Therapeutic Approaches to Juvenile Court

Katherine Hazen, MA, JD; Melanie Fessinger; Laurel Johnson, JD; and Hon. Elizabeth Crnkovich
Overview

- Introductions
- Psychological and social mechanisms of therapeutic approaches to courts
- Brief history of two therapeutic courts in Nebraska
  - Family Treatment Drug Court
  - FIRST Court
- Successes and barriers in therapeutic courts
- Do therapeutic approaches impact families and the process?
- Conclusions and future directions
Introductions

- Katherine Hazen, MA, JD
- Melanie Fessinger
- Laurel Johnson, JD
- Hon. Elizabeth Crnkovich
Literature Review:

Psychological and social mechanisms of therapeutic approaches to juvenile court
Therapeutic Jurisprudence

- Jurisprudence:
  - The theory or philosophy of law

- Therapeutic Jurisprudence:
  - Understand the consequences of the law and increase the therapeutic impact
  - Interdisciplinary

- Identify and address psychological and social issues

- Diverse approaches and tools
Therapeutic Tools: Procedural Justice

- Evaluations of fairness

- Factors:
  - Voice
  - Impartiality
  - Trust
  - Respect
Therapeutic Tools: Reflective Practice

- Emotional intelligence and interpersonal relationships
- Law as interpersonal conflict resolution
- Collaborative emotional processing and integration of experiences
Therapeutic Outcomes

- Experiences of fairness
  - Cooperation
  - Compliance

- Increased engagement

- Improved working relationships
Two therapeutic courts in Nebraska

Lancaster County Family Treatment Drug Court
Douglas County Family Involved Rehabilitation and Service Track (FIRST) Court
Lancaster County Family Treatment Drug Court

- Established 2014
- Drug Court Enhancement Grant OJJDP Oct. 2016

Components
- Mandatory
- Monthly team meetings
- 90-day review hearings
- Specialized trauma-informed substance abuse and parenting services
- Corrective measures
Douglas County FIRST Court

- Established Jan. 2017

- Goals:
  - Improve professional and participant relationships
  - Increase contact between participants and court

- Defining characteristics
  - Family Finding
  - CASA
  - Mediation before case settlement
  - Court Family Team Meetings

- Reflective Practice for professionals
Attorney Experiences

- Advantages and disadvantages to working together as a team
  - Balance advocacy and problem-solving

- Opportunity to work more closely with clients
  - Flexibility
  - Advocate & rehabilitate

- Refining the process
  - Keep client self-reflection
  - Working with specially-trained professionals
  - Consider client consent
Judge Experiences

- What have you observed as most impactful for the families and how have the therapeutic approaches impacted them?

- How have the therapeutic approaches changed how you approach your work?

- What about the therapeutic approaches has made your job as a judge easier or more rewarding?

- What would you differently in the future? What would you do the same?
Program Evaluations
Lancaster County Family Treatment Drug Court
Douglas County FIRST Court
Lancaster County Family Treatment Drug Court

Sample:
- FTDC families
- Traditional dependency court families

Method:
- Parent surveys
- Case file reviews
FTDC: Parent Surveys

- 11 items
- 5-point scale (1 = strongly disagree, 5 = strongly agree)
- 139 unique surveys
  - 104 FTDC parents
  - 35 traditional dependency court parents
The process of getting my children back is fair.

My voice is heard at family team meetings.

I am comfortable speaking at family team meetings.

I have a say in the decisions that affect me and my children.

* Significant at $p < .05$
I can be honest in team meetings. The main goal of this process is to get my children returned to me. I have access to the services that I need to get my children returned to me. I know what needs to be done to get my children returned to me.

* Significant at $p < .05$
I can go to my case manager with any concerns I have about my ability to meet my goals.

I receive praise from my case manager when I make progress towards my goals.

I receive praise from the judge when I make progress towards my goals.

* Significant at $p < .05$
FTDC: Case File Reviews

- Recorded important case dates, petition allegations, court orders, parents’ participation in services, and case outcomes

- 158 files reviewed
  - 129 FTDC parents
  - 29 traditional dependency court parents
Participation in Substance Abuse Treatment

- 18% Successfully Completed
- 27% Participating in Treatment
Participation in Substance Abuse Treatment

6% Participating in Treatment
Outcomes for Closed Cases

- **FTDC:** 59 cases
  - Reunified: 57%
  - Relinquished: 9%
  - TPR: 34%

- **Traditional:** 11 cases
  - Reunified: 64%
  - Relinquished: 27%
  - TPR: 9%
Status of Open Cases

FTDC: 70 cases
- Reunified: 11%
- Relinquished: 7%
- Out of Home: 82%

Traditional: 18 cases
- Reunified: 17%
- Relinquished: 5%
- Out of Home: 78%
Average Time from Petition to Reunification

FTDC = 9.46 months

Traditional = 12.42 months

Non-significant difference, p > .05
Time from Petition to Case Closure

FTDC = 16.77 months

Traditional = 18.35 months

Non-significant difference, p > .05
Douglas County FIRST Court

Sample
- FIRST Court
- Traditional dependency court

Method
- Professional interviews
- Court observations
FIRST: Professional Interviews

- Attorneys and caseworkers
- Every six months (Spring, Summer, & Winter 2017)
- 23 questions about the court
  - 100 point scale (0 = not at all/completely disagree, 100 = extremely/completely agree)
Attorney Interviews

<table>
<thead>
<tr>
<th>Question</th>
<th>Spring 2017</th>
<th>Winter 217</th>
</tr>
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<tbody>
<tr>
<td>How much do you feel like a member of the team?</td>
<td>63</td>
<td>80.00</td>
</tr>
<tr>
<td>How trusted is judge in court?</td>
<td>80</td>
<td>90.00</td>
</tr>
<tr>
<td>How respected are you in court?</td>
<td>70*</td>
<td>87.00</td>
</tr>
<tr>
<td>How respected are other attorneys/caseworkers in court?</td>
<td>70</td>
<td>87.00</td>
</tr>
</tbody>
</table>
Attorney Interviews

- How well does the court use time to achieving permanency? Spring 2017: 75.00, Winter 2017: 75.00
Caseworker Interviews

- How much do you feel like a member of the team?
- How trusted is judge in court?
- How respected are you in court?
- How respected are other attorneys/caseworkers in court?

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<th>Spring 2017</th>
<th>Summer 2017</th>
<th>Winter 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>How much do you feel like a member of the team?</td>
<td>75</td>
<td>81</td>
<td>73</td>
</tr>
<tr>
<td>How trusted is judge in court?</td>
<td>78</td>
<td>80</td>
<td>78</td>
</tr>
<tr>
<td>How respected are you in court?</td>
<td>82</td>
<td>67</td>
<td>60</td>
</tr>
<tr>
<td>How respected are other attorneys/caseworkers in court?</td>
<td>60</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>

Spring 2017, Summer 2017, Winter 2017
Caseworker Interviews

- **How much do parents participate?**
  - Spring 2017: 77
  - Summer 2017: 70
  - Winter 2017: 63

- **How well does the court use time to achieving permanency?**
  - Spring 2017: 37
  - Summer 2017: 23

- **To what extent do you agree with judge's decision making process?**
  - Spring 2017: 75
  - Summer 2017: 78
  - Winter 2017: 70

- **To what extent do you agree with judge's decisions?**
  - Spring 2017: 82
  - Summer 2017: 86
  - Winter 2017: 75
FIRST: Court Observations

- Recorded hearing information, participation, issues raised, and court environment
- 126 hearings observed
  - 48 FIRST Court
  - 77 traditional dependency court parents
Participation in Hearings

Significant at $p < .05$

**First Court**
- Judge*
- Mother*
- Father*
- Caseworker*
- Mother Attorney*
- Father Attorney*
- GAL*
- County Attorney
- DHHS Attorney
- CASA*

**Traditional**

Significant at $p < .05$
**Discussion Type**

- **Authoritarian**
  - FIRST Court: 26%
  - Traditional: 53%

- **Duologue**
  - FIRST Court: 11%
  - Traditional: 8%

- **Implied Consensus**
  - FIRST Court: 32%
  - Traditional: 22%

- **Formal Consensus**
  - FIRST Court: 28%
  - Traditional: 12%
Conclusions:

Bringing it all together & plans for the future
Conclusions

- **Therapeutic approaches**
  - Procedural justice
  - Reflective Practice

- Increased perceptions of fairness

- Increased engagement
  - Participation in services
  - Participation in court
  - Time to case closure

- Working relationships
Plans for the future

- Ongoing evaluation
- Share programs and results
- Expand reliance on therapeutic approaches
Comments and questions?