological materials tend to be too theoretical and too general; most of them were texts for a sociology class. The material published by the Department of Health, Education, and Welfare was directed toward local P.T.A. groups. The Social Work Department was helpful but could not suggest much that was worthwhile. What is needed is a good book on how to handle practical problems that confront the untrained probation officer from day to day. Perhaps the information does not exist. In any event, my nonexpert research did not uncover it.

I found that the student-probation officer often felt quite inadequate to handle their problems. He continually needed reassurance that a lack of solution to a delinquent's problem did not indicate failure on his part. The student's morale rose or fell with his delinquent's progress.

Our system of reports was not as good as I had hoped. Our investigatory report was adequate and, to our pleasure, substantially conformed to the one used in Kansas City, Missouri. The meeting cards for each delinquent proved unworkable, but I now doubt that they are necessary. The students can remember the current status of their few charges. I also required too frequent progress reports. If there had been better communication between Judge Rankin and myself, we would not have needed them. However, they
do have some positive value to the student in that it forces him to review what he has been doing.

Then, there is the problem of choosing students. Of the ten chosen, only two turned out to be inadequate. Both had been looking for a soft berth and were not willing to put out the necessary effort. Academic grades seemed to be of very little significance. My two best officers were both “C” students. Older students who were fathers were more competent and seemed less bothered by the delinquent behavior.

The judge and I both felt that, ideally, at least one girl should be in the seminar. We were fearful of turning over a fifteen-year-old girl sex delinquent to a twenty-four year old law student. We now think our fears were magnified. We had no trouble when we were careful and protected the older, married student by having him meet her only in the court house.

We found that the students must have a car available to them. Otherwise, too much time is spent getting to the court and to the meetings with the delinquents. The county agreed to pay mileage for the use of the cars. However, none of the officers bothered to request it.

We are going to continue to limit the seminar to ten students. We do not have enough delinquents to make it worthwhile to add others. Besides, a limited class allows you to pick and choose your officers. During the first year, I limited the seminar to seniors. I doubt that this is necessary. I do recommend, however, that the student be required to enroll for two semesters; in one semester, the student does not become acquainted with his delinquents.

The faculty has voted to continue the seminar next year. They feel that it serves a need for some of our students. I do not anticipate any problems in enrollment. Before the end of the school year, several students indicated that they would like to enroll.

This type of seminar should be workable in other law schools. In Douglas County, population 30,000, there were no full-time juvenile court probation officers. By state law, the county may pay only $7.00 per day. In any small to medium-sized county, there will be a need for probation officers. The juvenile court should be quite willing and happy to work out a program with the law school for “free” probation officers. If a substantial number of your students are going into the small communities in your state to become county attorneys, the seminar should aid both these students and the local juvenile court.