



Judging Delinquents: Context and Process in Juvenile Court

Robert M. Emerson

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Juvenile court has elicited the interest and criticism of lawyers, social workers, and criminologists, but less attention from sociologists. This book adds to growing sociological literature on the operations of legal institutions. It describes some critical aspects of the functioning of the juvenile court, an institution charged with judging and treating delinquents. To this end, it analyzes the nature of the court operation, the handling of delinquents, and the court's functions in relation to the wider social and legal system.

This study reflects two distinct sociological heritages. First, it presents an institutional analysis of a juvenile court. One basic component of such an analysis involves description of the social context within which the juvenile court functions. In this way this book considers the nature of the court's relations with the various local institutions in its working environment and the consequences of these relations for its internal operations. Second, this study grows out of the current societal reaction approach to deviance. This approach views deviance as the product of the response of official agents of social control to perceived norm violations: "deviance" involves acts and actors reacted to and labeled as such, usually by these officials. In line with this general perspective, this study seeks to shed light on some of the processes by which youths come to be identified and officially labeled "delinquents" changing the legal and social status of those accused of wrongdoing.

This study focuses on how a particular legal institution defines, reacts to and deals with the cases brought to its attention, whatever the inherent biases of this sample and whatever the ultimate consequences for youths so handled. It describes the processes that produce differential case outcomes-- outcomes whereby some delinquents emerge from their court encounter firmly identified as future criminals, while others escape unharmed, not regarded as "really" delinquent despite the formal adjudication to this effect.

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