



Pima County Juvenile Court Trauma Audit

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Purpose of Report

This report outlines the activities and subsequent impressions from a site visit to the Pima County Juvenile Court (Tucson, Arizona) conducted by the National Council of Juvenile and Family Court Judges (NCJFCJ) on December 16-18, 2013. This report is intended for use by the Pima County Juvenile Court to assist in efforts to create trauma-responsive environments, practices, and policies. Other uses of this report or substantial modifications to content should include consultation with the author(s). This report is presented in the spirit of collaboration and open discussion that includes objective assessment of practice using an evidence-based and strengths-based framework. Accordingly, any recommendations presented in this report could change with additional site level information or with further research developments in trauma and allied fields. This is the final version report that incorporates site feedback on the draft report submitted in February 2014.

Statement of the Problem

Exposure to adversity such as child abuse and neglect, domestic violence, and criminal victimization has the potential to result in traumatic stress and are a substantial public health problem because of their association with adoption of high-risk health behaviors and early mortality.¹ The long-term and economic costs associated with adverse childhood experiences are significant² and emphasize the critical need for trauma-responsive prevention and intervention supports to promote the lifelong well-being of children and families.

In the constellation of stakeholders working with our nation's most vulnerable children and families, juvenile and family courts are uniquely positioned to help identify traumatized individuals and ensure provision of appropriate intervention services. Court hearings with robust judicial oversight offer an invaluable opportunity for communication, coordination, and accountability across case type. Courts seeking to be trauma-responsive³ in juvenile and family law cases, however, are increasingly aware that being "responsive" is not only being knowledgeable about the biological/psychological/social impact of adverse experiences and the state of evidence-based treatments. Rather, judges and trauma professionals alike are coming to understand that "responsive" also includes ensuring that environments, practices, and policies are designed to reduce unnecessary stress and potential stress reactions in those that have been trauma-exposed.

Background

The Pima County Juvenile Court, under the leadership of Judge Karen Adam and Court Administrator Stephen Rubin, expressed interest in the NCJFCJ conducting a "trauma audit" of the court located at 2225 E. Ajo Way, Tucson, AZ 85713. The assessment included visiting ancillary community service providers located in the county. The Pima County Juvenile Court has 11 full time Judges and Commissioners and three part time judicial officers who hear juvenile justice and dependency cases. The court and adjacent juvenile detention facility were expanded and rebuilt in 2000. According to the court's website, approximately 35,000 juvenile justice and juvenile dependency hearings are held each year. The Pima County/Tucson Model Court has been part of NCJFCJ's national Model Court programs for dependency and

¹ See the Adverse Childhood Experiences Study [ACES] at www.acestudy.org.

² For example, in 2008 alone, the total lifetime economic burden resulting from new cases of child maltreatment in the United States was approximately \$124 billion.

³ To the best of our knowledge, there is no widely accepted definition of trauma-responsive courts. However, a proposed working definition has emerged through efforts to develop a trauma audit protocol: *Recognizing and responding to trauma, comorbid disorders, and subsequent symptomology is fundamentally necessary to ensure appropriate intervention and to increase the likelihood injured persons will heal. Trauma responsive courts, therefore, are focused on developing and implementing universal precautions at an environmental, practice, and policy level that limit iatrogenic outcomes of system involvement and ensure justice for all parties. In doing so, courts seek justice for injured persons by being mindfully responsive to the deleterious effects of trauma and associated conditions through proactive and consistent efforts to reduce potential trauma reminders, ensure safety, and promote conditions of healing.*

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delinquency for more than two decades, developing nationally recognized practices such as front-loading of services, reducing the number of youth held in detention, and improving access to and quality of mental health and substance abuse services. In 2012, Adoption and Foster Care Analysis and Reporting System (AFCARS) data indicate 2,603 children entered care and 3,077 children were in foster care in Pima County at the end of the fiscal year.

Financial support for the audit was provided primarily through the Training for Broadly Competent Courts grant awarded to NCJFCJ under cooperative agreement 2012-MU-MU-K001 with the Office of Justice Programs under the U.S. Department of Justice. The primary trauma audit team consisted of Shawn Marsh, Ph.D., Ruby White Starr, and Alicia Summers, Ph.D. from the NCJFCJ, and Kelly Decker, Ph.D. and Carly Dierkhising, MA from the National Child Traumatic Stress Network. This team was selected to bring to the audit particular expertise in areas of social psychology, clinical psychology, developmental psychology, domestic violence, dependency, juvenile justice, trauma, and social science research methods. Since the NCJFCJ is still developing protocols for assessing trauma-responsive practice in court settings, this audit was exploratory and formative in nature, and served to gather information to guide development of appropriate instruments and protocols to be tested in other courts in the coming months as funding allows.

Site Visit Activities

Prior to the visit, NCJFCJ staff conducted a pre-survey of stakeholders. The results from 64 respondents are incorporated into the impressions and recommendations below. Over the course of the three day audit, site visit activities primarily involved observation of court facilities, including the parking area, building exterior entrance, building interior entrance, waiting areas, several courtrooms, and mediation facilities. The team observed hearings; toured the Pima County Juvenile Court Detention Center (PCJCC), Domestic Violence Alternative Center (DVAC) and Juvenile Intensive Probation Services (JIPS); and conducted focus groups and/or individual interviews with youth and parents as well as representatives from the detention center, health and mental health, prosecution, defense counsel, Child and Family Services, probation, court-appointed/connected special advocates, mediation, family drug court, and community support agencies. File reviews were also conducted. Lastly, activities included an exit meeting with the bench and Administrator Rubin. Observations were focused primarily on (a) environment, (b) processes (e.g., security screening, calling parties to hearings, etc.), and (c) interactions between and within consumer and staff groups.

Impressions⁴

The Pima County Juvenile Court is a well-maintained facility that is easy to navigate with a centralized waiting area. The facility was spacious, comfortable, and well lit with excellent natural light at entrance and soothing lighting levels in the waiting area. Audit team interactions with court staff were warm and positive in nature, as were most interactions observed between court staff and court consumers. Interactions between professional stakeholders outside of hearings appeared collegial in most instances. Hearings observed were timely, thorough, and organized. Judicial demeanor, communication, clarity, and case preparedness were excellent. Stakeholder voice, including those of parents and guardians, was generally encouraged during hearings when applicable. Children or youth involved in cases had a more limited opportunity to contribute. Noise level in the courthouse and courtrooms was low which contributed to an atmosphere of orderly calmness, and hearings were relatively easy to follow.

There was no apparent designated victim waiting room. Waiting areas and courtrooms had ample space, although some were austere in appearance and not particularly child-friendly in terms of decoration, toys, etc. In others, it appeared that judges made noticeable efforts to personalize courtrooms in ways that were child, youth and family friendly. The extent of Spanish-language resource information was good. Security presence was intermittent in the waiting area and courtrooms observed, and audit team members received mixed information about the degree to which security cameras were monitored, timeliness of security intervention in times of crisis, etc. Judges and court staff are knowledgeable and sensitive to the potential for re-traumatization in the court setting and it is apparent that they use this information in designing physical space and in interpersonal efforts to limit negative experiences or escalation. Focus groups and interviews suggest that many staff from some ancillary centers and services have been trained on trauma, but need more information on the application of this knowledge into policy and practice.

Prior to the visit, the assessment team crafted an online survey for stakeholders to gather a broader perspective on trauma-responsive attitudes, policy, practice, and environment. The invitation to respond and survey link was sent to the Clinical Director of the Pima County Juvenile Court Center who shared the link with the Model Court collaborative team. The Model Court collaborative team was asked to share the link with others at their respective agency. The survey launched December 2, 2013 and closed December 11, 2013. A total of 64 Pima County/Tucson stakeholders participated in the survey. Approximately 89% of survey participants responded that they had received trauma training on topics such as trauma symptoms in children/youth, trauma and child development, types of trauma, and secondary traumatic stress. Most estimated that 75-100% of their clients had experienced trauma. Although most survey participants attended some trauma training, most still reported that they were not aware of

⁴ A facility-level assessment instrument was filled out separately by each team member during hearing observation and upon completion of the site visit. The assessment instrument seeks to gather and quantify basic “snapshot” impressions along a variety of physical and social environmental domains, including condition of the building, lighting, staff interactions, etc. Although the instrument appears to be generally applicable to court contexts and inter-rater reliability was acceptable, further modification and testing will be necessary before fully assessing issues of utility, validity, and reliability.

the evidence-based practices available to help those who have experienced trauma or of resources available to help themselves (survey participants) if they feel overwhelmed working with clients. Though the majority of participants in the survey believed that policies regarding working with clients in their respective agencies included a focus on promoting resilience and general well-being, they also suggested that they do not have written policy committing to trauma-informed practices and that regular screening of clients for trauma was not a policy in their agency. The survey results suggest that clients are treated with respect and offered opportunities to voice their needs and concerns, however, a majority of survey participants also indicated that efforts to minimize stressful aspects of the child protection case process is limited and rarely incorporated into the daily decision-making practices at their organization.

The assessment team reviewed files for a very small number of cases. Case file review instruments for trauma audits are still in development; however, several team members reviewed files using instruments previously developed by the NCJFCJ. The tool used onsite included questions about whether the parent's story was documented, the time it took to locate fathers, the type of language used in reports (e.g., strength-based language), and any information about trauma screenings and assessments that may have been used. Based on the files reviewed, there was little documentation reflecting consistent trauma-screening or information regarding trauma histories provided to judicial officers. The team did not have an opportunity to review psychological evaluations.

Recommendations

Trauma-responsive care from a universal precautions approach⁵ is often focused on (a) ensuring safety and (b) limiting undue physiological and psychological arousal.⁶ Given that courts are often stressful environments that serve high need parties, reducing general stress is an important goal when seeking to develop trauma-informed environments and practice. Accordingly, recommendations for the Pima County Juvenile Court to consider in improving trauma-responsive practice include (in no particular order of importance):

1. **Consider implementing a process to apprise and describe to stakeholders the juvenile court's vision for a trauma-responsive court.** Across departments, agencies, and divisions there was little shared meaning about what a trauma-responsive court is and how the juvenile court is working to implement trauma-informed approaches. This variance in understanding and definition of trauma-responsive courts between and within stakeholders is not unusual and speaks to the scope of training and information sharing required to change organizational culture. Relatedly, some individuals interviewed felt that "trauma-informed" is just another 'buzz word' that will not be integrated into long-term, sustainable, system transformation. Enhanced training and efforts at culture change

⁵ A universal precautions approach from a trauma-informed perspective refers to implementing protocols that assume all consumers have trauma histories.

⁶ Hyperarousal or hypervigilance is a common reaction among those who have experienced trauma. Limiting unnecessary arousal is important in helping trauma-exposed populations maintain their psychosocial health as continued exposure to undue stress can elicit or trigger understandable, but challenging, traumatic reactions.

in agencies that most commonly reflected this attitude (e.g., probation) should be a priority.

2. **Consider implementing a system wide trauma screening protocol.** This could include (1) training all clinical staff on how to administer and interpret a standardized trauma screening instrument⁷, and (2) developing a protocol to screen youth/family consumers when and where it is deemed clinically appropriate or at key decision points as they move through the court system. However, it is extremely important to be clear that the purpose of conducting a trauma screen is to determine whether an individualized psychological/mental health assessment is needed as well as to inform case and treatment planning. Not all persons who experience a traumatic event develop symptoms of traumatic stress and require trauma-specific treatment; it is the intention of a trauma screen to identify those individuals who have a history of exposure to a traumatic event(s) and are exhibiting symptoms/behaviors consistent with traumatic stress.
3. **Consider individualizing services to the extent possible rather than using universal services.** Many youth and families are resilient and have natural supports that may be in place that buffer the negative effects of trauma exposure. These resiliencies should be asked about and supported by the court, attorneys, Child Protection Services and behavioral health. Leveraging natural supports in conjunction with a targeted services approach can maximize potentially limited resources available to youth and their families as well as avoid undue stress on the consumer and system. In one instance, for example, a judge asked about the need for parenting classes -- and since it was not recommended by the presenting agency -- did not subsequently overload the parent by ordering unnecessary services.
4. **Consider developing a listing of available evidence-based trauma-informed treatment services.**⁸ Broad knowledge about available evidence-based treatments appears to be low. Youth and families may benefit from awareness of and referral to community treatment providers that are certified in evidenced-based trauma treatments such as Trauma-Focused Cognitive Behavioral Therapy (TF-CBT); Abuse-Focused Cognitive Behavioral Therapy for Child Physical Abuse; Trauma Affect Regulation: Guidelines for Education and Therapy for Adolescents (TARGET-A); and Trauma Grief Component Therapy for Adolescents (TGCT-A).⁹
5. **Consider designating a separate room or waiting area for perpetrators of domestic violence; especially when an active temporary protection order exists.** Even though

⁷ Recommended instruments include the 'trauma screening checklist' that can be found at http://www.johnbriere.com/psych_tests.htm. The UCLA Posttraumatic Stress Disorder Reaction Index is also widely used among justice populations. Information on this tool (and many others) can be found at <http://learn.nctsn.org/course/view.php?id=77>.

⁸ For example, see King County's Menu of Services (separate attachment).

⁹ See NCSTN Trauma-Informed Interventions Project at <http://www.nctsn.org/resources/topics/trauma-informed-interventions>.

rules allow for parties with a history of domestic violence or an active protection order to be in waiting areas, courtrooms, and other hearings together, this may generate increased stress and arousal in victims and increase the potential for manipulation, intimidation and violence by the perpetrator in ways that may not be obvious to security or other parties. These behaviors can activate traumatic reactions or reminders (including physical confrontation, emotional withdrawal, or acquiescence), impede court processes, and compromise the safety of victim-families, staff, and consumers. The separate space should include the development of a protocol for reporting to and leaving the area.

6. **Consider making available a room – separate from the lobby or waiting area – for professional stakeholders to use when they need to decompress or relax away from the public while waiting for subsequent hearings.** Several stakeholders and staff noted the desire for such an area, and suggested it would be helpful to them in managing arousal after particularly stressful conversations, hearings, etc.
7. **Consider training all staff on trauma, traumatic stress, and relational skills for working with high need populations.** Staff across the entire spectrum of the court; from CASA workers to security to probation to community partners, have the responsibility of contributing to a trauma-sensitive environment. To be trauma-responsive, all staff should be trained on the basics of trauma, the impact of traumatic stress on development, and how to work with youth and families with complex trauma histories. The audit team understands that there have been a substantial amount of trauma trainings before, but it may be useful to have trauma trainings for specific agencies or people who focus on a particular aspect of service so that training can be tailored to their direct practice. For instance, attorneys and other stakeholders who have more consistent and intimate interaction with children and families, more intensive trauma training is essential; including practical information on how to apply the knowledge. If possible, conduct a trauma-informed self-assessment¹⁰ with new staff, current staff, and exiting staff to help evaluate their knowledge of and exposure to secondary traumatic stress (e.g., what it is, how to recognize, how to respond, adequacy of support services, etc.). Cultural competency and awareness -- including understanding of potential historical trauma, immigration trauma, and acculturation stress -- is also a critical foundation for effective interpersonal/de-escalation skills, and this could be incorporated into trauma training curricula for the court and allied system stakeholders.
8. **Consider exploring how, why, and when trauma exposure is assessed in detention.** Some staff and many youth expressed concern related to trauma assessments and disclosure, including assessing for traumatic experiences within the first 24 hours in detention. Some youth may divulge traumatic events and experience increased arousal during such an assessment, and then may be subsequently released back into the community which can trigger traumatic stress. In addition, traumatic events assessed within the first 24 hours may limit the assessor's ability to establish needed rapport with

¹⁰ For example, see the Professional Quality of Life (ProQual) at http://proqol.org/Secondary_Trauma.html.

youth who are already wary of authority. Further, it may not always be necessary to assess for exposure to traumatic events. Rather, it is important to assess for traumatic stress symptoms and reactions that can lead to problematic social and emotional problems and are substantive focus of trauma treatments.¹¹

9. **Consider leveraging “captive audiences” by enhancing educational materials available to court consumers.** The waiting room can be seen as a point of intervention where materials and resources can be made available to families that include information on trauma and victimization, where to go for help, and information about navigating the child welfare system. The waiting room may also be an appropriate place to promote education regarding child development, domestic violence resources, access to physical and mental health services, and community-based programs.
10. **Consider adding an additional staff person to the reception/information desk.** A second staffer at the reception desk may reduce youth and family wait-time. Attempting to have a male and female staff at the reception desk may encourage and enhance the comfort of both male and female clients to seek information and ask questions that may lower traumatic responses and triggers. When possible, ensure at least one bilingual staff person is at the reception desk at all times.
11. **Consider adding signage throughout the court (similar to hospital care settings) that reminds attorneys and staff to refrain from discussing personal client information in public.**
12. **Consider conducting a trauma-informed organizational assessment of the drug court with a focus on how to improve engagement with male youth.**¹² This should focus on how to improve the efficiency of the court (high utilization of staff time and resources) and engagement strategies.
13. **Consider consistently providing a brief explanation of the purpose of the current hearing from the judicial standpoint.** Youth and families often receive information about hearings immediately preceding their case. Nerves and stress may create an environment that makes retaining information difficult. Even when attorneys and other parties provide relevant information, hearing it multiple times from a different perspective can improve understanding and retention. For instance, it would be helpful if judges consistently remind children and families of what the hearing is regarding, and

¹¹ For example, see Kerig (2013) at http://nctsn.org/sites/all/modules/pubdclnt/pubdclnt.php?file=/sites/default/files/assets/pdfs/jj_trauma_brief_assessment_kerig_final.pdf&nid=256.

¹² One tool that could be easily adapted for this purpose is: Guarino, K., Soares, P., Konnath, K., Clervil, R., and Bassuk, E. (2009). *Trauma-Informed Organizational Toolkit*. Rockville, MD: Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, and the Daniels Fund, the National Child Traumatic Stress Network, and the W.K. Kellogg Foundation. Available at www.homeless.samhsa.gov and www.familyhomelessness.org.

clarify next steps and any decisions made during the hearing at the conclusion.

14. **Consider soliciting the perspective of youth.** Allowing youth to voice their opinions and concerns about what has been said or occurred during a hearing can give youth a sense of control and promote empowerment. When loci of control increases, stress and arousal decrease. We understand that there are legal concerns regarding what information youth offer, rather this recommendation is for process-oriented questions and concerns that can be elicited from youth in order to reduce confusion and promote youth engagement. For instance, judicial officers could check in with youth before the hearing concludes to verify that they understand what occurred and whether they have anything they would like to ask.
15. **Consider developing and implementing trauma-specific policy and protocols.** Court-related staff and allied agencies may benefit from written trauma-specific policy and protocols. For instance, protocols could include information on how to appropriately respond to safety concerns in pre-conference hearings or mediation when domestic violence is an issue.¹³
16. **Consider briefly explaining the reasons for accepting or denying professionals' opinions and recommendations in the courtroom.** Valuing the opinions and recommendations from people in the various agencies and departments can promote professional engagement and a sense of respect between stakeholders. It is important to be mindful that the system, agencies in that system, and the people working in them can become stressed and experience vicarious trauma which can lead to disengagement, staff turnover, and burnout. This requires courts, particularly judicial officers, to balance accountability with expertise when accepting the recommendations of those who have spent time with children and families, provide services to them, and are invested in their well-being. For instance, if a case worker's recommendation is not used the judicial officer could give a reason as to why it was not used. Some CPS workers expressed confusion as to why their recommendations are not used at times when they feel they are very important to the child's well-being.
17. **Consider convening a committee to identify system level factors that could cause unnecessary stress on youth and families, and suggest a corrective plan to reduce those stressors.** System involvement is recognized as a potentially traumatizing experience for youth and their families (e.g., scrutiny of the family and potential stigma, uncoordinated services, time away from school and work, etc.).¹⁴ Identifying and mitigating macro-level/system stressors that could be inadvertently contributing to

¹³ See NCTSN webpage on trauma-informed policy at <http://www.nctsn.org/resources/policy-issues>.

¹⁴ Based on feedback gathered during the site visit, the following might be particularly fruitful areas for discussion: ensuring interventions are individualized, culturally relevant, and evidence-based; exploring means to expand services to parents/guardians; identifying and removing barriers to accessing services; strategizing ways to bridge gaps between services children receive out-of-home versus in-home; and developing protocols to enhance information sharing between relevant stakeholders.

negative outcomes – such as parental disengagement – might be a natural component of the work of the Model Court committee. In this effort, it would be critical to include “consumer voice” via the use of focus groups, interviews, surveys, etc. regarding user experiences.¹⁵ Other practices, such as asking parents at the end of the hearing if the proposed date/time of the next hearing interferes with their work obligations or transportation limitations, can help emphasize a concern for consumer experience and respect for life stressors.

18. **Consider convening a committee for improving the school-based detention services with respect to being trauma-informed.** Education engagement with incarcerated youth is an opportunity to build upon and cultivate youth’s cognitive, behavioral and socio-emotional strengths. However, given that the majority of incarcerated youth have a history of complex trauma as well as “unsuccessful” experiences in school, school-based detention settings and staff have the potential to serve as a trauma reminder for the youth that they aim to serve.¹⁶
19. **Consider integrating trauma training at the court's monthly Steering Committee meetings and/or quarterly Advisory Board meetings.** This could include a review/discussion of a specific NCTSN written resource for court stakeholders and/or educational webinar available on-demand at National Center for Child and Adolescent Trauma Learning Center (<http://learn.nctsn.org>). Note there are over 100 complimentary webinars available on many aspects of child and adolescent trauma. Continuing educational credits are also available.

Next Steps for the NCJFCJ and Audit Team

- Remain available to the Pima County Juvenile Court to debrief and plan their next steps toward being trauma-responsive.
- Provide Pima County Juvenile Court with updates on major developments in trauma-informed care relevant to the work of courts.
- Work with *judges* and *courts* to lead efforts to clearly define the components of trauma-informed courts/justice.
- Continue to develop the trauma audit protocol.
- Seek to develop testable hypotheses for recommendations that emerge in future audits.
- If requested, provide consultation with detention staff on strategies for creating a trauma-responsive school setting within a residential setting.
- If requested, provide consultation to detention staff and caseworkers on vicarious trauma/secondary traumatic stress.
- If requested, review evaluations (psychological, substance abuse, etc.) provided to the

¹⁵ The NCJFCJ has conducted court-user evaluation projects, and could provide guidance in how to best approach gathering this information.

¹⁶ See the NCTSN webpage for Educators at <http://www.nctsn.org/resources/audiences/school-personnel> and specifically the NCTSN Toolkit for Educators at <http://www.nctsn.org/resources/audiences/school-personnel/trauma-toolkit>.

court to assess the degree to which they are trauma-informed (i.e., include a trauma-informed assessment, multi-axial diagnoses, and evidence-based treatment recommendations).

Summary

Judges and staff at the Pima County Juvenile Court have clearly made substantial efforts to provide a court environment that is respectful, friendly, supportive, and does not increase the level of stress/trauma that children, youth, and families experience. The Pima County Juvenile Court, under excellent leadership, is well-operated and forward thinking about the impacts of trauma on people involved in the justice system. The court is invested in becoming increasingly trauma-responsive in its work, and recognizes there is always room for improvement. The openness of the court and system stakeholders during the site visit was admirable, and provided the assessment team important insights regarding the complexities and nuances around what it means for courts to be trauma-responsive. Although protocols for assessing the degree to which a court is trauma-responsive are in the earliest stages of development and this was only the third known audit of its scope, the opportunity to thoroughly observe environment and practice in the Pima County Juvenile Court has been invaluable in moving this work forward. Further, several areas – outlined above via recommendations – did emerge as potential changes to help the court be more sensitive to the challenges trauma-exposed and trauma-reactive children and parents face. By implementing even several of these recommendations¹⁷, the court can move toward a universal precautions approach to ensuring a safe environment for all that seek justice and limit the chances to inadvertently trigger reactive behavior in both children and adults.

Submitted by:


for RWS

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¹⁷ Several organizations have general resources that could support efforts to become more trauma-informed in environment, practice, and policy, including the National Child Traumatic Stress Network (NCTSN) at www.nctsn.org; Domestic Violence Resource Network (DVRN) at www.nrcdv.org/dvrn; and the National Council of Juvenile and Family Court Judges (NCJFCJ) at www.ncjfcj.org. The authors of this report can provide more specific recommendations for resources, if desired, by contacting the lead author.