



## **Implementation Sites Project Trauma Assessment Report**

Child Protection Court of the Rio Grande Valley West  
Judicial Annex  
100 N. Closner Boulevard  
Edinburg, Texas 78539

**Date of Report:** September 26, 2017

**Lead Judge:** Judge Carlos Villalon

**NCJFCJ Site Manager:** Zadora Bolin, JD – Site Manager  
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**Dates of Site Visit:** June 27-29, 2017

### **Purpose of Report**

This report outlines the activities and subsequent impressions from the trauma assessment visit to the Child Protection Court of the Rio Grande Valley West [REDACTED] [REDACTED] [REDACTED] in Edinburg, Texas as part of the [Implementation Sites Project](#) conducted by staff of the National Council of Juvenile and Family Court Judges (NCJFCJ) on June 27-29, 2017. This report is intended solely for use by the Child Protection Court of the Rio Grande Valley West, the [REDACTED] and the Implementation Sites Project team to assist in efforts to create trauma-responsive environments, practices, and policies as well as recommended best practice improvement efforts consistent with the *Enhanced Resource Guidelines*<sup>1</sup> (hereinafter ERGs) and the [Key Principles of Permanency Planning](#)<sup>2</sup> (hereinafter *Key Principles*). Other uses of this report or substantial modifications to content should first include consultation with the author. 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 from a national perspective. Accordingly, any recommendations presented in this report could change with additional site-level information or with further research developments in trauma, juvenile justice and allied fields.

The NCJFCJ has set the *Enhanced Resource Guidelines* and the *Key Principles* as the core competencies for all Implementation Sites. The Sites are expected to use the recommendations as a result of the

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<sup>1</sup> Gatowski, S., Miller, N., Rubin, S., Escher, P., & Maze, C. (2016) *Enhanced resource guidelines: Improving court practice in child abuse and neglect cases*. Reno, NV: National Council of Juvenile and Family Court Judges.

<sup>2</sup> *Key Principles for Permanency Planning, Technical Assistance Brief*, (July 2011), National Council of Juvenile and Family Court Judges, Reno, NV.

trauma assessment, as well as the assistance and guidance of their Site Manager, to prioritize individual site goals and develop strategies to achieve the practice improvement efforts.

### **Trauma Assessment Activities**

Prior to the visit, NCJFCJ staff conducted a pre-survey of stakeholders. The survey results from 62 respondents are incorporated into the impressions and recommendations of this report. Over the course of the two day assessment, site visit activities primarily involved observation of the child dependency and juvenile delinquency court facilities, including the entrances, waiting areas, all courtrooms, and the juvenile detention facility. The team observed hearings and evaluated judicial engagement using a systematic court observation tool. Courtroom and courthouse observations were focused primarily on (a) environment, (b) processes/practices (e.g., security screening, calling parties to hearings, etc.), and (c) interactions between and within litigants and system stakeholders.

### **Impressions**

As the child dependency [REDACTED] courts are located in separate buildings, this report will separate impressions and discussions by court.

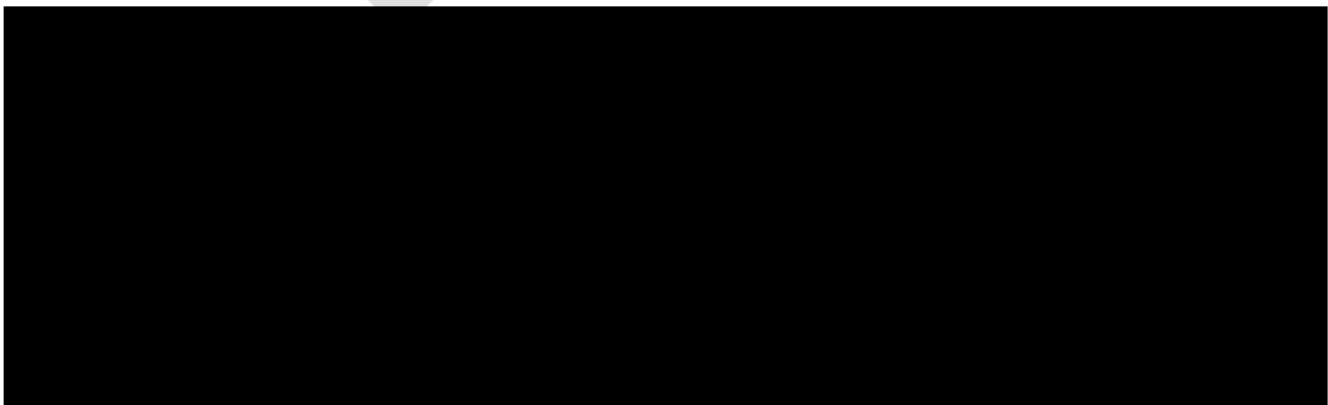
#### **CHILD PROTECTION COURT**

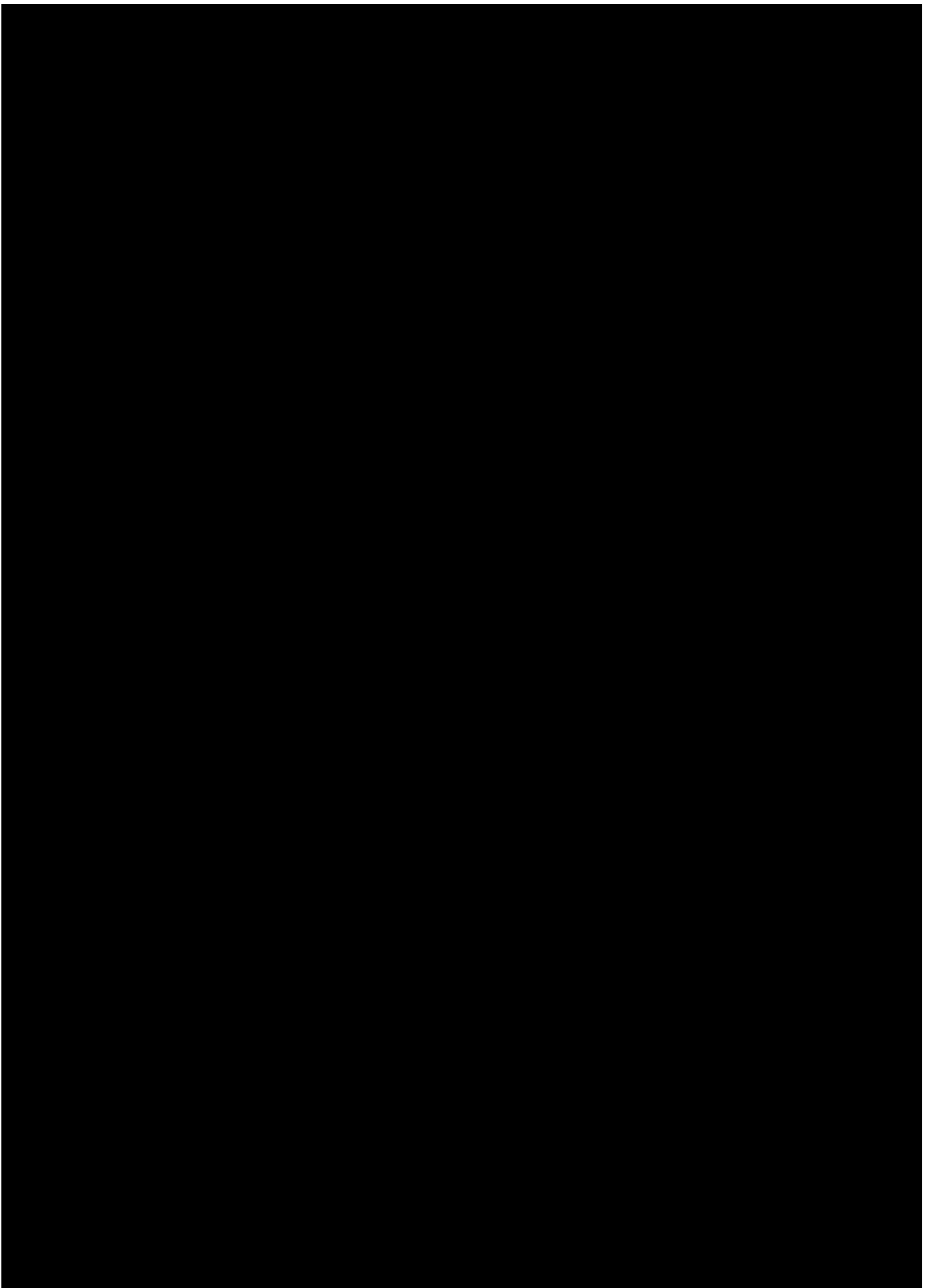
**Physical Environment.** The Child Protection Court is located in the Judicial Annex of the Hidalgo County Courthouse in Edinburg, Texas. The Judicial Annex consists of a series of modular buildings connected by walkways and a roof. There are plans to build a new courthouse; however, this project will not begin in the foreseeable future.

- **Noise Level.** The level of noise in the Hidalgo County Courthouse, especially near the security area, was on the louder side. The noise level in the Child Protection Court courtroom was usually quiet, but the waiting area became a bit noisy at times, especially in the afternoon when younger children became tired.
- **Lighting.** The Child Protection Court courtroom was well lit; however there was no natural light in the courthouse.
- **Temperature.** The temperature in the courtroom remained consistent, but tended to be on the cold side.
- **Cleanliness.** The courtroom was clean and tidy.
- **Traffic.** Several security officers staff the main entrance. At least three security officers staffed the main entrance at a time. It could be an intimidating experience for court consumers to encounter three to five security officers in full uniform immediately upon entering the courthouse. Only male security officers were observed staffing the main entrance, however, having security officers of both genders would be helpful to consumers of both genders.
- **Waiting Areas.** The waiting area space in the courthouse appeared to be a bit small. Due to the small size of the waiting area, individuals were observed waiting outside the courtroom and waiting area despite the 90+ degree temperatures. The waiting area décor is quite spartan with no decoration,

reading materials, etc. Designated waiting areas for victims of domestic violence were not observed in the general waiting areas. Additionally, there were no attorney conference rooms for attorneys to discuss confidential matters with their clients, and attorneys were observed meeting with their clients in the waiting area or outside the courtroom and waiting area with limited privacy. Parking near the courthouse also poses a challenge as the parking lots around the courthouse quickly fill by 8:30 a.m., and finding parking after that time can become a challenge.

- *Facility Safety.* Everyone entering the courthouse is screened via metal detector and has his or her belongings scanned for contraband.
- *Courtroom Safety.* There was adequate security presence observed in the courtroom. Judge Villalon's courtroom has an assigned bailiff who calls cases and provides security. The bailiff is armed, but dressed in a polo and slacks, which is less intimidating for children and families. The security officer also has an excellent manner when interacting with families and children.
- *Courtroom Traffic.* During observed hearings traffic in and out of the courtroom was very low. Only individuals relevant to the hearing were in the courtroom during each hearing. The bailiff called all cases and directed families and parties on the appropriate places to sit.
- *Information Booth and Signage.* Information signage in the courthouse and courtroom are limited. As the Child Protection Court is located in the Judicial Annex rather than the Hidalgo County Courthouse, families need to walk through the Courthouse, exit the building, and walk to the Judicial Annex. There is no signage that direct families how to get from the Courthouse to the Judicial Annex, which can make it confusing for families to know where they need to go for their hearing. Signage throughout the Courthouse is limited and inconsistent. Some signage is available in English and Spanish, while some signage is only available in English.
- *Childcare and Food Services.* Childcare services are not available for parents who attend court proceedings with minor children. Additionally, there are no food services available in the Courthouse for families who attend court proceedings. The Courthouse is located in downtown Edinburg, so there are restaurants and food services available within walking distance of the Courthouse.
- *Child Friendly.* There is no play room available near the courtroom and the waiting room provides no books, toys, or games for young children. Overall, the facility was not particularly child friendly in terms of books, toys, size appropriate furniture, pictures, etc.





### Court Hearing Observations

The NCJFCJ had the opportunity to observe the dependency dockets of Judge Carlos Villalon [REDACTED] over the course of two days. The court observations provided an opportunity to evaluate judicial interaction with youth, parents, court staff, and other stakeholders.

#### CHILD PROTECTION COURT

**Timeliness.**<sup>4</sup> The Site Managers utilized a standardized court hearing observation tool to assess hearing timeliness, breadth of topics covered, as well as judicial engagement. Collected data indicates that families waited an average of 42.5 minutes for their case to be called (with a range of 16 minutes to 88

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<sup>3</sup> More information about the Juvenile Detention Facility Assessment can be found at <http://www.aecf.org/resources/juvenile-detention-facility-assessment/>.

<sup>4</sup> A total of 17 cases were coded using a systematic court observation tool. Coded hearings were observed in the courtrooms of Judge Carlos Villalon.

minutes). An average wait time of one hour falls within appropriate thresholds for time certain calendaring dockets. Data also indicates that hearings were an average of 19.2 minutes in length (with a range of 4 minutes to 122 minutes).<sup>5</sup>

**Judicial Engagement.** Engagement of families by judicial officers is crucial to success in child welfare proceedings and the Enhanced Resource Guidelines strongly encourage positive judicial engagement with parents and youths during all hearings.<sup>6</sup> A judge’s demeanor, behavior, and interaction with each party are crucial to the perception of fairness in the process.<sup>7</sup> The Enhanced Resource Guidelines also recommend that each hearing include an explanation of what type of hearing is being held, its purpose, as well as an introduction of everyone in the courtroom and their relation to the case. Judicial engagement was assessed utilizing the standardized court hearing observation tool, which focuses on whether the judicial officer utilized the best practices of the Enhanced Resource Guidelines. Parents and children were present in over half of the hearings observed, providing an excellent snapshot of judicial engagement of families. Judge Villalon generally provided parties the opportunity to be heard, although primarily through the attorney rather than addressing the court directly. Clearly explaining the purpose of the hearing, speaking directly to the person, addressing the person by name, identifying next steps to parties, asking parties if they have any questions, and asking if the next hearing date and time works for them are areas which could be improved upon. Judicial engagement through these questions and steps is crucial to allow parents and children to participate meaningfully in the hearings that greatly affect their lives. Effective judicial engagement is especially vital in the beginning of a case after a child has been removed from their parents when the parties are particularly afraid, angry, insecure, and potentially under the influence of substance abuse or suffering from mental illness. Taking the time to connect with these parties and helping them to understand the process allows the judicial officer to gain the trust of the parties and help facilitate better case outcomes.

**Table 1. Percentage of Cases Where Judge Engaged Party in a Specific Way**

Judicial Interaction	Percentage		
	<u>Mother</u> (n=12)	<u>Father</u> (n=8)	<u>Child</u> (n=8)
Clearly explained the purpose of the hearing	41.2% (n=5)	25.0% (n=2)	0.0% (n=0)
Spoke directly to the person	58.3% (n=7)	62.5% (n=5)	0.0% (n=0)
Addressed the person by name	25.0% (n=3)	37.5% (n=3)	0.0% (n=0)
Asked if the person had any questions	0.0% (n=0)	0.0% (n=0)	0.0% (n=0)
Identified the next steps to the person	16.7% (n=2)	12.5% (n=1)	0.0% (n=0)
Asked if the next hearing date/time worked for their schedule	0.0% (n=0)	0.0% (n=0)	0.0% (n=0)
Gave the person an opportunity to be heard	75.0% (n=9)	87.5% (n=7)	0.0% (n=0)

\*Note. 1 (Yes) and 0 (No). Only values for yes are reported.

<sup>5</sup> It is important to note, the longest hearing of 122 minutes was an adjudication trial.

<sup>6</sup> For additional information about Engaging Families and Children, see Enhanced Resource Guidelines, p. 68-73.

<sup>7</sup> *Id.*



During the site visit, the Site Manager team observed that although children frequently attend their dependency hearings, they are rarely engaged by the court. It is the policy of the NCJFCJ that children of all ages should be present in court and attend each hearing unless the judge decides it is unsafe or inappropriate.<sup>8</sup> Furthermore, meaningful participation in the court hearings that affect their lives is important and empowering for children. Foster care alumni repeatedly report that they wanted to be involved in the decisions affecting their lives, explaining “nothing about us, without us.”

The American Bar Association’s (ABA) *Bar-Youth Empowerment Project*<sup>9</sup> has developed several resources to improve policies and practice revolving around youth in court. Important policy considerations surrounding youth in court can be found [here](#). Additionally, below are a few judicial resources focused on creating meaningful interactions between judicial officers and youth. These resources include observations that should be made, as well as a list of possible questions to ask the children and youth, depending on their age and development.

- [Infants \(Ages 0-12 months\)](#)
- [Toddlers \(Ages 1-3\); Preschoolers \(Ages 3-5\)](#)
- [School-age Children \(Ages 5-11\)](#)
- [Adolescents \(Ages 12-15\)](#)
- [Older Adolescents \(Ages 16+\)](#)

**Qualitative Impressions.** In addition to focusing on judicial engagement, the Site Manager Team also observed the overall nature of interactions between court staff and parents, as well as exchanges between court stakeholders. Overall, these interactions were positive and respectful. The judicial officer, court staff, and others generally exhibited a positive demeanor when interacting with parties.

During dependency hearings, the Site Manager team observed that Judge Villalon always treated parents with respect and all professionals in the courtroom treated each other with respect. The language utilized by the judge and professionals was a bit technical at times, which can pose a challenge to families attending the hearings. As hearings exist for the parties before the court, judicial officers should explain their hearings in language the parties can understand. As explained previously, parties were generally only heard through their attorney rather than engaged by the court. Judicial engagement is key to parental involvement, engagement in the court process, and hearings that are meaningful to its participants. All parties are asked to identify themselves for the record, but it would be excellent practice to have all individuals in the courtroom identify themselves before the beginning of the hearing. Although attorneys were usually always prepared for court, during one observed hearing it was apparent the attorney had not spent sufficient time preparing the witness, resulting in the witness being confused and the hearing becoming quite lengthy.

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<sup>8</sup> For additional information about children in court and child engagement, see Enhanced Resource Guidelines, p.72-78.

<sup>9</sup> More information on the Bar-Youth Empowerment Project can be found at [https://www.americanbar.org/groups/child\\_law/what\\_we\\_do/projects/youth-engagement-project/expertise/engaging-youth-in-court.html](https://www.americanbar.org/groups/child_law/what_we_do/projects/youth-engagement-project/expertise/engaging-youth-in-court.html).

**Table 2. Qualitative Impressions**

Qualitative Impressions	Percentage			
	<u>Not at All</u> (n=11)	<u>Somewhat</u> (n=11)	<u>Definitely</u> (n=11)	<u>N/A</u> (n=11)
Focused on family strengths	81.8% (n=8)	27.3% (n=3)	0% (n=0)	0.0% (n=0)
Treated parents with respect	0.0% (n=0)	18.2% (n=2)	72.7% (n=8)	9.1% (n=1)
Professionals treated each other with respect	0.0% (n=0)	0.0% (n=0)	100.0% (n=11)	0.0% (n=0)
Used non-technical language	0.0% (n=0)	90.9% (n=10)	9.1% (n=1)	0.0% (n=0)
Attorneys were prepared for court	0.0% (n=0)	9.1% (n=1)	90.9% (n=10)	0.0% (n=0)
Judge was compassionate	0.0% (n=0)	54.5% (n=6)	45.5% (n=5)	0.0% (n=0)

\*Note. 0 = Not at all. 1 = Somewhat. 2 = Definitely.

**Child Well-Being.** Additionally, it is crucial for judicial officers to address the well-being of children at every hearing, whether or not the child is present in court. The Enhanced Resource Guidelines recommend that judges have discussions regarding the child’s current placement, educational needs, physical and mental health, family time, and efforts to prevent removal or reunify the family. Judge Villalon went to great lengths to address and follow-up with the well-being of the children under the jurisdiction of the court. Placement, visitation, physical health mental health and visitation were discussed at most hearings. Discussions regarding education, other well-being, and safety are areas that could be improved upon. The benchcards found in the *Enhanced Resource Guidelines* are an excellent resource for questions to ask regarding child well-being. It is important to note that Judge Villalon did an exemplary job of addressing psychotropic medications. For all children prescribed psychotropic medications he made detailed inquiries to determine the medications and dosages prescribed, as well as to verify the children and youth were being seen by a psychiatrist to ensure the appropriateness of the prescription. This is an essential practice because children and youth in foster care nationwide are prescribed psychotropic medications at significantly higher rates than children who are not in the foster care system. In 2004, the Health and Human Services Commission (HHSC), the Department of State Health Services (DSHS), and the Department of Family and Protective Services (DFPS) convened an interagency group, which developed the *Psychotropic Medication Utilization Parameters for Foster Children*.<sup>10</sup> The purpose of the Parameters were to educate on and monitor the prescription of psychotropic medication and the *Use of Psychoactive Medication in Texas Foster Children in FY 2005* report concluded that the overall use of psychotropic medications in children in foster care youth declined after the Parameters were released.<sup>11</sup> In Fiscal Year 2003, in the State of Texas, of the 29,448

<sup>10</sup> Texas Health and Human Services Commission, “Update on the Use of Psychotropic Medications for Children in Texas Foster Care: Fiscal Years 2002-2016,” available at <https://hhs.texas.gov/sites/default/files//documents/services/health/other/update-on-psych-meds-in-tx-foster-children.pdf>.

<sup>11</sup> *Id.*; see also The Health and Human Services Commission, Department of State Health Services, and Department of Family and Protective Services, “Use of Psychotropic Medication in Texas Foster Children State Fiscal Year 2005,” (June 2006), available at



children in foster care, 12,189 were prescribed psychotropic medications, meaning 41.61% of children in foster care were taking psychotropic medications.<sup>12</sup> Comparatively, In Fiscal Year 2016, of the 53,394 children in foster care, 12,068 were prescribed psychotropic medications, which amounts to approximately 22.60% of children in foster care.<sup>13</sup> The [Psychotropic Medication Utilization Parameters for Children and youth in Foster Care \(5<sup>th</sup> Version\)](#) were updated in July 2016 and can be found on the Texas Department of Family Protective Services website.<sup>14</sup> The need to monitor the prescription of psychotropic medication is not only applicable for children and youth in foster care, it also extends to children in the juvenile justice system.

**Table 3. Child Well-Being**

Topic	Percentage			
	<u>No Discussion</u> (n=17)	<u>Statement Only</u> (n=17)	<u>More Than A Statement</u> (n=17)	<u>N/A</u> (n=17)
Child's Placement	0.0% (n=0)	35.3% (n=6)	64.7% (n=11)	0% (n=0)
Child's Education	35.3% (n=6)	5.9% (n=1)	29.4% (n=5)	29.4% (n=5)
Child's Physical Health	11.8% (n=2)	11.8% (n=2)	76.5% (n=13)	0.0% (n=0)
Child's Mental Health	17.6% (n=3)	11.8% (n=2)	41.2% (n=7)	29.4% (n=5)
Child's Other Well-Being	82.4% (n=14)	17.6% (n=3)	0.0% (n=0)	0.0% (n=0)
Child Safety	82.4% (n=14)	0.0% (n=0)	17.6% (n=3)	0.0% (n=0)
Visitation (parent/sibling)	29.4% (n=5)	5.9% (n=1)	58.8% (n=10)	5.9% (n=1)
Efforts to Prevent Removal/Reunify	29.4% (n=5)	23.5% (n=4)	47.1% (n=8)	0.0% (n=0)

\*Note. 0 = No mention of the topic. 1 = Mere mention of the topic (a single phrase or statement). 2 = More than a statement was made about the topic.

**Indian Child Welfare Act (ICWA).** During four of the seventeen observed hearings, Judge Villalon made ICWA inquires. Federal law requires ICWA compliance in *all* court hearings.<sup>15</sup> NCJFCJ recommendations for best practices include but are not limited to (1) treating a case as an ICWA proceeding whenever it is

[https://www.dfps.state.tx.us/Child\\_Protection/Medical\\_Services/documents/reports/2006-06\\_Use\\_of\\_Psychotropic\\_Medications\\_in\\_Foster\\_Child.pdf](https://www.dfps.state.tx.us/Child_Protection/Medical_Services/documents/reports/2006-06_Use_of_Psychotropic_Medications_in_Foster_Child.pdf).

<sup>12</sup> Texas Health and Human Services Commission, "Update on the Use of Psychotropic Medications for Children in Texas Foster Care: Fiscal Years 2002-2016," available at <https://hhs.texas.gov/sites/default/files/documents/services/health/other/update-on-psych-meds-in-tx-foster-children.pdf>.

<sup>13</sup> *Id.*

<sup>14</sup> Available at [http://www.dfps.state.tx.us/Child\\_Protection/Medical\\_Services/documents/reports/2016-03\\_Psychotropic\\_Medications\\_Utilization\\_Parameters\\_for\\_Foster\\_Children.pdf](http://www.dfps.state.tx.us/Child_Protection/Medical_Services/documents/reports/2016-03_Psychotropic_Medications_Utilization_Parameters_for_Foster_Children.pdf)

<sup>15</sup> National Council of Juvenile and Family Court Judges. (2003). *Indian child welfare act checklists for juvenile court judges*. Retrieved from <http://www.ncjfcj.org/sites/default/files/ICWAChecklistFullDoc.pdf>

*suspected* that an Indian child is involved, (2) giving tribes notice via registered mail, (3) making appropriate findings on the records (e.g., determining *active efforts* and inclusion of expert testimony) and (4) developing and maintaining relationships with local tribes to improve timeliness of intervention. Relying on reports from the Texas Department of Family and Protective Services to ensure ICWA compliance is insufficient. Immediately after a child has been removed, parents are often uncertain about what type of information to disclose to social workers. NCJFCJ staff has observed that when parents are engaged by a judicial officer, they are more willing to disclose information about Native American heritage, as well as the whereabouts of a non-offending parent. The NCJFCJ's [Improving Compliance with the Indian Child Welfare Act: A Guide for Juvenile and Family Courts](#) stresses the importance of assessing court practice and creating action plans for court reform. Additionally, the NCJFCJ's assessment of ICWA compliance may be useful in deciding a data collection approach. The NCJFCJ's ICWA Assessment Toolkit can be found [here](#).

Additionally, on December 12, 2016, the Bureau of Indian Affairs released [updated Indian Child Welfare Act \(ICWA\) Guidelines](#). The Guidelines were re-written to serve as a companion to the [new ICWA Regulations](#), which also went into effect on December 12, 2016. (Note, the regulatory language begins on page 333). These Guidelines replace the Guidelines that were released February 2015. The American Bar Association released a [special issue of Child Law Practice focused on Indian child welfare](#), which provides excellent information on this important topic.

**Trauma Discussion.** NCJFCJ also encourages judges to be understanding of and sensitive to past traumatic events. During the observed court hearings, there was little to no discussion in hearings about adverse experiences/trauma or the importance of maintaining permanent connections with immediate and extended family members after removal. General information about trauma informed systems of care can be found [here](#). Also, in collaboration with the National Child Traumatic Stress Network (NCTSN), the NCJFCJ produced a [bench card for trauma-informed judges](#). This document provides judges with useful questions and guidelines for making trauma-informed decisions.

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[REDACTED]

[REDACTED]

[REDACTED]

**Trauma Discussion.** NCJFCJ also encourages judges to be understanding of and sensitive to past traumatic events. During the observed court hearings, there was no discussion in hearings about adverse experiences or trauma. General information about trauma informed systems of care can be found [here](#). Also, in collaboration with the National Child Traumatic Stress Network (NCTSN), the NCJFCJ produced a [bench card for trauma-informed judges](#). This document provides judges with useful questions and guidelines for making trauma-informed decisions.

**Edinburg Trauma Assessment Pre-Survey**

Prior to the visit, the Site Manager team crafted an online survey for stakeholders to gather a broader perspective on trauma-responsive attitudes, policy, practices, and environment. The invitation to respond and the survey link was sent to Judge Carlos Villalon who shared the link with other stakeholders. A total of 62 stakeholders participated in the survey. Responders included court staff, attorneys, social workers, probation staff, CASA, and others.

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<sup>25</sup> See Campaign Against Indiscriminate Juvenile Shackling, “Shackling Reform Statewide Court Rules, Policies, Administrative Orders & Statutes” available at <http://njdc.info/wp-content/uploads/2016/08/court-rules-and-statutes-8-8-16.pdf> (August 2016); see also National Juvenile Defender Center, “Innovation Brief Eliminating the Practice of Indiscriminate Shackling of Youth” available at <http://njdc.info/wp-content/uploads/2014/01/Shackling-Inno-Brief-2013.pdf> (December 2013); see also Juvenile Justice Geography, Policy, Practice & Statistics, “Juvenile Court Courtroom Shackling,” <http://www.ijgps.org/juvenile-court>.

<sup>26</sup> Law Offices of the Public Defender 11<sup>th</sup> Judicial Circuit of Florida, “Policy Report Unchain the Children: Five Years Later in Florida” available at [http://www.pdmiami.com/unchainthechildren/Shackling\\_Update\\_December\\_2011.pdf](http://www.pdmiami.com/unchainthechildren/Shackling_Update_December_2011.pdf) (December 2011).

<sup>27</sup> *Id.*

<sup>28</sup> National Juvenile Defender Center, “Issue Brief Campaign Against Indiscriminate Juvenile Shackling” available at [http://njdc.info/wp-content/uploads/2016/01/NJDC\\_CAIJS\\_Issue-Brief.pdf](http://njdc.info/wp-content/uploads/2016/01/NJDC_CAIJS_Issue-Brief.pdf).

<sup>29</sup> *Id.*; see also Donna Quigley Groman, “Juvenile Shackling Reform: The Judicial Role in Ensuring Trauma-Informed Courts and Why States are Rethinking Restraints,” *Juvenile and Family Court Journal* 66, No. 2 (Spring) p. 31-33.

The slim majority of survey respondents (54.84%) indicated that they have received some form of trauma training, with 64.71% reporting their training covered secondary trauma. Not unusually, however, knowledge, attitudes and beliefs about trauma and traumatic stress varied somewhat across stakeholders, and there appears to be some challenge integrating knowledge about trauma into day-to-day practice.

Below is a brief summary of trauma-related topics captured via the online stakeholder survey as well as in onsite meetings with stakeholders. These topics include understanding and attitudes regarding trauma, policies, practices, and courthouse environment. Please see the Trauma Survey Summary Report, Appendix A for more details.

- *Understanding and Attitudes Regarding Trauma.* There appeared to be a general awareness, consensus, and appreciation among most stakeholders that trauma impacts the children and families before the court. Although approximately 68.5% of stakeholders feel confident in their ability to help a client who has experienced trauma, 24.07% feel neutral in their ability, and almost 7.5% do not feel confident in their ability to help a client who has experienced trauma. Additionally, as mentioned previously, just over 45% of stakeholders reported having had no training on trauma.
- *Policies.* Approximately 29.41% of stakeholders disagreed that their organization has protocols in place to reduce burnout, and another 39.22% were neutral. This suggests there is a great need to help stakeholders cope with secondary trauma and to provide support. A lack of support for coping with secondary trauma can cause fatigue and high stress among stakeholders resulting in high staff turnover, burnout, and disillusion with the court system.
- *Communication.* Approximately 95% of stakeholders agree that clear communication between cross-systems partners is crucial for a trauma-responsive system to be effective. However, 62.5% of stakeholders reported never or only sometimes discussing trauma issues with their cross-systems partners.
- *Respect and Understanding.* The vast majority of stakeholders (almost 90%) felt that parents and children are treated with respect, and that children and their families are given systematic opportunities to voice their needs, concerns, and experiences (74.76%). However, 20.83% reported that clients are never routinely screened for trauma utilizing a standardized tool. Although approximately 79% of stakeholders felt systems stakeholders often or always treated each other with respect, almost 19% of survey respondents felt systems stakeholders only sometimes treat each other with respect.
- *Courthouse Environment.* The majority of stakeholders (almost 80%) reported they feel safe in the courthouse and think that consumers feel safe as well -- although approximately 21.3% of stakeholders reported feeling neutral about their safety at the courthouse. Only 34% of survey respondents agree that adult and child victims have a safe place to wait that is separate from their perpetrator, and almost 47% of respondents feel that adult and child victims do not have a safe place to wait.



## Recommendations and Next Steps

After Judge Villalon [REDACTED] review the Trauma Assessment Report, the Site Manager will facilitate a conference call to discuss the next steps for the Edinburg Implementation Site team. The feedback will be integrated into a final report and into future training and technical assistance.

The Site Manager makes the following recommendations, with a commitment to assist the court in prioritizing the next steps:

### Short-Term (30-180 days):

- **Consider making the courthouse and courtrooms more child- and family-friendly.**
  - Neither courthouse currently offers a child play room or child care services. If a parent or guardian is called to the courtroom, their children must accompany them into the courtroom or wait unattended in the waiting area. Additionally, it would be beneficial to make the waiting areas and courthouses more child- and family-friendly by adding décor, toys, books, etc. in the waiting areas.
- **Consider implementing time certain calendaring for juvenile delinquency hearings.**
  - During delinquency hearings, the Site Manager team observed great delays and waiting times for families due to the block scheduling. Time certain calendaring allows families and professionals to spend less time waiting at the courthouse.
- **Consider consistently providing a brief explanation of the purpose of the current hearing and including a discussion about the next steps in the case.**
  - Attending court is a stressful process for children and their families. Judicial officers should provide introductions of the parties and explain the materials being discussed, possible outcomes of the hearing, and next steps in the process. Additionally, judicial officers should allocate time for parents and children to ask questions about the hearing and its outcomes. Nerves and stress may create an environment that makes retaining information difficult. Even when attorneys and other individuals provide relevant information, hearing it multiple times from a different perspective can improve understanding and retention for children and families.
- **Consider designating a separate waiting area and formal protocol for parties with protective order against perpetrators or domestic violence concerns and implementing a formal protocol for parties.**
  - A safety protocol is crucial to prevent intimidating and coercive behavior against victims in ways that may not be obvious to security or other parties. Designating a separate waiting area can help ensure that safety protocol is consistently followed, and the separate space should include the development of a protocol for reporting to and leaving the area. Coercive, controlling behaviors can lead to traumatic reactions (including physical confrontation, emotional withdrawal, or acquiescence) and intimidating behaviors could also occur in the parking lot of the courthouse if the parties arrive at the same time or if the perpetrator arrives early and waits for the victim to arrive. Each of these potential traumatic reactions could impede court processes and compromise the safety of victim-families, staff, and consumers. The court could provide victims with the option of being escorted into the courthouse by a security officer by allowing victims to request this assistance prior to their hearing.
- **Consider providing a room or two for attorneys to privately speak with their clients.**
  - Currently there are no rooms available for attorneys to speak with their clients in private before or after hearings. During the trauma assessment, Site Manager team observed

- attorneys meeting with their clients in the often crowded area, trying to quietly discuss private matters. Providing a private space for attorneys and clients to consult will be invaluable to allow attorneys and clients to speak candidly with one another about important, private matters.
- **Engage in a more thorough discussion about key well-being topics (e.g., physical health, mental health, education, and safety at each hearing.**<sup>30</sup>
    - As discussed above, judicial engagement is essential to successful child welfare and juvenile delinquency proceedings. In addition to the resources discussed above, find more resources below.
  - **Continue the thorough inquiry into psychotropic medications.**
    - As addressed previously, psychotropic medications are having an enormous impact on children in foster care and the juvenile justice system. It is essential for the welfare of youth to continue the thorough inquiry and monitoring of psychotropic medications prescribed and administered to youth.
  - **Discuss Native American heritage and/or tribal eligibility of children in child welfare cases as early in the case as possible.**
    - This discussion should begin at the initial hearing and *active efforts* should continue until a determination has been made on the record.
  - **Implementing a program for recognizing social workers for good work and outstanding efforts.**
    - Social worker turnover and burnout is a serious concern nationwide and Edinburg is not immune from this challenge. Recognizing social workers for good work would be incredibly helpful to ensuring job satisfaction and to help combat the secondary trauma social workers experience due to the nature of their work.
  - **Consider increasing support for employees in regards to secondary traumatic stress.**
    - Secondary trauma in stakeholders is often underestimated, misunderstood, or even ignored which can contribute to a toxic workplace for children, families, and stakeholders. Currently, there are limited supports to help stakeholders identify if they are suffering from secondary trauma and directing them to supports and services to help them cope with the stressors. Supervisors, in particular, should be trained to recognize and appropriately respond to symptoms of secondary stress in employees.
  - **Continue building and growing the collaborative.**
    - The Child Protection Court has created a collaborative to discuss Enhanced Resource Guidelines practice implementation, establish and monitor Implementation Site goals, and strategically plan for goal achievement. The current goal is to grow the collaborative to include additional relevant stakeholders essential to the court improvement process.
  - **Work with the NCJFCJ Site Manager to create and implement an action plan with measurable goals to achieve the court's goals.**

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<sup>30</sup> Specific information about engaging youth in court can be found in the following documents:  
National Council of Juvenile and Family Court Judges (2012). Seen, heard, and engaged: Children in dependency court hearings. Available at <http://www.ncjfcj.org/sites/default/files/Seen%20Heard%20Children%20Dependency.pdf>; see also  
National Council of Juvenile and Family Court Judges (2013). Seen, heard, and engaged: A process evaluation for children in court programs. Available at [http://www.ncjfcj.org/sites/default/files/children\\_in\\_court\\_programs\\_final.pdf](http://www.ncjfcj.org/sites/default/files/children_in_court_programs_final.pdf)

Long-Term (i.e., ongoing):

- [REDACTED]
- [REDACTED]
- Development of a dual status youth docket
  - Judge Villalon [REDACTED] have identified that they would like to create a dual status youth docket to address the needs of children and youth who are dually involved in dependency and delinquency systems. To begin this effort, it will be essential to determine a way to coordinate computer systems and files as the two courts currently operate completely separately. It will also be helpful for the delinquency court to build a relationship with the Department to obtain resources and opportunities for youth in the juvenile delinquency system. [REDACTED] expressed that having a Department Liaison in her court would be highly beneficial. To provide insight on how to integrate the two courts to create a dual status youth docket, it would be a valuable for the Edinburg team to go on a cross-site visit to a jurisdiction that has successfully implemented a dual status youth docket. The NCFJCJ Site Manager can help facilitate a cross-site visit.
- Consider a signage renovation initiative for the Child Protection Court and Hidalgo County Courthouse
  - The signage at the courthouse is limited and inconsistently available in Spanish. The Court should provide larger and consistent signage in the Hidalgo County Courthouse directing the parties to the Judicial Annex, offices, etc. Additionally, the Court should provide consistent signage in Spanish in addition to English to assist Spanish-speaking court consumers.
- Consider adopting a universal precaution model throughout the court system.
  - In the medical healthcare system, universal precautions with respect to protecting the health and safety of all medical professionals (e.g., physicians, nurses, EMT's, phlebotomists, etc.) is embedded throughout policy and practice. For example, it is a current universal precaution for medical professionals to wear protective gloves when having contact with patients. The underlying assumption is that all patients have been exposed to illness/disease and the universal precaution is for all medical professionals to take the steps necessary to preserve one's own health and safety. NCJFCJ suggests adopting a parallel assumption that the court itself, all court stakeholders and all youth/family consumers have a history of exposure to a traumatic life event/experience either prior to becoming court-involved and/or during court involvement. Given the high rates of exposure to traumatic life events/experiences throughout the juvenile justice system, for example, it is very likely that the majority of youth and their families do have a history of trauma exposure. This is not intended to suggest all youth and families are psychologically injured (or traumatized) and therefore require massive judicial involvement and rehabilitative services in order to recover. Not every individual who is exposed to a traumatic event/experience develops symptoms and behaviors of traumatic stress; however, repeated and chronic exposure to traumatic events/experiences increases one's vulnerability to developing symptoms and behaviors of traumatic stress. Adopting this universal precaution model has significant

- implications for crafting court policy and practice with respect to prevention, screening/assessment, treatment and training about trauma.
- **Consider implementing a process to share the court’s vision for a trauma-informed court with stakeholders.**
    - A targeted information process can 1) improve stakeholder engagement or ‘buy-in’ to the importance of creating a trauma-informed court, 2) lead to a shared vision of what works best for youth and families and 3) eliminate assumptions that being “trauma-informed” is just another ‘buzz word’ that will not be integrated into long-term, sustainable, system transformation. This vision for a trauma-informed court may then be used as a foundation for the development and implementation of formal written trauma-specific policies and protocols. Please refer to the NCTSN definition of a trauma-informed service system at <http://www.nctsn.org/resources/topics/creating-trauma-informed-systems> for technical assistance.
  - **Coordinate cross-training events between the Court, the Department, and other agencies to ensure uniformity and an effective working relationship.**
    - Cross-training is an effective way to ensure uniformity among the Court, Department, and other agencies. Conducting a training in coordination with the Department Attorneys to discuss courtroom etiquette, tips for testifying and providing better testimony would help expedite and streamline court hearings.
  - **Consider developing a list of available evidence-based treatment services and programs, including any specifically for trauma, from all community mental health contracted providers.**
    - Broad knowledge about available evidence-based treatments appeared to vary across the various stakeholder groups. 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). See NCSTN Trauma-Informed Interventions Project at <http://www.nctsn.org/resources/topics/trauma-informed-interventions>. Include what agency/program offers each treatment service, their address, direct phone number, cost associated with the service and whether in-home service delivery is available. This information should be readily available to all court stakeholders and updated regularly.
  - **Coordinate with and participate in initiatives of the Texas Children Commission.**

### **Summary**

The Child Protection Court of the Rio Grande Valley West [REDACTED] [REDACTED] [REDACTED] have demonstrated a commitment to trauma-informed practices and to improving the system to become more responsive to trauma. Several areas – as outlined above – 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 recommendations in conjunction with strong judicial leadership, the court can continue moving 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. The NCJFCJ staff will assist Judge Villalon [REDACTED] in fully developing a feasible and thorough action plan to enable the Edinburg Implementation Site to accomplish the its goals.



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cc: [Site E-File]

DRAFT