Analysis of the Supreme Court cases

In re Gault 387 U.S 1 (1967)

How the case influence police arrest and how police interact with juveniles

In re Gault, 387 U.S. 1 (1967), was Unite States Supreme Court decision case that held that juvenile accused of crime in delinquency proceedings should be afforded due process rights as adults, such as right to confront witnesses, the right to timely and immediate notification of the charges, the right to counsel and the right against self-incrimination (Dorsen, 2013). In this case, the court held that the United States Constitution requires a procedural regularity and exercise of great care implied in the due process as it provided under the law.

It is the role of the police to provide a due process, in such proceeding, that adequate written notice should be afforded to the child and their guardian or parents. The notice has to inform them of the particular issues that they have to meet. The notice must be provided in time, in any event, adequately in time o the hearing in order to permitting preparation (Dorsen, 2013).

How the case change victim court procedures in juvenile justice:

 In unanimous ruling, the court held that, in such proceedings that involve juveniles, a sufficient written notice should be afforded to the child and their parents. Herein, the notice is neither adequately specific nor timely, nor is there a waiver of the right to a constitutionally sufficient notice. Furthermore, in such juvenile proceedings, the child and his parents or guardians must be advised and informed of their rights to be represented by an attorney. If they cannot afford a counsel, a counsel should be appointed to represent the child (Lefstein, 2017).

In re Winship 397 U.S 358 (1970)

How the case influence police arrests and how the police interact with juvenile

In re Winship was a United Stated Supreme Court case, in which it was held that the due process clause provides protection to the accused (person) against any form of conviction except upon proof beyond a “reasonable doubt” of any every fact necessary and importantly crucial to constituting the crime charged. The case established this burden of proof in all cases and in all states as per the constitutional stipulations. However, the judges in this case failed to specify, which facts are constitutive of the charged crime (Lefstein, 2017). It was also held in this case that when a child/minor is charged with an act that would treated as a crime committed by an adult, all elements of such offence much be proved “beyond reasonable doubt” rather not “preponderance of evidence”.

How the case change victim court procedures in juvenile justice:

In this case, it was held that although the 14th Amendment does not make it mandatory for hearing at this stage of criminal trial, the Due Process makes it compulsory to provide an application during adjudicatory hearing. This case presents a narrow, single question whether proof “beyond a reasonable doubt” is one of the fundamentals of fair treatment and due process (Brown, 2017).

References

Dorsen, N., & Rezneck, D. A. (2013). In re Gault and the future of juvenile law. *Family Law Quarterly*, 1-46.

Lefstein, N. (2017). In re Gault, juvenile courts and lawyers. *American Bar Association Journal*, 811-814.

Brown, E. (2017). In re Winship. *The Encyclopedia of Juvenile Delinquency and Justice*.