

Developing a Self-Assessment Tool for Juvenile Healing to Wellness (JHW) Courts that is Trauma-Informed

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Tribal Youth Resource Center
www.TribalYouth.org

▶ BEFORE WE GET STARTED...

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LEARNING OBJECTIVES

Attendees will learn:

1. About the Tribal Youth Resource Center (TYRC) Juvenile Healing to Wellness (JHW) Court Trauma-Informed Self-Assessment tool to use in:
 - Assisting Tribes/Tribal Courts/Tribal Programs in designing and implementing the JHW Court model
 - Adding a trauma lens and perspective
 - Assessing the level of planning for implementation in the current JHW Court, that is trauma-informed
2. About the history and updates made to the JHW Court Self-Assessment Tool by utilizing:
 - SAMHSA's Six Key Principles and 10 Implementation Domains to Trauma-Informed Approaches
 - OJJDP's Juvenile Drug Treatment Court Guidelines
 - National Council of Juvenile and Family Court Judges' "Individualizing Responses to Motivate Behavior Change in Youth: a Four-Pronged Approach"

▶ SELF-ASSESSMENT HISTORY

First developed as an initial CTAS Purpose Area 8 grantee intake survey (2022) for JHWCs to collaboratively complete with team members.

The survey was developed to guide the Tribal Law and Policy Institute's and the Tribal Youth Resource Center's Juvenile Healing to Wellness technical assistance team and consultants:

- To assess how each Tribal JHWC grantee's practices met the Tribal 10 Key Components of Healing to Wellness Court standards, and to assist with the training and technical assistance plan
- To develop TTA services and grantee TA plans addressing the unique qualities of each Tribal community and justice system.

PURPOSE

To support Tribal Juvenile Healing to Wellness (JHW) Courts in assessing current practices, policies, and/or standards that have been implemented as part of the overall operations of the JHW Court.

The original assessment tool was based on the following frameworks:

- National Association of Drug Court Professionals': Defining Drug Courts: The Key Components
- Tribal Law and Policy Institute's: Tribal Healing to Wellness Courts: The Key Components (2014)
- Lessons Learned in Implementing the First Four Tribal Wellness Courts (Gottlieb, 2005)
- Tribal Law and Policy Institute Needs Assessment Survey w/over 90 Tribes (2009)

The tool was developed in close collaboration and consultation with Tribal Healing to Wellness Court practitioners and a Tribal Advisory Committee.



2024 REVISIONS:

+JUVENILE DRUG TREATMENT COURT (JDTC) GUIDELINES

+TRAUMA-INFORMED FOCUS

The Tribal Youth Resource Center's JHW Court TTA Team applied the guidelines and the recommendations of:

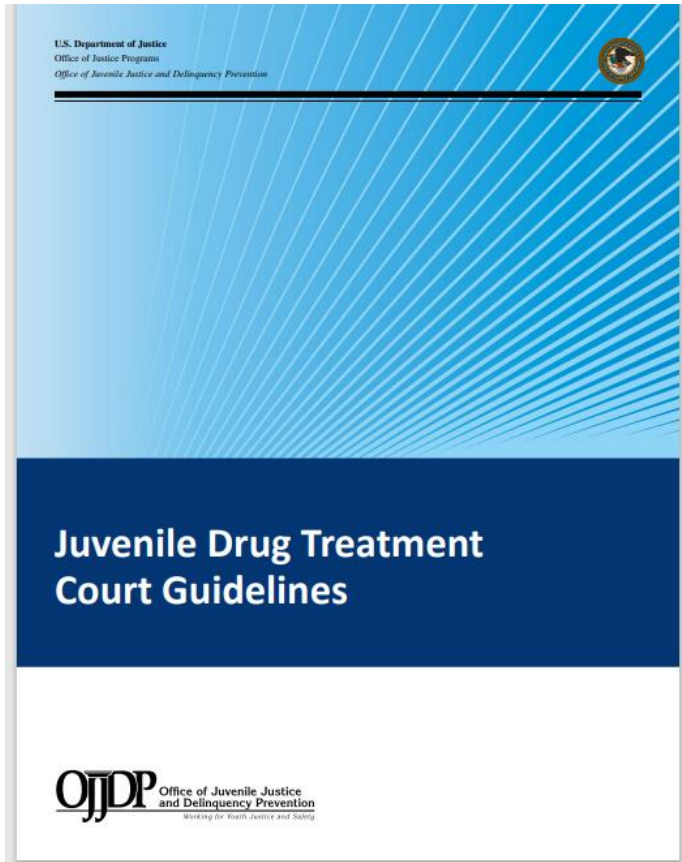
- The Juvenile Drug Treatment Court (JDTC) Guidelines (2016)
- The National Council of Juvenile and Family Court Judges' "Individualizing Responses to Motivate Behavior Change in Youth: a Four- Pronged Approach"

The National Native Children's Trauma Center(NNCTC) reviewed the JHW Court Self-Assessment tool for trauma-informed strengths and recommendations using:

- SAMHSA's 6 Key Trauma-Informed Principles
- SAMHSA's 10 Implementation Domains
- The National Child Traumatic Stress Network's Trauma-Informed Juvenile Court Self-Assessment
- The National Child Traumatic Stress Network's NCTSN Bench Card for the Trauma-Informed Judge



2024 ASSESSMENT UPDATES

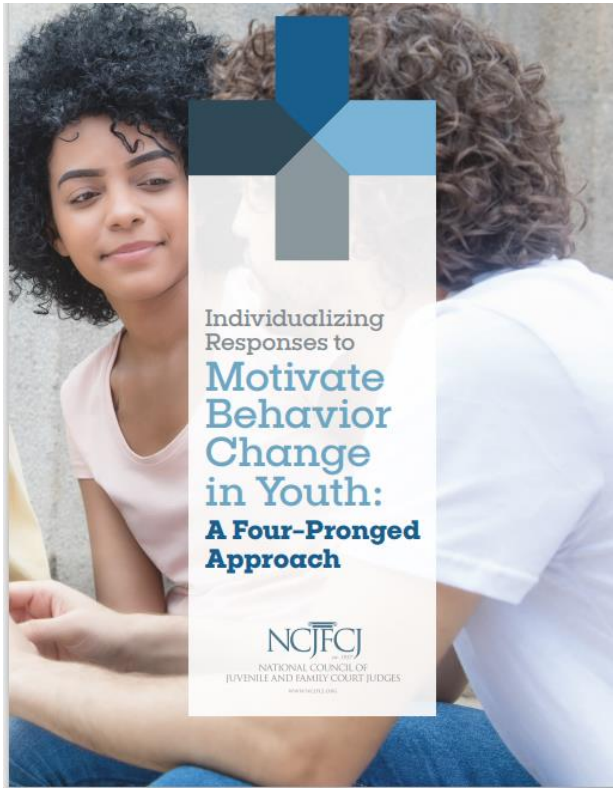


[Juvenile Drug Treatment Court Guidelines | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](https://www.ojp.gov)

Juvenile Drug Court Treatment Guidelines

- OJJDP partnered with a research team, experts in the field, and other federal agencies to develop the guidelines to support judges and professional court staff, young people with substance use disorders, and their families.
- The guidelines are organized into key objectives with corresponding guideline statements, and include rigorous supporting research and considerations for implementation.

2024 ASSESSMENT UPDATES (CONT.)



Individualizing Responses to Motivate Behavior Change in Youth: a Four-Pronged Approach.

- National Council of Juvenile and Family Court Judges' Based on contingency management with an emphasis on rewards, consistency and ongoing monitoring and case management to address youth's needs in holistic, developmentally appropriate manner.
- The Four-Pronged Approach guidebook is designed to help JDTC teams create and sustain a system of therapeutic responses to help motivate youth to adopt appropriate behaviors. Provides recommendations on processes and procedures.

[Individualizing Responses to Motivate Behavior Change in Youth: A Four-Pronged Approach - NCJFCJ](#)

3 E's

- **Event:** an event, series of events, or set of circumstances – actual or perceived threat
- **Experience:** experienced as physically or emotionally harmful or life threatening to self or loved one
- **Effect:** with long lasting adverse effects on functioning and mental, physical, social, emotional, and spiritual well-being

Reactions To Trauma

- Somatic complaints
- Hypervigilant
- Difficulty Sleeping
- Avoidance of people, places, things

Body

- Intrusive thoughts
- Difficulty concentration
- Unhelpful thoughts
- Reliving
- Not wanting to think about or talk about what happened

Mind

- Feeling guilty
- Increased anxiety
- Avoidance and numbing
- Difficulty regulating emotions
- Feeling angry or sad for no reason

Emotions

- Questioning the Creator/God
- Questioning beliefs
 - Avoiding religious gatherings
- No longer attending ceremony

Spirit

4 R's

- **Realize:** the prevalence of trauma in those we serve
- **Recognize:** the signs and symptoms of trauma
- **Respond:** intentionally integrate trauma-informed policies, practices and procedures
- **Resist Re-Traumatization:** by recognizing and refraining from using policies, practices and procedures that may be re-traumatizing for those we serve

2024 ASSESSMENT UPDATES (CONT.)

SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach

Prepared by
SAMHSA's Trauma and Justice Strategic Initiative
July 2014



SAMHSA's 6 Key Trauma-Informed Principles

- Safety
- Trustworthiness and Transparency
- Peer Support
- Collaboration and Mutuality
- Empowerment, Voice and Choice
- Cultural, Historical and Gender Issues

Source: https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf

2024 ASSESSMENT UPDATES (CONT.)

SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach

Prepared by
SAMHSA's Trauma and Justice Strategic Initiative
July 2014



SAMHSA's 10 Implementation Domains

- Governance and Leadership
- Policy
- Physical Environment
- Engagement and Involvement
- Cross Sector Collaboration
- Screening, Assessment and Treatment
- Training and Workforce Development
- Progress Monitoring
- Financing
- Evaluation

Source: https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf

A TRAUMA-INFORMED APPROACH



A TRAUMA-INFORMED APPROACH INCLUDES:

- Having a shared understanding of trauma and how it impacts behaviors
- Responding effectively by asking the right questions
- Embracing a safe courtroom environment

2024 ASSESSMENT UPDATES (CONT.)



TRAUMA-INFORMED JUVENILE COURT SELF-ASSESSMENT

OVERVIEW

In 2016, the National Child Traumatic Stress Network (NCTSN) released a document entitled "Essential Elements of a Trauma-Informed Juvenile Justice System." That document outlined eight elements that represent aspirational standards characterizing daily operations of a juvenile justice system aiming to be trauma-informed. The elements are logically organized around typical case processing (e.g., screening and assessment, intervention planning and service delivery) but also address critical staff topics (e.g., prevention and management of secondary traumatic stress), broader systems issues (e.g., trauma-informed cross system collaboration, partnering with youth and families), and the need for policies and procedures to be developed that are consistent with these elements.

A key challenge for juvenile justice systems is how to ensure that the aspirational goals contained in each essential element are adopted, infused, and sustained into the day-to-day operations of a juvenile justice system. For some systems, this may involve reviewing current practices and ensuring that trauma-specific initiatives are operationalized via policies to ensure continuity and sustainability of the practice. For other systems, the essential elements may reflect a system's desire to become trauma-informed but with no clear guidance on how to begin achieving this type of system change.

The Essential Elements include eight aspirational standards of a trauma-informed juvenile justice system.

This project was funded by the Substance Abuse and Mental Health Services Administration (SAMHSA), US Department of Health and Human Services (HHS). The views, policies, and opinions expressed are those of the authors and do not necessarily reflect those of SAMHSA or HHS. For author information, please see the recommended citation on page 39.

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NCTSN's Trauma-Informed Juvenile Court Self-Assessment

Eight elements that represent aspirational standards characterizing daily operations of a juvenile justice system aiming to be trauma-informed:

1. Trauma Informed Policies and Practices
2. Identification/Screening of Youth Who Have Been Traumatized
3. Clinical Assessment for Youth Affected by Trauma/Clinical Intervention for Youth Affected by Trauma
4. Trauma-Informed Programming and Staff Education
5. Prevention and Management of Secondary Traumatic Stress (STS)
6. Trauma-Informed Partnering with Youth and Families
7. Trauma-Informed Cross-System Collaboration
8. Trauma-Informed Approaches to Address Disparities in Diversity

Source: <https://www.nctsn.org/resources/trauma-informed-juvenile-court-self-assessment>

NCTSN's Bench Card for the Trauma-Informed Judge

Two Bench Cards provide judges with useful questions and guidelines to help them make decisions based on the emerging scientific findings in the traumatic stress field:

1. Asking trauma-informed questions can help judges identify children who need or could benefit from trauma-informed services from a mental health professional. A judge can begin by asking, "Have I considered whether or not trauma has played a role in the child's behavior?"
2. It is crucial to have complete information from all the systems that are working with the child and family. Asking the questions referenced in the Bench Card can help develop a clearer picture of the child's trauma and assess needs for additional information.
3. Am I sufficiently considering trauma as I decide where this child is going to live and with whom?
4. If you do not have enough information, it may be useful to have a trauma assessment done by a trauma-informed professional. Utilizing the NCTSN Bench Card for court-ordered trauma-informed mental health evaluation of a child, you can request information that will assist you in making trauma-informed decisions.



Research has conclusively demonstrated that court-involved children and adolescents present with extremely high rates of traumatic stress caused by their adverse life experiences. In the court setting, we may perceive these youth as inherently disruptive, defiant, or antisocial, when, in fact, their disruptive behavior may be better understood in the context of traumatic stress disorders. These two Bench Cards provide judges with useful questions and guidelines to help them make decisions based on the emerging scientific findings in the traumatic stress field. These cards are part of a larger packet of materials about child and adolescent trauma available and downloadable from the NCTSN Trauma-Informed Courts System Resource Center and are best used with reference to these materials.

1. Asking trauma-informed questions can help judges identify children who need or could benefit from trauma-informed services from a mental health professional. A judge can begin by asking, "Have I considered whether or not trauma has played a role in the child's behavior?" Use the questions listed below to assess whether trauma-informed services are warranted.

TRAUMA EXPOSURE: Has this child experienced a traumatic event? There are events that involve actual or threatened exposure of the child to death, serious injury, or sexual abuse, and may include domestic violence, community violence, assault, severe bullying or harassment, natural or man-made disasters, such as fires, floods, and explosions, severe accidents, serious or terminal illness, or sudden homelessness.

MULTIPLE OR PROLONGED EXPOSURES: Has the child been exposed to traumatic events on more than one occasion or for a prolonged period? Repeated or prolonged exposure increases the likelihood that the child will be adversely affected.

OUTCOMES OF PREVIOUS SANCTIONS OR INTERVENTIONS: Has a schedule of increasingly restrictive sanctions or higher levels of care proven ineffective in this case? Traumatized children may be operating in "survival mode," trying to cope by behaving in a defiant or oppositionally defiant manner. As a result, they might respond poorly to traditional sanctions, treatments, and placements.

CAREGIVER ROLE: How are the child's caregivers or other significant people helping this child feel safe or preventing further potentially or sentimentally (to the child) from feeling safe? Has the caregiver been a consistent presence in the child's life? Does the caregiver acknowledge and protect the child? Are caregivers themselves operating in a survival mode due to their own history of exposure to trauma?

SAFETY RISKS FOR THE CHILD: Where, when and with whom does this child feel unsafe? Where, when and with whom does he or she feel unsafe and distressed? Is the home chaotic or dangerous? Does a caregiver in the household have a restraining order against another person? Is school a safe or unsafe place? Is the child being bullied at school or does the child believe that he or she is being bullied?

TRAUMA TRIGGERS IN CURRENT PLACEMENT: Is the child currently in a home, out-of-home placement, school, or institution where the child is being re-exposed to danger or being "triggered" by reminders of traumatic experiences?

UNUSUAL COURTROOM BEHAVIORS: Is this child behaving in a highly anxious or hyper-vigilant manner that suggests an inability to effectively participate in court proceedings? (Such behaviors include inappropriate smiling or laughing, excessive passivity, quickness to anger, and non-responsiveness to simple questions.) Is there anything, as a judge, can do to lower anxiety, increase trust, and enhance participation?

OPINION OR MADE

This report was funded by the Substance Abuse and Mental Health Services Administration (SAMHSA), US Department of Health and Human Services (HHS). The views, policies, and opinions expressed are those of the authors and do not necessarily reflect those of SAMHSA or HHS.

Source: <https://www.nctsn.org/resources/nctsn-bench-cards-trauma-informed-judge>

JHW COURT TRAUMA-INFORMED SELF-ASSESSMENT TOOL

Rating Element Benchmarks: For each section, indicate the degree to which your JHW Court has implemented the strategy or approach based on the following scale:

Rating Scale

1 - **Not a current practice:** The practice or policy is not applicable or the team has no current knowledge of its practice.

2 - **Under discussion or consideration:** Code, policy, or practice has been discussed or considered for development but is not currently part of routine operations.

3 - **Informal practice:** Code, policy or practice is not formalized but is used by court staff, judges, or other individuals in the JHW Court.

4 - **Formal operating policy:** Practice is formalized in policy and followed by the team and staff.

JHW COURT TRAUMA- INFORMED SELF- ASSESSMENT TOOL (CONT.)

Key Component #3 – Screening and Eligibility:

Eligible court-involved substance-abusing parents, guardians, juveniles and adults are identified early through legal and clinical screening for eligibility and are promptly placed into the Tribal Healing to Wellness Court.

JDTC Guideline 2.1:

Eligibility criteria should include the following:

- Youth with a substance use disorder
- Youth who are 14 years old or older
- Youth who have a moderate to high risk of reoffending

JDTC Guideline 2.2:

Assess all program participants for the risk of reoffending using a validated instrument.

JDTC Guideline 2.3:

Screen all program participants for substance use using validated, culturally responsive screening [instruments].

JDTC Guideline 2.4:

Potential program participants who do not have a substance use disorder and are not assessed as moderate to high risk for reoffending should be diverted from the [JHW COURT] process.

JDTC Guideline 2.5:

[JHW COURT]s should ensure that eligibility criteria result in equity of access for all genders; racial and ethnic groups; and youth who are lesbian, gay, bisexual, transgender, queer or questioning, intersex, and gender nonconforming (LGBTQI-GNC) and Two-Spirit.



JHW COURT TRAUMA-INFORMED SELF-ASSESSMENT TOOL (CONT.)

Criteria	Rating	Notes
1. The JHW Court has written <u>legal screening criteria</u> which are included in the policies and procedures (e.g., Tribal member or eligible for membership; pre or post adjudication in Tribal Court; reported, referred, transferred or diverted from State/county; eligible offense/crime; and/or not a “violent offender;” and appears to be otherwise eligible under the JHW Court eligibility criteria).		
2. The JHW Court has written <u>clinical screening criteria</u> which are included in the policies and procedures (e.g. youth have been initially screened to possibly have a substance use disorder, mental health disorder, and/or trauma).		
3. The JHW Court has a written process for undertaking a <u>criminogenic assessment</u> which is included in the policies and procedures (e.g., where youth are assessed for their risk of reoffending, and also their service, monitoring, and supervision needs, given the assessed risk/need level).		

A Program of OJP



▶ CONDUCT THE SELF-ASSESSMENT

- When conducting the self-assessment, Tribes should use the existing interdisciplinary JHW Court team, or an interdisciplinary team comprised of internal and partner representatives.
- The self-assessment team may work together to select some or all of the sections to evaluate.

Best Practice: “Using a trauma-informed lens” and “being trauma-informed” is a process. It happens when a JHW Court team works to assess what it does and to make changes to their system, and to their policies, procedures, and practices, based on training and the assessment. At least one team member should have experience in trauma work. In addition, the team should receive ongoing training in trauma-informed approaches.

JHW COURT INTERDISCIPLINARY TEAM:*

- Chief of Police • Chief Court Clerk • Member of the Tribal Council • School Superintendent or Administrator • Directors of local nonprofits • Elders and/or Culture Bearers • Religious Leaders • Business Representatives • Judges • Court Administrator • Prosecutor/Presenting Officer • Public Defender/Advocate or Defense Attorney • Tribal Department Directors (e.g., Behavioral Health, Education, etc.)
- Community college or university representatives • Local funders – private and public • Treatment provider representatives • Medical directors or hospital administrators

*Please refer to the JHWC Strategic Planning Template’s “Recruit a Steering Committee” for detailed information.

NEXT STEPS

BEST PRACTICE:

Analysis and reflection as a team assists with transparency and cohesiveness.

REVIEWING YOUR SCORE

- What are the strengths?
- What are the challenges?
- What are the priorities for development?
- What are the priorities for change?
- What are the action steps as a team?

NATIONAL NATIVE CHILDREN'S TRAUMA CENTER TRAININGS

- **Trainings**

- Trauma and Resilience in Tribal Communities
- Historical Trauma and Its Current Impacts
- Secondary Traumatic Stress and Self-Care
- Cultural Humility
- Think Trauma: A Training for Working with Justice-Involved Youth, adapted from NCTSN

**NATIONAL
NATIVE
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TRAUMA
CENTER**

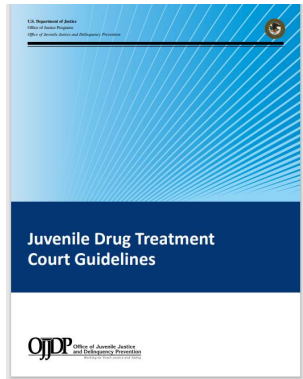


National Native Children's Trauma Center www.nnctc.org



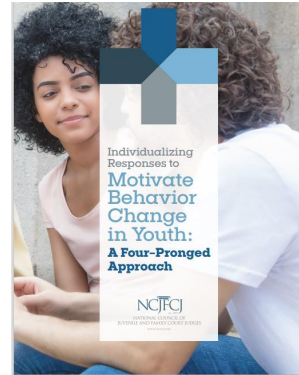
National Child Traumatic Stress Network www.nctsn.org

- Essential Elements of a Trauma-Informed Juvenile Justice System
- Assessing Exposure to Psychological Trauma and Posttraumatic Stress Symptoms in the Juvenile Justice Population
- Evidence-Informed Interventions for Posttraumatic Stress Reactions with Youth Involved in the Juvenile Justice System
- NCTSN Bench Card for the Trauma-Informed Judge
- A Trauma-Informed Guide for Working with Youth Involved in Multiple Systems
- Trauma-Informed Resource for Prosecution Involving Juveniles
- **Training**
 - Think Trauma: A Training for Working with Justice Involved Youth, 2nd edition
- **Assessment**
 - Trauma-Informed Juvenile Court Self-Assessment



OJJDP, Juvenile Drug Treatment Court Guidelines (2016)

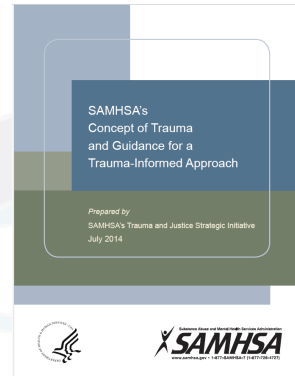
Available at:
<https://ojjdp.ojp.gov/programs/juvenile-drug-treatment-court-guidelines>



National Council of Juvenile and Family Court Judges (NCJFCJ), Individualizing Responses to Motivate Behavior Change in Youth: A Four-Pronged Approach (2019)

Available at:
<https://www.ncjfcj.org/publications/individualizing-responses-to-motivate-behavior-change-in-youth-a-four-pronged-approach/>

RESOURCES



SAMHSA, Concept of Trauma and Guidance for a Trauma-Informed Approach (2014)

Available at:
<https://store.samhsa.gov/product/samhsas-concept-trauma-and-guidance-trauma-informed-approach/sma14-4884>



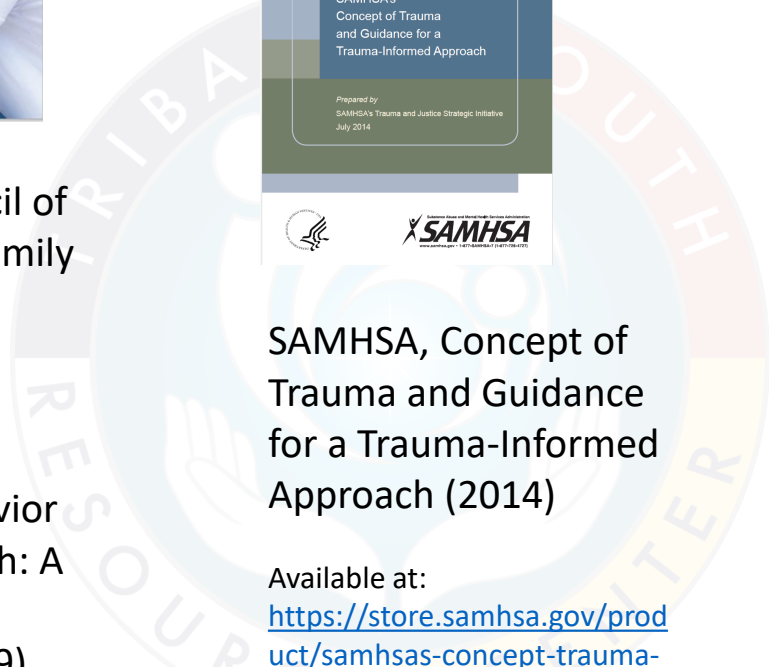
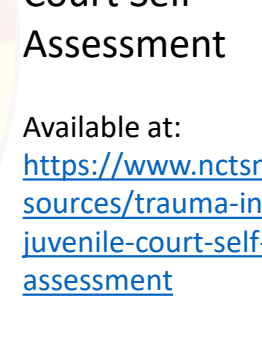
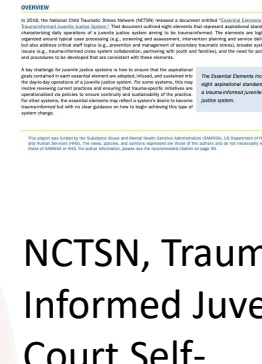
NCTSN, Trauma-Informed Juvenile Court Self-Assessment

Available at:
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NCTSN, Bench Card for the Trauma-Informed Judge

Available at:
<https://www.nctsn.org/resources/nctsn-bench-cards-trauma-informed-judge>





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THANK YOU!



Evaluation

Please take a moment to complete the session evaluation. Your feedback is greatly appreciated.

If you need a paper copy, please ask for one from a Tribal Law and Policy Institute staff member.



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