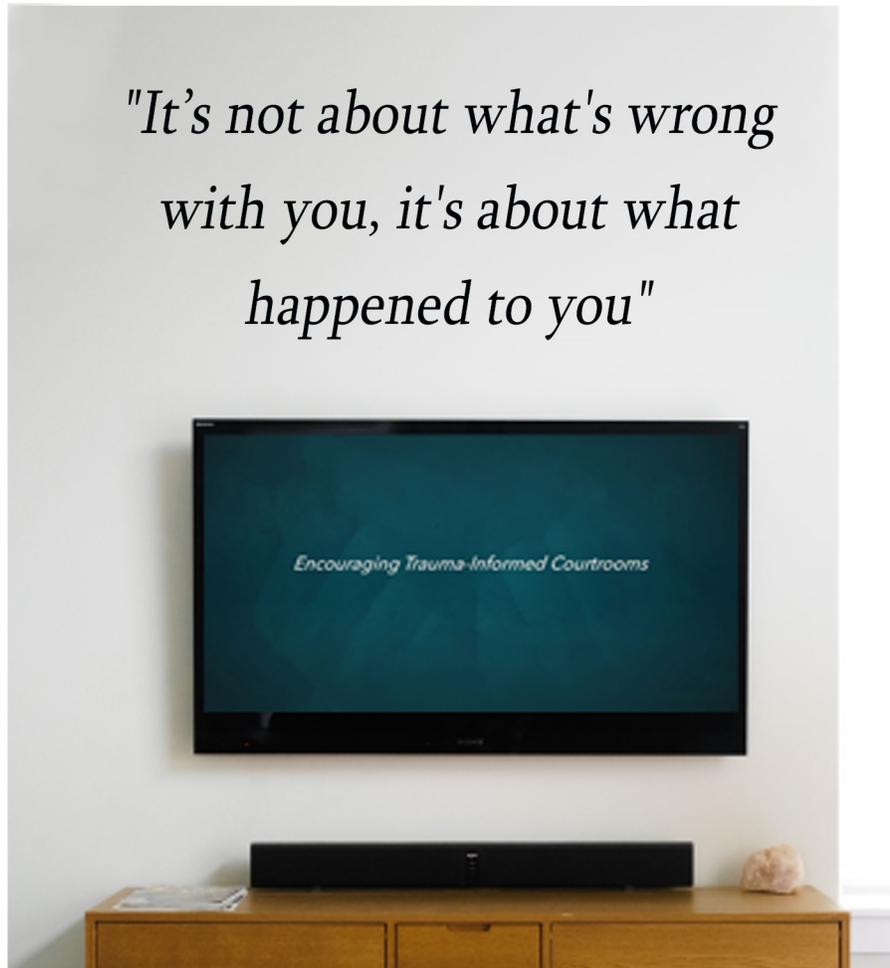




2019 State Roundtable Report Trauma

*"It's not about what's wrong
with you, it's about what
happened to you"*



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Court of Common Pleas of Bucks County

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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 State Roundtable (SRT) created the Trauma Workgroup (TWG) with the charge of addressing trauma within the dependency court system. It is undisputed that court can be a stressful event for many people and may trigger reactions to those who have been exposed to traumatic events. Therefore, normal, stress-producing events are not the charge of this workgroup. Instead, the focus is courthouse/courtroom activities that may trigger reactions in traumatized individuals and impede their progress.

Under this broad charge and initial leadership of the Honorable Kathryn Hens-Greco, Court of Common Pleas of Allegheny County and Mr. David Schwille, Administrator of Luzerne County Department of Human Services (retired), the TWG began its first year examining environmental issues within the court system that may cause stressful reactions to traumatized people. The TWG also collected and analyzed information related to people’s experiences with Dependency Court.

In late 2015, there was a TWG leadership change and the Honorable Robert Mellon, Court of Common Pleas of Bucks County, became the new TWG Co-chairperson, alongside Mr. David Schwille. With his considerable enthusiasm for creating trauma-informed courts, Judge Mellon quickly determined that moving forward without regrouping and rebuilding the workgroup would not serve well. Following the retirement of David Schwille in late 2015, Attorney Bill Cisek, Venango County Children and Youth Solicitor, joined Judge Mellon as a Co-Chairperson.

Judge Mellon and Attorney Cisek expanded the TWG to include several new members including a local Pennsylvania expert on trauma, two parent attorneys, two social workers working in a *Guardian ad Litem* office and a child welfare caseworker. These new members revitalized the group and led to a growth in knowledge, education and resources.

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. Trauma responsiveness requires everyone within the system to be educated, from judges to maintenance staff, on 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.

A commitment to become trauma responsive begins with an understanding of trauma. The definition of trauma, in its simplest form, is an “event that threatens someone’s life, their safety or their wellbeing”. (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 at least one traumatic event in their life (Creating Cultures of Trauma-Informed Care, 2009). Dr. Fallot and Harris have developed core foundations of a trauma-informed practice, which build the primary framework for many trauma-informed systems throughout the country. An organization’s culture, reflecting these five foundations, recognizes the importance of people, both those being served and those serving. The more ingrained these foundations, the more attuned the system is to the precept, “do no further harm.”

FIVE CORE FOUNDATIONS OF TRAUMA-INFORMED SYSTEMS

1. **SAFETY:** create safe spaces
2. **CHOICE:** provide options
3. **EMPOWERMENT:** notice capabilities
4. **COLLABORATION:** make decisions together
5. **TRUSTWORTHINESS:** provide clear/consistent information

The TWG is pleased to note that these core foundations, of a trauma-informed system, are consistent with the *Mission and Guiding Principles for Pennsylvania’s Child Dependency System*. These values exemplify a system whose mission is to protect children, promote strong families and promote child well-being. When these core foundations are prioritized, timely permanency can be achieved more readily. The core foundations of a trauma-informed system underscore Pennsylvania’s strengths-based and family engaged approach to the Child Dependency System. Lastly, these foundations point to the importance of collaboration, not just with those being served but each system working together. Therefore, the TWG will keep these foundations in mind as recommendations and resources for the State Roundtable are developed.

PENNSYLVANIA STATE ROUNDTABLE APPROVED RECOMMENDATIONS

The following chart provides a review of previous recommendations made by the TWG to the State Roundtable:

2015	<ol style="list-style-type: none"> 1. 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. 2. Work jointly with volunteer counties to obtain parent and child/youth opinions of their court experiences via a survey. 3. 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.
2016	<ol style="list-style-type: none"> 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 and impact on length of hearings.

2017	<ol style="list-style-type: none"> 1. Conduct a training on the trauma-informed court utilizing the training video, resource guide and bench card. 2. Send the bench card to the Bench Book Committee for possible inclusion in the next edition to the bench book. 3. Work jointly with the Drug and Alcohol Workgroup to explore the intersection of substance abuse and trauma. 4. Discontinue the search for counties to implement the Alternate Dispute Resolution model, Facilitation, in dependency cases. Instead, summarize the model in the trauma resource guide as an option and provide contact information for Venango County so that interested counties could directly reach out for information.
2018	<ol style="list-style-type: none"> 1. To begin working on a resource to support solicitors, parent attorneys and GAL's in preparing their clients for court in a way that reduces their client's stress and anxiety. 2. To focus on the interaction between the Judge and children/youth and create a trauma-informed courtroom environment for children/youth.

PROGRESS AND UPDATES TO PREVIOUS RECOMMENDATIONS

Over the past few years, the TWG has helped increase the importance of a trauma-informed and responsive Dependency Court. The TWG highlighted the usefulness of therapy/facility dogs to ease the courtroom experience and proceedings for all participants. While not a direct charge of this Workgroup, it is exciting to know that in Pennsylvania today, 23 counties are using dogs to help children and families in dependency proceedings (See **Appendix A: Comfort Dog Map**). More Judges and Juvenile Court Hearing Officers are also using language that embodies a trauma-informed court, including tools and techniques learned from Motivational Interviewing.

In 2016 the TWG created a Bench Card grounded in the five foundations of a trauma-informed system: Safety, Choice, Empowerment, Collaboration and Trustworthiness. The Bench Card also provides general knowledge about being trauma-informed and some helpful tips when working with children and families who have experienced trauma. In 2017, the TWG collaborated with both the Caseworker Retention and Drug and Alcohol Workgroups to explore the intersection of their respective workgroups as it relates to trauma. As a result, a tool was created by the Caseworker Retention Workgroup, with input from the TWG, to reduce stress in the courtroom, which will be discussed in the next section.

2018 State Roundtable Progress

After the 2018 SRT, the TWG shifted its focus to trauma education, with a priority to creating an in-person training, along with an educational video on “The Trauma-Informed Courtroom” for Judges and Legal Professionals. The decision was made to “test” the proposed training with two audiences. The first “test” occurred on December 4, 2018 with Phase I Family Engagement Initiative (FEI) Counties in Harrisburg. The TWG collected feedback from attendees and proceeded to make various recommended revisions. The feedback recommended that the TWG condense the primary message of the training, add additional information specific to being responsive to children and youth during proceedings and provide practical “take-away” items for immediate use in the courtroom. The second “test” will occur on June 4, 2019, in Cranberry Township, Butler County, for Phase 2 FEI counties. Upon its completion, final revisions will be made to the training and a statewide training roll-out will be convened in three locations across the Commonwealth.

The second priority for the TWG was the “*The Trauma-Informed Courtroom*” educational video. The video trailer was initially shown at the 2018 SRT, with an anticipated completion during the summer of 2018. The video was used as a teaching tool during the first test training on December 4, 2018. Feedback regarding the video included the following:

- Provide a more precise message about what is meant by and expected from a “Trauma-informed Court;”
- Provide more clarity, flow and specific illustrations of the 5 Foundations of Trauma-Informed Systems; and
- Provide additional information on creating a trauma-informed environment for children and older youth.

Through collaboration with the Administrative Office of Pennsylvania Courts’ Communications Department, the TWG is revising the educational video.

Finally, the 2018 SRT charged the TWG with two specific tasks. The first was to “create resources to support solicitors, parent attorneys, and GALs in preparing their clients for court in a way that reduces their client’s stress and anxiety.” The TWG reviewed this charge and determined that rather than creating a new resource, there were several guides previously developed by other SRT Workgroups that fit this charge. These resources are listed below and can be found at the end of this report under **Appendix B: Resources** and at:

<http://www.ocfcpacourts.us/childrens-roundtable-initiative/state-roundtable-workgroupscommittees>

- **A Parent’s Guide to Understanding the Pennsylvania Dependency System** (*Legal Representation Workgroup*)
- **Comfort Dogs in Court** (*Office of Children and Families in the Courts, Administrative Office of Pennsylvania Courts*)
- **Kids Need Dads** (*Father Engagement Workgroup*)
- **Protect Your Rights Document for Inmates with Children in Foster Care** (*Dependent Children of Incarcerated Parents Workgroup*)
- **Reducing Caseworker Stress in the Courtroom** (*Caseworker Retention Workgroup*)
- **Standards of Practice for Parent Attorneys, Guardians ad Litem, and Legal Counsel practicing in Pennsylvania’s Child Dependency System** (*Legal Representation Workgroup*)
- **What’s Happening in Dependency Court: An Online Activity for Children Going to Dependency Court** (*Visitation Workgroup*)
- **Youth Court Guide** (*Transitional Youth Workgroup*)

The second charge of the 2018 SRT was to focus on the interaction between the Judge, Juvenile Court Hearing Officer and children/older youth when creating a trauma-informed courtroom environment. This charge is being addressed through revisions to the in-person training and educational video, as previously mentioned. Revisions include a greater illustration of how the Judge or Juvenile Court Hearing Officer’s interaction with children/older youth can mitigate the effects of trauma. Moving forward, the TWG is requesting additional time to complete the statewide training and educational video. It is anticipated that revisions to both will be completed by the end of summer 2019 and an anticipated statewide roll-out will be completed between the end of 2019 and spring 2020.

2019 RECOMMENDATIONS

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

1. Approve distribution of “Reducing Stress and Anxiety in the Courtroom: Resources for Solicitors, Guardians *ad Litem*, Parent Attorneys and other Legal Professionals when preparing clients for Dependency Court;”
2. Complete a second test training on “Creating a Trauma-Informed and Responsive Court;”
3. Implement a statewide training roll-out on “Creating a Trauma-Informed and Responsive Court;” and
4. Revise and complete the trauma-informed educational video.

Courthouse K-9's in Pennsylvania



REDUCING STRESS AND ANXIETY IN THE COURTROOM

Resources for Solicitors, Guardians *ad Litem*, Parent Attorneys and other Legal Professionals when preparing Clients for Dependency Court



- ◆ **A Parent's Guide to Understanding the Pennsylvania Dependency System** (*Legal Representation Workgroup*)
- ◆ **Comfort Dogs in Court** (*Office of Children and Families in the Courts, Administrative Office of Pennsylvania Courts*)
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State Roundtable's Workgroup Website:

<http://www.ocfpcacourts.us/childrens-roundtable-initiative/state-roundtable-workgroupscommittees>