



Juvenile Justice Court Decisions

Summaries of case decisions that have shaped juvenile justice

U.S. Supreme Court Cases

Kent v. United States, 383 U.S. 541 (1966).
Established that, in order to protect a child's constitutional rights, the child is entitled to a full hearing on the issues of waiver to adult court; assistance of counsel at the hearing; full access to social records used by the court to determine whether the child should be waived; and a statement of the reasons for any decision to waive jurisdiction to adult court.

In re Gault, 387 U.S. 1 (1967).
Established that due process rights guaranteed by the Fifth, Sixth, and Fourteenth Amendments apply to juvenile court proceedings and that a juvenile has the right to adequate and timely notice of charges, the right to counsel, the right against self-incrimination, and the right to confront and cross-examine witnesses.

In re Winship, 397 U.S. 358 (1970).
Established proof beyond a reasonable doubt as the standard for juvenile adjudication proceedings.

McKeiver v. Pennsylvania, 403 U.S. 528 (1971).
Established that a child being adjudicated delinquent in juvenile court is not guaranteed the right to a jury trial.

Breed v. Jones, 421 U.S. 519 (1975).
Established that the Double Jeopardy Clause of the Fifth Amendment prevents a juvenile who has been adjudicated delinquent in

juvenile court from being subsequently tried in an adult court for the same offense.

Schall v. Martin, 467 U.S. 253 (1984).
Established that preventive detention fulfills a legitimate state interest of protecting society and juveniles by detaining those who might be dangerous to society or to themselves.

Roper v. Simmons, 543 U.S. 551 (2005).
Established that it is unconstitutional to impose capital punishment for crimes committed prior to a person's 18th birthday.

Graham v. Florida, 130 S.Ct. 2011 (2010).
Juveniles cannot be sentenced to life without parole for nonhomicide offenses. While "a state need not guarantee the offender eventual release...it must provide...some realistic opportunity to obtain release before the end of that term."

Miller v. Alabama, 567 U.S. 460 (2012).
Held that juveniles cannot be sentenced to life without parole for homicide crimes, where such a sentence is the only option. Mitigating factors must be taken into account before a juvenile can be sentenced to life without the possibility of parole.

J.D.B. v. North Carolina, 131 S. Ct. 2394 (2011).

Concluded that age is a factor to be considered in determining whether an individual is "in custody."



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S.C. Supreme Court Cases

In the Matter of Skinner, 249 S.E.2d 746 (S.C. 1978).

Established that the common law presumption that a child between the ages of seven and fourteen is rebuttably presumed incapable of committing a crime is inapplicable to family court proceedings. The practical effect is that there is no age limit for bringing a delinquency proceeding in family court.

In re Williams, 217 S.E.2d 719 (S.C. 1975).

Established that the absence of a parent, counsel, or other friendly adult does not make a statement given by a child to the police inadmissible. The admissibility of a statement given by a minor is based upon the "totality of the circumstances" to include such factors as age, intelligence, education, experience, and ability to comprehend the meaning and effect of the statement.

In Interest of Christopher W., 329 S.E.2d 769 (S.C. 1985).

Established that the voluntariness of a minor's inculpatory statement must be proved by preponderance of evidence.

State v. McCoy, 328 S.E.2d 620 (S.C. 1985). Established that *Brady v. Maryland*, 373 U.S. 83 (1963) does not apply in a waiver hearing.

State v. Sparkman, 339 S.E. 2d 865 (S.C. 1986).

Held that a person's juvenile record may be used in a subsequent court proceeding to impeach the person (as a defendant or witness) and at sentencing.

Ex parte Columbia Newspapers, Inc., 333 S.E.2d 337 (S.C. 1985).

Established that family court proceedings are open to the press unless the judge makes a specific finding justifying closure