

# Decisions by Judges, Other Court Professionals, and Laypeople That Intervene in the Functioning of Families Facing Parenting Challenges With Adolescents

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## Abstract

**Purpose:** The purpose of this article is to compare the decisions made by court-related professionals and laypeople regarding the degree of interference of courts and subordinate institutions in the functioning of families with upbringing problems, as well as to confront the decision-making mechanisms that guide them. The research questions concerned the extent to which the possible decisions of professionals align with the beliefs of citizens who may be affected by such decisions. The results of surveys conducted among judges ( $n = 44$ ), other judicial professionals ( $n = 51$ ) and laypeople ( $n = 55$ ) are presented.

**Method:** The survey was carried out using a proprietary tool developed on the basis of juvenile procedure regulations and case describing young people with upbringing problems. Participants also completed *Schwartz's Portrait Values Questionnaire (PVQ)*. Factor analysis identified two dimensions of interaction: *judicial intervention* and *supportive measures*.

**Results:** The results showed that all the groups studied, judges, court professionals and laypeople, preferred supportive actions. As the severity of the child's problems increased, the frequency with which the respondents proposed intervention activities increased as well. In addition, laypeople took a more punitive stance than experts, proposing intervention measures more often. In contrast, specialists diagnosing the family indicated the most supportive actions.

**Conclusion:** The values included in Schwartz's circular structure were considered constructs that explain the decisions of teenagers with behavioral problems. It turned out that in the general population, values related to the self increase the propensity to intervene; this issue is different in groups representing judicial professions, among whom this

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tendency was not observed. The higher the pro-social values (kindness, universalism) were declared, the lower the acceptance of interventionism and the higher the acceptance of supportive measures.

**Keywords:** family, behavioral problems, judges, laypeople, values

The behavioral difficulties of adolescents cannot be considered except in the context of the family. Parenting methods reflect personal experiences passed down across generations and shaped by culturally valued beliefs. Studies show that parents in different countries use different strategies to achieve similar goals, such as obedience through coercion or based on close relationships (Conroy et al., 1980; Kelly & Tseng, 1992). The scope of caregiving activities depends on the socialization goals promoted in a given culture. Prized values are determined, among other things, by the common beliefs shared by members of a given community about how to raise children (these are the so-called ethnotheories in parenting; cf. Harkness & Super, 1995; Super et al., 1996; Super & Harkness, 1997). When individualistic values dominate, independence, autonomy, a sense of separateness, self-control, and self-determination become important (Harkness & Super, 1995). Cultural individualism assumes that each individual has the right to make their own choices, determine their own purpose in life, and behave without succumbing to pressure from their environment. This is because he himself is responsible for the actions he takes. A natural consequence under this model is the reduction of caregiving activities, which is supposed to promote the rapid independence of the individual. In collectivist cultures, the individual is an integral part of a larger community that determines behavioral criteria and takes responsibility for them. Socially developed rules take precedence over individual interests. Society expects the younger generation to be interdependent and subordinate to their parents and other family members (Kagitcibasi, 2002, 2007). The extended system of caregiving activities makes it difficult for the individual to achieve, within this model, independence.

As life becomes more professionalized, specialists who make decisions that often determine the fate and well-being of society are becoming more involved in it. At the same time, in democratic societies, personal autonomy is a core value, while submission to expert knowledge and respect for the rights of the individual in deciding for himself can stand in opposition to each other. An example of this is the issue of decision-making about one's own family.

## **Legal Regulation and Review of Case Law Research**

According to the Convention on the Rights of the Child: "the family should be provided with the necessary protection and support to enable it to fulfill its responsibilities in society to the fullest extent." Parents have the right to decide how to raise their children. However, if they fail to provide proper care, state authorities take over this duty according to Article 72(2) of the Constitution of the

Republic of Poland. Guided by the welfare of the child, the judge may apply the measures listed in the *Family and Guardianship Code* to the family. A sign of disruption in the developmental process is improper socialization.

The family is where children develop, and it should ensure their safety and provide positive behaviour models. Unfavorable upbringing conditions lead to maladjustment of children and adolescents to society, and the consequence can be, for example, running away from home (Czarnecka-Dzialuk, 2011; Flannery et al., 2005; Kreig & Becker, 2015; Zolkoski, 2012). When an adolescent's behaviour significantly deviates from what is expected in the community and their parents are unable to prevent it, it may be necessary to apply the juvenile justice measures outlined in the June 9, 2022 Act on the Support and Rehabilitation of Juveniles. These measures' aim to create conditions for the juvenile's return to normal life. The provisions for dealing with juveniles focus not so much on punishment but on improving living conditions and inhibiting the process of social maladjustment. However, despite their nonpunitive, corrective nature, these measures represent external interference in family structure and affect overall family functioning. Research on social maladjustment focuses on the caregiving situation of adolescents, the caregiving attitudes exhibited by parents and the control exercised (Ostrowska & Tatarowicz, 1998; Plopa, 2007; Rode, 2010; Stanik, 2005; Szymanowska, 2004; Szymanski, 2010).

An analysis of statistics from the Ministry of Justice by Czarnecka-Dzialuk and Wojcik (2011) revealed that, from 1984 to 1990, the courts imposed more restrictive juvenile justice measures than in subsequent years. During this period, isolation of the juvenile from the parental environment was typically used. The authors demonstrated that, from 1999 to 2008, probation supervision was the most frequently used justice measures against juveniles exhibiting signs of demoralization. The data demonstrate a decreasing tendency to place problem juveniles in specialized institutions. Additionally, the results of a survey conducted by researchers among family judges and probation officers suggest that the latter take a more interventionist approach. Nearly 60% of probation officers believed that it was advisable to tighten the juvenile justice measures imposed on a juvenile who committed a criminal act again. However, only 35% of judges agreed with the probation officers. Nearly half of the judges (49.8%) said they would not initiate or discontinue proceedings against the juvenile. Only 17.2% of probation officers agreed with the judges. In light of the research discussed above, sentencing practices cease to be the subject of autonomous activity of the courts, and become the focus of psychology and related social sciences.

The present study attempts to answer the question to what extent the positions of specialists (judges and court specialists) coincide or diverge with the opinions of those not associated with the judiciary in the field of corrective actions taken against adolescents displaying behavioral difficulties.

There are a number of theoretical and research threads in psychology discussing the issue of differences between laypeople and experts, including the work of Fritz Heider (1958, after Boski, 2022, ch. 8), who introduced the concept of the naive scientist. According to this view, the average person without expertise intuitively explains the causes of social behaviour to himself. Classical studies

addressing this issue identify differences between laypeople and experts in solving tasks, showing the greater efficiency of the latter, cf. e.g. Chase and Simon's (1988) study of chess players, Klein's (1987) study of firefighters and nurses, Brooks and Thomas' (1997) study of doctors and medical students. In the judicial field, there has been research uncovering the decision-making mechanisms of judges, which, as with laypeople, is based on heuristics, including Englich et al. (2006), Guthrie et al. (2002), Partyk (2023) and Rachlinski et al. (2007). Lesniak and Lesniak (2016) studied decision-making in criminal proceedings among psychology students, law students and active professional judges. The type of education of the decision-maker had an impact on the punishment determined. The one imposed by law students was higher than that imposed by psychology students. The penalty imposed by law students was higher than that imposed by psychology students. Kalven and Zeisel (1966) compared the verdicts of jurors (laypeople) with those of judges in 3,500 civil and criminal cases. They found that judges and juries agreed on the correct verdict in 78% of cases, while juries were lenient in 19% of cases and harsher in only 3% of cases. Eisenberg et al. (2005) revealed that judges are more likely than juries to return guilty verdicts. Differences in the decisions of judges and jurors (laypersons) were also studied by Givelber and Farrell (2008), pointing to a number of factors determining the difference in proposed sentences. Their research reveals that expert knowledge and experience influence not only the way decisions are made (their speed, correctness), but also have a bearing on the assessment of both the degree of fairness and the amount of punishment to be imposed.

The lay and expert research strand remains fundamental because academic social psychology is concerned with discovering the principles by which people function as actors who create their own cognitive models of situations. These models are culturally defined sets of beliefs that are used to diagnose, evaluate, and justify facts and appropriate actions, such as corrective ones. In other words, they are socially shared beliefs, not constructs of a "naive scientist" independent of the cultural context (Divine, 2022). The aforementioned concept of parental ethnotheories by Harkness and Super (1995), Super and Harkness (1997) is an excellent example of a synthesis regarding commonly held conceptions of appropriate behaviour with children. People use them to justify their own decisions, as well as to judge others and include professional psychologists with whom they may disagree.

When it comes to family and parenting issues, people have their own views and may reject court judgments if they differ from their personal beliefs. Therefore, this study compared the views of experts and laypeople on the subject. They made decisions of a legal nature in cases involving the functioning of families with adolescent parenting problems. Laypeople acted in a judge-like capacity, and were tasked with solving problems that experts in this field face. This article attempts to answer the question of whether their proposed solutions coincide with expert views and how these solutions depend on values. For the purpose of this article, it is limited to presenting only a slice of the research conducted<sup>2</sup>.

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<sup>2</sup> The entire research project included comparative analyses of laypeople, SWPS University students, judges and other court professionals diagnosing families. The full

## Values as Sources Justifying Decisions to Apply Legal Measures: Research Issues

Within the framework of the study, it was assumed that two general types of remedies for adolescents causing parental difficulties would be revealed and preferred in the compared groups. Apart from the anticipated differences in respondents' decisions, it was assumed that they would not be influenced by axiological aspects specific to the respondents. Values shape colloquial ethnotheories of child-rearing and form the basis for creating and applying law.

In recent decades, Shalom Schwartz (Schwartz, 1992; Schwartz et al., 2012, cited in Boski, 2022, ch. 5) proposed and developed the most complete concept of value theory, referred to as circular value theory.

The researcher distinguishes 10 types of values, which are grouped—based on their conceptual proximity—into four higher-order value categories. Power and achievement are linked by a self-enhancement. Benevolence and universalism are associated with a self-transcendence. Hedonism, stimulation, and self-direction belong to the category relating to openness to change. Security, tradition, and conformity are characteristic of conservation.

Many studies confirm the link between declared and realized values and actions. According to Bardi and Schwartz (2003), most of the 10 types of values correlate with related behaviours. Values play an important role in decision-making, moral judgments, and evaluations of fairness (Feather, 1985, 1994). They also influence involvement in social movements (Feather & Newton, 1982; Sagiv & Schwartz, 1995), political preferences (Schwartz & Barnea, 1995), employment-seeking strategies (Feather & O'Brien, 1987), and choice of educational direction (Feather, 1988). Studies in the field of law show that judges' religious beliefs influence their decisions (Bornstein & Miller, 2009; Idleman, 2005; Songer & Tabrizi, 1999). Mullen and Skitka (2006) assessed people's reactions, taking into account their moral beliefs, to hypothetical jury decisions regarding abortion cases. Skitka (2006) examined support for a court decision to legalize assisted suicide in relation to moral beliefs.

This study assumes that differences between professionals and laypeople can be explained by values from a circular structure. In particular, conservative values, as well as those focused on one's own self (the respondent), are likely to favor the choice of interventions, while values from the other half of the circle – focused on others – are likely to be associated with the choice of assistive remedies.

In summary, the aim of the study was to formulate an answer to the question of how far the positions of specialists (judges and court specialists) agree or diverge with the views expressed by non-judicial professionals on corrective issues undertaken with respect to youths with behavioral difficulties. In addition, it was assumed that the decisions of the subjects would be influenced by axiological determinants, and the degree of their interventionism could be explained using the circular structure of the Schwartz model.

# Method

## Research Participants and Procedure

The participants of the study were experts: judges and other court specialists involved in diagnosing the situation of the family, as well as laypeople – people who are not professionally connected with the judiciary (see Note 1). In the case of participants working within the judicial system, recruitment was conducted through the presidents of district and regional courts in Poland, who granted permission for the study to be conducted among their subordinate employees<sup>3</sup>. Information about the possibility of participating in the study, along with a link to the online questionnaire, was sent to 47 district courts and 318 district courts in Poland. Subjects had access to the questionnaire after learning about the study procedure and providing their consent. The associations of judges “Iustitia”, “Association of Family Judges in Poland” and “Themis” were also asked to complete the questionnaire. 98 judges and other court professionals agreed to participate in the survey.

Laypeople were recruited to participate in the study if they had children. This allowed for the selection of individuals involved in the parenting process who could potentially be of interest to the court. This group was collected by the National Research Portal “Ariadna”.

To enable comparative analyses between laypeople and court staff, a random group of lay participants was drawn from the much larger lay sample, matching the size of the expert group. The final analyses presented in the article included 44 judges, 51 other court specialists (psychologists, educators and doctors employed in the Opinions of Court Specialist Teams and probation officers), and 55 laypeople. The survey was conducted in 15 provinces (Dolnośląskie, Kujawsko-Pomorskie, Lubuskie, Łódzkie, Małopolskie, Mazowieckie, Opolskie, Podlaskie, Podkarpackie, Pomorskie, Śląskie, Świętokrzyskie, Warmińsko-Mazurskie, Wielkopolskie, and Zachodniopomorskie), in both larger and smaller cities. Table 1 shows the characteristics of the study sample.

**Table 1**

*Characteristics of the Study Sample*

		Laypeople	Judges	Court professionals
Gender	Women	47%	75%	78%
	Men	53%	25%	22%
Age	M	46.9	46.6	48.9
	Min.	36	33	29
	Max.	65	63	69
	SD	9.74	6.46	9.83

<sup>3</sup> The Research Ethics Committee of the Faculty of Psychology at SWPS in Warsaw approved the research procedure.

Continuation of Table 1

		Laypeople	Judges	Court professionals
Place of residence <sup>a</sup>	Rural	24%	14%	14%
	City up to 50 thousand inhabitants	27%	27%	18%
	City of 50 to 150 thousand residents	11%	25%	28%
	City of 150 thousand to 500 thousand residents	20%	9%	20%
	City with more than 500 thousand residents	18%	25%	22%
Education	Higher	53%	100%	100%
	Secondary	45%	—	—
	Professional	2%	—	—
Professional activity	Working	84%	98%	98%
	Not working	16%	2%	2%
Relationship status <sup>b</sup>	Married	76%	61%	69%
	Divorced	4%	5%	10%
	Informal relationship	15%	16%	4%
	Single people	5%	18%	16%
Number of children	No children	—	32%	20%
	1 child	33%	21%	14%
	2 children	53%	26%	56%
	3 children and more	14%	21%	10%

*Note.* <sup>a</sup> Inaccuracies are due to rounding of data to whole percentages. <sup>b</sup> Inaccuracies are due to missing data.

## Research Tools

### *The Remedial Measures Questionnaire*

For research purposes, a proprietary tool was created and piloted twice<sup>4</sup>. It contains 3 stories, and their protagonists are teenagers Anna, Vlad and Mariusz, whose behaviour violates common norms<sup>5</sup>. The stories were taken from professional

<sup>4</sup> Description of the creation of the author's tool and questionnaires can be found in the appendix: [https://www.researchgate.net/publication/391701053\\_Opis\\_tworzenia\\_Kwestionariusza\\_Srodkow\\_Zaradczych](https://www.researchgate.net/publication/391701053_Opis_tworzenia_Kwestionariusza_Srodkow_Zaradczych), [https://www.researchgate.net/publication/391701059\\_Kwestionariusz\\_Srodkow\\_Zaradczych\\_mezczyzni](https://www.researchgate.net/publication/391701059_Kwestionariusz_Srodkow_Zaradczych_mezczyzni), [https://www.researchgate.net/publication/391700882\\_Kwestionariusz\\_Srodkow\\_Zaradczychkobiety](https://www.researchgate.net/publication/391700882_Kwestionariusz_Srodkow_Zaradczychkobiety).

<sup>5</sup> Ania's troubles were similar to the typical developmental difficulties of adolescence, such as truancy, disrupting lessons, conflicts, swearing, and smoking cigarettes. In the story, Vlad was a refugee who came to Poland after the war in Ukraine. He struggled



practice – diagnosis of the situation of minors and families on behalf of the court. The case of Mariusz, on which the research results presented in this article are based, was presented to respondents in 4 progressive scenes. Each successive scene introduced additional themes and illustrated further problematic behaviour. The first scene revealed problems related to the boy's desire to identify with a reference group: "On the night of November 24, police officers were notified that a boy was sitting at the Korsze train station. They went to the place and there realized that the boy – 14-year-old Mariusz, who was visiting a friend – had escaped the last train home and was waiting for the first morning train. The officers took Mariusz to the police station and notified his mother. When she arrived to pick him up, the boy burst into tears and threw himself into her arms. While talking to the policemen, he held her hand. The mother explained that he had left home without permission to visit a friend. In her opinion, he got into inappropriate company outside of school. His current friends are adults, and they reportedly smoke cigarettes, drink alcohol, and have conflicts with the law. During the interrogation, she reluctantly confessed to harboring suspicions that her son might have been an accomplice in the theft of groceries and alcohol from the store (...)."

According to police reports referenced in the second installment of the story, Mariusz was observed consuming alcohol and smoking marijuana. In addition, the mother admitted that: "she was not interested in his problems lately, she was so busy with professional matters that she thought less about family life. The family has financial problems and the parents have to spend more time in the company. They can't afford – as they used to – to have meals and trips together (...)."

A third passage about the boy indicated a change in his functioning at school and at home: "During the investigation, law police officers were informed by school authorities that the minor was demonstrating substandard educational performance and frequent absenteeism. At the beginning of his schooling, he was cheerful, outgoing, well-liked by others and had no learning problems. (...) Since recently, educational problems began. He stopped studying systematically, doesn't read his reading, doesn't do his homework (...), started truanting. His peer relations have deteriorated: he gets into conflicts, participates in fights, gets upset easily, argues with teachers. He was caught smoking cigarettes in the school restroom. Until recently, his parents thought Mariusz got along well with them (...). Now he has become nervous at home, snapping at his mother and using vulgarities. In addition, he made a video in which he plays with a gun, and is dressed provocatively in it. In the opinion of teachers, this may indicate his suicidal tendencies (...)."

In the last-fourth part, Mariusz once again runs away from home and reports himself to the police in another city: "In his testimony, he revealed that his

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with various problems that could be considered adaptive, but he also showed a disturbing interest in killing animals. Both of these cases will not be considered in this article (the participants' verdicts against them show very high correlations with how they reacted to Mariusz's case, which forms the analytical axis of the article).



parents had been beating him for a long time, locking him in the basement when he received poor grades, so he decided to run away from home. He explained that his parents did not accept his interests and different sexual orientation (...). The (...) family was placed under probation supervision. His frequent visits revealed that Mariusz, along with his adult partner from Warsaw, is extorting money by running online collections on the websites of various foundations. He claims on them that he is disabled and abused at home (...)."

### **Measurement Scales of Remedial Measures**

After reading the content of each part of Mariusz's story, participants were asked to decide whether and to what extent interference by state institutions in the family structure was necessary. The texts presented to them described successive events, and only the last one included information that judicial action was taken against the boy – probation supervision was applied. The respondents had a choice of 11 solutions developed on the basis of the Law of June 9, 2022 on the Support and Rehabilitation of Juveniles and partially from the Family and Guardianship Code. Thus, they could have pointed to:

- providing the family with support from institutions of institutions supporting its functioning;
- arranging psychological and pedagogical support for the teenager;
- establishing probation supervision over him;
- placing him in a correctional facility;
- placing him in a foster family;
- placing him in a youth correctional center;
- ordering the parents to improve their parenting, living or health conditions;
- the juvenile's participation in appropriate treatment in a psychiatric facility or community center;
- restriction of parental rights through probation supervision;
- financial penalty imposed on the parents;
- ordering the parents to compensate for the harm caused by the minor.

The task of the survey participants was to select a YES answer next to all the solutions they considered necessary and a NO answer next to the forms of countermeasures they considered unwarranted. Respondents had the option of indicating any number of countermeasures.

Participants completed *The Remedial Measures Questionnaire* after each of the four versions/versions of Mariusz's case.

### **Schwartz's Portrait Values Questionnaire**

*Schwartz's Portrait Values Questionnaire* (PVQ), used in many international studies on values, was also used for the study. The 40-item questionnaire relates to the aforementioned 10 values. Subjects were asked to compare themselves to the described person and rate the degree of similarity on a 6-point scale ranging from: 1 = *not at all like me*, to 6 = *very similar to me*. The Polish version

of the *Portrait Values Questionnaire* (PVQ) was used based on the study contained in Pawel Boski's book (Boski, 2022, ch. 5).

## Analytical Strategy

The data obtained during the study were processed using the SPSS statistical package (version 27.0). The structure and relevance of the tool were assessed using exploratory factor analysis. Comparisons between groups were made using a MANOVA analysis of variance with repeated measures. Multiple regression analysis was performed to determine predictors of choices. Then, moderation analysis was performed using the Process macro in SPSS software. Finally, r-Person correlation analysis was performed to examine the associations of values with the factors highlighted in the research tool.

## Results

### Factor Analysis of the *Remedial Measures Questionnaire*

To obtain greater measurement reliability, an analysis of the *Remedial Measures Questionnaire* was conducted on a sample of all study participants ( $N = 1,051$ ). The full sample included indications of remedies from all 6 stories (i.e., Ani, Vlad, and four installments of Mariusz's story) for each respondent. This yielded 11 variables denoting the number of indications for a given remedy, ranging from 0 to 6. Subsequently, factor analysis reduced respondents' responses regarding remedies to two categories, which together explained 64% of the results.

Further analyses presented in this paper were limited to 150 participants, i.e. 95 experts (including 44 judges and 51 other court professionals) and 55 individuals drawn from the full sample of parent-laikers. This procedure was necessary to obtain a comparable number of experts and laypeople. This analytical procedure allowed both a reliable determination of the properties of the research tool and comparisons between research groups.

Bartlett's test of sphericity is significant ( $X^2(55) = 5.941, p < .001$ ), indicating associations between the variables. The Kaiser-Meyer-Olkin (KMO) statistic is .889. These results confirm the quality of the data and suggest that the factorial model is appropriate for further analysis.

The first group of measures refers to intervention measures directed at the court's interference in the family structure and various forms of separating the juvenile from his home and social context. Table 2 (p. 143) shows that judicial intervention includes 6 juvenile justice measures: placing the juvenile in a correctional facility, a youth correctional center, a psychiatric hospital, or a nursing home; placing the juvenile with a professional foster family; and fining the parents and ordering them to repair the damage. The juvenile justice measures included as judicial interventions achieved high reliability (Cronbach's  $\alpha = .88$ ).

**Table 2***Factor Loading Matrix From the Factor Analysis of the Proprietary Instrument*

	<i>Judicial intervention</i>	<i>Supportive measures</i>	<i>Cronbach's alpha after removing items</i>
Youth correctional center	<b>.92</b>	-.13	.85
Correctional facility	<b>.85</b>	-.07	.86
Treatment	<b>.82</b>	-.08	.86
Foster family	<b>.79</b>	.05	.86
Financial penalty	<b>.78</b>	-.12	.87
Compensation	<b>.48</b>	.33	.88
Restriction of parental rights	<b>.56</b>	<b>.41</b>	.86/.80
Therapeutic activities	-.26	<b>.90</b>	.81
Improvement of parenting conditions	-.05	<b>.84</b>	.79
Institutional support	-.02	<b>.83</b>	.78
Probation supervision	.35	<b>.56</b>	.79

*Note.* The model explains 64% of the results. Factor extraction method – principal components. Rotation method – Promax with Kaiser normalization.

The second type of decision involved surrounding the family and the teenager, care and support directed at coping with the family system's difficulties. These supportive measures include 4 actions: asking relevant state or social institutions to provide support to improve the juvenile's upbringing, living, or health conditions, ordering the juvenile to participate in therapeutic classes, ordering the juvenile's parents to improve the juvenile's upbringing, living, or health conditions and to cooperate closely with the school, psychological and pedagogical clinic, or other specialized clinic, applying probation supervision over the juvenile. Juvenile justice measures were included as supportive measures and received high reliability (Cronbach's Alpha is .83).

Restriction of parental rights was included in both factors, with the indications evenly distributed between the two factors, as the factor loadings of the test item were comparable.

### Intergroup Comparisons

A MANOVA was conducted to determine differences in preferences for the two measures between groups. The between-subjects factors were 3 groups (judges, court professionals, and laypeople), while the within-subjects factors were 4 versions of Mariusz's case history and 2 categories of remedies (judicial intervention/supportive).

The analysis revealed significant differences among the subjects in the juvenile justice measures belonging to either the intervention or supportive

categories<sup>6</sup> [ $F(1, 147) = 289.11, p < .001, h^2 = .66$ ]. This effect is considered very strong, explaining 66% of the variability in respondents' answers. Respondents were far more likely to indicate actions that supported the child's entire family system ( $M = 3.76$ ) than actions that interfered with the family system's structure ( $M = 2.03$ ). The main effect of the version of the story proved to be significant [ $F(3, 145) = 27.77, p < .001, h^2 = .36$ ]. As the protagonist's difficulties increased, so did the number of remedial actions indicated by the subjects (for subsequent versions:  $M = 2.53, M = 2.77, M = 2.94, M = 3.32$ ). This result can be interpreted as an indicator of the increasing relevance of problems in subsequent viewings of Mariusz's story. The study also revealed an interaction between the story excerpt and the selected parenting measures from the intervention or support category [ $F(3, 145) = 19.05, p < .001, h^2 = .28$ ]. Based on the analysis of simple effects for interventions and supportive measures across different case versions, it can be concluded that, beginning with version 2, as the number of problematic symptoms described for the boy increases, the disparity between the two categories of corrective measures decreases. In subsequent versions, the differences in means are as follows:  $D_1 = 1.72, F(1, 147) = 181.99, p < .001, D_2 = 2.13, F(1, 147) = 273.29, p < .001, D_3 = 1.95, F(1, 147) = 225.65, p < .001, D_4 = 1.12, F(1, 147) = 76.01, p < .001$ . According to respondents, as the problems escalated, Mariusz required an increasing number of supportive measures and interventions.

The most important factor for the research questions is the interaction effect of group and countermeasures:  $F(2, 147) = 21.10, p < .001; h^2 = .19$ , which indicates significant intergroup differences. Analysis of simple effects revealed a convergence of views among all court employees regarding intervention toward Mariusz. The differences in the number of measures indicated by judges and other court specialists are insignificant. However, there are statistically significant differences in the number of intervention measures chosen by court employees and laypeople, with the latter choosing more measures [the difference between the average choices of laypeople vs. judges and laypeople vs. court specialists is respectively:  $D_1 = 1.43$  and  $D_2 = 1.41, F(2, 147) = 24.49, p < .001$ ]. In terms of supportiveness, laypeople are significantly more likely than judges to indicate such actions [the difference between laypeople and judges is:  $D = 0.44, F(2, 147) = 6.03, p < .001$ ]. While the results of judges and non-lawyer court personnel overlap in terms of interventionism, psychologists and educators are significantly more supportive compared to judges [ $D = 0.57, F(2, 147) = 6.03, p < .001$ ].

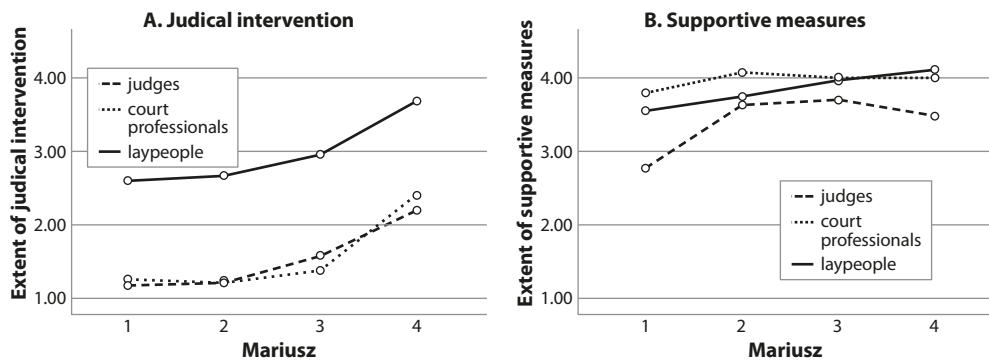
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<sup>6</sup> The analysis conducted with sociodemographic co-variables, i.e. the number of children one has, place of residence (city size), and relationship status revealed that the main effects of these variables are insignificant (The effect of place of residence [ $F(1, 142) = 2.3, p = .13$ ] The main effect of relationship status [ $F(1, 142) = 0.35, p = .60$ ] and the main effect of number of children [ $F(1, 142) = 3.99, p = .05$ ], the main effect of version of history [ $F(3, 140) = 0.29, p = .80$ ] was also found to be insignificant. The main effect of countermeasures [ $F(1, 142) = 5.59, p = .02$ ], the group effect [ $F(2, 142) = 13.35, p < .001$ ], and the interaction effects of story version and countermeasures [ $F(3, 140) = 4.22, p = .007$ ] and group membership and countermeasures [ $F(2, 142) = 18.05, p < .001$ ] remained significant.

All results with occupational groups are shown in Figures 1a and 1b.

**Figure 1**

*a. Intervention-oriented Remedial Measures and b. Supportive Measures, Depending on the Version of Mariusz's Case and the Three Participant Categories*



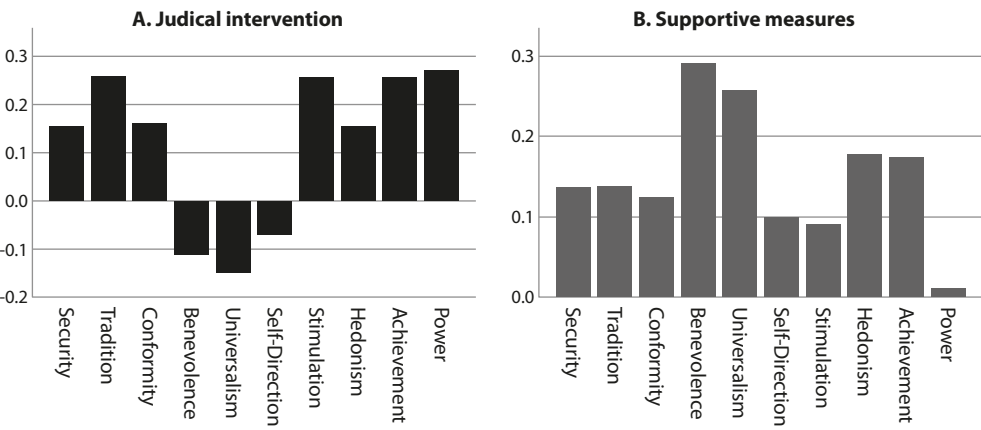
### Relationships Between Values and Judicial Intervention and Supportive Measures

According to Schwartz's theory, indices were calculated for the 10 basic values that form its circular spectrum. They have sufficient reliability ( $\alpha$  ranging from .54 for power to .81 for universalism).

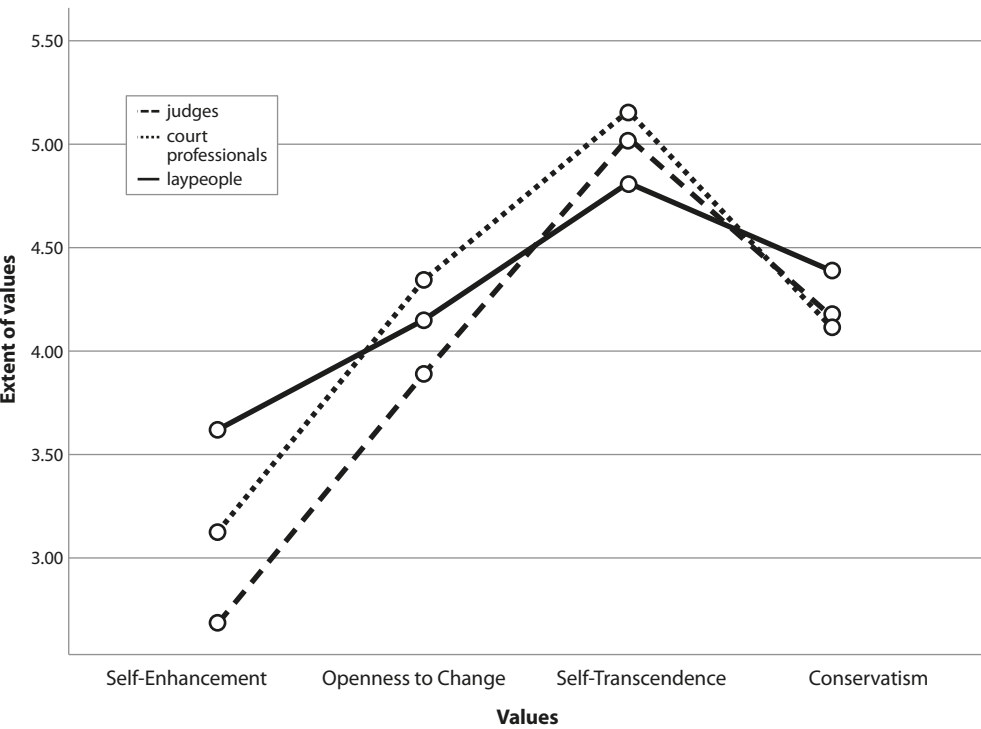
When applying Schwartz's circular value theory, the sinusoidal shape of the correlation of values with the dependent variable is often checked. The sinusoid confirms the circular structure of values in a curvilinear, "distributed" form. Figure 2 (p. 146) shows the correlations of the analyzed values with judicial intervention and reveals a pattern close to Schwartz's proposed sinusoidal model of values. Analyses show that the preference for court intervention correlates positively with tradition ( $r = .25^{**}$ ), stimulation ( $r = .25^{**}$ ), achievement ( $r = .25^{**}$ ), and power ( $r = .27^{**}$ ), while kindness ( $r = .29^{**}$ ), universalism ( $r = .26^{**}$ ), hedonism ( $r = .18^*$ ), and achievement ( $r = .17^*$ ) correlate positively with supportive actions.

A MANOVA was conducted to determine intergroup differences in valued values. The between-subject factor was 3 groups (judges, court professionals and laypeople), and the within-subject factors were 4 second-order values according to Schwartz (conservatism, self-enhancement, openness and self-transcendence). The main effect of values  $F(3, 145) = 172.387, p < .001, h^2 = .78$  was significant, while the group effect was small [ $F(2, 147) = 4.36, p = .014, h^2 = .06$ ], the value-group interaction effect is  $F(6, 290) = 7.603, p < .001, h^2 = .14$ . The simple effects analysis indicates that all groups value others-focused values most highly, which is consistent with common results in this area. The groups differ primarily regarding the least approved self-centered values, namely *power* and *achievement*. These values are most highly valued by laypeople and least valued by judges [ $D = 0.92, F(2, 147) = 14.34, p < .001$ ].

**Figure 2**  
*Correlations of the 10 Schwartz Values With a. Judicial Intervention and b. Supportive Measures Activities. Differences in Values Among the Three Categories of Participants*



**Figure 3**  
*Intergroup Differences in Valued Values*



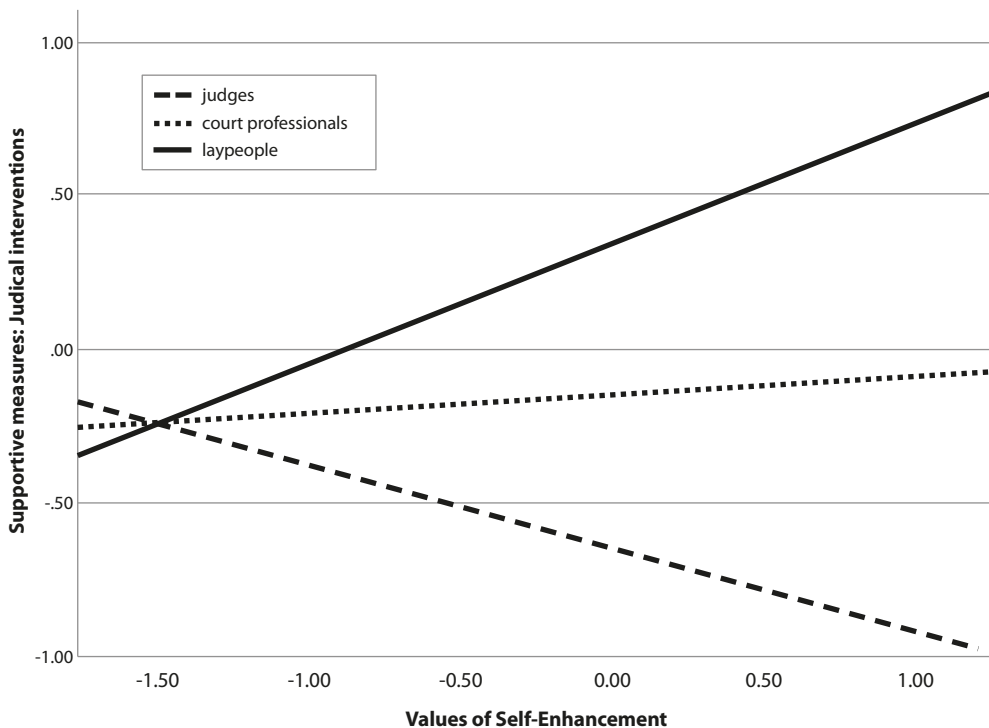
## Regressions and the Moderating Influence of Group and Values on Remedy Decisions

A multiple regression analysis was conducted in 3 stages for the dependent variable intervention. Artificial variables (*dummies*) were created, in which the reference variable was court professionals. In the first model, the predictors were dummy variables for laypeople and judges. In the second step, 4 second-order value dimensions according to Schwartz (conservation, self-enhancement, openness to change, and self-transcendence) were entered. In the third step, interaction terms between variables from the previous two steps were included. In this analysis, the variables were standardized. All models confirm a good fit to the data. In the first model,  $F(1, 148) = 54.21$ ; adjusted  $R^2 = .26$ ,  $p < .001$ ; in the second model,  $F(2, 147) = 31.21$ ; adjusted  $R^2 = .29$ ,  $p < .001$ ; and in the third model,  $F(3, 146) = 24.37$ ; adjusted  $R^2 = .32$ ,  $p < .001$ .

It turned out that the predictors of *the intervention* were lay group ( $\beta = .52$ ,  $p < .001$ ) and openness to change ( $\beta = .17$ ,  $p = .013$ ). self-enhancement was not an effective predictor on its own, but interacted with the study groups ( $\beta = .19$ ,  $p = .006$ ), which warranted a moderation analysis using the Process macro in SPSS software, as illustrated in Figure 4.

**Figure 4**

*The Moderating Effect of Profession and Self-Enhancement on Judicial Intervention*





The results revealed a moderating effect of profession interacting with self-enhancement on decisions regarding the selection of intervention-type measures ( $\beta = .35$ ,  $t = 3.84$ ,  $p < .001$ ). Results at subsequent moderator levels indicate that the relationship is negative in the case of judges ( $\beta = -.29$ ,  $t = -2.14$ ,  $p = .04$ ), and positive in the case of laypeople ( $\beta = .42$ ,  $t = 3.93$ ,  $p < .001$ ) and nonsignificant for court professionals. In the general population, values related to self-increase the propensity to intervene; in contrast to the judicial professions, in which this tendency was not observed. It can be concluded that the judicial professions somehow inhibit this tendency.

An analogous stepwise regression analysis was then conducted for the dependent variable *support*. The proposed regression model, which used values as predictors, was a good fit for the data [ $F(1, 148) = 14.92$ ,  $p < .001$ ; adjusted  $R^2 = .08$ ] and a model that took into account the interaction of variables [ $F(2, 147) = 11.33$ ,  $p < .001$ ; adjusted  $R^2 = .12$ ]. The predictors of helpfulness were found to be values of self-transcendence ( $\beta = .30$ ,  $t = 3.86$ ,  $p < .001$ ) and the interaction of the judges, group with conservatism ( $\beta = .21$ ,  $t = 2.67$ ,  $p = .008$ ). Prosocial and traditional values favor the choice of supportive juvenile justice measures in the case of judges.

## Discussion and Conclusion

The survey revealed a prevailing tendency among all respondents to favor supportive rather than interventionist remedial measures against teenagers who create parenting problems. As the child's difficulties intensified, so did the frequency of proposals for remedial measures involving interference in the family structure. The content of the stories presented influenced the number of supportive actions proposed. As the juvenile's problems became more complex, the number of referrals for judicial intervention increased. Judges and other court professionals diagnosing the family's situation do not differ significantly in this regard. However, the study found differences between court personnel and laypeople. The latter were stricter in their decisions, choosing more interventionist juvenile justice measures than, for example, judges, which differentiates this group in the study I conducted from the American studies referred to above. Professionals involved in the diagnosis and adjudication of juveniles show a less interventionist attitude than laypeople, whose views generally reflect so-called social beliefs. The high punitiveness of laypeople corresponds with the CBOS survey, according to which – although Poles show less and less consent to the use of corporal punishment against children every year – 43% of respondents still believe that there are situations in which a child must be spanked (CBOS, 2023). The different position of experts may stem from their experience and knowledge of the low effectiveness of isolationist justice measures against juveniles. For example, in the studies of Bartkiewicz (2013), Włodarczyk-Madejska (2020), and Szecówka (2013), the recidivism rate among youth offenders was around 50%.

While all participants clearly prefer supportive measures over intervention measures, court psychologists and pedagogues stand out in this regard, recommending support measures significantly more often. Court specialists, who, by virtue of their duties, aim to identify the family's resources and possible areas for improvement, suggest various ways to provide care for the child, regardless of the extent of their problems. This position aligns with the minimal intervention model, which advises against sanctions in response to misconduct since they can be stigmatizing.

Although judges display low levels of punitiveness, this does not correspond to a high tendency toward supportive decisions. Compared to other professionals involved in juvenile diagnosis and adjudication, judges are less likely to see an opportunity to correct juvenile behaviour through supportive measures. The effectiveness of such interventions does not boil down to assessing whether a juvenile has committed criminal acts, but also refers to the long-term process of changes taking place in his personality structure, which judges are unlikely to observe. Furthermore, most studies on the effectiveness of juvenile justice measures focus on forms of isolation of minors from their environment and draw conclusions mainly in negative terms, i.e., in relation to whether they will reoffend after the period of isolation (see, e.g., Drapała, Kulma, 2014; Włodarczyk-Madejska, 2020).

The perceived differences in the subjects' choice of juvenile justice measures can be explained by their declared axiological attitudes. Many studies have confirmed the relationship between preferred decisions and respondents' values (see, e.g., Bardi & Schwartz, 2003; Bornstein & Miller, 2009; Feather, 1985, 1995; Idleman, 2005; Mullen & Skitka, 2006; Sagiv & Schwartz, 2004). The analyses presented in this article indicate that the values derived from Schwartz's model correlate with respondents' intervention and support decisions. The higher pro-social values (kindness, universalism) were declared, the lower the acceptance of interventionism and the higher the acceptance of supportive measures. Similarly, research by Grusec et al. (2000) shows that parents who highly value kindness and universalism are more likely to use parenting practices that are supportive, democratic and less punitive.

As this study revealed, values related to the self increase the propensity to intervene in the case of laypeople. Among judges, pursuing self-enhancement decreases their propensity to make intervention-oriented decisions. Moreover, they value these values lower compared to the other groups studied. Thus, it can be assumed that judges' focus on the self supported by their specialized knowledge of the consequences of adjudicated decisions for juveniles as well as their awareness of their responsibility for the use of interventionist remedies, leads them to seek alternative actions. The judiciary's tendency to favor rehabilitative rather than punitive interventions aligns the beliefs of judges and court experts with the core principles of juvenile law. The consensus is that these laws are intended to be educative rather than punitive. In addition, the consistency of perspectives of both adjudicators and expert opinion makers in juvenile cases gives a favorable prognosis for effective cooperation between them and increases the usefulness of expert opinions for the judges who commission them. The convergence of positions among experts from different professional backgrounds is particularly important in the context of growing public dissatisfaction with court rulings and criticism directed at the opinions issued by the Court Expert Teams.

The extent of interventionism acceptable to citizens can also be analyzed from a cultural perspective, drawing on findings from the GLOBE project (House et al., 2004), in which collectivism is conceptualized in two forms: institutional collectivism and family collectivism. Institutional collectivism emphasizes group loyalty at the expense of individual gains. Family collectivism, on the other hand, refers to private life and intergenerational relations. Data from this project indicate that in countries where family values are more highly esteemed, institutional interference tends to be lower. However, when family practices prove insufficient, state intervention in family matters becomes necessary. Due to the lack of family collectivism practices, institutional collectivism tends to replace personalized relationships with generalized principles of social coexistence, leading to frequent and acceptable state intervention. In western EU member states: Ireland, Belgium, France, and Germany, forms of state support replacing family responsibilities by having the state take over its functionality are extensive. This means that legal norms take precedence over the freedom of families to self-determine and follow their own rules. In Bulgaria, Estonia, Slovakia, Russia, on the other hand, the scope of interference by state agencies in the functioning of the family is limited, the citizen has the right to solve the internal problems of the family through mutual customary agreement and to defend himself against unlawful interference in his personal life.

Poland has low rates of institutional collectivism associated with organizational efficiency. At the same time, family collectivism is clearly present. This could explain why supportive measures toward the family are prioritized. However, the ability to draw conclusions is limited due to the small number of judges who chose to participate in the study, which makes it impossible to generalize the results. A more reliable analysis would require greater involvement of the judiciary community. A comparative study conducted in different countries could clarify beliefs about permissible state interference in family functioning more broadly. Additionally, the observations presented in this article focused on judicial interactions with juveniles and legal solutions aimed at them. An important extension of the issue under discussion, namely the permissibility of intervention versus an emphasis on support, would involve expanding the research to include other legal contexts, such as regulations pertaining to the Family and Guardianship Code. This could contribute to a better understanding of the perspectives of different specialists and laypeople involved in decisions that affect families, considering the ongoing social discussion about limiting and terminating parental rights. This includes cases involving parental neglect, divorce, and termination of parental rights for Poles residing abroad, for example.

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