

FOR IMMEDIATE RELEASE (*June 20, 2008*):

Constitutional Right to Jury Trial extended to Juvenile Offenders

Kansas Legal Services applauds the decision of the Kansas Supreme Court in extending the Constitutional protection of a trial by jury to juvenile offenders. The appeal that resulted in this decision was filed on behalf of an unnamed low income youth by his court appointed attorney, Paul Shipp, a Managing Attorney with Kansas Legal Services. This landmark decision recognizes that the juvenile offender system has fundamentally changed in recent years. This is the only significant right that juveniles have not previously enjoyed, which has been granted to adults. It is appropriate that the Kansas Supreme Court has recognized the changes in the system and granted this right to jury trial to juvenile offenders.

“On behalf of Kansas youth, this extension of the Constitutional protection is very welcome. The American justice system is something of which we should all be proud. It epitomizes our democracy and provides an opportunity for average citizens to sit in judgment of their fellow citizens. It is the jury that brings the public into the courtroom.

The basic idea that the Constitution should cover youth, as well as adults, will not surprise anyone. Still, how that operates in reality is now expanded. The juvenile offenders may face incarceration for modest crimes, including theft, worthless check, car burglary, assault, and DUI crimes. These are crimes for which adults have the unquestioned right to require their guilt be proven to a jury. Now, Kansas juveniles enjoy that right, as well,” said Marilyn Harp, Executive Director, Kansas Legal Services.

“I appreciate the zealous advocacy of Paul Shipp on behalf of his client. He represents well the Kansas attorneys who choose to represent those who cannot afford to hire legal counsel. His belief in equal justice and his diligent pursuit of justice for clients he is appointed to represent is apparent in the

way he pursued this case. We also appreciate the efforts of the Juvenile Law Center, Philadelphia, PA, who filed a brief in support of our position before the Kansas Supreme Court.”

Kansas Legal Services (KLS) is a private, non-profit organization that has been providing free and low cost legal advice and representation to low income Kansans since 1977. KLS served more than 24,000 clients last year through offices in locations across Kansas. Throughout our history we have progressively focused our efforts on special needs individuals, such as victims of domestic violence, the homeless, children in foster care, the elderly, farmers, those with disabling conditions, individuals seeking access to health care, those seeking mediation services and persons who need basic life skills and employment training

The primary mission of Kansas Legal Services is to provide equal access to justice for persons not able to pay for legal and other essential services. Kansas Legal Services is also a vehicle for keeping many low income people from falling permanently into the category of chronically poor. KLS serves as a conduit by which many low income people successfully get back on their feet and become self-sustaining. Our services include offering a number of toll free legal advice and referral hotlines (for seniors, migrants and foster parents to name a few), ensuring that public benefits are received, obtaining Protection From Abuse (restraining) Orders, providing employment training, and providing legal representation in a range of civil legal matters.

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