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OUR OPINION: Juveniles receive shortcut justice

Rather than due process and proper legal representation, juveniles in Georgia courts receive a wink and a nod. The result is that many troubled children who might be turned away from a life of crime are forever lost to a system that confuses, unfairly punishes and generally disregards the rights and special needs of children.

That is the finding of a newly released study conducted by the Atlanta-based Southern Center for Human Rights and the American Bar Association's Juvenile Justice Center. In fact, the study says, when appointed lawyers advocate zealously for their young clients, some judges, anxious to move cases along efficiently, rule even more harshly --- to the detriment of the child.

Georgia's patchwork system of providing lawyers for indigent adults accused of crimes is simply exacerbated for juveniles. Both are in need of dramatic reform, adequate funding and independent state and local oversight.

While the Legislature took an important first step last session in funding full-time juvenile judges, the state is woefully behind in providing lawyers for poor children accused of crimes. Bad enough that adult criminal defendants in Georgia courts are often pressured to waive their constitutional rights unknowingly --- for children, the process is even more cruel. Overburdened juvenile defense attorneys, some with as many as 900 cases a year, have little time to counsel their clients, to explain rights and options to youngsters whose lives are forever changed by guilty pleas accepted in fear. Even in courts where judges are conscientious about juvenile rights, the line between the prosecutors and the advocates is hard to distinguish.

The problems aren't limited to rural districts. Fulton County, for example, relegates juvenile cases to the most inexperienced prosecutors and defense lawyers --- despite the fact that they often demand more specialized expertise than adult cases.

While the rate of serious crimes for both adults and juveniles has been dropping for the past decade, the number of children incarcerated grew 52 percent between 1995 and 2000. Contrary to public perception, says lawyer and juvenile advocate Terry Walsh, there are not 15-year-old predators on every corner.

The report suggests specific remedies state officials should consider. But the bottom line is that imprisoning children who don't deserve to be there or who might profit from alternatives to incarceration wastes dollars and lives.