**The Case of Gerald Gault**

Gerald Gault, 15, was taken into custody and accused of making an obscene phone call to a neighbor. At the time he was taken into custody, his parents were at work and the police did not notify them of what had happened to their son. Gault was placed in a detention center. When his parents finally learned that he was in custody, they were told that there would be a hearing the next day, but they were not told the nature of the complaint against him.

Mrs. Cook, the woman who had complained about the phone call, did not show up at the hearing. Instead, a police officer testified to what he had been told by Mrs. Cook. Gault blamed the call on a friend and denied making the obscene remarks. No lawyers were present, and no record was made of what was said at the hearing.

Since juries are not allowed in juvenile court, the hearing was held before a judge, who found by a preponderance of the evidence that Gault was delinquent and ordered him sent to a state reform school until age 21. An adult found guilty of the same crime could have been sent to a county jail for no longer than 60 days.

**Questions:**

*\*\*\*Write in complete sentences\*\*\**

1. Make lists of the fair and unfair things that happened to Gerald Gault. Explain your reasoning for each item.
2. How would you change the unfair things on your list to make the proceedings fairer for Gerald Gault? Why is it important to change these things?
3. What rights that adults have were not granted to juveniles in the *Gault* case?
4. Do you agree with the *Gault* decision? Why or why not? Should adults and minors have the same legal rights? Why or why not?
5. Do you think Gerald Gault’s hearing would have turned out differently if he had initially been given the rights the U.S. Supreme Court later ruled that he was entitled to?

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