



## **RESOLUTION REGARDING JUDICIAL TRAINING ON ADOLESCENT BRAIN DEVELOPMENT**

**WHEREAS**, recent advancements in technology have allowed researchers to track and study adolescent brain development, resulting in a new understanding about the developmental differences between adolescents and fully matured adults;

**WHEREAS**, the research indicates the brain undergoes rapid changes during adolescence, and continues to develop into a person's early 20's, directly affecting the way youth think and reason, indicating adolescents are developmentally different from adults in uniquely important ways, in that:

- Adolescents lack adequate impulse control and self-regulating mechanisms while simultaneously experiencing heightened emotional responses;
- Adolescents are more susceptible to negative peer influences;
- Adolescents are more likely to engage in risky, rule-breaking or law violating behavior;
- Adolescents are less likely to think of future or long-term consequences of their risky behavior;
- Adolescents who have experienced trauma may experience impediments to the normal development of their brain.

**WHEREAS**, these developmental differences may challenge longstanding beliefs regarding adolescent offending, suggesting that:

- Most adolescent offending is a result of developmental and peer influences and adolescents are more likely to desist from criminal activity as they mature into adulthood
- Adolescents may experience "transient immaturity" associated with the developing brain that should be considered when determining culpability
- Adolescents are more responsive to rehabilitation and treatment options than their adult counterparts as adolescent brains are more malleable;

**WHEREAS**, the juvenile justice system is grounded in the inherent differences between youth and adults, yet current delinquency prevention and juvenile justice practices, policies, and laws (including zero tolerance policies), juvenile court jurisdictional boundaries, sentencing decisions, and transfer to criminal court proceedings may not reflect the developmental differences between adolescents and adults and may require further examination to consider these differences;

**WHEREAS**, the U.S. Supreme Court explicitly applied these developmental differences in four recent cases regarding the sentencing of youth to death and life without parole (*Roper v. Simmons* 2005, *Graham v. Florida* 2010, *Miller v. Alabama* 2012, *Montgomery v. Louisiana* 2016 ), and the U.S. Department of Justice, Office of Juvenile Justice and Delinquency

Prevention (OJJDP) commissioned the National Academy of Sciences to review recent advances in adolescent brain research and outline implications of this knowledge for juvenile justice reform in *Reforming Juvenile Justice: A Developmental Approach* (2013);

**WHEREAS** incorporating the adolescent brain research into judicial decisions would support NCJFCJ's previous endorsement of *The Modern Family Court Judge: Knowledge, Qualities, and Skills for Success*, which drew attention to the complex knowledge, skills, and qualities needed by juvenile and family court judges to fulfill their role as a problem-solving judge;

**WHEREAS**, the research on adolescent brain development may help juvenile and family court judges understand, anticipate, and respond to the behavior of adolescents by holding them accountable in developmentally appropriate ways.

**BE IT THEREFORE RESOLVED AS FOLLOWS:**

The NCJFCJ recognizes the critical role of the judge and judicial leadership in developing juvenile and family courts that recognize the developmental differences between youth and adults.

The NCJFCJ supports and is committed to the development of robust judicial education and training on adolescent brain development and its impact on juvenile justice policy, practice and the law.

The NCJFCJ supports integrating applicable principles identified and supported by adolescent brain development, including sentencing and disposition options for juveniles, into juvenile and family courts.

The NCJFCJ encourages continued research on adolescent brain development and implications for youth behavior and juvenile and family court policies.

The NCJFCJ encourages judicial leadership to guide policy changes that incorporate the research findings on adolescent brain development.

*Adopted by the NCJFCJ Board of Directors, July 16, 2016, Monterey, California.*