



THE SUPREME COURT *of* OHIO

JUVENILE COURT TRAUMA-INFORMED PRACTICES

CONSIDERING TRAUMA IN CHILDREN

EXPOSURE TO TRAUMA

A traumatic experience may be defined as an event involving actual or threatened exposure to death, severe injury, or sexual abuse. Complex trauma, exposure to multiple or prolonged traumatic events, increases the likelihood and severity of a reaction to the trauma.

- Has the child been exposed to abuse, including physical or sexual, or domestic violence?
- Has the child been exposed to substance abuse in the home?
- Has the child experienced a severe accident or major illness?
- Has the child experienced significant grief due to a major loss?
- Has the child experienced a natural or man-made disaster?
- Has the child been subjected to community violence, including gang activity?
- Has the child experienced an assault, harassment, or bullying?
- Has the child experienced homelessness?
- Has the child been exposed to multiple or prolonged traumatic events?

EFFECTS OF TRAUMA

Trauma may cause children to act in “survival mode,” causing maladaptive coping behaviors such as defiance, superficial indifference, inappropriate smiling or laughter, extreme passivity, quickness to anger, and non-responsiveness to simple questions.

- Have previous sanctions against the child been unsuccessful?
- Does the child exhibit unusual behaviors in the courtroom or out in the community?
- Are there signs of distress in the parent-child relationship, e.g., a distant or disapproving relationship, inconsistent or inappropriate response to the child?
 - Does the birth parent have a history of trauma?
- Are the child’s caregivers helping or preventing the child from feeling safe?
 - Does the child have a protective caregiver?
 - Have the caregivers been a consistent presence in the child’s life?
- Are there people or places that do not make the child feel safe?
 - Is the environment chaotic or dangerous?
 - Is the child at risk of being re-exposed to trauma or triggered by reminders of traumatic experiences?

RELEVANT INFORMATION

- Does the court have all the information regarding the child's history, including child welfare reports and any other court proceedings involving the child?
- Is the court aware of all the professionals working with the child? Do they coordinate care and communicate with the court?
- Has the child been assessed for developmental delays, learning problems, or mental health diagnoses?
 - If not and concerns have been recognized, order appropriate evaluations.
- Has the child received trauma-informed, evidence-based evaluation and treatment?
- Has the child ever been placed outside of the home?
 - If so, was the child successful in the placement?
 - If previous disruptions, were the behaviors leading to disruption related to triggers that may be associated with the child's trauma history?
 - Were placement changes managed in a trauma-informed manner?
 - If child is in placement, has the caregiver provided any reports on the child's adjustment and behavior?

OUT-OF-HOME PLACEMENT

Placement, even if necessary, may be a traumatizing event. When making placement decisions, consider child's trauma history and the effect of the placement.

- What is the best placement option to recover from traumatic stress or loss? Will the child feel safe and secure?
- Will the child be harmed by being exposed to peers with similar histories of trauma or the potential of further exposure to traumatic events, i.e., aggression?
- Can safeguards be put into place to minimize the child's triggers, i.e., could isolation or physical restraint cause a traumatic response?
- Will disclosing the child's history of trauma to the caregivers or staff enhance care or re-victimize the child?
- Are the caregivers and staff knowledgeable about recognizing and managing trauma reactions to help support the child's safety and ability to recover from the traumatic stress?
- How will the child maintain contact with supportive adults, siblings, and peers, as appropriate?

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STRATEGIES FOR TRAUMA-INFORMED COURTS

COURTROOM PRACTICES¹

- Provide opportunities for education to all staff on the adverse effects of traumatic events on children and appropriate responses to prevent further traumatization and minimize the reactivation of traumatic response.
- Appoint legal representation who understand the effect of trauma on children and families.
- Apply procedural justice principles in all court proceedings, including explaining proceedings to the children and their families, inquiring about their needs, and asking their input, as appropriate.
- Promote diversion programs that result in the least restrictive level of court involvement.
- Develop cross-system collaboration.
- Identify treatment and other social service providers who have expertise in evidence-based trauma assessment and interventions.
- Implement procedures to identify children involved in multiple systems, e.g., crossover youth.
- Ensure that language barriers or cognitive limitations do not limit access to trauma-informed services.
- Promote opportunities to prevent and manage the effects of secondary traumatic stress, including access to resources, e.g., employee assistance programs.

PARENTS WITH TRAUMA HISTORIES²

Parents' own experience of trauma may impact their ability to act as parents.

- Traumatic experiences may present difficulty with:
 - Making appropriate safety judgments.
 - Meeting their children's emotional needs.
 - Forming trusting relationships, including with their children.
 - Managing their own and their children's emotions.
 - Managing other stresses, such as poverty, racism, substance abuse, and lack of social support.

Court experiences may trigger or re-traumatize parents, causing a parent to appear numb, disengaged, or defensive.

- Strategies that may be useful with traumatized parents include:
 - Let the parent know that attorneys and judges want to help them and their families, especially if the parents appear numb or disengaged.
 - Build on the parent's strengths and their desires to be effective.
 - Become familiar with providers who can perform trauma assessments and have experience treating trauma and co-occurring disorders, e.g., substance abuse and other mental health disorders, in adults.

1 National Child Traumatic Stress Network. (2016) Essential Elements of a Trauma Informed Juvenile Justice System.

2 National Child Traumatic Stress Network, Child Welfare Committee. (2011). Birth parents with trauma histories and the child welfare system: A guide for judges and attorneys. Los Angeles, CA, and Durham, NC: National Center for Child Traumatic Stress.

FOSTER RESILIENCE³

Adverse childhood experiences (ACEs) create toxic stress which may damage the developing brains of children and affect their mental and physical health.

- Identify services for parents and caregivers that promote problem-solving and healthy relationships.
- Identify services for parents and caregivers that provide education on ACEs and healthy child development.
- Support the nurturing relationships and attachments that children have with their caregivers and other adults.
- Look for ways to increase a child's social connections.
- Ensure the basic needs of the child are being met consistently.
- Consider supports or interventions that build social and emotional skills.
- Evaluate the children's support network to ensure they are physically and emotionally safe.
- Identify services for children that promote a safe environment to identify and manage emotions.

³ Community & Family Services Division at the Spokane (WA) Regional Health District. Stress and Early Brain Development: Understanding Adverse Childhood Experiences (ACEs).