**Supreme Court Decision in In Re Gault**

The U.S. Supreme Court decided that Gerry Gault did not receive due process of law. The Court said that the Fifth Amendment of the U. S. Constitution guarantees that no one, including juveniles, can be deprived of life, liberty, or property without due process of law. This decision ensures that juveniles are given due process in juvenile court, and it lists the rights that juveniles must have when they are in juvenile court. In this case, the Supreme Court ruled that juveniles have the following rights when accused of offenses for which they can be incarcerated:

**I.** Right to notice of charges: Juveniles and their families must be told exactly what they are accused of before their hearing in order to prepare their case.  
  
**II.** Right to counsel: Juveniles must be told they have a right to a lawyer. If a juvenile does not have enough money to pay the lawyer, the court must appoint one.  
  
**III.** Right to confront and cross-examine witnesses: Juveniles are entitled to hear the testimony of any witnesses and their accusers.  
  
**IV.** Privilege against self-incrimination and the right to remain silent: Juveniles must be told they have a right to refuse to answer a question or give testimony against themselves. They also must be told they have a right to remain silent and that anything they say may be used against them.

**Note:** In a few states, juveniles have the right to a jury trial. The Supreme Court did not grant this right because the justices thought confidentiality in juvenile court was more important.

Adapted from Save Our Streets: A Positive Choices Curriculum, a program of Street Law, Inc. and The Conflict Resolution Education Network, by permission of the publisher.