Increasing Juvenile Appeals

An Underused Critical Check on the Juvenile Delinquency System

More than 300,000 times a year, children are found delinquent by the juvenile court system. These children often face severe consequences, ranging from secure confinement to probation.¹

Yet, only 1 in every 2,707 juvenile cases is appealed every year.²

1 in 3 juvenile appeals is successful.³

The purpose of filing appeals:

- protects children’s due process rights
- safeguards against inaccurate findings of fact and legal errors
- ensures uniformity and a critical check on the juvenile court system
- improves the law for all future children facing delinquency proceedings

Basis for Successful Arguments

1. The lower court misinterpreted a statute or other legal provision.
2. There was insufficient evidence to establish a claim.
3. The lower court did not have jurisdiction.

All children have a right to appeal their case and juvenile defense attorneys are required to discuss this right to appeal with their clients.⁴
References


2. NAT'L JUVENILE DEFENDER CTR., 50-STATE ANALYSIS ON JUVENILE DELINQUENCY APPEALS (2016) (research on file with author) (NJDC analyzed all appeals arising out of juvenile delinquency court from 2009 to 2013 using the Thomson Reuters Westlaw Online Database. Only cases with precedential value were included in the analysis.). The number cited reflects the total number of appeals with precedential value arising out of juvenile delinquency court from 2009 to 2013, compared with the number of total juvenile adjudications from 2009 to 2013.

3. Id. The statistic cited reflects the number of successful juvenile appeals from 2009 to 2013.


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The National Juvenile Defender Center (NJDC) is a non-profit, non-partisan organization dedicated to promoting justice for all children by ensuring excellence in juvenile defense. NJDC provides support to public defenders, appointed counsel, law school clinical programs, and non-profit law centers to ensure quality representation in urban, suburban, rural, and tribal areas. NJDC also offers a wide range of integrated services to juvenile defenders, including training, technical assistance, advocacy, networking, collaboration, capacity building, and coordination. To learn more about NJDC, please visit www.njdc.info.

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