

Juvenile Mental Health Courts and Therapeutic Jurisprudence: Facing the Challenges Posed by Youth with Mental Disabilities in the Juvenile Justice System

Patrick Geary

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Abstract

Ever-increasing numbers of children struggle to live and develop under the burden of mental disability. Yet the juvenile justice system—an institution created in large part to look after these very children—has often failed to meet, address, or fully realize their mental health needs. As children's mental health issues have entered the spotlight in recent years, the juvenile court's gross inadequacy as a guardian of child development and gatekeeper of treatment services has become clearer. Indeed, many have concluded that "the inadequate and uneven delivery of mental health services to children and families in the juvenile justice system is a national crisis."