

# 2016 State Roundtable Report



## Trauma Workgroup



### Co-Chairpersons

Honorable Robert Mellon  
*Court of Common Pleas  
of Bucks County*

Dave Schwille, Administrator  
Department of Human Services  
of Luzerne County

# Trauma Workgroup Members

## Chairpersons

**Honorable Robert Mellon**

*Judge*

Court of Common Pleas of  
Bucks County

**Dave Schwille**

*Administrator*

Department of Human Services  
Luzerne County

William Cisek, Esq.

*Solicitor*

Children & Youth Services  
Venango County

Honorable Jennifer McCrady

*Judge*

Court of Common Pleas of  
Allegheny County

Honorable Linda Cordaro

*Judge*

Court of Common Pleas of  
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David Zilka, MSW

Western Regional Team Supervisor  
Child Welfare Resource Center

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*President Judge*

Court of Common Pleas of  
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**Administrative Office of**

**Pennsylvania Courts/**

**Office of Children and Families**

**in the Courts**

Kerith Strano Taylor, Esq.

*Guardian ad Litem*

Jefferson County

Lynne M. Napoleon, M.S.

Judicial Program Analyst

Sandra E. Moore, MSW

*Director*

## **Invited Guests**

Honorable Jolene Kopriva

*President Judge*

Court of Common Pleas of  
Blair County

Elke Moyer

*Administrative Associate/  
Graphic Designer*

Honorable John Kuhn

*Senior Judge*

Court of Common Pleas of  
Adams County



# Creating Trauma Informed and Responsive Dependency Courtrooms

*If we save the body, but in so doing, destroy the mind and soul, what good have we really done? ~Justice Max Baer*

## BACKGROUND:

In 2014, the Psychotropic Medication Workgroup's final recommendation was creation of a workgroup, specifically to examine the issue of trauma. After years of discussion and research, the Psychotropic Medication Workgroup concluded that the use/overuse of psychotropic medications for foster children was so closely tied to elements of trauma that it was impossible to address one without addressing the other. In agreement, the State Roundtable (SRT) created the Trauma Workgroup (TWG) with the charge of addressing trauma within the courthouse. It is recognized that court can be a stressful event for many people. Normal, stress-producing events are not the focus of the Trauma Workgroup. Instead, the focus is courthouse/courtroom activities that may trigger reactions in traumatized individuals that may impede the process.

Under this broad charge the TWG set out to examine system and environmental issues within the courthouse and courtroom that might lend themselves to stressful reactions in traumatized people. Additionally, the TWG decided to examine courtroom practices with the potential to make the courtroom experience more welcoming and less threatening. Finally, the TWG wanted to provide guidance to judges and legal professionals aimed at fostering safety, empowerment, and trustworthiness, common factors in creating trauma informed systems.

With these charges in mind, the Trauma Workgroup, under the leadership of Honorable Kathryn Hens-Greco, Court of Common Pleas, Allegheny County and Mr. David Schville, LPC, Department of Human Services Director, Luzerne County, met eight times to organize, develop a plan of action, and collect and analyze information related to people's experiences with dependency court.

In late 2015, Honorable Robert Mellon, Court of Common Pleas, Bucks County took over as co-chair of the workgroup. With his considerable expertise and enthusiasm for trauma informed courts, he quickly determined that moving forward without regrouping and rebuilding the workgroup would not serve well. Unfortunately, this year the workgroup also lost its other co-chair, David Schville, when he retired. A new co-chair will be identified soon.

## PRINCIPLES FOR CREATING TRAUMA-INFORMED SYSTEMS

A review of the literature suggests the idea of "trauma responsiveness". This requires all those working within a system to possess the knowledge of both trauma and people's reactions to trauma. Beyond this understanding, trauma responsiveness requires courts, from judges to maintenance staff, knowing how to effectively interact with traumatized individuals. Simple changes to the way one approaches people and

the manner in which one speaks to them can make a huge difference in the responses people have.

Such a commitment begins with an understanding of trauma. The definition of trauma<sup>\*</sup>, in its simplest form, is an “event that threatens someone’s life, their safety or their well-being”. (NCJFCJ, 2010) Gordon Hodas, M.D., child psychiatrist and consultant for Pennsylvania’s Office of Mental Health and Substance Abuse Services (OMHSAS) and expert on trauma, identifies maltreatment and witnessing domestic violence as having “the most severe consequences on children and adolescents”. (A Primer on Childhood Trauma and Trauma-Informed Care).

The U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) defines trauma as

“an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual’s functioning and mental, physical, social, emotional, or spiritual well-being.”

*SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach, 2014*

This series of three “E’s”, **EVENT**, **EXPERIENCE**, and **EFFECT**, make up the key elements determining if something rises to the level of trauma. Any event, in and of itself, cannot be defined as a trauma. Instead, how the individual experiences that event becomes crucial.

Two well-respected researchers, Roger D. Fallot, Ph.D. and Maxine Harris, Ph.D. note the incidence of trauma is pervasive; nationally 55% to 90% of Americans have experienced in least one traumatic event. (Creating Cultures of Trauma-Informed Care, 2009). Dr. Fallot and Harris have developed core values of trauma informed practice which build the primary framework for many trauma informed systems throughout the country. An organization’s culture, reflecting these five values, recognizes the importance of people, both those being served and those serving. The more ingrained these values, the more attuned the system is to the precept, “do no harm.” The five core values are:

- **SAFETY:** create safe spaces
- **CHOICE:** provide options
- **EMPOWERMENT:** notice capabilities
- **COLLABORATION:** make decisions together
- **TRUSTWORTHINESS:** provide clear/consistent information

TWG members were pleased to note that these core values are consistent with the *Mission and Guiding Principles for Pennsylvania’s Child Dependency System*. The values exemplify a system whose mission is to protect children and promote strong families and child well-being. When these things are prioritized, timely permanency can be achieved more readily. The values underscore Pennsylvania’s strengths-based and

family engaged approach. Lastly, they point to the importance of collaboration, not just with those being served but one system with another; again a principle well-ingrained in our dependency system. As such, the TWG will keep this framework in mind as it develops recommendations and resources for the State Roundtable.

## **2015 PENNSYLVANIA STATE ROUNDTABLE:**

Recommendations made to and adopted by the SRT in 2015 were:

- Develop an electronic resource to highlight innovative and best practices from counties who are becoming trauma informed/responsive so that counties can network and provide peer support for implementation.
  - ✓ *The workgroup is in the process of collecting information from judges and administrators on their successful practices addressing trauma. These will be added to the practices already collected which include therapy and facility dogs in court, community collaboration, education on trauma specific treatment, model courtroom project that embodies respect for all parties and participants in the courtroom, implementation of trauma screening used by caseworkers and model court order language for receiving specific/important information on trauma effects.*
- Work jointly with volunteer counties to obtain parent and child/youth opinions of their court experiences via a survey.
  - ✓ *Surveying parents and children about their court experiences continues. It is a labor intensive process as counties must provide someone to be available to provide assistance and distribute/collect forms. Ten counties will be approached about surveying parents and children by the early fall.*
- Explore the feasibility of the Alternate Dispute Resolution model Facilitation in dependency cases by asking volunteer counties to try the method on a small number of cases and report back on criteria such as implementation, cost and impact on length of hearings.
  - ✓ *Volunteer counties were identified through responses to an email inviting participation. Preparation for implementation is beginning. Results and feasibility will be provided at the 2017 State Roundtable.*

## **PROGRESS AND UPDATES:**

The Trauma Workgroup has changed considerably since the last State Roundtable. Both original co-chairs of the workgroup stepped down; one co-chair has been replaced, the other has not. Moving meetings from the Pittsburgh area to the Harrisburg area impacted workgroup members who were on travel restriction during the budget impasse and those who did not have the time to travel.

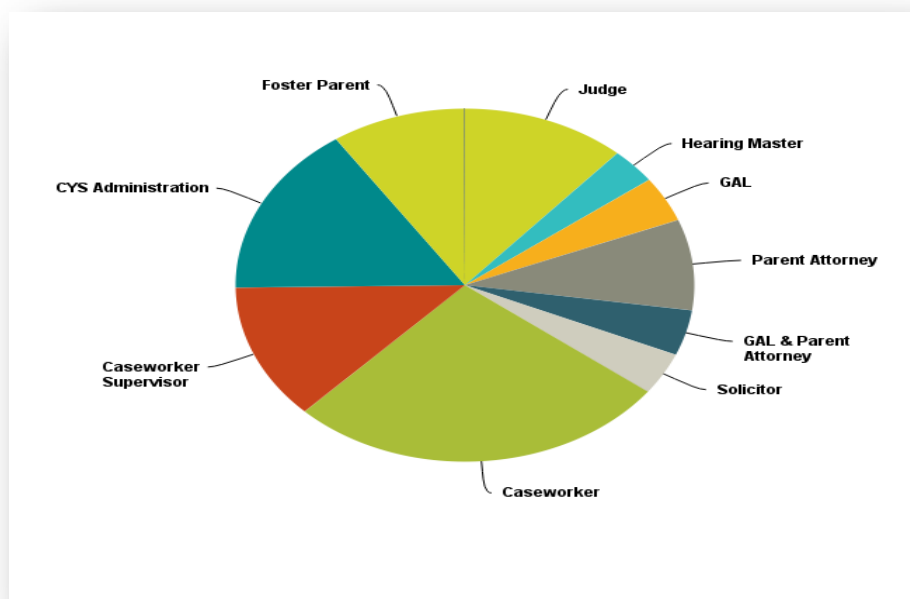
Efforts in working toward goals slowed. During the early part of 2016 work began again with efforts to brainstorm training ideas and recommendations about best practices via conference calls with workgroup members and invited guests. Efforts to rebuild the workgroup are underway with personal invitations encouraging stakeholders to join. Meeting dates and conference calls have been scheduled for the remainder of the year.

Even with barriers, the workgroup has a core group of members that have been consistent and enthusiastic. The new co-chair, Honorable Robert Mellon, Court of Common Pleas, Bucks County brings a fresh perspective and a sense of urgency to make recommendations that are helpful to counties and the families they serve.

Since the last State Roundtable the workgroup focused on three projects: Survey of Professionals, Parent and Child Survey, and Facilitation. Updates on these projects follow.

### Survey of Professionals

A trauma survey for professionals was developed and sent to the lead dependency judge and child welfare administrator in each county in 2015. Leaders were asked to take the survey and to send it to their local Children's Roundtable members with instructions for them to take the survey and pass it along to all of their employees and court-involved contract providers. The survey was hosted by Survey Monkey and completion of the survey, on average, took less than 10 minutes. A total of 644 responses were received representing all eight Leadership Roundtables. The breakdown of the most common roles reported is:



Common themes in the survey were:

- There is a strong awareness of trauma affecting the lives of children and parents.
- Many are confused about secondary traumatic stress and how to deal with it.
- Most counties lack adequate resources for trauma specific treatment.
- Most people have been trained on trauma. Despite training, people expressed some lack of confidence in their ability to use trauma informed practice.
- More training is requested by 96% of respondents.

The survey was designed to collect information in four categories: Stressors, Strengths/Challenges during Hearings, Strengths/Challenges within the Courthouse, and Training. What follows is a synthesis of responses in the four categories.

*Stressors (Answers from judicial officers and attorneys were excluded for this category)*

- Time spent waiting for hearings to begin is frustrating and anxiety producing for about one-third of respondents. Caseworkers and foster parents responded that this is a stressor more often than judicial officers and attorneys.
- About one out of four respondents reported that the possibility of being questioned by the judicial officer was stressful.
- Cross examination was stressful for about one-third of respondents.
- Comments were made about stress brought on by lack of preparedness regarding expectations of the court proceeding.

*Strengths/Challenges in Hearings*

- The most frequent response was time spent waiting for hearings was too long. Comments were made about the difficulty children had waiting and the inability to get work completed while waiting.
- Relational actions such as smiling, making eye contact, greeting, and introducing participants in the hearing were fairly evenly split as a challenge and a strength.
- Better preparation for what to expect during the hearing was frequently cited as an opportunity for change.
- Many respondents encouraged judicial officers to explain what is going on in the hearing in simple language and to make sure parents/youth understand what is expected of them prior to the next hearing. Respondents believe that explaining engages the parents/youth in the hearing and builds a connection between them and the judicial officer. (TWG members strongly believe this connection is key to motivating change.)

### *Strengths/Challenges in the Courthouse*

- Lack of adequate waiting areas and child friendly waiting areas was most often reported as a challenge by respondents. Comments ranged from there being no waiting area with places to sit to suggestions for separate waiting areas for victims and perpetrators. Some respondents reported waiting areas as a strength and applauded their county for being responsive to parent/child needs.
- About one third of respondents thought that navigating through the courthouse was difficult for themselves or for families. Opportunities for change include using better signage and having a greeter in the lobby.
- The issue of sound was raised in many responses. One challenge noted was sound systems that don't amplify enough or aren't used so attorneys/participants have difficulty hearing what is being said. Noise reduction was offered as an opportunity for change. Respondents thought that noise in the hallway, waiting areas too close to courtrooms/offices, and a steady stream of people going in and out of the courtroom caused distraction.

### *Training*

- More training on trauma topics was requested by 87% of judicial officers, 95% of attorneys, and 98% of child welfare staff. Foster parents felt they were well trained on trauma topics.
- Respondents in every role asked for practical training on how to use trauma informed principles in their practice. Many understand the theory of trauma but do not know how to use that knowledge to improve their skills and interactions with parents/children.
- Recognizing and coping with secondary traumatic stress/vicarious trauma is identified as a training need across all roles. Comments were made about developing supportive cultures and how to accomplish it.

### **Parent and Child Surveys**

The TWG continues seeking volunteer jurisdictions to administer the parent and child surveys during a one week to one month time period (based on the number of hearings during those timeframes). Each site hosting the survey will need to identify a person or people who are available to provide assistance to individuals and collect the completed forms once completed. If a jurisdiction is interested in receiving the results of their own surveys, those will be provided.

Four counties have participated to date (Allegheny, Fayette, Luzerne, and Monroe). The workgroup would like at least ten more counties to participate. Greater numbers are needed for drawing conclusions and generalizing findings. Once a sufficient number is reached, data will be analyzed and aggregated. Results will be discussed at the 2017 State Roundtable.



## **Alternate Dispute Resolution: Facilitation**

In keeping with trauma informed core values, Alternate Dispute Resolution (ADR), methods, used in many sections of the court, was discussed as being a possible way to empower and provide parents and children voice. The TWG thought an ADR practice could positively impact a trauma informed court system and further exploration should be done.

At this point, two counties (Allegheny and Bradford) have expressed an interest in learning more about using the Facilitation model in dependency. Next steps are arranging conference calls with those counties to determine readiness and scheduling dates for those counties to observe a facilitation in Venango County. Venango County has generously agreed to be part of the implementation process.

## **CONCLUSION:**

The child welfare and dependency systems have an ever increasing awareness of the complex and intricate layers of trauma woven throughout. By becoming trauma informed in both culture and practice, these systems have an opportunity to help those whom they serve continue on their journey to health and wholeness. Wanting what is best for children must include the willingness to look at one's own practices through a trauma lens and see what those before you see. Change is hard but areas that cause unintended harm need to change. In the end, all will be better for it.

## **RECOMMENDATIONS:**

The Trauma Workgroup respectfully submits to the Pennsylvania State Roundtable the following recommendations:

1. Development of a training video on creating a trauma informed dependency court.
2. Create a "What's a Court to Do?" document with steps for creating a trauma informed dependency court as a companion to the training video.
3. Create a bench card on trauma for judges and attorneys.
4. Explore the feasibility of the Alternate Dispute Resolution model Facilitation in dependency cases by asking volunteer counties to try the method on a small number of cases and report back on criteria such as implementation, cost, impact on length of hearings, and overall effectiveness.