

Infant-Toddler Court Program:

Tip Sheet for Trauma-Responsive Courts



Trauma responsive courts embrace a universal precaution model, which assumes that all children, families, and court stakeholders could have a history of exposure to trauma prior to court involvement. In collaboration with the [National Child Traumatic Stress Network \(NCTSN\)](#), the [National Council of Juvenile and Family Court Judges \(NCJFCJ\)](#) created a trauma assessment protocol for juvenile and family courts. The tips provided in the following sections are general recommendations that can be used to assist in creating trauma responsive court environments, policies, and practices. Additionally, it is recommended that courts assemble a committee to examine their current practices and court environment and work to create a plan to move toward being a more trauma responsive courthouse. While these tips and questions can inform courts on how to become more trauma responsive, recommendations could change depending on individual court circumstances.

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A service system with a trauma-informed perspective is one in which agencies, programs, and service providers:

- Routinely screen for trauma exposure and related symptoms.
- Use evidence-based, culturally responsive assessment and treatment for traumatic stress and associated mental health symptoms.
- Make resources available to children, families, and providers on trauma exposure, its impact, and treatment.
- Engage in efforts to strengthen the resilience and protective factors of children and families impacted by and vulnerable to trauma.

- Address parent and caregiver trauma and its impact on the family system.
- Emphasize continuity of care and collaboration across child-service systems.
- Maintain an environment of care for staff that addresses, minimizes, and treats secondary traumatic stress, and that increases staff wellness.

For more information, see <https://www.nctsn.org/trauma-informed-care/creating-trauma-informed-systems>.



Environmental Considerations to Become a Trauma Responsive Court

Access to the courthouse.

Are online map directions accurate and easy to follow? Is there adequate parking? Is parking free and not limited by time or a meter? Is there a bus stop nearby and are buses scheduled to stop during regular court hours? If the answer is **no** to any of the above questions, this could be an area a committee may want to address.



Pierce County, Washington signage

Security process.

To gain a better understanding of the security process, members of the committee might consider entering the courthouse as a consumer, rather than as an employee or through a special entrance. When doing so, consider the following: How long does it take get through security? Are there security guards of all genders? This is especially important if pat downs are required as part of the process. Are security officers armed and/or in full uniform? Are officers friendly, welcoming, and helpful? Does the number of officers present appear to be adequate or excessive?

Navigating the courthouse.

If this were your first time visiting this courthouse, how long would it take you to find the courtroom? The bathrooms? The cafeteria or vending area? Is there adequate signage? Would you have to ask someone for assistance? Is there a staffed information desk?



Pierce County, Washington child-friendly area

Child- and family-friendly spaces.

What do the waiting areas and courtrooms look like? Is there child-sized furniture? Are toys and books available to children ranging in age from 0 - 17? Are there murals or child friendly artwork on the walls? Are supplies such as snacks, diapers/wipes, or a change of clothes provided? Is there adequate and comfortable seating? Are there areas for attorneys and their clients to meet privately? Local churches, schools, and community organizations can be great partners and can often assist with the creation of and providing items for child friendly spaces.



Douglas County, Georgia reading room



Polk County, Iowa mural

Additional environmental considerations.

Contact community partners to explore the possibility of offering childcare to parents while they attend meetings and hearings, if not already offered. Consider implementing a therapy dog program. Explore ways to provide fresh, healthy food and drink options to families who may spend hours at the courthouse. If the courthouse has limited food options, and there are no restaurants nearby, reach out to local food trucks who may be willing to park at the courthouse on a regular basis.

Practice Considerations to Become a Trauma Responsive Court

Judicial Engagement.

During hearings, what does judicial engagement look like? Does the judicial officer welcome the parents and call the parents and other parties by their name or by their title (i.e., Ms. Smith vs “the Mother” or “the Resource Caregiver”)?

Do they start each hearing with an explanation of its purpose and an introduction of all parties present? Does the judicial officer wear a robe? Does the judge always sit behind the bench? When children are present for hearings, does the judge interact with the children? Does the judge ask the parents about their child's developmental milestones? Does the judicial officer speak directly to the parents, provide them with an opportunity to be heard, and end the hearing with an explanation of what took place and next steps?



Broward County, Florida court room

Hearing practices.

Are hearings held in a formal court room or a more child and family friendly space? Are child well-being topics thoroughly covered? Do the professionals use easy to understand language or provide explanations when speaking in technical jargon? Are hearings adversarial or strength-based and collaborative in nature? Are parties treated with respect and empathy? Are all parties given an opportunity to speak? If bailiffs are in the courtroom, how do they interact with the families (e.g., are they solely focused on security matters or do they engage with parties and children present)? How often are cases continued due to professionals not being adequately prepared?



Duluth County, Minnesota child-friendly family time (visitation) space where Family Team Meetings occur

Family team meeting practices.

Are all parties introduced by name and relation to the case? What do seating arrangements look like? Are ground rules posted or reviewed prior to starting the meeting? Is the meeting child-focused, strength-based, and parent-led, or is it agency-led and compliance-driven? Is there a conversation related to current safety concerns and protective capacities, including the question, "Why can't the child return home today?" Was the concurrent plan actively discussed or simply stated? Was there an opportunity to problem-solve issues in real time? Were parents treated with respect, empathy, and honesty? Were parents given first opportunity to provide updates on their child's progress? Do professionals and paraprofessionals (e.g. Parent Mentors) at the table listen to understand or listen to respond? Are notes taken in real time for all parties to see and/or provided to all parties at the end of the meeting? Was food provided? Was adequate time given to cover all necessary topics satisfactorily?

Considerations for virtual hearings.

Do parents have access to technology and do they know how to use the platform used for virtual hearings? If parents do not have a computer or smartphone, courthouses can set up rooms where parents can use a computer to virtually attend their hearing; child welfare agencies can also provide such technology to parents. Is virtual training available to assist parents in learning how to use the technology prior to their hearing? Are breakout rooms available on the virtual platform in order for attorneys to confer confidentially with their clients? Similar to in person hearings, do judicial officers explain the hearing, allow parties to introduce themselves, and ask parents or children if they have questions?



Policy Considerations to Become a Trauma Responsive Court

Timeliness and dockets.

Are hearings scheduled using time-certain calendaring? How long do families wait for their case to be called? How long are hearings in relation to wait times? Time-certain calendaring should be utilized where all hearings are scheduled for a specific time and continuations are kept to a minimum. Are cases called by name for everyone in the waiting area to hear? If so, screens or a numbering system can be used in order to maintain privacy. Is adequate time scheduled for hearings to cover necessary

topics thoroughly and allow for questions and real time problem-solving?

Incarcerated parents.

Do incarcerated parents attend their hearings in person, virtually, or by phone? Are incarcerated parents allowed to change out of their uniform and into court- appropriate clothing? Do incarcerated parents attend their hearing in shackles or are they removed prior to the hearing? Does the sheriff/security stand next to the parent during the hearing, or do they observe from the back of the courtroom?

Trauma screenings.

Are clients screened for trauma, or are they referred for trauma screening? What screening tool is used? Is the screening process collaborative among court stakeholders? What is done with the information from the screening? Is trauma, or trauma history, considered as part of decision-making related to children and families in the system (e.g., decisions about placement, services, etc.)? Trauma screening should be part of a court policy. A trauma screening protocol used by all system-involved agencies to screen children and parents prior to (or early in) involvement with the court should be considered. Additionally, trauma screeners should have training and experience in preventing further trauma during the screening process.

Secondary trauma and ongoing training.

Within your agency/organization, is there an understanding of the emotional impact of the work you do (e.g., burnout, vicarious trauma, compassion fatigue)? What's the level and prevalence of understanding? What resources are available to help staff experiencing these issues (e.g., employee wellness program)? Is trauma training related to clients provided on

an ongoing basis? Is secondary trauma training related to court stakeholders provided on an ongoing basis? Do court staff and stakeholders have a say in other training topics?



Additional Resources

- The NCJFCJ's *Enhanced Resource Guidelines* covers all stages of the court process, from the preliminary protective hearing until juvenile and family court involvement has ended, which leads to the child safely being returned home or placed in a new, secure, and legally permanent home. <https://www.ncjfcj.org/publications/enhanced-resource-guidelines/>
- The NCJFCJ's *Questions Every Judge and Lawyer Should Ask about Infants and Toddlers in the Child Welfare System* contains checklists developed for judges, attorneys, child advocates, and other child welfare professionals in meeting the wide range of developmental, physical, and mental health needs of infants and young children. <https://www.ncjfcj.org/publications/questions-every-judge-and-lawyer-should-ask-about-infants-and-children-in-the-child-welfare-system/>
- The American Bar Association's (ABA) Youth Engagement Project has developed several resources to improve policies and practice involving children in court, including observations and questions to ask young

children. https://www.americanbar.org/groups/public_interest/child_law/project-areas/youth-engagement-project/resources/

- A set of interactive online learning modules for judicial officers and attorneys, *Putting the Science of Early Childhood to Work in the Courtroom*, provides information and tips from experienced peers and experts in the field for cases involving very young children. It includes a module on "The Trauma-Responsive Court," which offers practical strategies for creating a more trauma-responsive court environment. www.elearn.zerotothree.org/itcp
- ZERO TO THREE's Infant-Toddler Court Program is a national resource center supporting trauma-informed practices in child abuse and neglect cases with very young children. A collection of bench cards and other tools to support a trauma-responsive court environment is available on the program's networking and resource-sharing platform, ITCP Connect. https://go.zerotothree.org/join_itcp_connect_LP

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