

Case Scenario #1: School Fire Scenario



A 12- and 14-year old are alleged to be delinquent for wantonly and willfully burning a school building (Class F felony) after a fire in the school bathroom. After the school was evacuated and the fire was extinguished, the assistant principal brought the 12-year-old to her office. The SRO was already there. The assistant principal closed the door and told the 12-year-old that the fire was very serious and that she knows he was in the bathroom when the fire started. She tells him that his mother has been called but she can't come to school because she can't miss any more work. He nods. She asks him if he wants to tell her what happened. He says he doesn't know. The SRO tells the 12-year-old he has a chance to help them figure out who set the fire if he just tells them his side of the story. The 12-year-old says that the older boy had a lighter and dared him to light some paper towels in the trash can. He felt pressured to do it because the older boy was much bigger, and he was scared. He tried to put the fire out with water, but it didn't work so he left the bathroom to pull the alarm to make sure no one was hurt. This young man also reported that he recently moved here and was having a difficult time making friends.

The 12-year-old's attorney moves to suppress the statement since he was not advised of his rights, his parents weren't present, and his statement was not voluntarily and knowingly made.

Questions to Discuss:

What is the significance of the 12-year-old's developmental level, maturity, and psychological status?

How would those factors be evaluated?

What evidence do you want? What more do you want to know?

What will you decide?

Case Scenario #2: Moving Residence

Assume you awarded primary residence to mom with dad having alternating weekends, afterschool – 7 p.m. one evening a week in the off-weeks, shared holidays, and 3 nonconsecutive weeks in the summer. It's two years later, so the girls are 8 and 11. Mom is remarrying and intends to move with the girls, who have a great relationship with soon to be stepdad, to his home which is 2 hours away. He can't move because he owns a business in his community and needs to remain there for his livelihood. Dad files a motion to modify seeking primary residence. He argues the move interferes with the girls' relationship with him, his parents and other extended family (uncle and cousins) with whom the girls are close and regularly see when they are with dad, and a change in school (he now lives in the girls' school district) would negatively affect the girls.



Questions to Discuss:

What child development issues addressing best interests of the child are raised in this scenario?

What additional information would you like to know before deciding?

What will you decide?