

Juvenile Healing to Wellness Courts

Best Practices and Promising Approaches for Adolescent Natives

Session Content Development:
Kris Pacheco and Precious Benally
Tribal Law and Policy Institute



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Today's Facilitators



Kristina Pacheco, (Pueblo of Laguna)
Wellness Court Training Assistance Specialist
Tribal Law and Policy Institute
Kristina@TLPI.org



Anna Clough, (Muscogee Creek/Yuchi)
Co Dir., Lead Juvenile Healing to Wellness
Courts Tribal Youth Resource Center
Anna@TLPI.org



As a training and technical assistance provider for the Office of Juvenile Justice and Delinquency Prevention, the Tribal Youth Resource Center as part of the Tribal Law and Policy Institute and its partner the National Native Children's Trauma Center bring an in-depth understanding and appreciation of American Indian and Alaska Native history, customs, and Indigenous justice systems.

Native youth benefit from a value held by Native peoples:

Our Children are Sacred.

Juvenile Healing to Wellness Court Learning Series

Session One

Tribal Juvenile Healing to Wellness Court- Understanding Wellness Court Best Practices and Promising Approaches

Session Objectives:

- 1. Understand the goals of the Wellness Court and processes to support Tribal youth.**
- 2. Survey the Tribal Ten Key Components for Wellness Courts and other promising approaches to support youth diversion and treatment.**
- 3. Discuss the foundational elements of the Juvenile Healing to Wellness Court structure.**

Substance Use Among Native Youth

American Indian and Alaska Native Youth are more likely to:

- Have the highest level of substance use compared to other US racial ethnic groups.
- Drink and use drugs at a younger age.
- Drink more heavily.
- Use alcohol with drugs.
- Higher need for treatment for substance use problems than all other US racial/ethnic groups.

Characteristics of Adolescents That Make Them Vulnerable to Delinquency and Substance Use

- Risk Taking (experimentation- “What’s it like?”)
- Sensation Seeking (appeal of being “high”)
- Underdeveloped Critical Thinking (“here and now” thinking)
- Susceptibility to External/Peer Pressure
- Heightened Emotionality
- Lacking Self-Regulation (“putting on the brakes”)
- Identity Formation

Adolescence is like a
learners permit for
adulthood- Kids are trying
out new behaviors-

hopefully with
supervision and guidance



Youth Development

Adolescents are not adults and youth serving systems should consider the differences in their:

- Self Regulation
- External Influences
- “Present-Oriented” Nature

Youth cognitive differences suggested need for differential treatment.



Healthy Development of Youth

Conditions that support healthy development

- Parental Figure/Caregivers
 - Appropriate Expectations
 - Structure, Rules, Limits, Monitoring
- Peer Group
 - Positive Norms
- Activities and Critical Thinking
 - Opportunities for Engagement
- Positive Physical Development and High Self-Esteem
- Good Coping and Problem Solving Skills



Normal Adolescent Behavior

- Self-Absorption- “Spotlight Effect”
- Mood Swings
- Risky Behaviors- Thrill Seeking
 - Encompasses also teen feelings of invulnerability
- Wishful or Magical Thinking
- Lack of Judgment in Making Decisions



Working with Adolescents

- Focus on Strengths and Accomplishments
- Provide Structure
- Explain Decisions
- Provide Consistency
- Guide Decision-Making
- Provide Natural and Logical Consequences



Plan Accountability Measures

- Help Youth Recognize Harms
- Determine Ways to Repay or Repair
- Engage Community to Plan Meaningful Community Service/Volunteerism
- Engage Volunteers as Mentors
- Develop Goal-Oriented Sanctions (Responses)
- Get Input from Victims and the Community



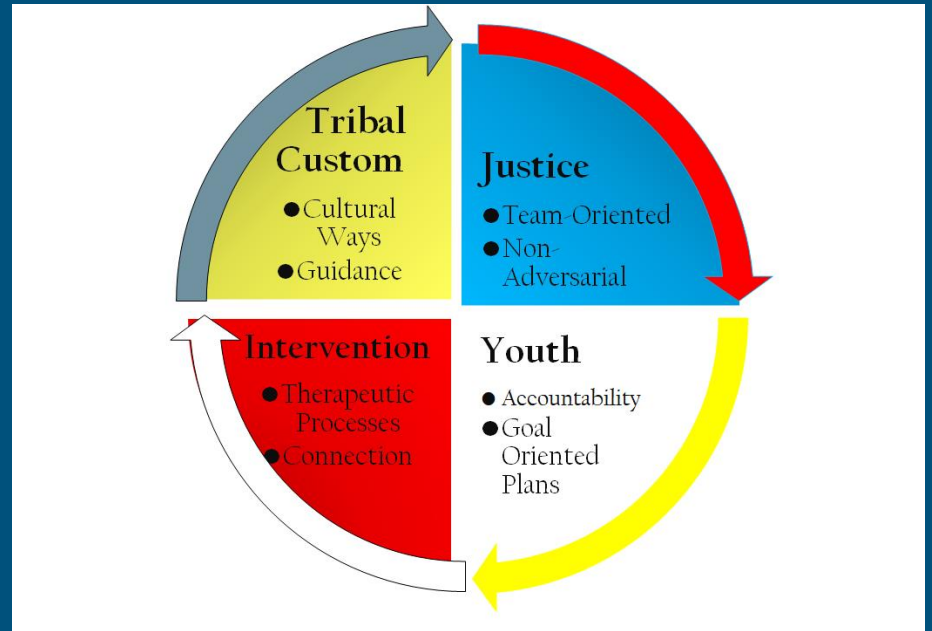
Responsibility Requires

- Understanding the impact of behavior
- Acknowledging that behavior is a choice
- Acknowledging harms done
- Repairing harm
- Working hard to avoid such behaviors in the future

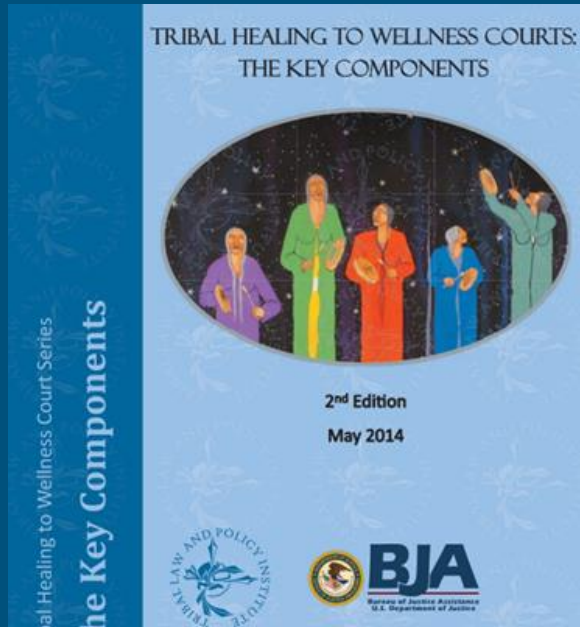


Goals of the Healing to Wellness Court

- Enhance the capacity
- Provide services that are:
 - Comprehensive
 - Developmentally-Appropriate
 - Community-Based
 - Culturally-Appropriate



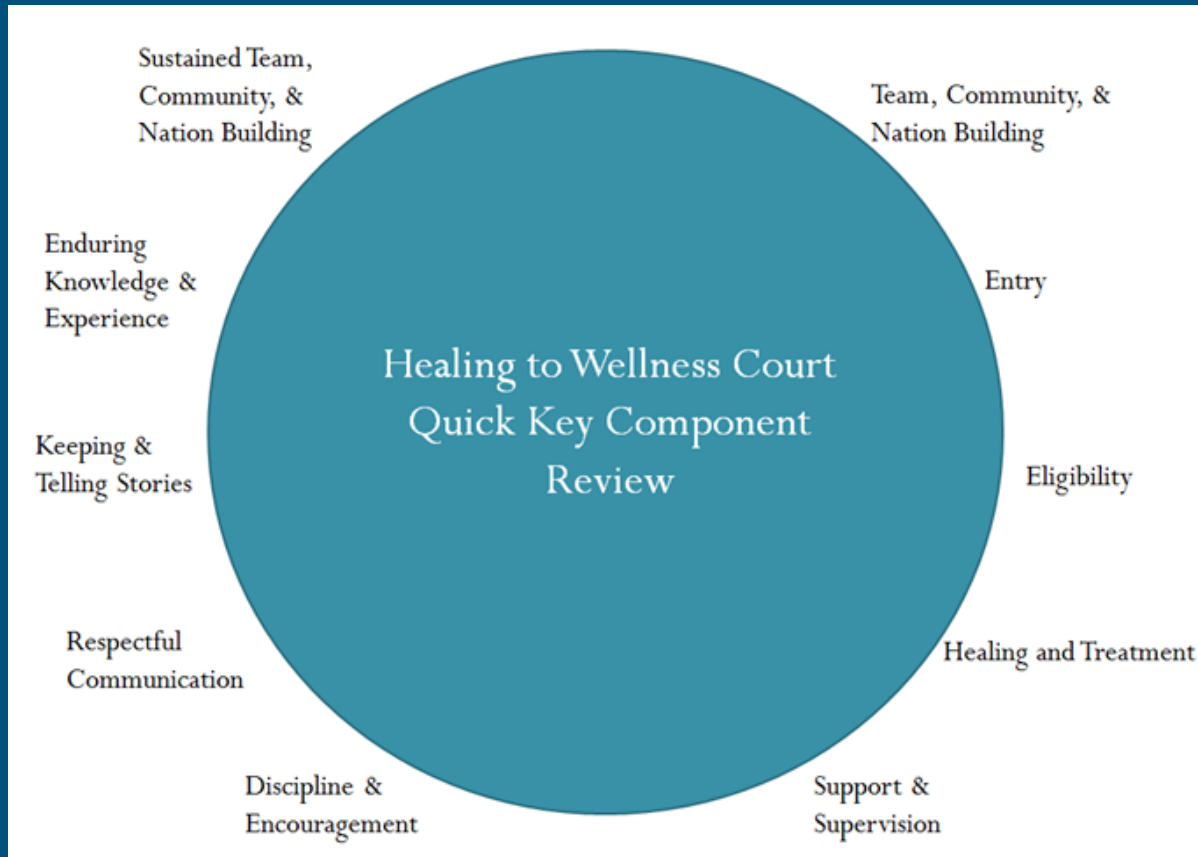
Tribal Key Components



Tribal Key Components Recognize:

- Community Involvement
- Family Relationships and Parent/Caregiver Involvement
- Culture and Tradition
- Exercise of Tribal Sovereignty

<https://www.wellnesscourts.org>



<http://wellnesscourts.org/tribal-key-components/index.cfm>

Key Component #1: Individual and Healing Focus Through Nation Building

Brings together treatment, healing resources, and the tribal justice process by using a team approach to achieve the healing of the participant and to promote Native nation building and the well-being of the community.



Tips for Key Component #1

Advisory Board/Steering Committee

- Youth Members
- Elders
- Education Staff
- Other Youth-Serving Programs
- Cultural Partners

Improved Collaboration: MOU/MOA

- Within Tribe
- With County and State Agencies

Tribal Juvenile Justice Code Development

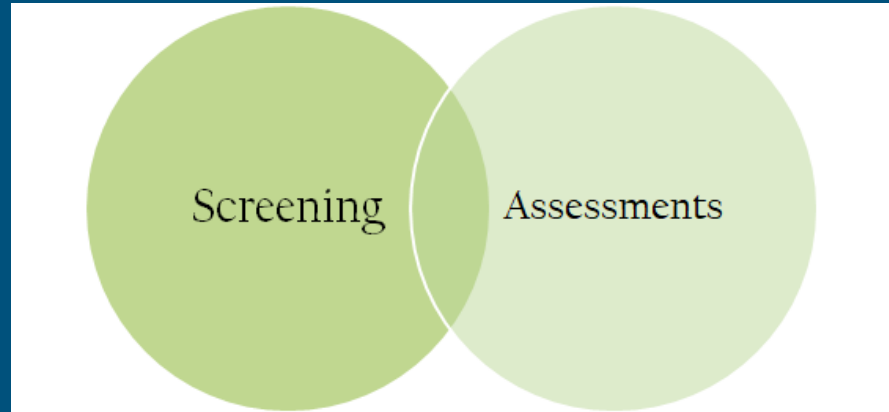
- [2016 BIA Model Indian Juvenile Code](#)
- [TLPI Tribal Legal Code Resource: Juvenile Justice](#)

**HELPFUL TIPS
AND
STRATEGIES**



Key Component #3- Screening and Eligibility

Eligible court-involved substance-abusing candidates are identified early and through legal and clinical screening for eligibility and are promptly placed into the wellness court.



Tips for Key Component #3

Legal and Clinical Eligibility Criteria

- **Formalize criteria** in Policies and Procedures Manual and Administrative Documents
- Apply Criteria Uniformly

Universal Screening

- Applied to **ALL** youth coming into the Tribal justice system to avoid youth falling through the cracks

Screening Tools

- **Tools should be standardized**, scientifically sound, and appropriate for the populations served
- Training for staff administering and reading results

Assessment Process

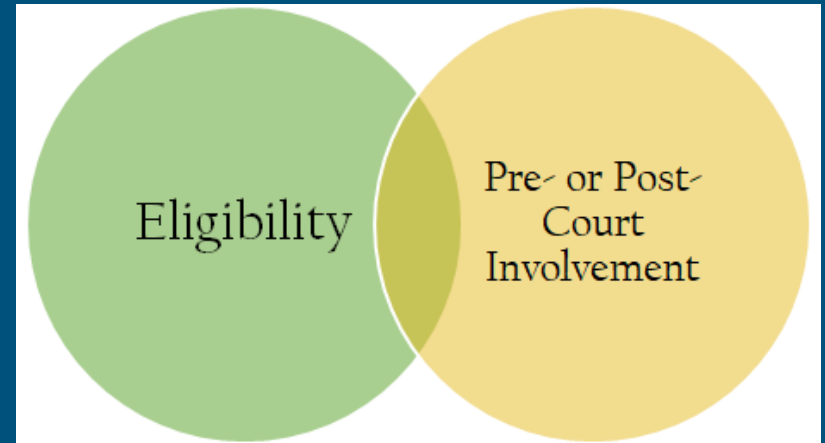
- **Completed for every youth** accepted into HTWC to validate substance abuse/dependence diagnoses

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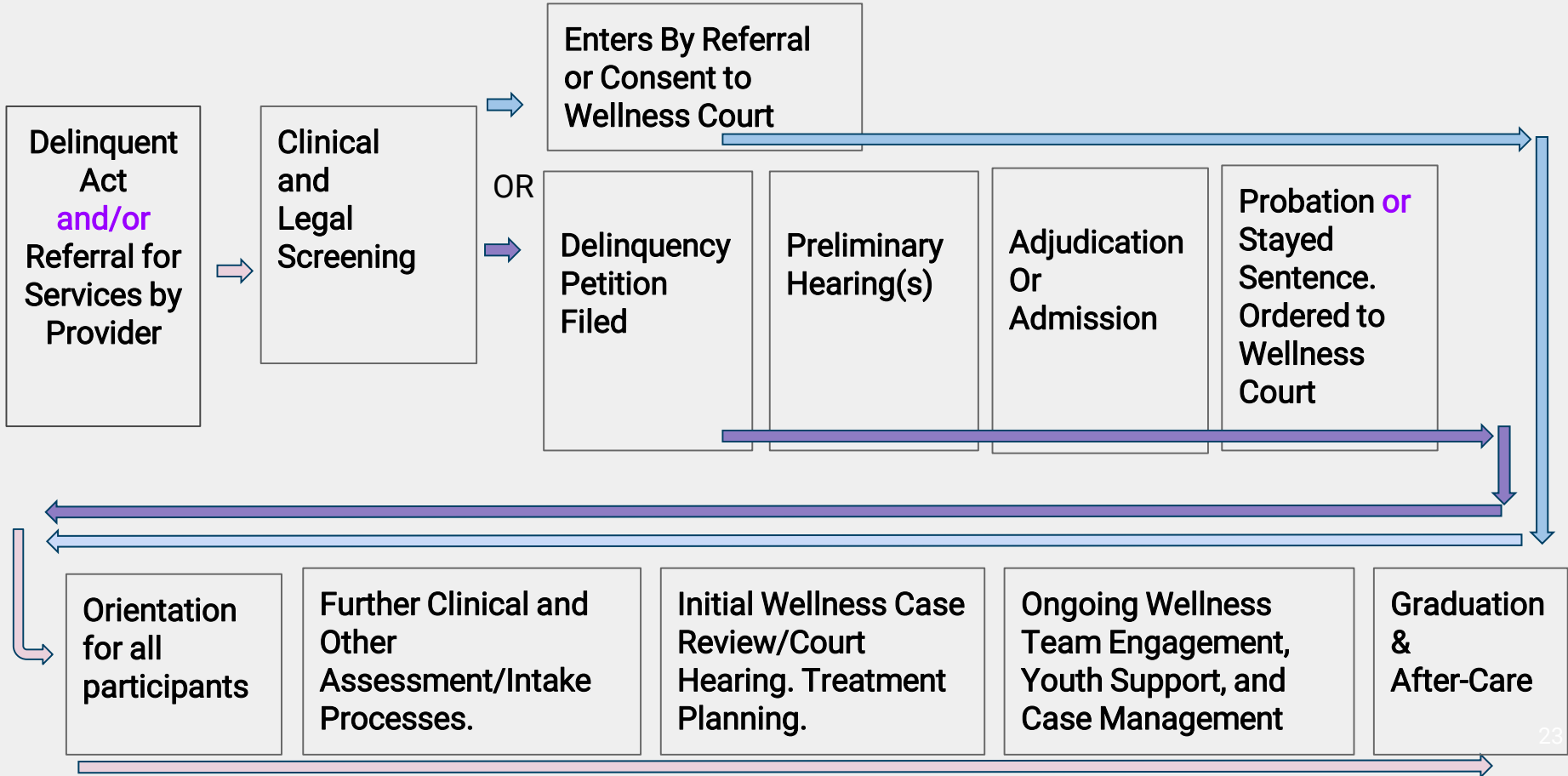
Key Component #2: Referral Points and Legal Process

Participants enter the Wellness Court through various referral points and legal processes that promote tribal sovereignty and the participant's due (fair) process rights.



Juvenile Referral Points

Adapted from, *Tribal Wellness Court Process, Juvenile Wellness Court (Flow Chart 2), Tribal Healing to Wellness Courts the Key Components, 2nd Ed., May 2014*



Tips for Key Component #2

Common Referral Sources

- Tribal Court
- County/State Court (MOU/MOA)
- School
- Peacemaking Program
- Social Services
- Self-Referral Parent/Caregiver Referral
- Probation

Common “Entry Points”

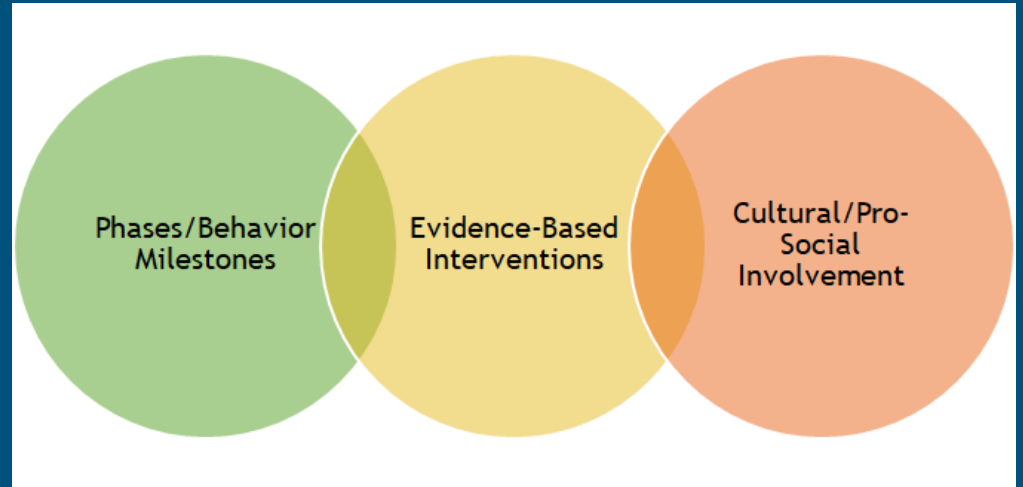
- **Pre-Disposition:** After arrest but before criminal charges are filed.
- **Post-Plea:** Case has been adjudicated; Plea agreement has been negotiated.
- **Post-Disposition:** Finding of Guilt, Sentencing is ordered by Judge.
- **Transfer:** Case is transferred in from another Tribal, State, or County Jurisdiction. MOU/MOA in Place.

HELPFUL TIPS AND STRATEGIES



Key Component #4: Treatment & Rehabilitation

Wellness Court provides access to holistic, structured, and phased alcohol and drug abuse treatment and rehabilitation services that incorporate culture and tradition.



Tips for Key Component #4

Phases

- Structure Phases so as to not overwhelm the youth in the early stages.
- Over programming can have negative effects.
- Pro-social activities are important.

Treatment

- Manualized Treatment
- Developmentally Appropriate

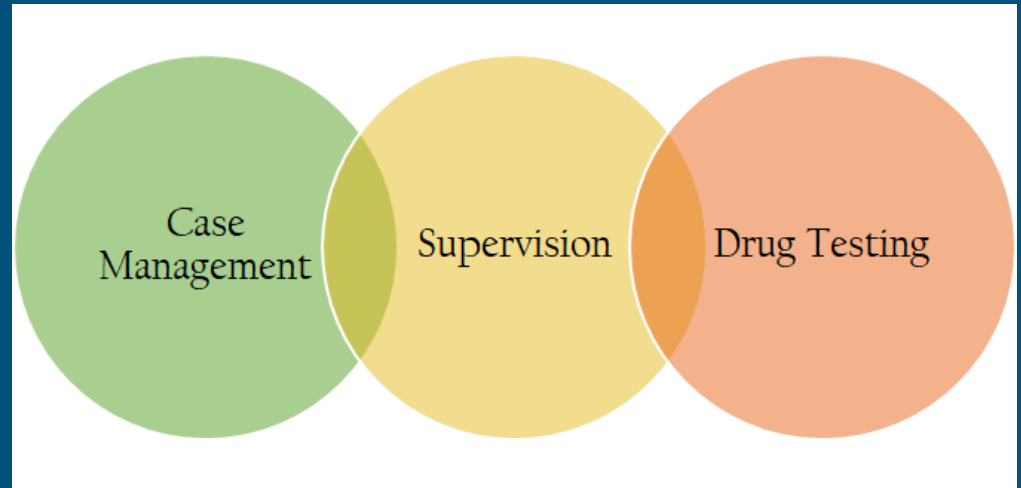
Authentic and intentional use of culture and tradition in programming and treatment services.

**HELPFUL TIPS
AND
STRATEGIES**



Key Component #5: Intensive Supervision

Participants are monitored through intensive supervision that includes frequent and random drug testing, while participants and their families benefit from effective team-based case management.



Tips for Key Component #5

Supervision

- Juvenile probation officers
- Training on adolescent behavior, development, and intervention approaches.

Case Plans

- Individualized
- Role for Parent/Guardians/Support Persons
- Trauma-Informed Care is an essential approach when working with justice involved youth.

Families

Families needs must be addressed and they must be fully engaged partners.

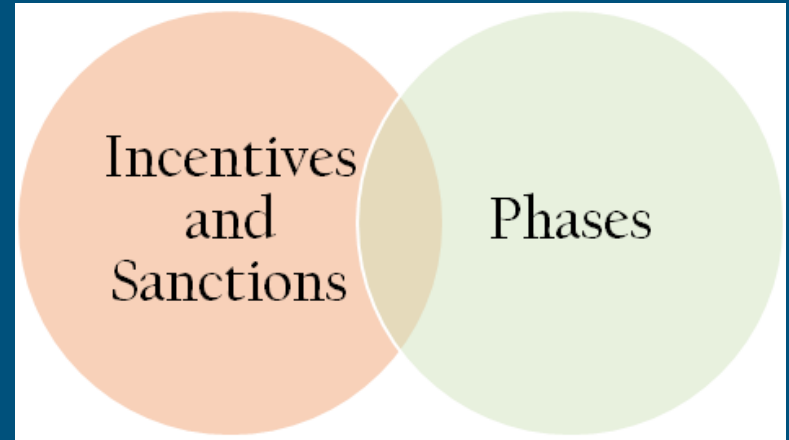
- Family and Youth Engagement Training is available.
- Seek service partners who can address family needs.

**HELPFUL TIPS
AND
STRATEGIES**



Key Component #6: Incentives and Sanctions

Progressive incentives and sanctions are used to encourage participant compliance with wellness court requirements.



Tips for Key Component #6

Incentives and sanctions must be goal-oriented, individualized, and adolescent focused.

- Procedures should be **immediate, consistent, and fair**.
- **Be Creative**- Go beyond pre-determined lists that are included in the policies and procedures manual.
- **Determine the Most Valued Privilege (MVP)** for each participant and incorporate into individualized responses.
- **Sanctions with little impact are unlikely to change behavior.**
- **Program-wide incentives** can assist with family engagement and motivate.
- **Detention is a LAST RESORT.**
- **4-to-1 Ratio**- Strive to meet 4 incentives for every 1 sanction.
- **\$\$ Incentives need NOT be costly.** Remember, simple praise and acknowledgement can be an incentive.

HELPFUL TIPS
AND
STRATEGIES



Key Component #7: Judicial Interaction

The Wellness Court Judge should have ongoing involvement with the team and with each participant.



Tips for Key Component #7

Ongoing judicial supervision communicates to participants, often for the first time, that someone in authority cares about them and is closely watching what they do.

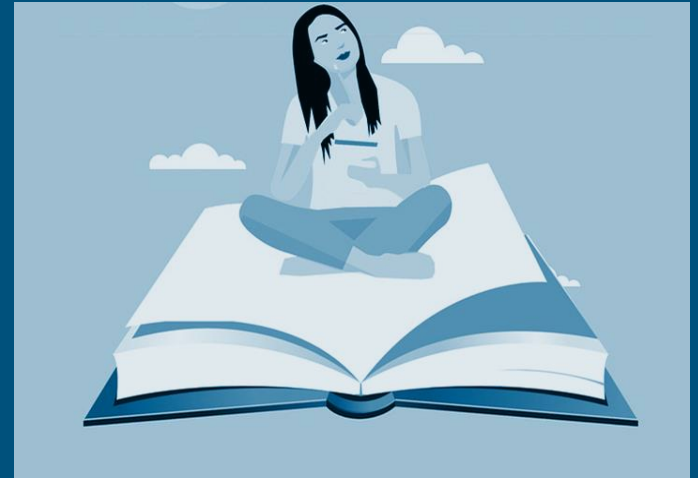
- Judicial training on adolescent development.
- Judicial interaction with participants should encourage good behavior while discouraging and penalizing inappropriate behavior.
- See the [Tribal Healing to Wellness Courts: The Judicial Benchbook](#) for more about the role of the Judge in the Wellness Court Setting.

HELPFUL TIPS
AND
STRATEGIES



Key Component #8: Monitoring and Evaluation

Process measurement, performance measurement, and evaluation are tools used to monitor and evaluate the achievement of program goals, identify needed improvements, determine participant progress, and provide information to outside agencies.



Tips for Key Component #8

How do we start?

The community should define what success means for the program and for the participant.

- Collect and store information electronically for ease of data analysis and report development.
- Review data collected on a regular basis.
- Disseminate summary of data collected to key stakeholders. Share the story of your court and its success, as well its the challenges.
- Let others know the impact the JHWC is making in the community.

HELPFUL TIPS
AND
STRATEGIES



Key Component #9: Continuing Interdisciplinary and Community Education

Continuing interdisciplinary and community education promote effective planning, implementation and operation.

Wellness Court Staff and Partners should attend trainings on:

- Substance abuse and mental health treatment
- Complementary treatment and social services
- Behavior modification
- Adolescent Brain/Behavior/Development
- Drug and Alcohol Testing
- Team Decision-Making
- Family/Parent/Caregiver Support and Engagement

Tips for Key Component #9

Training for JH2W Practitioners

- [Wellness Court Enhancement Training September 2020, Juvenile Track](#)
- [Training and Technical Assistance provided by the OJJDP Tribal Youth Resource Center](#)
- [NADCP, National Conference and reference materials.](#)
- [National Council of Juvenile and Family Court Judges](#)
- [Office of Juvenile Justice and Delinquency Prevention](#)
 - [Juvenile Drug Treatment Court Guidelines.](#)

HELPFUL TIPS
AND
STRATEGIES



Key Component #10: Team Interaction

The Wellness Court should continue to develop and maintain ongoing commitments, communication, coordination, and cooperation among team members, service providers, and the community.



Tips for Key Component #10

- Early Determination regarding confidentiality. Set forth clear rules and recommendations in the program policies and procedures.
- Communication between all levels of care must be well coordinated and flow smoothly.
- Regular Team Staffing with consistent attendance of all team members.

Remember that the youth are at the center and reason for everything the JHWC does.

HELPFUL TIPS
AND
STRATEGIES



Questions?

Additional Resources

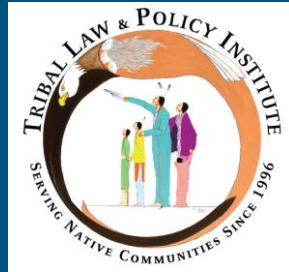
- Tribal Youth Resource Center, <https://www.TribalYouth.org>
- TYRC Youtube Channel, https://www.youtube.com/channel/UCnNec1JCnhp7iCnGhXPsvEw/videos?disable_polymer=1
- Tribal Healing to Wellness Courts, www.wellnesscourts.org
- Center for Court Innovation, <https://treatmentcourts.org/>
- National Council of Juvenile and Family Court Judges, Four-Pronged Approach <https://ncjfcj-old.ncjfcj.org/JDTC-Four-Pronged-Approach>

- Join our Google Classroom! This session and other materials will be archived on google classroom. <https://classroom.google.com/> Class Code: **mzdldfm**

We appreciate your feedback!

- Please complete the survey by clicking the survey link:
https://docs.google.com/forms/d/e/1FAIpQLSel2h2CCJb33JXBPGJpkGtK8pmazQASekqwlmarQitMOHpdQQ/viewform?usp=sf_link
- Also join us for [Session Two](#) of the Juvenile Healing to Wellness Virtual Training Series, “Developing the Juvenile Healing to Wellness Court Team” on [May 21, 2020](#).

Thank You!



The [Tribal Youth Resource Center](#) is led by the [Tribal Law and Policy Institute](#) in partnership with the [National Native Children's Trauma Center](#)

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