

YDAP Summer Academy
Friday, June 6, 2025
2:50 – 5:50 PM

Right to Development Small Group Exercise

Overview

Using the “right to development” framework introduced in large group, please craft an argument including 1) a specific request for relief at disposition and 2) one or two studies supporting your argument. Please brainstorm and develop one argument as a small group and select one participant to report out in large group. Each small group will have one minute to share their argument in large group.

Right to Development Framework

Framework	Application
State the defense theory	Right to development
State the legal issue	(a) Substantive due process right to development & (b) state purpose clause
Connect law to history and research	Link the right to development with positive youth development research
Describe the supporting history and research	History of inequitable opportunities for development & importance of play
Tie in the history and research to the facts and law	(a) Describe how state action deprives youth of their right to development & (b) the tailored relief to protect the right to development

Sample Argument on the Right to Development

Framework	Example
Right to development	<i>My client has a right to grow and develop during their adolescence.</i>
Substantive due process right to development	<i>This right is inherent within the fundamental right to life and liberty of the Due Process Clause, which creates an affirmative responsibility of the state to safeguard life when a child is in state custody or deprived of liberty by the state.</i>
State purpose clause	<i>In fact, our state recognizes the gravity of this right through the creation of the juvenile court, which was formed to “provide for the care, protection, and mental and physical development of children.” (Ohio R.C. 2151.01(A))</i>
Link the right to development with positive youth development principles	<i>For this court to provide for the care, protection, and development of children, this court must prioritize positive youth development, which leans into the strengths and developmental potential of youth for healthy growth, which in turn protects public safety.</i>
History of inequitable opportunities for development & importance of play	<i>And yet, my client has been deprived of equal access to this right due to the disproportionate levels of surveillance that hinder my client from freely engaging in play, which is critically linked to the healthy development of youth. A study by Linda L. Caldwell and Peter A. Witt highlights that integral to healthy development are opportunities for youth to find activities that are intrinsically motivated. Youth need both structured and unstructured activities that they find interesting to practice dealing with stress in safe and healthy ways for positive growth. (Leisure, Recreation, and Play from a Developmental Context)</i>
Describe how state action deprives youth of their right to development	<i>A probation condition requiring my client to wear an electronic monitor at all times fundamentally interferes with my client’s freedom to explore their interests and find opportunities for healthy growth and instead perpetuates long-standing practices of surveillance over Black youth in our country.</i>
Tailored relief to protect the right to development	<i>As such, I’m asking this court to remove the electronic monitoring condition to fully safeguard my client’s fundamental right to development so that my client will have the space to engage in pro-social activities that are fundamental to my client’s growth and healthy development.</i>

Small Group Activity

Framework Application	Your Argument
Right to development	
Substantive due process right to development	
State purpose clause	
Link the right to development with positive youth development principles	
History of inequitable opportunities for development & importance of play	
Describe how state action deprives youth of their right to development	
Tailored relief to protect the right to development	

Resource:

- [Sample Release Schedule Centering the Right to Play](#)
- [Annotated Bibliography: Decriminalizing “Play”](#)
- [Annotated Bibliography: Disposition](#)
- [OJJDP’s categorization of juvenile court purposes clauses](#)
- [Purpose Clauses Overview](#)