

A close-up photograph showing several pairs of hands of different ages and ethnicities cupped together, holding a small mound of dark brown soil. A small green seedling with two leaves is growing out of the center of the soil. The background is blurred, showing the faces of people in a group setting.

# Guess What - You're a Family Court, Too - Considerations When Working With Families in Drug Courts

**Russ Bermejo, MSW, Senior Program Associate, Children and Family Futures**

3<sup>rd</sup> Annual Tribal Healing to Wellness Court Enhancement Training



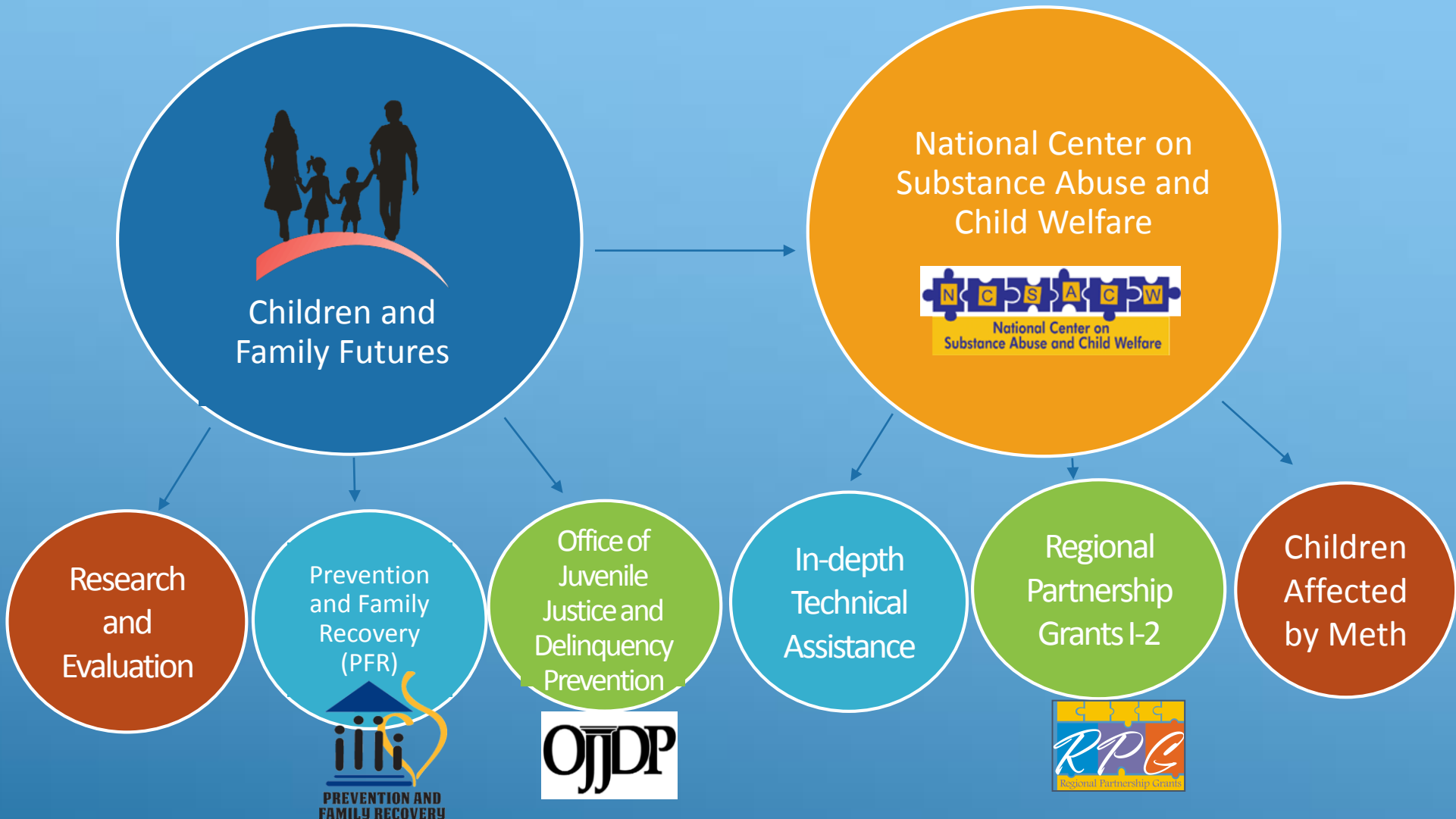
# Children and Family Futures

## The Mission:

To improve safety, permanency, well-being and recovery outcomes for children, parents and families affected by trauma, substance use and mental health disorders



25371 Commercentre Drive, Suite 140, Lake Forest CA 92630 | [www.cffutures.org](http://www.cffutures.org)



Children and Family Futures

National Center on Substance Abuse and Child Welfare



Research and Evaluation

Prevention and Family Recovery (PFR)



Office of Juvenile Justice and Delinquency Prevention



In-depth Technical Assistance

Regional Partnership Grants I-2



Children Affected by Meth





**8.3 million children**

\* 2002 – 2007 SAMHSA National Survey on Drug Use and Health (NSDUH)

jill mcdonald



**60-75%**  
of participants in  
adult drug courts  
have at least  
one minor child

**Did You Know?**



## **Parent Recovery**

Focusing on parent's recovery and parenting are essential for reunification and stabilizing families

## **Child Well-Being**

Focusing on safety and permanency are essential for child well-being





# Core Messages

Don't forget the children -  
treatment is about families

Recovery for both parent and child  
occurs in the context of family





**Developmental  
impact**

# **Addiction as a Family Disease**

**Generational  
impact**

**Psycho-  
social impact**

**Impact on  
parenting**





**What is the impact?**

- Prenatal exposure
- Postnatal environment:
  - Living with a parent with a substance use disorder
  - Trauma
  - Separation and attachment

A close-up photograph of a baby's face, looking directly at the camera with a neutral expression. The baby has dark eyes and is wearing a pink garment. The background is a soft, out-of-focus yellow and orange.

**Impact on the Child**





# Prenatal Exposure

- Prenatal screening studies document **11-15%** of infants were prenatally exposed to alcohol, tobacco, or drugs
- The most severe consequence of exposure to alcohol during pregnancy is **Fetal Alcohol Syndrome (FAS)**, the largest **preventable** cause of birth defects and mental retardation
- **Fetal Alcohol Spectrum Disorder (FASD)** – full range of effects

## Impact on the Child

- Executive functioning problems, inability to self-regulate and to generalize across situations
- Gross and fine motor delays
- Attention problems
- Memory difficulties
- Attachment disorders



Children of parents with substance use disorders are at an increased risk for developing their own substance use and mental health problems.



# Postnatal Environment – Potential Impact of Living in Substance Abusing Family

The potential impact on the child can range from:

- Severe, inconsistent or inappropriate discipline
- Neglect of basic needs: food, shelter, clothing, medical care, education and supervision
- Situations that jeopardize the child's safety and health (e.g. drug manufacturing and trafficking)
- Trauma as a result of all of the above as well as from removal
- Disruption of parent/child relationship, child's sense of trust and belonging
- Chronic trauma of childhood

# Childhood Trauma

**Trauma disrupts all aspects of normal development,**

especially during infancy and early childhood, including:

- Brain development
- Cognitive growth and learning
- Emotional self-regulation
- Attachment to caregivers and social-emotional development
- Trauma predisposes children to subsequent psychiatric difficulties







What is the relationship  
between children's issues  
and parent's recovery?

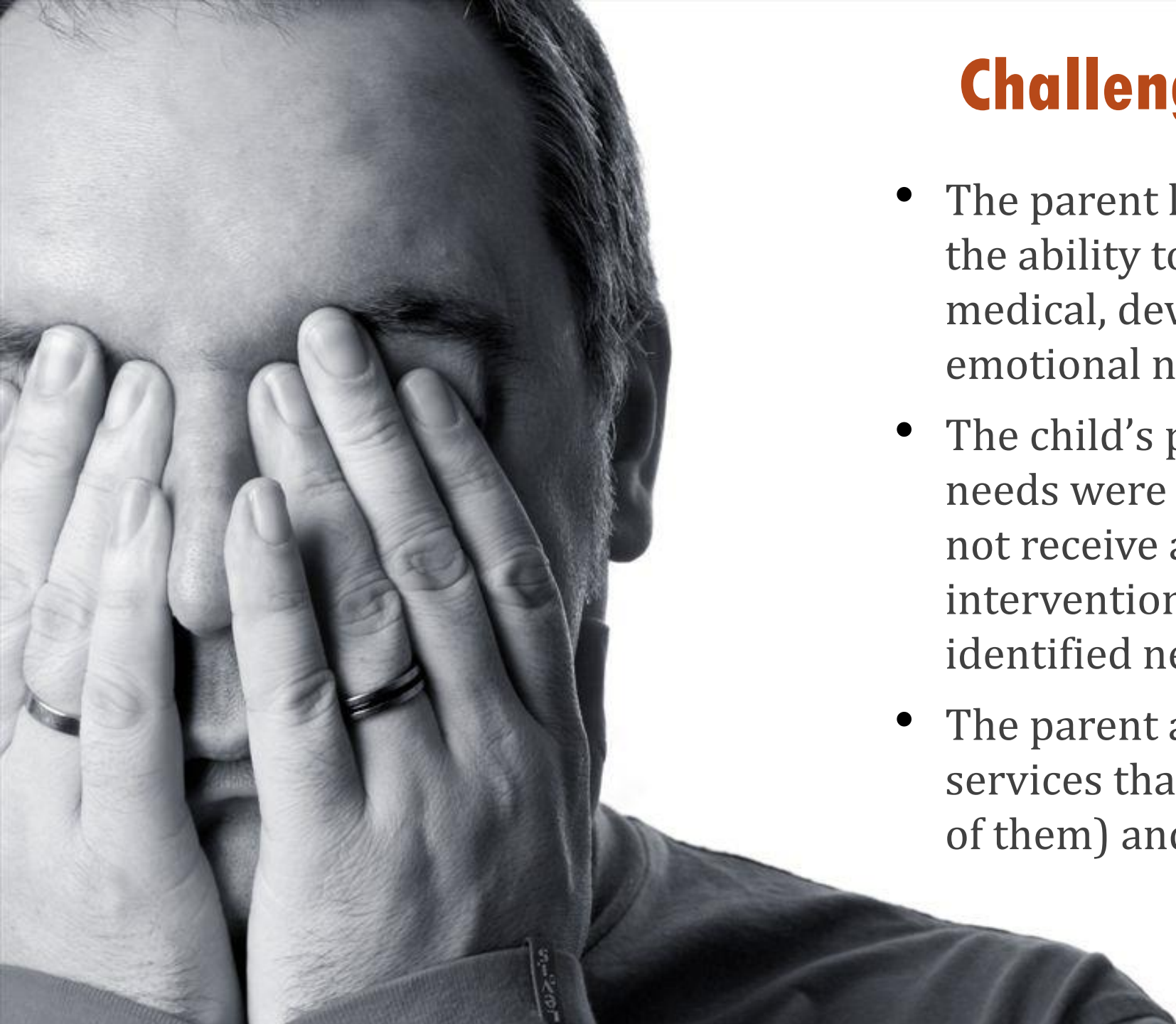


# Focusing Only on Parent's Recovery Without Addressing Needs of Children

Can threaten parent's ability to achieve and sustain recovery, and establish a healthy relationship with their children, thus risking:

- Recurrence of maltreatment
- Re-entry into out-of-home care
- Relapse and sustained sobriety
- Additional substance exposed infants
- Additional exposure to trauma for child/family
- Prolonged and recurring impact on child well-being





## Challenges for the Parents

- The parent lacks understanding of and the ability to cope with the child's medical, developmental, behavioral and emotional needs
- The child's physical, developmental needs were not assessed, or the child did not receive appropriate interventions/treatment services for the identified needs
- The parent and child did not receive services that addressed trauma (for both of them) and relationship issues

# Treatment Retention and Completion

- Women who participated in programs that included a “high” level of family and children’s services and employment/education services were twice as likely to reunify with their children as those who participated in programs with a “low” level of these services. - Grella, Hser & Yang (2006)
- Retention and completion of treatment have been found to be the strongest predictors of reunification with children for substance-abusing parents. - Green, Rockhill, & Furrer, 2007; Marsh, Smith, & Bruni, 2010
- Substance abuse treatment services that include children in treatment can lead to improved outcomes for the parent, which can also improve outcomes for the child





## Parenting in Adult Drug Courts

Adult Drug Courts that provided parenting classes had **65% greater reductions** in criminal recidivism and **52% greater cost savings** than Drug Courts that did not provide parenting classes.

*Source: Carey, S.M., Mackin, J.R., & Finigan, M.W. (2012). What works? The 10 key components of Drug Court: Research-based best practices. Drug Court Review.*

# We Know the Costs: Children of Parents with a Substance Use Disorder



- They are children who arrive at kindergarten not ready for school
- They are in special education caseloads
- They are disproportionately in foster care and are less likely to return home
- They are in juvenile justice caseloads
- They are in residential treatment programs

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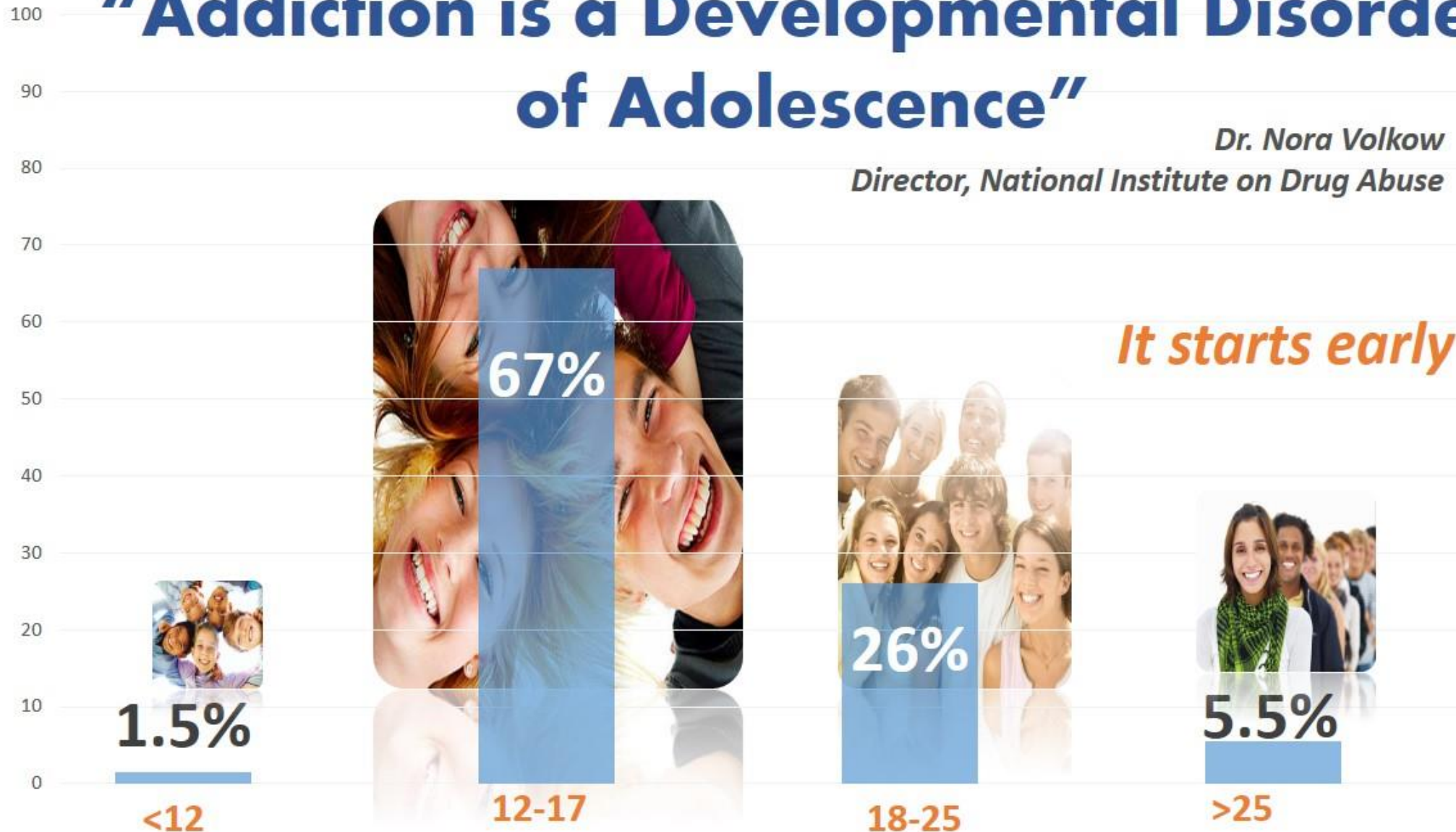


# “Addiction is a Developmental Disorder of Adolescence”

*Dr. Nora Volkow*

*Director, National Institute on Drug Abuse*

First Marijuana Use (Percent of Initiates)







# Family Recovery

Developmental  
assessment  
and services

Drug  
treatment  
and  
prevention

Mental  
health  
services

Parenting  
and parent-  
child  
relationship



# Child Well-Being and Family Relationships

- Child well-being occurs in the context of family relationships
- 90% of children in substantiated abuse and neglect cases either stay home or go home
- Impact of substance use combined with added trauma of removal and separation = severe disruption of relationships
- Family stability can greatly contribute to recovery





# Addiction as a Family Disease

- The impact on child development is well-known: addiction weakens relationships – which are critical to healthy development
- **Child-well-being** – is more than just development, safety and permanency – it's about relationships that ensure family well-being
- Impact of substance use combined with added trauma of separation due to out-home custody = severe family disruption





# Cross-System Collaboration

Substance use and child maltreatment are often multi-generational problems that can only be addressed through a *coordinated approach across multiple systems* to address needs of both parents and children.



# Why Involve Families in Drug Court? (The Literature)

- Family issues are one of most commonly identified criminogenic factors (Bonta et al., 2008)
- Family interventions are one of most effective methods to reduce offender recidivism (Lipsey et al., 2010)
- Inadequate family support, family problems and family disruption contribute to offending (Salisbury & Van Voorhis, 2009; Wareham, Dembo & Poythress, 2009)
- Attachment to children reduces violations (Visher, 2013)
- Meta-analyses show that family interventions reduce recidivism (Farrington & Welsh, 2003; Woodfenden, Williams & Peat, 2002)





## The Literature also Suggests...

- Families are powerful informal agents of control
- Families often help the offender in addressing issues such as housing and employment (Young, Taxman & Byrne, 2002)
- Family involvement results in better employment and reduced drug use (Visher, La Vigne & Travis, 2002)
- Offenders with more family contact are less likely to be arrested again or re-incarcerated (LaVigne, Visher, & Castro, 2004; Martinez and Christian, 2009)



# Family-Centered Approach



Recognizes that addiction is **a family disease** and that recovery and well-being occurs **in the context of families**



# 3Ns

NUMBERS  
NEEDS  
NETWORK



# Drug Court Practice Improvements

*Approaches to child well-being in Family Drug Courts have changed.*







Facilitated by Russ Bermejo

# 20<sup>TH</sup> ANNUAL TRAINING CONFERENCE

ANAHEIM, CALIFORNIA | MAY 28-31, 2014



**NADCP**  
National Association of  
Drug Court Professionals

# Serving Children & Families— A Developmental Process

**3Ns**

**Numbers**

**Needs**

**Network**







**How can Drug Courts  
determine the **number** of  
children associated with  
participant adults?**

*You can't coordinate what you can't count.*

# Numbers

- How will your DC ask clients if they have children?
- How will your DC ask about other family relationships, such as non-custodial parents (identity, location and quality of relationship)?
- Ask questions about **family status** at intakes?
- Strategize on how to get **entire family into treatment** to assist in identification of parental drug use and facilitate treatment
- Ensure that **court information systems** including tracking of family members





**How can Drug Courts determine the needs of children and families associated with participant adults?**

*What services and supports do these children and families need?*

# Needs – Guiding Questions

- Are child's medical, developmental, behavioral, and emotional needs assessed?
- How will your Court ask clients if their children have received appropriate screenings and assessments
- Has the child and family been assessed for trauma? Relationship issues?
- Did the child receive appropriate interventions or services for the identified needs?
- Do the parents have an understanding of the child's identified needs? Are they able to cope with the child's needs?
- Does the family have access to long-term supportive services?
- Are you providing training and education to Court Team, including judicial leaders on the importance of serving children and families?





**How can Drug Courts  
build lasting effective  
networks or partnerships  
to respond to the needs  
of these children?**

*You don't have to do it alone- that's what collaborative means*

# Network - Guiding Questions



- Do you refer and follow-up to outside agencies with children's services?
- Are child and family-serving agencies on your collaborative team?
- Are you mobilizing and linking to new resources from other agencies that already serve children and families?
- Remember – you do not have to divert resources from treating parents to help their children



# Comprehensive Treatment and Support

- Family-Centered Services
  - - Interventions with parents and children
  - - Attached focused interventions
  - - Successful visitation
- Evidence-Based Treatment and Services
  - - Peer/Parent Mentors
  - - Home Services
  - - Recovery Support Specialists
  - - Parenting Services
- Gender-Responsive
- Trauma-Informed and Focused
- Clinically sound, non-judgmental and nurturing relationships with staff
- Ongoing Support

# Child and Family Services



- Maternal and child health
- Mental health
- Child development
- Youth services
- Special education
- Delinquency prevention

*Are child and family-serving agencies on your collaborative team?*



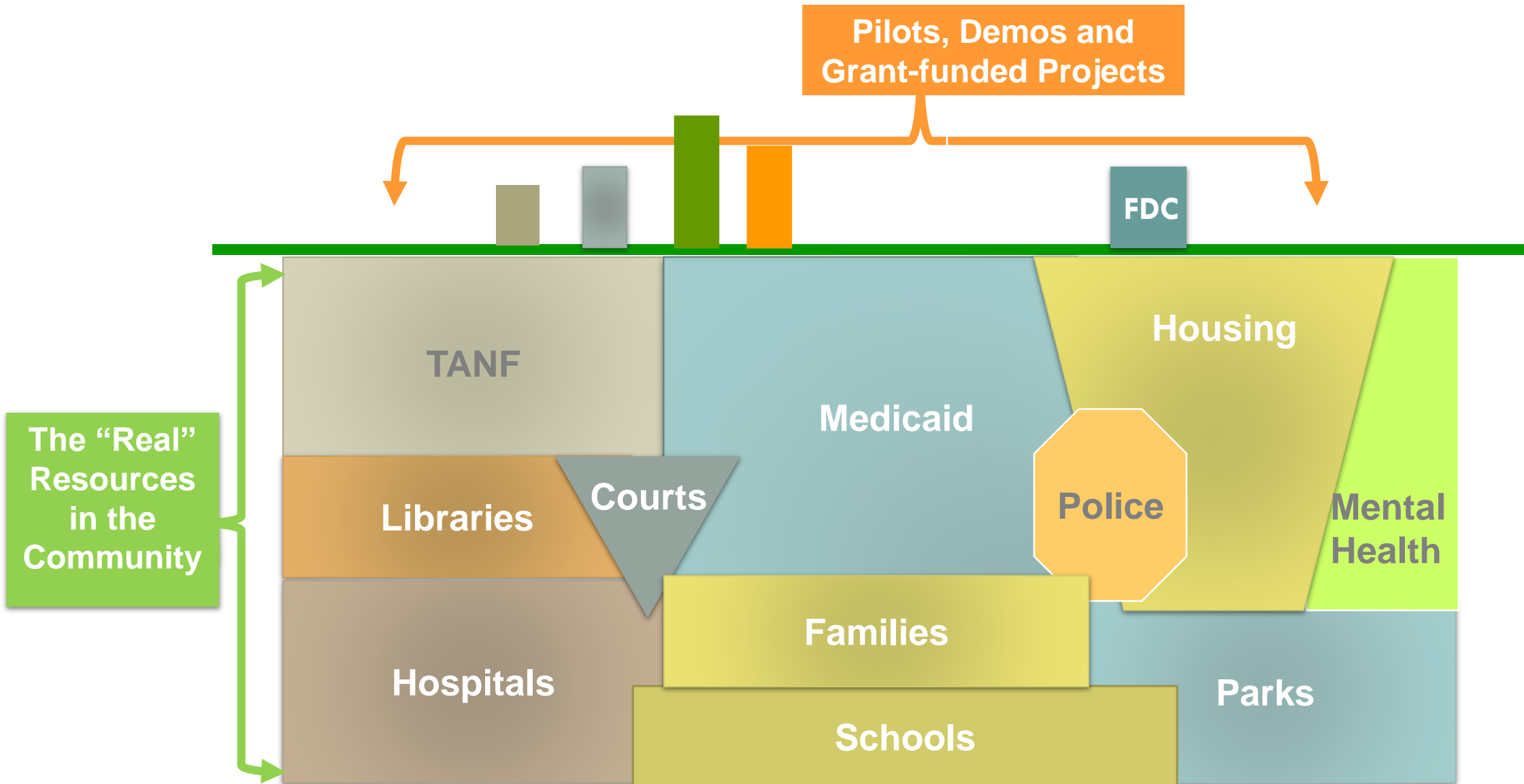
# You Don't Have Do It Alone



- The task is not diverting funds from your Court; but to mobilize and link to existing services or accessing *funds already available for children's services*
- Securing their fair share of \$350 billion in existing children's programs
  - Maternal and child health
  - Mental health
  - Child development
  - Youth services
  - Special education
  - Delinquency prevention

*Are child and family-serving agencies on your collaborative team?*

# Redirection of Resources Already Here





# Importance of a Cross-Systems Response

- Effective family interventions require **collaboration** to facilitate meaningful and sustainable family involvement and successful individual and family outcomes.
- Interventions are most effective when implemented within the context of a **coordinated, cross-system approach**.
- Interventions should consider children's and family's ecology—extended family, peers, school and neighborhood.
- Parental substance use and child abuse are often **multi-generational problems** that can only be addressed through a **coordinated approach across multiple systems** to address needs of **both parents and youth**.

# What Outcomes Do You Want to Monitor?

Do you have families involved in the Child Welfare System?

**Family Reunification** – are children being reunified with parents?


Do you have families involved in custody cases?

**Visitation** – are children seeing non-custodial parent?

Do the children need special intervention services (ie mental health services)?

**Evidence-Based Programs** – are they making progress by participating ?





## Collaborative Courts and Accountability

- Courts **hold parents responsible** for their recovery and their parenting
- But to function effectively, Courts must **also hold the system accountable** for responding to the needs of children



# Next Steps & Resources

## Action Planning Ideas – Intake & Services

- How will your Court ask veterans if they have children?
- How will your Court ask about other family relationships, such as non-custodial parents (identity, location, and quality of relationship)?
- How will your Court ask clients if their children have received appropriate screenings, assessments, intervention and treatment services?
- How will you ensure that children are screened for services?
- How will you ensure that questions about child and family status are asked at intake?
- *“How are your kids doing?”*



# Building A Network of Services

- How will you refer and follow up to outside agencies with children's services?
  - You need an inventory of children's services
    - Ask your VJO
    - Ask local coordinating bodies
    - Ask local congregations
    - Ask your Family Drug Court
- How will you ensure availability of evidence-based, family-centered treatment services?
  - Which agencies just got new federal or state funding? Are veterans' children in their caseloads? Should they be?

# Miami Child Well-Being Court Model

THE MIAMI CHILD WELL-BEING COURT™ MODEL  
Essential Elements and  
Implementation Guidance



Prepared by  
Jenifer Goldman Fraser, PhD, MPH  
Cecilia Casanueva, PhD

THE MIAMI CHILD WELL-BEING COURT™ MODEL  
A Handbook for Clinicians

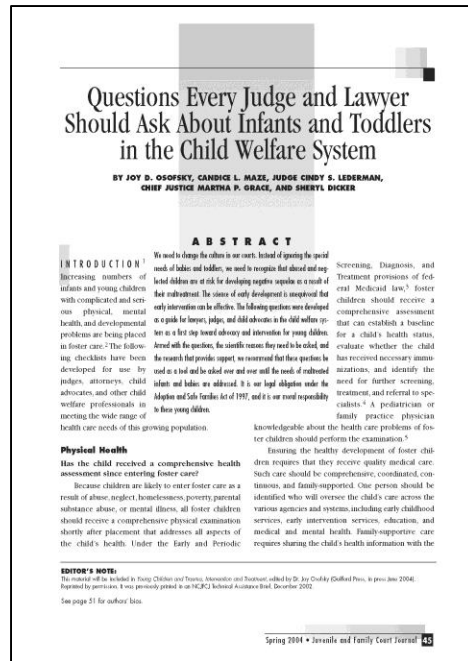


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Jenifer Goldman Fraser, PhD, MPH  
Cecilia Casanueva, PhD

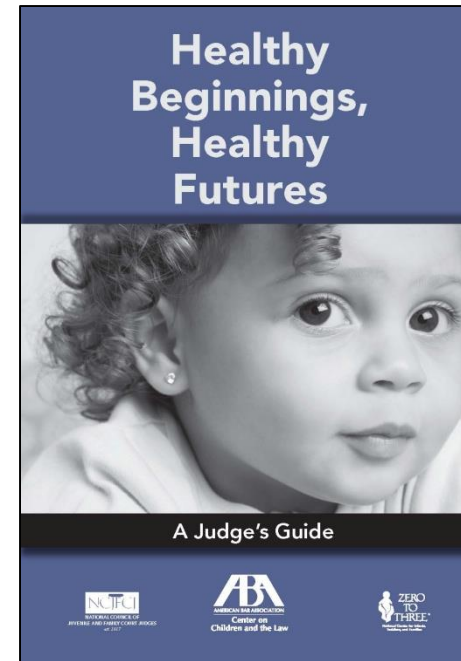
For more information, visit:

<http://www.lindaraycenter.miami.edu/Home.html>

# Child-Centered Resources



Questions Every Judge and Lawyer Should Ask About Infants and Toddlers in the Child Welfare System



*A Judges Guide - addresses the wide array of health needs of very young children in the child welfare system*

To download a copy:  
[http://www.ncjfcj.org/images/stories/dept/ppcd/pdf/spr%2004\\_4%20osofsky%20et%20al.pdf](http://www.ncjfcj.org/images/stories/dept/ppcd/pdf/spr%2004_4%20osofsky%20et%20al.pdf)

To download a copy:  
[http://www.americanbar.org/groups/child\\_law/pages/healthybeginnings.html](http://www.americanbar.org/groups/child_law/pages/healthybeginnings.html)

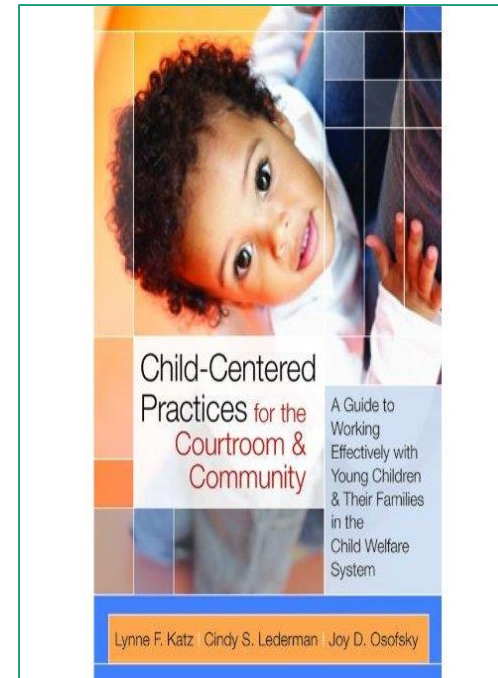


# Child-Centered Court Resources



Helping Babies from the Bench: Using the Science of Early Childhood Development in Court -DVD

To request a copy of this DVD, visit: [www.zerotothree.org](http://www.zerotothree.org)



Child-Centered Practices for the Courtroom & Community

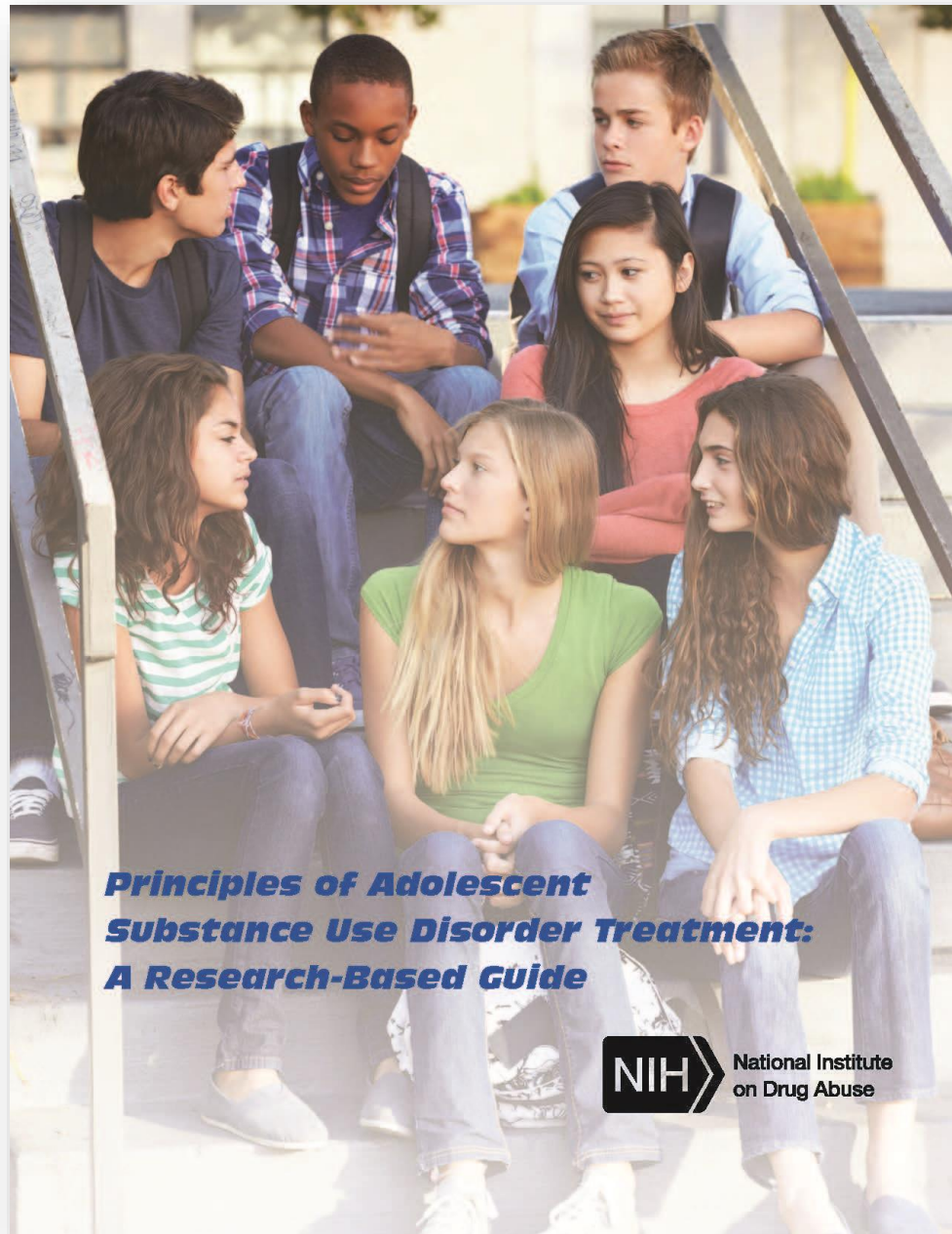
by Lynn F. Katz, Cindy S. Lederman, and Joy D. Osofsky (2011)

Available at: [www.Amazon.com](http://www.Amazon.com)

# National Institute on Drug Abuse

To download, visit:

<http://www.drugabuse.gov/publications/principles-adolescent-substance-use-disorder-treatment-research-based-guide>



***Principles of Adolescent  
Substance Use Disorder Treatment:  
A Research-Based Guide***





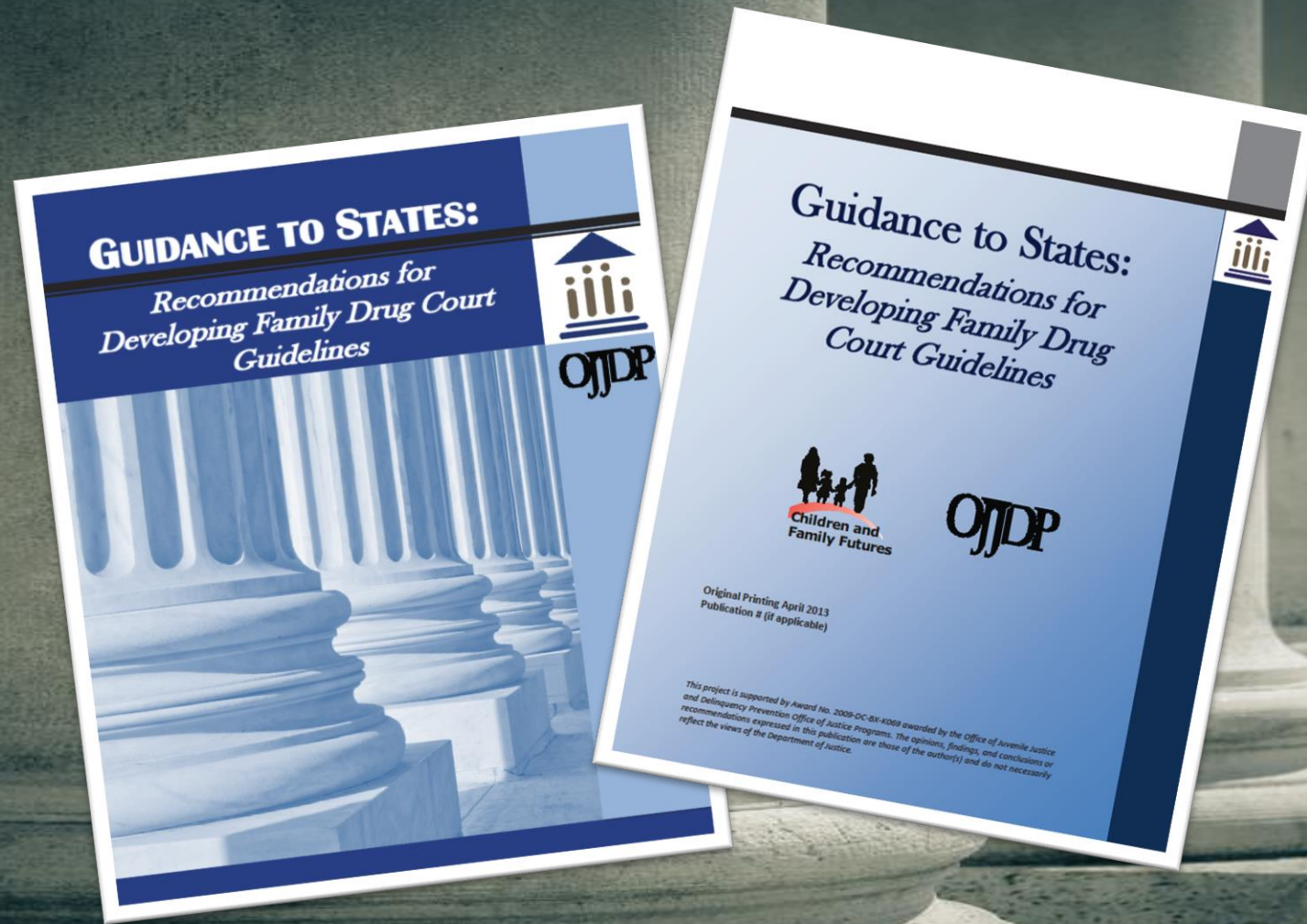
**Free CEUs!**

1. **Understanding Substance Abuse and Facilitating Recovery: A Guide for Child Welfare Workers**
2. **Understanding Child Welfare and the Dependency Court: A Guide for Substance Abuse Treatment Professionals**
3. **Understanding Substance Use Disorders, Treatment and Family Recovery: A Guide for Legal Professionals**

Please visit: [www.ncsacw.samhsa.gov](http://www.ncsacw.samhsa.gov)

**National Center on Substance Abuse and Child Welfare  
Online Tutorials**





**To download, please visit:**

<http://www.cffutures.org/files/publications/FDC-Guidelines.pdf>





**Family Drug Court Learning Academy  
Webinar Series**

**2014**

*This Changes Everything*

**For more information, please visit the FDC Learning Academy Webinar Library  
[www.cffutures.org](http://www.cffutures.org) or [www.familydrugcourts.blogspot.com](http://www.familydrugcourts.blogspot.com)**



# This Changes Everything - 2014

<b>March 6<sup>th</sup></b>	Tested and Proven – Utilization of Recovery Support Specialists as a Key Engagement and Retention Strategy in FDC (and Beyond)
<b>April 10<sup>th</sup></b>	Our Grant is Over – Now What? Re-financing and Re-Directing as Real Sustainability Planning for Your FDC
<b>June 19<sup>th</sup></b>	Closed Doors or Welcome Mat? Opening the Way for Medical Assisted Treatment in FDC
<b>July 10<sup>th</sup></b>	So How Do You Know They Are Really Ready? Key Considerations for Assessing Families in Recovery for Reunification
<b>Aug. 14<sup>th</sup></b>	Exploring Solutions Together – The Issue of Racial and Ethnic Disproportionality in FDCs
<b>Sept. 18<sup>th</sup></b>	Matching Service to Need – Exploring What “High- Risk, High-Need” Means for FDCs





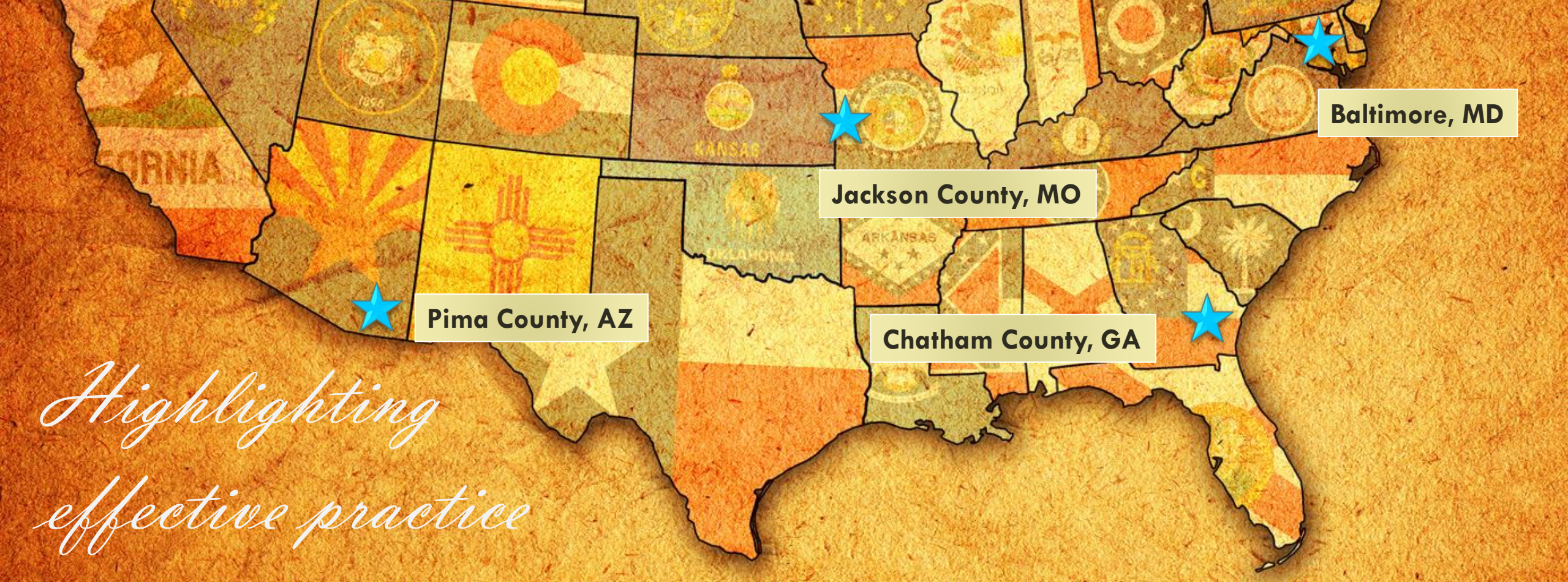
Download the PPTs,  
materials and resources

*Visit*

**FDC Learning Academy Blog**

**[www.familydrugcourts.blogspot.com](http://www.familydrugcourts.blogspot.com)**





*Highlighting  
effective practice*

# ★ FAMILY DRUG COURT PEER LEARNING COURT PROGRAM

CONTACT US FOR MORE INFORMATION: [PeerLearningCourts@cffutures.org](mailto:PeerLearningCourts@cffutures.org)



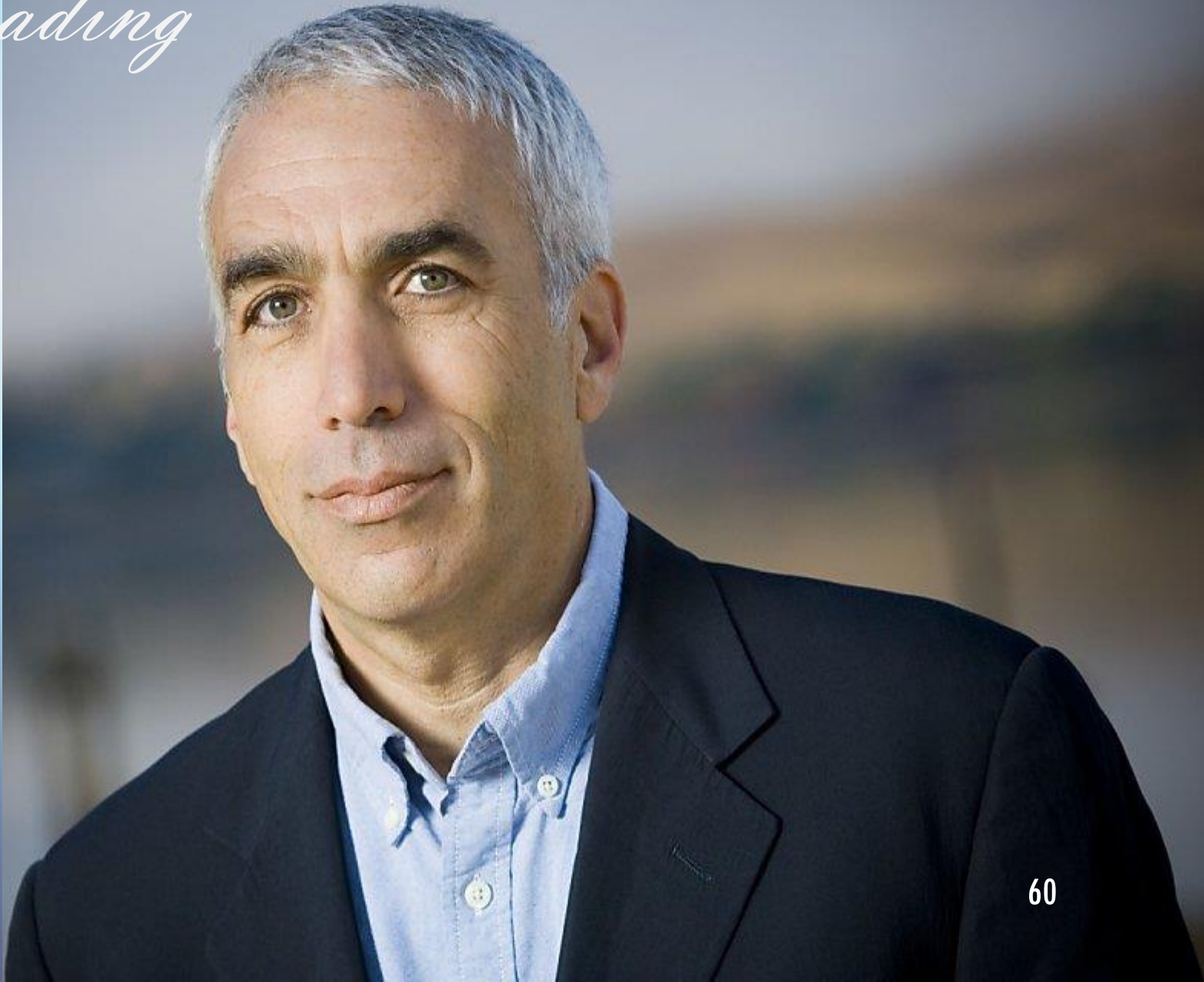
*Recommended Reading*

# clean

Overcoming Addiction and  
Ending America's Greatest Tragedy

DAVID SHEFF

*author of Beautiful Boy*





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