My research looks at the concept of justice in the area of criminal law, specifically the experiences of families in juvenile delinquency court. I am interested in exploring how parents and court-involved youth experience the juvenile court process and how they discuss issues of the law’s legitimacy and its ability to be just within the family.

The concept of justice in civil law appears to work quite differently than in criminal law. Sociolegal research on how individuals view and understand the law has focused mainly on the voluntary mobilization of the law in civil court, but criminal law involves the coercive power of the government. This coercive aspect may make the concept of justice more salient with criminal defendants. Unlike perhaps in the civil context, the concept of justice seems central to how court participants view and experience the criminal system. In criminal law, the term justice is used frequently (“criminal justice system”), but rarely is the meaning of the term questioned. Often the term justice is used to refer to whether punishment is proportional to the offense. Other times it refers to whether a process is perceived as fair. But it also can be nearly synonymous with law enforcement.

It would be interesting to explore how the term justice figures into research in the areas of constitutional law and criminal justice (meaning law enforcement and the criminal court system). In criminal law an individual has more protections against the state because of the increased level of government power. Does the term justice end up equaling due process in the criminal context, meaning only that the proper procedural protections are in place? Or as others have suggested, is the relationship between individual protections and justice more complicated, with increased due process protections leading to a greater sense of injustice among the public? When people are aware they have certain rights they are more likely to be dissatisfied when they see those rights as not fully protected.

It may be that the idea of social justice is actually much different than how the term justice is used in the legal field. Justice in social science is often a collective notion - justice is viewed as re-working a structure or institution to the benefit of many people. Legal justice seems more individual, especially when referring to due process rights in the criminal system. It would be interesting to think through this distinction, its potential implications, and whether it plays out similarly in civil law.

My research looks at how views of justice and ideas on the law’s legitimacy can permeate beyond formal legal settings – perhaps at an intersection of these social and legal justice concepts. Participants in the criminal court process talk about their experiences with others in their social network. In the case of juvenile delinquency proceedings, defendants actually experience the court with other members of their family who are also embedded in the process. I’m examining how members of the same family discuss concepts of justice and how they impact each others’ views of the justness and legitimacy of the criminal system.

Much of research on how people experience the system has been at the individual level. I am interested in how perceptions of legal systems and views of justice emerge out of relationships that are legal (with defense attorneys, judges, probation officers) and non-legal (parents, other family members, peers). I am also interested in exploring how participating in the delinquency court process with family members helps to shape individual and shared understandings of the law, views on one’s rights under the law, and even more fundamentally one’s place within the justice process.