

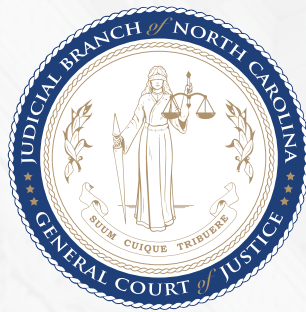


TASK FORCE *on* ACES-INFORMED COURTS

FINAL REPORT

[NCcourts.gov/ACES](https://nccourts.gov/ACES)

Prepared by Court Programs Division
November 30, 2023



About the North Carolina Judicial Branch

The mission of the North Carolina Judicial Branch is to protect and preserve the rights and liberties of all the people as guaranteed by the Constitutions and laws of the United States and North Carolina by providing a fair, independent and accessible forum for the just, timely and economical resolution of their legal affairs.

About the North Carolina Administrative Office of the Courts

The mission of the North Carolina Administrative Office of the Courts is to provide services to help North Carolina's unified court system operate more efficiently and effectively, taking into account each courthouse's diverse needs, caseloads, and available resources.



CHIEF JUSTICE PAUL NEWBY
Supreme Court of North Carolina
Task Force Convenor

RYAN S. BOYCE
Director, North Carolina Administrative Office of the Courts
Task Force Co-Chair

DISTRICT ATTORNEY BEN DAVID
Prosecutorial District 6 – New Hanover and Pender Counties
Task Force Co-Chair

THE CHIEF JUSTICE'S TASK FORCE ON ACEs-INFORMED COURTS

www.NCcourts.gov/ACEs

November 30, 2023

Paul Newby
Chief Justice
North Carolina Supreme Court
PO Box 1841
Raleigh, NC 27602

Dear Chief Justice Newby:

In March of 2021 you established a Task Force to combat ACEs-Adverse Childhood Experiences and Adverse Community Environments. We were asked to lead this effort with the mission of “enabling Judicial Branch stakeholders to understand the impact on children of exposure to ACEs at an early age; and to develop strategies for addressing adverse consequences within the court system.”

It has been an honor to work with a dedicated group of justice and allied professionals, diverse in every respect. We are Republicans, Democrats, and Independents, reflect racial diversity, and hail from metro and rural areas from the mountains to the sea. While we work in an adversarial system, we put aside our differences in the interest of North Carolina’s citizens. We relied heavily upon our personal experiences, as well as science and faith, and looked to best practices from around the state and country. The report that follows is the product of this collaborative work.

The work of the Task Force and its Advisory committee would not have been possible without the dedication of each member. The exceptional staff at the Administrative Office of the Courts, (ably led at the start of our Task Force work by former AOC Director and co-chair Judge Andrew T. Heath), have made the work relevant, scalable, and sustainable. Continuous training and monitoring of outcomes, facilitated by the Bolch Institute at Duke Law School and UNC’s School of Government, will ensure that the work of the Task Force outlives our individual efforts.

Relying on the work of Drs. Vince Felitti and Robert Anda, our Task Force explored how both Adverse Childhood Experiences and Adverse Community Environments intersect with the criminal, civil, and family courts in North Carolina. Just as science enables us to solve cases, we can now utilize it to prevent crime from occurring. Over the last two years, eight regional meetings were held around the state. The problems judicial officials encounter at the courthouse are bigger than we can tackle alone. We were introduced to wonderful examples of how leaders from other parts of the community confront ACEs and build resilience by working collaboratively with court officials.

An expanded understanding of vicarious trauma, often experienced by the justice professionals who work in various court settings, requires that support for court employees exist in conjunction with services to families through the justice system. If everyone in the justice system – from officers on the street to judges on the bench and everyone in between – is well cared for, they will serve the citizens in a more professional manner.





THE
CHIEF JUSTICE'S
TASK FORCE ON
ACEs-INFORMED
COURTS

PO Box 2448, Raleigh, NC 27602
ACETaskForce@nccourts.org

www.NCcourts.gov/ACEs

The attached report memorializes the work of the Task Force and provides recommendations for further integration of trauma-informed care. On behalf of the members of the Task Force, Advisory Committee and Administrative Office of the Courts staff, thank you for the opportunity to serve in this capacity.

Sincerely,

Ryan Boyce
Director
NC Administrative Office of the Courts
Task Force Co-Chair

Benjamin R. David
District Attorney
Sixth Prosecutorial District
Task Force Co-Chair

RSB&BRD/lc

Enclosures (1)





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TASK FORCE *on* ACES-INFORMED COURTS

INTRODUCTION



MISSION

The mission of the Chief Justice's Task Force on ACES-Informed Courts (TFAC) is to enable Judicial Branch stakeholders to understand the impact on children of exposure to ACES (adverse childhood experiences; adverse community environments); and to develop strategies for addressing adverse consequences within our court system.

To accomplish this mission, the Task Force focus was to:

- Provide judges and court administrators with practical education on the effects of ACES;
- Equip juvenile court officials to recognize young offenders and victims impacted by ACES;
- Identify existing programs and design new programs that intervene in the lives of young ACES offenders and victims affected by ACES to put them on a path away from the courthouse and into a successful adult life; and
- Provide a platform from which court officials can offer feedback to educators regarding their experiences, with the hope of creating further avenues for research on this important topic.

Read about the Bolch Judicial Institute's [Trauma-Informed Court program](#) at Duke University School of Law. The program will help educate the bench, administrators, and counsel on ACES and related issues.

Why This Work Is Important

Societal ills that overrun our system have two common themes: today's victim is tomorrow's defendant, and high crime areas are high victim areas. Individuals, and even whole families, are caught in a cul-de-sac of despair as they navigate a cruel pair of ACES—Adverse Childhood Experiences and Adverse Community Environments. Invariably, the people we encounter come from home environments filled with abuse and dysfunction or reside in zip codes that are surrounded by poverty and violence. Traumatized people end up traumatizing people.

The true gateway drug to the opioid epidemic, which is killing ten North Carolinians and 300 Americans every day, is childhood trauma. Users seek to medicate their pain and look to drugs not as a problem but as a solution. Young people who witness violence in their homes search out similar relationships later in life, becoming both abusers and the abused, as they model learned behavior. The shooting victim on the street who refuses to cooperate, waiting instead to seek vigilante justice, comes from a part of the community where life is a daily struggle and trust in the system is virtually non-existent.

Too frequently interventions in the lives of adults hack away at the leaves of crime, rather than dig into the root causes of it. The cycle of abuse, the downward spiral of violence, and the revolving door at the courthouse continue to spin. Going upstream to proactively confront trauma brought about by toxic stress is far better than reacting to the predictable disasters waiting downstream.

When we look at the pair of ACES in this picture, we see the opioid epidemic and intimate partner as the tree and the youth violence and street level violence as the roots. We are at our very best in the justice system when we seek to confront these challenges that individuals and whole communities experience.



TASK FORCE *on* ACES-INFORMED COURTS

INTRODUCTION



Ellis, W., Dietz, W. (2017) A New Framework for Addressing Adverse Childhood and Community Experiences: The Building Community Resilience (BCR) Model. *Academic Pediatrics*. 17 (2017) pp. S86-S93. DOI information: 10.1016/j.acap.2016.12.011

Public safety problems call out for public health solutions. The social determinants of health are the same thing as the root causes of crime. When we focus on the well-being of individuals, and healthy relationships among and between each other, we make everyone safer. Our Founding Fathers recognized that protecting life and securing the blessings of liberty are inextricably bound up with that third, often overlooked unalienable right, the pursuit of happiness.

Child abuse is the epidemic feeding all the other epidemics we see at the courthouse. Twenty-two percent of North Carolina's children will be investigated as victims of abuse, neglect, or dependency. Mitigating the harm caused by this abuse must be a top priority of every justice official. In medicine it has been said that "an ounce of prevention is worth a pound of cure." If we can predict it, we can prevent it.

The paradigm shift is moving away from asking "what is wrong with you?" to instead ask "what happened to you?" The ACEs-Informed Courts and YASI bench cards have been widely circulated to key justice officials throughout N.C. to put consistent practices in place that avoids re-traumatizing individuals who come before us in court.

Make no mistake: The Task Force members believe in

holding individuals responsible for their crimes. ACEs are not an excuse, rather, they are an explanation for much of the behavior we see. Prison still has its place—especially for violent offenders, career criminals, and drug traffickers. Task Force members are not advocating for use of ACE science in these cases, which are largely confined to our Superior Courts.

We recognize that most cases come through our district courts and involve non-violent offenders, like the drug addicted and mentally ill, and through our Juvenile and Family Courts. Our Task Force advocates for expanding Felony District Court, Family Courts, Judicially Managed Accountability and Recovery Courts (including traditional Recovery Courts, Mental Health Treatment Courts, Family Drug Treatment Courts, and Veteran's Treatment Courts). We are also piloting Safe Babies Courts, which will dramatically improve outcomes for children in the zero to five population—who make up 90% of all child fatalities. We will have the most return on our investment confronting the high ACE scores of these vulnerable populations by working smarter in our district courts. We also piloted a new mandatory trauma-informed courts training this year for new district court judges, in recognition that trauma-informed practices need to be a part of the toolkit for every new district court judge. The Chief Justice's Task Force on ACEs-Informed Courts

TASK FORCE *on* ACES-INFORMED COURTS



MEMBERS

The Task Force members are appointed by [Chief Justice Paul Newby](#) and are representative of all stakeholder groups within our court system: judges, prosecutors, defense attorneys, clerks, law enforcement, private attorneys, and child-representatives, as well as academic leaders. This talented, experienced, and diverse group is supplemented with an advisory group made up of subject matter experts as well as representatives from law schools, universities, the Executive Branch, and private foundations. Prior to the first task force meeting, members watched the movie [Resilience](#) and participated in a facilitated discussion about the message.

Chief Justice Paul Newby

Supreme Court of North Carolina

Ryan Boyce

North Carolina Administrative Office of the Courts
(NCAOC) Director

Task Force Co-Chair

Robert (Seth) Banks

District Attorney
Yancey County

Ben David

District Attorney
New Hanover and Pender County
Task Force Co-Chair

Meredith Edwards

Clerk of Superior Court
Alamance County

Pat Evans

Retired Chief District Court Judge
Durham County

Phyllis Gorham

Senior Resident Superior Court Judge
New Hanover County

Andrew Heath

Attorney
Wake County

Johnny Jennings

Charlotte Mecklenburg Police Department
(CMPD) Chief
Mecklenburg County

Nalini Joseph

Iredell County

Bert Kemp

Chief Public Defender
Pitt County

David Levi

Levi Family Professor of Law and Judicial Studies
and Director of the Bolch Judicial Institute
Durham County

Jack Marin

Attorney
Durham County

Quintin McGee

Special Superior Court Judge
Brunswick County

Angelica McIntyre

Chief District Court Judge
Robeson County

Spencer Merriweather

District Attorney
Mecklenburg County

Mario Perez

District Court Judge
Pitt County

LaToya Powell

NCDPS Deputy General Counsel
Wake County

Mike Silver

NCAOC Training and Services Director
Wake County

Amelia Thorn

Bolch Judicial Institute Assistant Director of
Special Projects and Articles Editor at Judicature
Durham County

TASK FORCE *on* ACES-INFORMED COURTS

ADVISORY GROUP



The task force also received guidance from these volunteers.

MEMBERS	POSITION	ORGANIZATION
James Allegretto	Executive Director	Youth of NC
Amy Auth	Director, Legislative Affairs	NCAOC
Ryan Boyce	Director	NCAOC
Dr. Philip Brown	Chief Physician Executive	Novant Health
Kiesha Crawford	Court Improvement Program Director	NCAOC
Meaghan Dennison	Chief Executive Officer	Cape Fear Collective
Sara DePasquale	Associate Professor	UNC School of Government
Susan Gale Perry	Chief Deputy Secretary	NC DHHS
Karen Fairley	Executive Director, Center for Safer Schools	NC DPI
William Goebel	Chairman of the Board	Youth of NC
Dr. Kelly Graves	President & CEO	Kellin Foundation
Jacquelyn Greene	Assistant Professor	UNC School of Government
Peter Kuhns	DACJJ Director, Clinical Service	NC DPS
Joseph Kyzer	Legislative Liaison / Deputy Director	NCAOC
William Lassiter	DACJJ Deputy Secretary for Juvenile Justice	NC DPS
Kevin Leonard	Executive Director	NC Association of County Commissioners
Marth McConnell	Vice President, Government Relations	Atrium Health
Emily Mehta	Research, Policy, and Planning Manager	NCAOC
Beth Moracco	Associate Director	UNC Injury Prevention Research Center (IPRC)
Emma Paul	Victim Services Coordinator	Innocence Inquiry Commission
Asia Prince	Court Programs Officer	NCAOC
Siarra Scott	Project Manager, Outreach Training and Education Core	UNC IPRC
Wayne Sparks	Senior Medical Director, Behavioral Health	Atrium Health
Elizabeth Star	Founder and President	HopeStar Foundation
Margaret Stargell	President and CEO	Coastal Horizons Center
Alexia Stith	Recovery Court Management Specialist	NCAOC
Catherine Truitt	NC Superintendent of Public Instruction	NC DPI
Dr. Jerome Williams	Cardiologist Specialist	Novant Health
Belinda-Rose Young	Associate Director, Outreach Training and Education Core	UNC IPRC

MEETING MINUTES

The task force was first convened in Raleigh at the North Carolina Judicial Center in August 2021. Eight quarterly meetings of the entire task force were held at sites across the state with the final regular meeting back in Raleigh. Subcommittee work was done via WebEx. Meeting minutes and location information is available online at [Chief Justice's Task Force on ACes-Informed Courts | North Carolina Judicial Branch \(nccourts.gov\)](https://www.nccourts.gov).

TASK FORCE *on* ACES-INFORMED COURTS



ACCOMPLISHMENTS

- Recorded and released an episode for the Judicial Branch Podcast series "[All Things Judicial](#)" podcast focusing on ACES-Informed courts. June 2021
- Coordinated with the Bolch Institute of Duke Law to develop an ACES training for district court judges. Fall 2021
- New [ACES Bench Card](#) was created for and distributed to all Judicial Branch officials and employees. The printed version folds so it fits within a notebook. June 2022
- Bolch Institute at Duke Law is conducting a study of trauma-informed practices in North Carolina state courts. 2023
- Presentations on trauma-informed practices were delivered across the judicial branch as well as to other stakeholders over the last two years.
- Two new advanced certifications ([child welfare](#) and [juvenile justice](#)) for district court judges in juvenile court were developed in collaboration with the UNC School of Government and launched in 2022.
- Recorded and released [All Things Judicial podcast Focuses on North Carolina's School Justice Partnerships | North Carolina Judicial Branch \(nccourts.gov\)](#) School Justice Partnership programs focused on keeping kids in school and out of court. August 2022
- A new in-person half-day *Customer Service in the Public Sector* class including the ACES Bench Card and trauma-informed practices for all Judicial Branch employees. In the first year, fourteen in-person sessions were attended by 258 students from a variety of roles (clerks, magistrates, court managers, interpreters, Administrative Office of the Courts staff, and more). August 2022
- A Success Sequence curriculum began pilot in Columbus and Robeson Counties as part of the Juvenile Crime Prevention program. Early 2023
- A 6-hour trauma-informed training was piloted for new district court judges. The training will be replicated on an annual basis for all new district court judges. June 2023
- Youth Assessment and Screening Instrument (YASI) tool is a risk, needs, and strengths assessment for justice involved youth, used for measuring the risk of recidivism and developing service plans. February 2023, See [YASI Bench Card](#) and [Introduction to the YASI Bench Card](#) video.
- Safe Babies Courts are being piloted in 5 locations in North Carolina over the next 3 years, starting in November 2023. Chief Justice Newby convened all Chief District Court Judges November 30-December 1, 2023, for intensive training on trauma practices. The event coincided with the last meeting of the Task Force and was held at Duke University.
- AOC and TFAC partnered with the University of North Carolina Injury Prevention Research Council (UNC IPRC) to develop these resources that will be available in 2024:
 - A new on-demand, free trauma-informed training will be launched in the LearningCenter for all Judicial Branch employees. The curriculum includes four modules:
 - New youth activity booklets will be distributed to Judicial Branch offices in courthouses statewide.

TASK FORCE *on* ACES-INFORMED COURTS



TRAUMA-INFORMED TRAININGS AND PRESENTATIONS

Thursday, September 23, 2021

District Attorney Ben David presenting at the 2021 South Carolina Solicitors Annual Conference

Wednesday, October 20, 2021

District Attorney Ben David presenting at the District Attorney's Fall Association Meeting

Wednesday, October 20, 2021

Latoya Powell presenting at the North Carolina Institute of Medicine (NCIOM) Annual Meeting

Wednesday, October 20, 2021

Chief District Court Judge J. Corpening presented on ACE's Informed Courts at the District Court Judges Fall Educational Conference

Friday, October 22, 2021

Jodie A. Lanning presenting to the Qualified Training Professionals (QTP) program with OSHR

Saturday, October 23, 2021

Judge Mario Perez presenting at the Edgecombe County Biennial Community Forum

Saturday, October 30, 2021

Mike Silver presenting at the Mountain Area Health Education Center (MAHEC) Adverse Childhood Experiences Southeastern Summit 2021

Wednesday, April 27, 2022

Mike Silver presenting at the 2022 North Carolina Reentry Conference hosted by the North Carolina Department of Public Safety

Monday, May 2, 2022

Chief District Court Judge Elizabeth Trosch presenting on the Impact of Adverse Childhood Experiences (ACEs) on Child Development at the 2022 N.C. Family Court Educational Conference

Tuesday, May 3, 2022

Chief District Court Judge J. Corpening presenting on Trauma Informed Court Practices at the 2022 N.C. Family Court Educational Conference

Friday, May 6, 2022

District Attorney Seth Banks presenting on Trauma Informed Courts at the 2022 N.C. Association for Court Management Spring Educational Conference

Friday, May 6, 2022

LaToya Powell presenting at the NCBA Paralegal Division's Annual Meeting

Wednesday, August 3, 2022

District Attorney Spencer Merriweather and Mike Silver presented on Trauma-Informed Courts to the RISE Conference hosted by the N.C. Department of Public Instruction

Thursday, August 25, 2022

Chief District Court Judge J. Corpening presented on Trauma-Informed Practices and Courts at the North Carolina Child Support Council Conference

Thursday, September 15, 2022

Chief District Court Judge J. Corpening presented on Trauma-Informed Practices and Courts at the North Carolina Legal Services Conference

Thursday, September 29, 2022

Screening of "Resilience" at the 2022 Fall Magistrates Conference. Panel discussion hosted by Mike Silver, Judge Corpening, Emma Paul, and Vernisha Crawford.

Friday, January 13, 2023

Screening of "Resilience" at NCCU School of Law. Follow-up discussion by Mike Silver

February 21, 2023

Chief District Court Judge J. Corpening presented at the New Hanover County Bar Association meeting on trauma-informed court practices

May 23, 2023

Chief District Court Judge J. Corpening presented to the ERICSA national child support conference on trauma-informed court practices

June 1, 2023

Chief District Court Judge J. Corpening presented to the NCBA Juvenile Justice and Children's Rights Section on trauma-informed practices

June 19, 2023

Bolch Institute led the trauma-informed session for new judge's school.

TASK FORCE *on* ACES-INFORMED COURTS



LAYING THE GROUNDWORK

Over thirty years ago, two medical doctors, Vincent Felitti of Kaiser Permanente in San Diego and Robert Anda of the Centers for Disease Control and Prevention in Atlanta, developed a questionnaire that took a patient history that we now know as the 10 ACE questions:

1. Are your parents divorced?
2. Is either parent incarcerated?
3. Have you witnessed domestic violence in your home?
4. Is there drug use in your home?
5. Do you suffer from food insecurity or a lack of basic needs?
6. Do you lack emotional support from family at home?
7. Is there someone with mental illness in your home?
8. Have you been threatened or emotionally abused at home?
9. Have you been physically abused?
10. Have you been sexually abused?



An ACE score is tabulated by assigning a point for every question a patient answers in the affirmative. Thousands of patient histories were taken, and health outcomes were tracked over the next two decades. The comprehensive study conclusively established that the higher the ACE score, the higher the rate of depression, teen pregnancy, alcohol use, smoking and suicide. A person with an ACE score of 6 or higher has a 20 year less life expectancy than someone with an ACE score of 0 or 1.

A child with an ACE score of 4 or higher is 70% more likely to be a defendant or victim in a violent crime. Everything from IV drug use to intimate partner violence goes up as the ACE score climbs. As Dr. Bessel Van Der Kolk correctly summarized in the comprehensive trauma study [The Body Keeps the Score](#): "Eradicating child abuse in America would reduce the overall rate of...alcoholism by two-thirds, and suicide, IV drug use, and domestic violence by three-quarters. It would also...vastly decrease the need for incarceration."

In preparation for our work, Task Force Members, who were identified through meetings with Chief Justice Paul Newby, former AOC Director and Task Force co-chair Andrew Heath, and Task Force co-chair District Attorney Ben David, viewed the film *Resilience: The Biology of Stress*

and the Science of Hope. The film explores Felitti and Anda's work and how it has been used as a tool in several social service and educational sectors for improving outcomes. The Task Force used the film as a launchpad for conversations about how that work could be used in a justice setting.

There are already many resilience task forces throughout North Carolina that are dedicated to identifying individuals, especially children, with high ACE scores and providing them with a continuum of care to buffer them against the long-term effects of toxic stress. Justice officials are in established positions of trust to navigate these individuals to the infrastructure of support that may already exist, or to advocate for greater resources in their communities where there are gaps in services.

Year one of our work was dedicated to not only learning more about ACEs but surveying the state and country for best practices. We also looked at critical needs that went unmet and recognized that many areas of the state, notably rural counties, frequently lacked the resources to treat traumatized people. Year two of our work focused on implementing some of these best practices and identifying areas of need that are best addressed by state funding.



(TFAC) devoted its first year to helping court officials and staff become more trauma-informed through outreach, bench cards, and ongoing training development. The mission of the TFAC, which is to enable Judicial Branch stakeholders to understand the impact of exposure to ACEs on children at an early age and to develop strategies for addressing adverse consequences within the court system. Relying on community and science will facilitate the work of the Task Force.

Community wellness begins with individual and family wellness. Court programs, such as Custody Mediation and Guardian ad Litem have been using trauma-informed practices in their work with individuals, families, and children for over twenty years. ACEs also can mean adverse community environments and while there are ACEs beyond the control of this Task Force, the focus remained on the factors, situations, and experiences that can be influenced. TFAC members learned about existing [court programs](#), community resources, and research during their meetings so they could help to identify gaps and determine whether new programs or additional support for existing programs could help fulfill their mission.

A. Custody Mediation

When a relationship between parents dissolves and they move apart, the children experience an event on the ACEs scale. The difference between a high conflict co-parenting relationship and a relatively cooperative one matters. Custody mediation exists to increase the chances for cooperative coparenting.

[North Carolina's Custody Mediation Program](#) is one of only two mandatory statewide programs in the United States. It was established in 1989 pursuant to G.S. 7A-494 to provide statewide, uniform services in accordance with G.S. 50-13.1 in cases with unresolved issues regarding the custody or visitation of children. The program currently operates with 46 staff mediators, 11 administrative assistants, 2 contractor mediators and 2 NCAOC staff. Mediators are trained professionals who are required to have graduate degrees in counseling fields. Approximately 19,000 people attend custody mediation in NC each year. The program increases parents' self-determination and co-parenting communication, empowers parents to identify and promote their child's best interests, reduces the emotion toll on families in litigation, and reduces the associated financial costs to the parties. G.S. 50-13.1(b)(4) lists as one of the goals of mediation to "provide a structured, confidential, non-adversarial setting that will facilitate the cooperative resolution of custody and visitation disputes and minimize the stress and anxiety to which the parties and especially the child(ren) are subjected."

Two sessions are required: orientation and mediation. Orientation aims to engage parties in the process, prepare them, and deescalate the conflict. Mediation sessions are structured to explore parenting issues and concerns in a confidential setting, to enable parents to productively exchange information, search for plans to mutually address the concerns, design an order tailored to their family, and avoid a court hearing. How a person defines the problem is how they will define the solution. The custody mediation program attempts to reframe the dispute into a conversation that engages people to resolve the custody issues using a skilled mediator. While more than half do not resolve the issue in mediation, many reach consents or otherwise resolve the custody issue which prevents the parties from having a judge determine the custody issue.

Trauma informed interactions include incorporating time for emotional regulation and helping parties to take steps toward self-empowerment. Program management recognizes that a subset of clients experience higher levels of trauma, such as those experiencing domestic violence. To address this, a domestic violence screening protocol is being piloted that shifts from an opt-out by domestic violence survivors to an opt-in. In short, the responsibility of waiving participation in the custody mediation program is moving to court staff who will be screening for threshold markers, referring survivors to community resources, offering specialized opt-in orientation material, and specialized mediation. When domestic violence is an issue between the parties, the new screening protocol



allows parties to opt in to participate in custody mediation rather than having to request a waiver of custody mediation and opt out of mediation. When working with trauma survivors it is important to increase options for self-empowerment in a way that keeps them safe. This approach avoids retraumatizing a parent/party.

B. Guardian ad Litem

Toxic stress is seen in abuse, neglect, and dependency court daily. Based on data from the Annie E. Casey Foundation, over 1 in 5 kids will be subject of an abuse investigation by the age of 5 and 90% of all child fatalities involve a child under age 5 while 50% involve a child under age 1.

The [North Carolina Guardian ad Litem \(GAL\) program](#) serves over 17,800 children each year who have been alleged to be abused and/or neglected. Each of these children have an ACEs score. In fact, if DSS has filed a petition alleging abuse or neglect, the child likely has other ACEs in addition to the abuse and neglect score. The GAL program makes recommendations to the court regarding the best interest of the juvenile using a triune appointment that includes the volunteer advocate (5,402 statewide), the attorney advocate, and the GAL staff all working to change the lives of NC children with whom the GAL program comes in contact.

The GAL program is statutorily charged with making an investigation to determine the facts, the needs of the juvenile, and the available resources within the family and community to meet those needs. They also explore options with the court at the disposition hearing, conduct follow-up investigations to ensure the court orders are executed, and protect and promote the best interest of the juvenile. The court report templates used by the GAL program were created through an ACEs-Informed lens with the input of mental health professionals who reviewed the templates. Initial and ongoing ACEs training is provided to GAL volunteers, attorneys, and staff, which includes a panel of foster care youth who voice the impact of the program in their lives.

GAL volunteers receive 30 hours of training, and each item on the ACEs questionnaire is part of the GAL training. While the children are not seen as just ACEs scores, it does inform how the GAL program understands and interacts with the children. To provide an ACEs-informed positive courtroom experience, juveniles are permitted to testify remotely, allowed to write letters to the court, and meet with the judges in chambers, when appropriate. The GAL program secured the license to send the film “Resilience: The Biology of Stress and the Science of Hope” to all volunteers to view.

C. Access and Visitation

For over twenty years, NCDHHS has awarded federal grant funds for NCAOC to operate an [Access and Visitation \(A&V\) program](#) with designated staff to increase noncustodial parents’ access to and time with their children. Coordinators help noncustodial parents identify and address the underlying issues that create barriers to noncustodial parents visiting with their child(ren). Since inception, services (i.e., parent education, counseling, supervised visitation, court navigation) were available in a limited number of family court counties. Based on recommendations from TFAC, all 100 counties were split into [regions](#) beginning in October 2022. Coordinators continue to provide in-person services in the county where their office is located and now also provide remote services to parents from other counties in their region.

The A&V program is designed to reduce the trauma experienced by parents and their children, by fostering healthy relationships. Noncustodial parents with or without a custody order are eligible to receive services from the program. The A&V Program assists families impacted by mental illness, families where a parent may be



YEAR 1: BECOMING TRAUMA-INFORMED

incarcerated or previously incarcerated, families with domestic violence and / or substance use issues, and families impacted by a divorce. These five types of household dysfunction are all adverse childhood experiences (ACEs).

A&V coordinators map the resources available in their region, including supervised visitation centers, Justice Resource Center, DSS, child support services, employment assistance, homelessness assistance, mental health and substance abuse treatment providers, and domestic violence resources. They share information about local resources as well as legal information about the court process for custody and visitation with parents who are having trouble initiating or maintaining regular access with their child(ren).

Some family courts have county specific packets available for the public that A&V Coordinators can share with self-represented litigants. However, having statewide family court forms would not only assist families but also attorneys who practice in multiple counties or districts. Adding Guide and File interviews for custody, visitation, modification of custody/visitation, and other child-related court actions could also be very beneficial to citizens statewide.

Communities can become an intentional structure for belonging by intertwining government, faith, non-profits, businesses, and schools to work together to address ACE related issues. For example, violent crime rates were reduced, and graduation rates increased after the implementation of a School Justice Partnership (SJP) in New Hanover County, which embodies community partnership.

D. School Justice Partnerships

[School Justice Partnerships \(SJPs\)](#) were first initiated in Clayton, Georgia by Judge Steve Teske for the purpose of having a better relationship with community and students. SJPs aim to keep kids in school and off the streets by reducing exclusionary discipline practices, such as suspensions that lead to negative outcomes. Keeping kids in school and out of court is an ACEs-informed practice. In order to respond to student misconduct and minor school-based offenses, a graduated response model was developed. This model allows schools to address behavior when and where it happens, identify root causes of behavior, and change behavior for the better. For example, the New Hanover SJP has resulted in a shift in the mindset of school leaders, a better and safer school climate, significant reduction in dropout rates, and an increase in graduation rates. Other direct results of the SJP are various initiatives in the New Hanover County Schools (i.e., Trauma Sensitive School Pilot, resilience training for school staff, Mental Health First Aid training for every school employee).

Currently, SJPs exist in 55 NC counties. The TFAC inquired about the barriers to statewide implementation. The most opposition has come from school board attorneys because they are concerned about the liability associated with not charging juveniles. SJPs were supported by the NC Commission on the Administration of Law and Justice and are supported by the NCAOC. Work has been done over the last several years to address concerns voiced by school board attorneys, including meeting with leadership of the School Board Attorneys Association, a presentation by Lindsey Spain and DeShield Greene at a School Board Attorneys Conference, and an invitation for representatives to meet with the Task Force.

E. Building a Resilient North Carolina

Advisory Group member Dr. Kelly Graves conducted a study that was funded by the Winer Family Foundation, to identify successful initiatives in NC and nationally to learn what worked and what did not work to implement



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statewide resilience efforts. The purpose is to support NC leaders and develop a set of recommendations that could be used in NC to build a science-based, trauma-informed approach to building community resilience.

Several states were highlighted, including Delaware, Pennsylvania, and Utah. Utah is the most similar to NC and is at the level where NC currently is in terms of efforts. Dr. Graves also spoke to several national groups: Campaign for Trauma Informed Policy and Practice, the ACE Resource Network, PACES Connection, and the Alberta (Canada) Family Wellness Initiative. Dr. Graves developed an 8 point strategy, [RESILIENT NC](#) to support statewide efforts to build community resilience. This was the focus of her presentation to TFAC in November 2022.

1. Backbone support: There is a need to identify the role and functions of an effective backbone agency in NC's resiliency work. States with an identified backbone support saw less duplication of efforts and better coordination of resources. There is a risk of governments serving as the backbone as there is a greater chance for leadership change. PD Kemp suggested a community college serve as the backbone.
2. Public Awareness and Strategic Communication: A resilient NC can be built by raising awareness and understanding about the effects of trauma with a unified message that is pushed across the state (e.g., a centralized website, increase public understanding).
3. Public Private Partnerships: Building partnerships between public and private agencies can be useful to explore the roles their agencies could play in these efforts. California has a model and is willing to consult and offer guidance.
4. Training and Technical Assistance: A train the trainer curriculum on ACEs and resilience and a statewide training plan should be developed.
5. Cross Sector Partnerships: Create an ACEs cabinet that is staffed with people from different agencies/ systems/organizations to facilitate cross sector partnerships.
6. Policy and Advocacy: Promote the adoption of trauma informed care policies at the local, state, and federal levels and support the work of existing organizations that are active in trauma informed, resiliency policy work. Pennsylvania and California are good examples of this strategy.
7. Support Local Coalitions: Support the local coalitions by developing funding streams, building mechanisms to connect the coalitions, and creating learning opportunities for them.
8. Shared Measurement Strategies: Develop a strategy to measure community resilience and support the collection of data to report on the measures. The next steps for the project are to disseminate the report and hold listening sessions across the state, connect key partners to each of the eight strategies, and establish separate action teams to flush out each strategy to build the actions needed. There are also plans to hold a 2023 NC Resiliency Conference. The product of the action teams for each of the eight strategies could be used to form a report to the General Assembly.

F. Success Sequence

At the August 2021 meeting, Judge Andrew Heath shared a 2009 study, the Success Sequence, and its application to prevent crime. While there is a debate regarding structural poverty versus agency, the Success Sequence suggests that individual choices make a difference. The study originated from joint efforts of Ron Haskins and Isabel Sawhill who were each a member of different presidential administrations, Bush and Clinton, respectively. The study identified 3 norms for success that made upward mobility a higher probability: (i) complete high school or attain the equivalent of a high school diploma, (ii) obtain full-time employment, and (iii) wait until age 21 and marry before having children. Research based on census data showed that if all three norms were followed, there was a 98% chance of escaping poverty for families headed by an able-bodied adult between the ages of 25 and 64.



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A second study was conducted in 2017 (Wang and Wilcox) which also considered the 3 norms and used data collected from the Bureau of Labor Statistics National Longitudinal Study of Youth. The survey questioned 7,141 respondents 16 times between 1997 and 2014. The findings of this study showed that 3% of millennials who followed all steps were poor while 89% who followed all 3 steps reached the middle- or upper-income group. The study also showed that half of millennials in the study had either followed all 3 steps or were “on track.” Of those individuals who grew up poor, 25% overcame structural obstacles, followed the sequence, and achieved the success of reaching the top one-third of upper income distribution.

There is a strong relationship between achieving economic success and following the success sequence which could also result in a person being less likely to have a criminal history. The costs of housing inmates (\$100/day), supervising defendants while on probation, and paying Indigent Defense Services for representing defendants (\$133 million/year) is staggering. Judge Heath’s courtroom observations and the data available from DPS show that criminal defendants are not following the success sequence, showing a reduced number of offenders who complete the 12th grade, who wait to marry before having children, and who are employed at the time they entered prison. Data showed that just a 1-year increase in the average education level is estimated to reduce arrest rates and that job stability and marital attachment are significantly related to changes in adult crime. Being married also leads to a decreased probability of crime.

Task Force members considered the relationship between criminal convictions and the lack of adherence to the Success Sequence and if following the Success Sequence could reduce the likelihood of an individual committing crime. In practice, incorporating the Success Sequence concepts into school curriculums could serve as a preventative measure and reduce juvenile recidivism. The Education Subcommittee formed a subcommittee for the Success Sequence. Those members worked with the Dibble Institute, Department of Public Safety (DPS), and Division of Adult Correction and Juvenile Justice (DACJJ), and local Juvenile Crime Prevention Councils (JCPC) to have the principles incorporated as life skills training.

At the inaugural meeting of TFAC, Co-Chair DA David suggested the savings that resulted from the Justice Reinvestment Act could be utilized to address ACEs by reinvesting the money into community programs. Approximately \$500 million was saved because of the closure of 11 prisons and a 4,000-bed prison population reduction. There is already ACEs work occurring in NC, such as county workgroups, community prevention plans, and partnerships. An advisory group of experts on ACEs and trauma-informed practices has been established to assist the Task Force in fulfilling its mission. Two subcommittees of the Task Force were created.

1. Program Development Subcommittee

The Program Development Subcommittee (PDS) identified existing programs and designed new programs that intervene in the lives of young ACEs offenders and victims affected by ACEs to put them on a path away from the courthouse and into a successful adult life. The PDS looked at existing programs within NC and in other states, including:

- [Benchmarks NC](#)
- [Council for Childrens Rights, Childrens Defense Team](#)
- [Community Resilience Project](#)
- Police, Resilience, and Child Development-Community Policing ([CD-CP](#))
- [Proverbs226](#), New 5 and 2 Trade School

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- Project REACH-R, Love Notes Curriculum
- Reentry to Resilience ([R2R](#)) Model
- [Survivor Resource Center](#) and [The Umbrella Center](#) | [CharMeck Family Justice Center](#)
[ZERO TO THREE](#) / Safe Babies Court (SBC)

The PDS recommended the need for statewide funding for recovery/drug treatment courts, development of bench cards that include trauma informed language, and studying Florida's 'Baby Court' Program. Broadening victim access referrals to include referrals by judges and district attorneys can help prevent today's victims from becoming tomorrow's defendants. Juvenile Crime Prevention Councils (JCPC) in each county are significant because they are aware of available programs at the local level and receive funding but advocated for a state supported fund specifically for ACEs issues. They also explored the concept of a treatment navigator position to join the staff of each Public Defender and District Attorney Office. This person could be a qualified social worker knowledgeable of local programs who could navigate defendants and victims to available treatment services.

2. Education Subcommittee

The Education Subcommittee worked to provide judges and court administrators with practical education on the effects of ACEs and equip juvenile court officials to recognize young offenders and victims impacted by ACEs. Action items included scheduling watch parties for the Resilience movie; working with NCAOC and the conference stakeholders to provide ACEs education; developing trauma-informed role-specific training for all Judicial Branch employees; and coordinating with the Bolch Judicial Institute at Duke Law to provide specialized training for judges.

Resilience: The Biology of Stress and the Science of Hope

A lifetime license was obtained by the NCAOC for the "Resilience: The Biology of Stress and the Science of Hope" movie. It has been shown at Judicial Branch educational conferences followed by a moderated discussion. Task Force members Emma Paul and Judge Mario Perez helped to facilitate the discussions.

Two New Advanced Juvenile Certification Tracts

New advanced juvenile certification tracts, for [child welfare](#) and [juvenile justice](#), were developed with the NC Judicial College at UNC. UNC School of Government Professors Sara DePasquale and Jacqui Greene worked with NCAOC to create this new advanced certification that began to be offered to district court judges in Fall 2022. There are several new required courses for both the child welfare and juvenile justice certification through the NC Judicial College. A four-year cycle is anticipated for judges to receive the advanced certification. The current initial juvenile court certification is on a two-year cycle. See Appendix A.

ACEs Bench Card

The Education Subcommittee completed the ACEs bench card in June 2022 and an electronic version is available online at [ACEs-Informed Courts Bench Card | North Carolina Judicial Branch \(nccourts.gov\)](#). Content was based on national and state resources. Amelia Thorn offered an overview of the card, which included sections on courtroom practices, child specific considerations, and courtroom communications. The bench card was distributed in July at the Superior Court Judges' Conference, the District Court Judges' Conference, and the District Attorneys' Conference. DA David added that the elected county sheriffs were provided copies of the bench card at their conference also. See Appendix B.

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YASI Bench Card

The [YASI \(Youth Assessment Screening Instrument\) bench card](#) was created to help judges learn how to use the YASI as part of their work in juvenile court. [Instructional videos](#) were also created by the Master Trainers of the Department of Juvenile Justice in collaboration with the Chief Justice's Task Force on ACES-Informed Courts members Mike Silver, Judge Corpening, and William Lassiter. See Appendix C.

Role Specific Training

The Education Subcommittee and NCAOC partnered with the UNC Injury Prevention Research Center (IPRC) to create role specific training for all judicial officials, attorneys, and court staff. UNC's Building Trauma Informed Courts (BTIC) project began in January 2022 and is funded by the Governor's Crime Commission. Online modules will offer general ACEs education and role specific trauma-informed content through the Learning Center on-demand. Content includes the scientific foundation for ACEs, as well as evidence-based strategies for resilience including trauma informed practices before, during, and after court.

Trauma-Informed Judicial Practice from the Judges' Perspective

This article, written by Eva McKinsey, Samantha A. Zottola, Luke Ellmaker, Alexis Mitchell and Mark Heinen is based on feedback from current NC judges that was shared in Fall 2021. One of the authors, Eva McKinsey, served as an Advisory Group member of TFAC. *Judicature* is a scholarly journal focused on the judiciary, the administration of justice, and the rule of law. Published by the Bolch Judicial Institute of Duke Law School, *Judicature's* mission is to create a forum for judges, practitioners, and academics to share ideas, best practices, perspectives, and opinions, and in doing so provide insight into the issues and ideas that are shaping the judiciary and the administration of justice. See Appendix or [Trauma-Informed Judicial Practice from the Judges' Perspective \(duke.edu\)](#)

Customer Service in the Public Sector

A new course for all Judicial Branch employees Customer Service in the Public Sector featuring the ACEs Bench Card and trauma-informed practices began in August 2022. In the first year, fourteen in-person sessions that were attended by 258 students including magistrates, assistant, deputy, and elected clerks, GAL staff, court management staff, district attorney legal assistants, an investigator, court reporters, public defenders, as well as AOC staff from Technology Services, Micrographics, Training & Services, General Services, Financial Services, and Court Programs.

From September 2021 to July 2022, Task Force members met regularly as a full group and participated on their respective subcommittees to consider where the Task Force can effect change, always noting the focus must be on victims, with efforts to focus on all 100 counties. Each subcommittee met regularly at least once between the full TFAC meetings and provided updates of their work to the full task force. Because the judiciary is not a self-sustaining branch of government, funding must be secured to create resources for an ACEs-Informed Court System.

In September 2022, the Education and Program Development Subcommittees were reorganized. The Program Development Subcommittee was restructured into two new Subcommittees: Children Impacted by Trauma (kids in the court today) and Trauma Informed Programs for Adults (programs for adults). The Education Subcommittee continued to meet although membership was shifted to distribute participation among the now three subcommittees.



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1. ACEs Informed Programs for Adults

This includes the person-focused coordinated team approach in problem-solving courts such as recovery court, veterans' court, and family court programs.

Recovery Courts

The term "recovery court" is used to refer to a variety of specialty courts in NC known as Judicially Managed Accountability and Recovery Courts, including family drug treatment court, adult drug treatment court, youth drug treatment court, DWI court, mental health court, tribal court, and veterans' treatment court. A key component of every recovery court is having a multi-disciplinary team with specific roles that motivates participants towards change using incentives and sanctions. With fair and consistent application, the local team keeps each other on track and provides a trauma-informed approach to client recovery. The approach works because of strong community partnerships.

While they are no longer statewide, the NC Drug Treatment Courts were organized following standards promulgated by the National Association of Drug Court Professionals (NADCP). The book "The Body Keeps Score," written by Bessel van der Kolk, shows the need for veterans' recovery courts. In the 2024 budget, funds were included for the expansion and creation of new Recovery Courts and Veteran's Courts. See [map](#), [guidelines](#), and training materials at [Recovery Courts | North Carolina Judicial Branch \(nccourts.gov\)](#)

People need substance use and mental health treatment but that is secondary to basic housing, food, job needs. The court helps connect the individual to peers in the community and later that person helps mentor someone else. Staff provides food when people come in for screening so that they can focus. Drug courts are sometimes referred to as "Clap Court" because applause is common. The judges and team are intentionally friendly; they see the people. Relationships with the judge and law enforcement are not what they expected or may have experienced in other courts. The court encourages pro-social activities and hosts events to teach participants how to get together and have fun without drugs or alcohol; teaching by modeling positive behavior.

At the July 2022 meeting, TFAC unanimously passed a motion made by Judge Perez and seconded by Amelia Thorn to support statewide implementation of recovery courts.

A new Opioid Settlement Toolkit was developed by Court Programs in March 2023. This toolkit is a guide to assist local court leaders with strategies on how to obtain settlement funds from their counties that can be used to support recovery courts. Districts are encouraged to follow the six steps outlined to be a part of the discussion in their communities.



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Family Court

North Carolina's family court programs aim to reduce the delay in domestic and juvenile cases. Family courts frequently see cases involving custody, divorce, substance use, domestic violence, mental health, incarceration of relatives, abuse, and neglect. Several of these issues are included in the adverse childhood experiences (ACEs) survey. For cases involving allegations of abuse and delinquency, it is not uncommon to see high ACEs scores.

The core principles of family court are one judge/one family, court scheduling, active case management, and 24 hours of continuing judicial education devoted to special topic trainings. North Carolina has mandatory mediation for all custody cases. Part of the custody mediation process is mandatory attendance at a custody mediation orientation which includes information to educate the parents about trauma. Some judges personally speak to parents during orientation in person or via video to remind parents that their children are the priority during the custody dispute.

At the July 2022 meeting, TFAC unanimously passed a motion made by Judge Perez and seconded by Amelia Thorn to support statewide implementation of family court. Randolph, Cabarrus, Rowan and District 4 (Onslow, Sampson, Jones, Duplin) will each receive one new court coordinator that was funded by the legislature in 2023. This addition of three new districts (4, 19A, and 19C) will expand the family court program to a total of 18 districts in 33 counties to serve over 54% of the North Carolina population.

2. ACEs Informed Programs for Children

During year 2, work on initiating and expanding ACEs informed programs for children took place in collaboration with court partners for each program.

Safe Babies Court

Safe Babies Court (SBC) is a program that aims to reduce the time a child spends in foster care before reaching a permanent, safe home. The approach also aims to "increase awareness among those who work with maltreated infants and toddlers about the negative impact of abuse and neglect and the effects of trauma on young children; and change local systems to improve outcomes for families and prevent future court involvement." The program connects babies and their families with intensive support and services designed to promote healthy child development while working to ensure a safe and speedy exit from foster care. This means there are more frequent court hearings and family team meetings. The target population is children ages birth to three years old.

TFAC recommended implementing SBC in North Carolina, through a three-year, five-site pilot program starting in July 2023. Statewide staff positions were hired, and a virtual statewide kickoff took place on October 23rd. The first sites, District 24 (Mitchell and Yancey Counties) and New Hanover County, will begin operation April/May 2024. Brunswick and Durham Counties will start their implementation plan in the fall of 2024. The pilot programs were developed in partnership with ZERO TO THREE, a membership-based organization, whose mission is to envision a society that has the knowledge and will to support all infants and toddlers in reaching their full potential. Safe Babies Court is a pioneering program that combines their expertise in early childhood development and the effects of childhood trauma into a partnership with the courts, social service agencies and community providers to serve these vulnerable children. The pilot programs will consist of a team of state level staff and community coordinators at the local level. A third party will conduct an evaluation of the efficacy of the SBC pilot programs. Funding for these programs is made possible through grants from The Dogwood Health Trust, The Duke Endowment, and the Children's Bureau through the Court Improvement Program.



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Success Sequence

Education Subcommittee member Judge Quintin McGee worked with the local Juvenile Crime Prevention Council (JCPC) in his district to begin piloting the Success Sequence curriculum. At the May 2023 meeting, Judge McGee introduced Amy Bellamy of the Dream Center. The Dream Center serves young people by providing information and mentorship around life decisions, relationships, and sex. The Dream Center runs a program, Relationships Plus, that consists of 13 modules that aim to teach young people skills to engage in healthy relationships. The goal of this program is that 85% of participants will gain the confidence and skills to create healthy relationships.

School Justice Partnerships

At the recommendation of TFAC, Asia Prince, DeShield Greene, and Lindsey Spain (AOC Office of General Counsel) met with the NC School Board Association (NCSBA) in July 2022 to help build a partnership with that group and garner its support of [School Justice Partnerships](#) (SJPs), which has had positive results. DeShield Greene and New Hanover County School Board Chair Stephanie Kraybill spoke about SJPs at the NCSBA Fall 2022 Law Conference. This presentation was well received by the attendees which included school board attorneys, superintendents, and school board members. Lindsey and DeShield have also been presenting at county Juvenile Crime Prevention Council meetings to raise awareness of the program, the goals, outcomes, and advantages. At each opportunity, they emphasize collaboration, partnership so that each member has an equal voice, adaptability of the sample memorandum of understanding (MOU), and the program benefits (e.g., safer schools, improved relationships with SROs/school climate). The program [fact sheet](#) was updated in September 2022 and work to update the SJP Toolkit was finalized in December 2022.

3. Expanding Education Resources

The Education Subcommittee continued partnership efforts with The University of North Carolina's Injury Prevention Research Center to work on the curriculum and content for an online training and children's activity books through 2023. The Bolch Institute continued to develop training for judges and conduct research about trauma-informed practices in juvenile court. Local district resource identification through creating navigator positions and resource mapping using technology, such as the data from the Cape Fear Collective, was explored but not executed due to limited resources and challenges with sharing database information.

Building Trauma Informed Courts in North Carolina

The Building Trauma Informed Courts in North Carolina (BTICNC) project, led by the University of North Carolina at Chapel Hill Injury Prevention Research Center in collaboration with the NC Administrative Office of the Courts (NCAOC) and the Chief Justice's Task Force on ACEs Informed Courts (TFAC), aims to foster a more trauma-informed environment in North Carolina courthouses by developing, implementing, and evaluating an online ACEs training for Judicial Branch staff and age-appropriate informational booklets for minors engaging with the courts in any capacity. The training and booklets are being developed in collaboration with a multidisciplinary team that includes both researchers and practitioners from a variety of backgrounds including social work, law, judicial training, maternal and child health, education, and behavior change.

- **Trauma-Informed Courts in North Carolina Online Training:** The BTIC-NC training is designed to provide Judicial Branch staff with a deeper understanding of the history and science of adverse childhood experiences (ACEs), introduce evidence-based strategies for ACEs resiliency, and provide role specific recommendations for creating a trauma-informed courthouse based on current best practices.

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- **Children’s Activity Booklets:** These trauma-informed age-appropriate booklets will be available electronically and in print at courthouses and other community partner locations. They were created to help all minors better understand and process their experience within a North Carolina courthouse. There will be one booklet for Ages 11 and under and another for Ages 12 and up. They can be printed in color or black & white.

The training and booklets are expected to be implemented among the Judicial Branch staff and throughout courthouses in January 2024.

BTIC-NC Advisory Board	
	Organization
Anna Austin	UNC Chapel Hill, Gillings School of Global Public Health, Injury Prevention Research Center
Rodney Absher	The Children’s Home Society of NC
Sara Depasquale	UNC Chapel Hill, School of Government
Ginger Espino	SAFEchild
Kelly Graves	Kellin Foundation
Luz McNaughton Reyes	NC Chapel Hill, Gillings School of Global Public Health, Injury Prevention Research Center
Amelia Thorn	Duke University, School of Law, Bolch Judicial Institute
Eva McKinsey	Duke University, School of Law, Bolch Judicial Institute

Duke Law Bolch Institute: Education for Judges, Research

Duke is using feedback from judges about what they need and how they learn best to build an interactive, in-person orientation training for judges and contribute to collaborative training across professions and jurisdictions. Goals of the Trauma-Informed Courts Educational Program for judges include (1) inspire judges to make practical changes in their courtroom based on scientific data, (2) improve experiences of court-users, (3) improve experiences of judges, and (4) promote rule of law principles. Judges are in a unique position to connect people to positive reinforcement.

To meet the judge’s request for efficacy data, more research efforts are underway. By focusing on juvenile delinquency court, researchers aim to build deeper understanding of the current landscape and impact of trauma-informed practice in North Carolina using a three-part research study. A survey of NC district court judges and their attitudes related to trauma-informed care will be used to better understand judicial attitudes related to trauma-informed care in NC and how such attitudes relate to other attitudes and behaviors.

Court observations of juvenile delinquency hearings and data collection of employment of trauma informed practice at the judicial, courtroom, and courthouse level will be researched to help understand the landscape of trauma-informed judicial practice in NC juvenile delinquency court. They will also collect data on potential predictors of outcomes for court-involved youth with the use of outcome surveys. The final part of the study will be to collect data on outcomes for youth who are court-involved to understand outcomes for youth who are court-involved and assess the correlation between outcomes and trauma-informed court practice by linking data. Survey data analysis will be posted on the Bolch Institute website and grant funding to sponsor publication efforts in 2024 is pending. See <https://judicialstudies.duke.edu/>



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Vicarious Trauma

NCAOC is working with a consultant from the U.S. Office of Victims of Crime Training and Technical Assistance Center to supplement the BTICNC project with an online and on-demand training module on vicarious trauma. NCAOC is also working with the consultant to develop strategies to prevent vicarious trauma across the Judicial Branch, and to develop tools to recognize and respond to vicarious trauma when it occurs in our workplaces more effectively.

Convening of Chiefs

As the work of the Task Force was winding down, leadership recognized that there was a need to make the work of the Task Force sustainable. Chief Justice Newby decided to convene the Chief District Court Judges, all leaders in their communities, to a joint meeting with the Task Force at Duke University November 30-December 1, 2023. The agenda was designed to provide intensive training to the Chiefs on trauma-informed practices, connect them with the work of the Task Force, help them identify resources and opportunities for implementation of trauma informed practices, and to encourage the Chiefs to take lessons learned home to share in their home districts. Perhaps most importantly, the agenda is designed to clearly communicate that this is work is not another thing to do, but rather a more effective way to do our thing, serving the people of North Carolina who need courts to be at their best every day.





CONCLUSION: A CALL TO ACTION

A high ACE score is not a death sentence, it is a call to action. Children are resilient. They can bounce back even from great trauma if they have the right resources around them. The Centers for Disease Control and Prevention lists over a dozen personal protective factors and even more community protective factors that can help buffer children from the harmful effects of toxic stress. Positive Childhood Experiences or PACEs offset and can overcome ACEs. Justice officials are uniquely positioned to navigate traumatized individuals to resources and treatment that can help change the trajectory of their lives.

The North Carolina Constitution has enshrined a Bill of Rights for crime victims and voters in our State overwhelmingly passed Marsy's Law. We must expand the Crime Victim's Compensation Fund to make greater resources available to young victims experiencing trauma so that victim's get resources today, rather than getting re-victimized or becoming defendants tomorrow.

We have seen tremendous results come out of the Family Justice Center model, a national best practice that co-locates police, prosecutors, frequently in or next to courthouses, with Child Advocacy Centers (CACs) and family support services, in a one stop shop. There are 10 such FJCs in our State now, in both metro and rural communities, and more are on the horizon.

As we advocate for additional resources at the North Carolina Legislature, we are reminded that justice officials have worked together to reduce the overall prison population by over 10% over the last decade, saving hundreds of millions of dollars in the cost of incarceration, through Justice Reinvestment. These savings, in tandem with the recent opioid settlement fund, which has delivered over \$3 billion at the county level, will greatly assist local communities in building resilience. Working to shape how these resources are expended through the 100 Juvenile Crime Prevention Councils that many of us sit on is another best practice we would recommend: All justice is inherently done at the local level.





APPENDIX

The following printed resources were referenced in the report and are attached:

- 1) **Advanced Certification in Child Welfare (PDF) 1 page**
- 2) **Advanced Certification in Juvenile Justice (PDF) 1 page**
- 3) **Youth Assessment and Screening Instrument (YASI) Bench Card (PDF) 2 pages**
- 4) **Court Programs Fact Sheet (PDF) 2 pages**
- 5) **Family Court Fact Sheet (PDF) 2 pages**
- 6) **School Justice Partnership Fact Sheet (PDF) 2 pages**
- 7) **Going to Court, Ages 11 and under booklet (color) 4 pages sample**
- 8) **Going to Court, Ages 12 and older booklet (black & white) 2 pages sample**
- 9) **Safe Babies Courts ZERO TO THREE Infant-Toddler Court Program (PDF) 6 pages**
- 10) **Trauma-Informed Judicial Practice - from the judge's perspective (PDF) 14 pages**



Advanced Certification in Juvenile Justice

The following courses are administered by the North Carolina Judicial College at the UNC School of Government. All district court judges presiding over juvenile proceedings are welcome to attend. In courses where space is limited, priority will be given to district court judges who (1) preside over juvenile proceedings and (2) are seeking a certification as a juvenile court judge or one of the advanced juvenile certifications or are currently certified as a juvenile court judge and seeking the mandatory continuing judicial education hours addressing juvenile law.

The following two courses for district court judges are required for the Advanced Certification in Child Welfare and the Advanced Juvenile Certification in Juvenile Justice.

- Mental Health Issues in Juvenile Court: This multiday course focuses on children with mental health needs who are the subject of district court proceedings, including delinquency; abuse, neglect, dependency; judicial review of a minor's voluntary admission; or involuntary commitment. This course will (1) examine the laws governing these proceedings that enable a court to enter orders addressing a child's mental health needs, (2) explain the procedure for determining a juvenile's capacity to proceed in a delinquency action, (3) identify common mental health issues children who are the subject of these various types of court proceedings experience, and (4) discuss the North Carolina behavioral health delivery system and services that are available within that system.
- Educational Issues for Systems-Involved Youth: This multiday course explores the connection between juvenile court proceedings and the education system, with an emphasis on the educational rights of children. Topics for discussion include, but are not limited to, school enrollment and educational stability for children in foster care; special education; school discipline and school-justice partnerships; the role of law enforcement in schools; the Family Educational Rights and Privacy Act (FERPA); and information sharing between juvenile court and schools, including access to school records.

Four additional courses are required for the Advanced Certification in Juvenile Justice.

- Juvenile Transfer to Superior Court: This one-day course will focus on the procedure that governs the transfer of delinquency cases to Superior Court for criminal processing, from the filing of the petition through the appeal of a transfer order. Various pathways for transfer, and the situations in which they can be used, will be detailed. Participants will have the opportunity for practical application of the material covered and for discussion of their questions with a panel of experienced judges.
- What Life is Like in Delinquency Out-of-Home Settings: This one-day course will provide judges the opportunity to visit out-of-home settings used in delinquency matters. Visits will include a Youth Development Center and a juvenile detention center. If practicable, some classes may include a non-secure congregate care facility. Participants will tour facilities and have the opportunity to talk with staff.
- Two additional juvenile law electives designated as eligible for advance certification in juvenile justice. Courses and topics to be determined.

Advanced Certification in Child Welfare

The following courses are administered by the North Carolina Judicial College at the UNC School of Government. All district court judges presiding over juvenile proceedings are welcome to attend. In courses where space is limited, priority will be given to district court judges who (1) preside over juvenile proceedings and (2) are seeking a certification as a juvenile court judge or one of the advanced juvenile certifications or are currently certified as a juvenile court judge and seeking the mandatory continuing judicial education hours addressing juvenile law.

The following two courses for district court judges are required for the Advanced Certification in Child Welfare and the Advanced Certification in Juvenile Justice.

- Mental Health Issues in Juvenile Court: This multiday course focuses on children with mental health needs who are the subject of district court proceedings, including delinquency; abuse, neglect, dependency; judicial review of a minor's voluntary admission; or involuntary commitment. This course will (1) examine the laws governing these proceedings that enable a court to enter orders addressing a child's mental health needs, (2) explain the procedure for determining a juvenile's capacity to proceed in a delinquency action, (3) identify common mental health issues children who are the subject of these various types of court proceedings experience, and (4) discuss the North Carolina behavioral health delivery system and services that are available within that system.
- Educational Issues for Systems-Involved Youth: This multiday course explores the connection between juvenile court proceedings and the education system, with an emphasis on the educational rights of children. Topics for discussion include, but are not limited to, school enrollment and educational stability for children in foster care; special education; school discipline and school-justice partnerships; the role of law enforcement in schools; the Family Educational Rights and Privacy Act (FERPA); and information sharing between juvenile court and schools, including access to school records.

Four additional courses are required for the Advanced Certification in Child Welfare.

- Dispositions in A/N/D Court: Structuring Court Ordered Plans: This 1.5 day course is offered in a hybrid format (one day in home jurisdiction and half day online) and will provide attendees with a simulated experience in working a case plan. The course focuses on dispositional orders that are entered in an abuse, neglect, or dependency action for respondent parents. The objectives are for judges to understand the respondents' experiences in meeting expectations and learn how to enter orders that are designed to allow a parent to succeed so that reunification is more likely to be achieved.
- Termination of Parental Rights: The 2-day course will focus exclusively on termination of parental rights proceedings, both when there is and is not an underlying abuse, neglect, or dependency proceeding. The course will highlight procedural and substantive issues that often present in termination of parental rights cases and requirements for the court orders that are entered in these proceedings. There will be an emphasis on the recent North Carolina Supreme Court jurisprudence in this subject area. The course provides judges with the opportunity to learn more about the process to terminate parental rights and to raise issues for further discussion with their peers.
- Two additional juvenile law electives designated as eligible for advance certification in child welfare. Courses and topics to be determined.



YOUTH ASSESSMENT AND SCREENING INSTRUMENT

IMPROVING THE WAY WE ASSESS YOUTH

NC IMPLEMENTATION

YASI (Youth Assessment and Screening Instrument) is an innovative risk, needs, and strengths assessment for justice involved youth. The purpose for using YASI is measuring risk of recidivism and developing service plans.



YASI DOMAINS WITH INCLUDED TOPICS ASSESSED

*LEGAL HISTORY	Past disposed offenses, age at first offense, detention stays, adult offenses, etc.
FAMILY	Parenting skills (rewards and consequences, supervision), positive relationships with parents/siblings social support
BASIC NEEDS	Food, housing/shelter, material needs
SCHOOL	Attendance, performance, behavior, involvement, attachment to teachers
COMMUNITY AND PEERS	Pro-social peers, adult mentors, community involvement, positive neighborhood
ALCOHOL AND DRUGS	Current and past usage, treatment, and impact on behavior.
MENTAL HEALTH	Current and past treatment, abuse, suicidal, homicidal, and sexualized behavior
PHYSICAL HEALTH	Conditions, access to health care, medication, dental, vision, reproductive health
AGGRESSION/ VIOLENCE	Anger management, negative beliefs about using violence
ATTITUDES	Pro-social attitudes (positive toward legal authorities, acceptance of responsibility, amends)
ADAPTIVE SKILLS	Problem-solving, social skills, consequential thinking, impulse control, planning, and goal-setting
EMPLOYMENT AND FREE TIME	Employment, positive leisure interests, hobbies

YASI MEASURES CHANGE WITHIN CRIMINOGENIC FACTORS

(i.e. thinking, peers, family, leisure, behavior, employment/school, and substance use).

YASI FEATURES

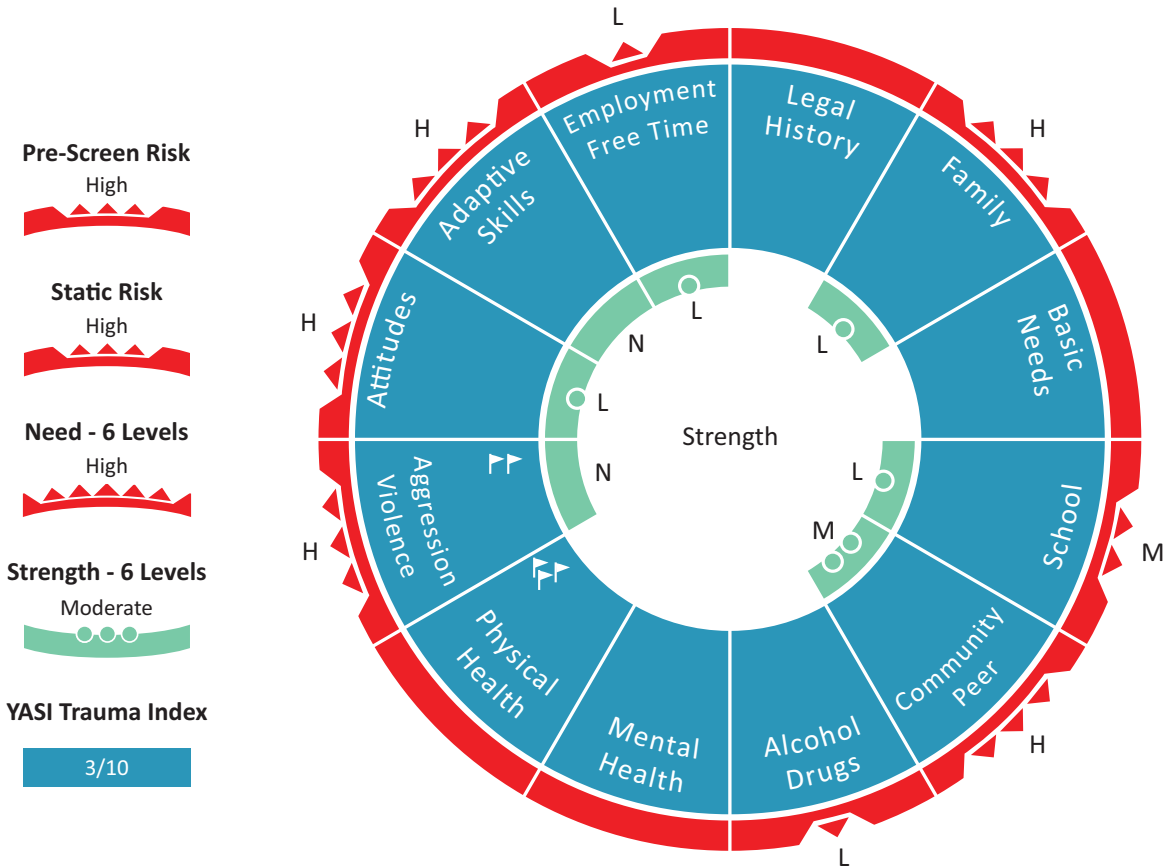
- Assesses for Strengths
- Gender Responsive
- Identifies Trauma/Adverse Childhood Experiences
- Responds to Risk/Needs/Responsivity utilizing Motivational Interviewing
- Improves Case Planning with Service to Needs Matching
- Measures Change with Reassessments
- Identifies Current and Past Mental Health Issues
- Scoring of Assessment is Different for Boys and Girls (to correct for tendency for risk assessments to over classify girls)

* Legal History is static and information is captured for the purposes of recidivism and overall risk.

YASI WHEEL

The YASI Wheel provides the results of the full assessment and shows the Risk, Needs, Strengths and Trauma Index of each child. It is part of the dispositional packet provided to the Court.

SAMPLE - YASI Wheel/Full Assessment Results



YASI Wheel/Full Assessment Legend

Interpreting YASI Summary Scores

<p>Low</p> <p>Moderate</p> <p>High</p> <p>Pre-Screen Risk Indicates Low, Moderate or High probabilities of reoffending (based on static and dynamic factors)</p>	<p>Low</p> <p>Moderate</p> <p>High</p> <p>Static Risk Indicates Low, Moderate or High levels of static risk (based only on historical factors)</p>	<p>Very High</p> <p>High</p> <p>Moderate High</p> <p>Moderate</p> <p>Low</p> <p>Very Low</p> <p>Need 6-Levels A summary score with up to 6 levels indicating varying needs for service. Very high indicates a youth / family with multiple needs for service that may elevate risk of reoffending</p>	<p>Very High</p> <p>High</p> <p>Moderate High</p> <p>Moderate</p> <p>Low</p> <p>Very Low</p> <p>Strength 6-Levels A summary score with up to 6 strength levels. Very High indicates a youth / family with multiple strengths, assets, supports or protective factors that may lower risk of reoffending</p>
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Interpreting YASI Wheel: Need levels on the outside and Strength levels on the inside of the Wheel

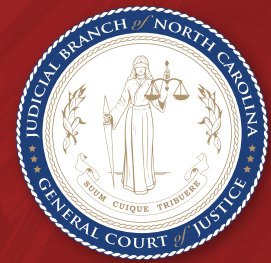
<p>N L M H</p> <p>On the Outside Perimeter of YASI Wheel 3 Levels: Low, Moderate and High indicate the level of need for service in a specific domain (e.g., family, school, etc.). "N" = no needs in the domain</p>	<p>N L M H</p> <p>On the Inside of YASI Wheel 3 Levels: Low, Moderate and High levels of strength in a specific domain (e.g., in Family, School, etc.). "N" = no strengths in the domain</p>
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Flags on the YASI Wheel

<p>Basic Needs & Physical Health Up to 3 flags display (No flags = no problems)</p> <p>1 minor need for youth / family</p> <p>2 needs for youth / family</p> <p>significant need (e.g., homelessness, medical condition with no health insurance)</p>	<p>YASI Trauma Index 0/10</p> <p>The YASI Trauma Index score ranges from 0 to 10. Youth receive 1 point for each Adverse Childhood Experience they have experienced. For example, a score of 3 / 10 indicates a youth experienced 3 of the 10 possible Adverse Childhood Experiences included in YASI.</p>
<p>Mental Health Up to 2 flags display (No flags = no problems)</p> <p>1 mental health problem indicator</p> <p>2 or more mental health problems indicators, an official mental health diagnosis or a serious matter such as suicidal intent</p>	
<p>Violence (past or current) Up to 2 flags display (No flags = no violence)</p> <p>responsible for a violent incident</p> <p>responsible for 2 or more violent incidents</p>	

NOTE: *Static* for YASI purposes means that it is based on history and current behavior/circumstances. It is based more on history and will not improve. *Dynamic* for YASI purposes means that it is only based on behavior/circumstances in the last 3 months. Based only on recent and could improve.





STATISTICAL HIGHLIGHTS FISCAL YEAR 2021–22

COURT PROGRAMS DIVISION



The North Carolina Administrative Office of the Courts (NCAOC) Court Programs Division assists North Carolina's state courts in providing justice and increasing access to justice for families and individuals who face civil, child welfare, delinquency, and criminal court actions. This is accomplished through specific programs and services, many of which create pathways for resolving conflict in a less adversarial, more effective way.

Programs that are supported by NCAOC Court Programs staff and field staff include:

- Alternative dispute resolution services
- Child custody mediation
- Interpreting and translation services
- Unified family courts
- Access and visitation for non-custodial parents
- Treatment / recovery courts
- School Justice Partnerships
- Disability access
- Jury support

Other critical programs that are supported solely by NCAOC Court Programs staff include:

- Juvenile Court Improvement Program
- Domestic violence
- Human trafficking

At the heart of each court program is providing information, advice, support, and solutions to court officials and staff daily. The Court Programs Division is dedicated to making available tools, services, and training to advance the efficient management of court resources; providing research and best practices; communicating, collaborating, and partnering with stakeholders; identifying, encouraging, and supporting innovations in court management, services, and programs; and modeling performance measurement and accountability for outcomes of programs.

Alternative Dispute Resolution

2,280 family financial cases completed
4,240 arbitration cases completed
6,093 mediated settlement cases completed

Child Custody Mediation

18,789 people attended orientation
9,081 child custody cases mediated
9,934 mediation sessions held
4,139 parenting agreements drafted

Language Access Services

9 NCAOC Spanish court interpreters
86 certified Spanish court interpreters
2 certified Russian court interpreter
1 certified Vietnamese court interpreter

Family Courts

45,472 domestic cases filed
35.7% of pending domestic cases were more than one year old
175 days pending median age of domestic cases

School Justice Partnerships (SJPs)

SJPs in 50 counties at end of FY 2021-22

Domestic Violence eFiling

14 counties serving 51% of state's population

WHO WE ASSIST

Court Officials

Judges, clerks of court, district attorneys, magistrates, defense attorneys, parent attorneys, Guardian ad Litem (GAL) attorneys

Court Staff

Custody mediators, family court staff, clerks, treatment court staff, court administrators, court managers, court coordinators, court assistants, Guardian ad Litem staff, grant and contract staff

Contractors

Interpreters, permanency mediators

STAKEHOLDERS

Citizens, N.C. Department of Health and Human Services, treatment providers, Treatment Alternatives for Safer Communities (TASC) staff, school staff, N.C. Department of Public Safety, N.C. Department of Public Instruction, and UNC-Chapel Hill (SOG and School of Social Work-Family and Children's Resource Center)

Court Program	Brief Description
Alternative Dispute Resolution	Provide technical assistance and program support to judicial staff and clerks in districts with alternative dispute resolution services (family financial settlement, district court-ordered arbitration, superior court mediated settlement conferences, and clerk's mediation program), which offer a less adversarial, more expeditious process for settling legal disputes
Child Custody Mediation	Assist district court staff to provide neutral, non-adversarial court-ordered mediation services in cases involving custody / visitation of minor children • deliver initial 40-hour training and oversee the training progression for new mediators • provide mentoring, specialized training, and professional development for all mediators • coordinate mediation coverage as resources allow • support the Custody Mediation Advisory Committee • collect, organize, and distribute annual statistical report with three-year comparison of cases and case events • assist districts with development and implementation of permanency mediation services (provided by contractors) for parties in child abuse / neglect / dependency cases to stabilize the placement of the child(ren) involved
Language Access	Facilitate equal access to justice for limited English proficient (LEP) parties • provide court interpreters for all court proceedings conducted by a judicial officer and for court services and programs conducted by judicial officials or court personnel • provide translators and translation services for court matters in which the State bears the costs of representation • facilitate the translation of identified statewide court forms • administer court interpreter training and certification testing to ensure that proficient and ethical spoken language court interpreters are provided to the courts
Family Court	Facilitate planning, development, and implementation of new unified family courts, which coordinate the management of family law cases (e.g., divorce, child custody, equitable distribution, alimony, child abuse / neglect / dependency, and termination of parental rights) • support existing unified family courts in 15 districts (serving 27 counties and 47% of North Carolina's population) through technical assistance, consultation, and problem solving to ensure timely and efficient resolution of legal matters within established time standards • manage a federal grant to provide six access and visitation coordinators who assist non-custodial parents in 14 counties and respond to email and phone inquiries from parents statewide • support the Chief Justice's Family Court Advisory Commission
Recovery Courts	Facilitate the development, implementation, and monitoring of local adult, juvenile, and family drug treatment courts and other recovery courts (DWI, Mental Health, and Veterans) • provide technical assistance and training by updating the field about best practices based on research and current trends • support the State Drug Treatment Court Advisory Committee
School Justice Partnerships	Provide technical assistance and support to counties with existing School Justice Partnerships • assist in the development, implementation, and promotion of counties that are in the planning stages of creating a School Justice Partnership
Disability Access	Assist court staff and officials to ensure that individuals with disabilities have equal access to all court functions • process, analyze and fulfill reasonable accommodation requests, including American Sign Language and / or Certified Deaf Interpreter services for deaf/hard of hearing consumers • create, coordinate, and provide training about disability access in the courts • respond to grievances from the public • support the local disability access coordinators to address specific accommodation requests
Jury Support	Provide technical assistance to clerks of superior court, judges, and court managers regarding administrative issues related to jury management, such as summoning jurors, juror payment, public records requests, and grand jury selection • coordinate with the Division of Motor Vehicles regarding the development of master jury lists
Juvenile Court Improvement	Facilitate planning, development, and implementation of new juvenile court improvement projects, which coordinate the management of child abuse / neglect / dependency cases to ensure timely, efficient, and effective resolution • manage federal grant funds that support juvenile court improvement projects and provide technical assistance, consultation, and problem solving • coordinate specialized training of juvenile court judges, parent attorneys, DSS attorneys and staff, GAL attorneys and staff, and clerks
Domestic Violence	Provide technical assistance and training for judicial partners in domestic violence courts in all 100 counties, including law enforcement and advocates • manage a federal grant to operate the electronic filing system for domestic violence protective orders that exists in 14 counties, which serve over 50% of the state's population and represent 53% of the state's approximate 33,000 applications for domestic violence protective orders (DVPO) annually • serve as point of contact for research partnerships with local universities and for commissions and boards that govern the administration of justice for victims of domestic violence, dating violence, stalking, and sexual assault • provide training on the dynamics of domestic violence, compassion fatigue, and vicarious trauma on the state and federal level
Human Trafficking	Provide training on the dynamics of human trafficking to court personnel • provide technical assistance to district courts • research content for North Carolina Coalition Against Human Trafficking website, newsletter, and social media accounts to build capacity of court personnel, law enforcement, and community organizations



HIGHLIGHTS FISCAL YEAR 2021–22

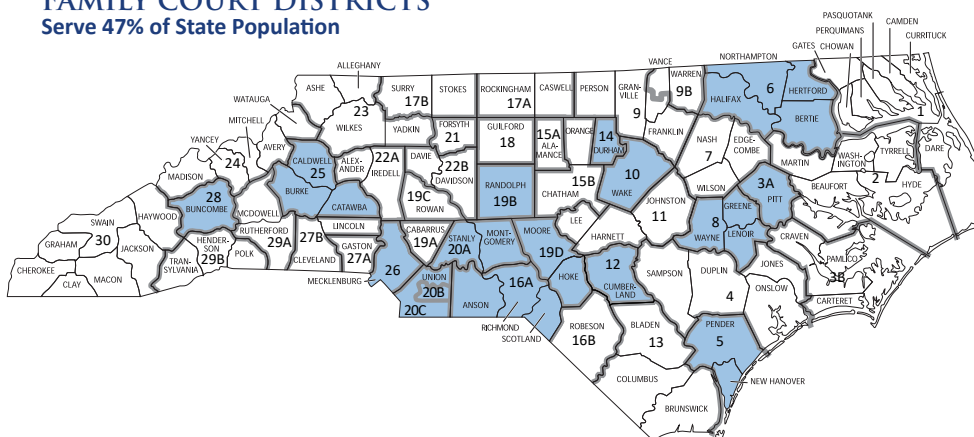
FAMILY COURT



Facing a court matter can be an overwhelming and stressful experience, particularly when it involves family matters such as divorce, custody, domestic violence, juvenile delinquency, or abuse. Since their inception in 1999, North Carolina Family Courts have helped families resolve difficult legal issues of child custody, support, and property distribution in a timely, more affordable, and often non-adversarial manner.

The North Carolina Administrative Office of the Courts (NCAOC) Family Court program facilitates more timely, consistent, and thoughtful outcomes for a family's legal issues. Consolidating the legal issues of a family before a single judge or team of judges assigned to the family at case initiation allows the judge(s) to become familiar with the dynamics of each family and to better address their individual needs. The dedicated family court team ensures prompt and just resolution of family law issues to reduce childhood trauma that can result from contentious and lengthy legal battles.

FAMILY COURT DISTRICTS Serve 47% of State Population



Caseload

45,472 civil domestic cases filed in family court districts

Pending Cases

Only 35.7% of pending domestic cases in family court districts were more than one year old compared to 55.4% in non-family court districts.

Median case age of pending domestic cases was 175 days in family court districts compared to 458 days in non-family court districts.

Family Court Best Practices

- Judicial Leadership
- One Judge / One Family
- Customer Service Focus
- Domestic and Juvenile Case Time Standards
- Active Case Management by the Court
- Maximum Use of Alternative Dispute Resolution
- Collaborative Local Advisory Committees
- Specially Trained Judges and Staff
- Additional Court and Community Services

WHO WE ASSIST

Clerks of court, court staff, custody mediators, family court staff, Guardian ad Litem (GAL) attorneys, judges, parent attorneys, public



"The introduction of Family Court in North Carolina has provided parties in domestic cases with equal and timely access to justice thereby reducing the trauma for all involved. The Family Law Court philosophy of "One Judge/One Family" and strict hearing guidelines have brought significantly faster resolutions for families in crisis especially displaced children."

— Chief District Court Judge Galen Braddy, District 3A and Family Court Advisory Commission Chair

"Children who are experiencing the angst of conflict between their parents deserve a legal system that provides access, consistency and decision-makers who are knowledgeable about the unique issues involved in domestic cases. Family court gives children hope of a timely, thoughtful resolution so that they have a chance at succeeding and not being a statistic in either juvenile or criminal court."

— Rose Stout, Family Law Attorney

ABOUT FAMILY COURT

Benefits

Brief Description

Benefits to Families

- Expedited resolution of cases to quickly return stability to families
- One Judge / One Family for continuity of decision making
- Reduced psychological trauma to children through the delivery of parent education programs and resources
- Lower cost of litigation through efficient resolution of cases
- Personalized attention and direction to families navigating a complex legal system

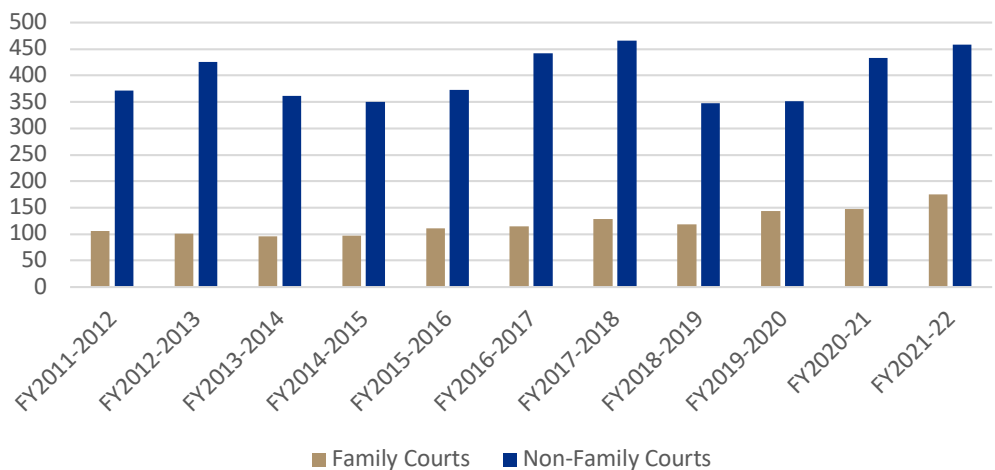
Benefits to Taxpayers

- Quicker establishment of child support, spousal support, and distribution of marital assets, which reduces demands on public assistance that might otherwise occur through the loss of homes, vehicles, and businesses
- Quicker permanent placement of children who are in the custody of county departments of social services lowers foster care costs

Benefits to Employers

- Consolidation of issues results in fewer hearings, which means fewer days away from work for mothers and fathers
- Quicker disposition rates bring a return to normalcy for litigants resulting in less distracted and more productive employees

MEDIAN PENDING CASE AGE (DAYS)





School Justice
Partnership
NORTH CAROLINA

A PROGRAM TO KEEP KIDS IN SCHOOL AND OUT OF COURT
SJP.NCCOURTS.GOV



GOALS



The School Justice Partnership (SJP) is a group of community stakeholders from schools, law enforcement, and the court system who develop and implement effective strategies to address student misconduct within the school system and the community rather than by a referral to the justice system. As the “convener,” the chief district court judge brings key stakeholders together and chairs meetings, but is an equal participant in the process. A successful SJP requires commitment from a diverse group of local leaders.

ABOUT

The [North Carolina Commission on the Administration of Law and Justice](#) recommended statewide implementation of SJPs, which is an important component to the successful implementation of North Carolina’s Raise the Age legislation.

The School Justice Partnership North Carolina (SJP) program is managed by the North Carolina Judicial Branch’s Administrative Office of the Courts.
SJP.NCCOURTS.GOV



SCHOOL JUSTICE PARTNERSHIPS (SJPs) ARE BEING DEVELOPED THROUGHOUT THE STATE TO KEEP KIDS IN SCHOOL AND OUT OF COURT.

North Carolina's 2017 Raise the Age law (S.L. 2017-57 § 16D.4.(aa)) authorized the director of the North Carolina Administrative Office of the Courts (NCAOC) to establish policies and procedures for chief district court judges and local stakeholders to establish SJPs to help reduce in-school arrests, out-of-school suspensions, and expulsions.

Statistics show that contact with the juvenile justice system increases the likelihood that youth will reoffend. The SJP consequently seeks to reduce the use of exclusionary discipline practices, such as suspension, expulsion, and school-based court referrals, which push students out of school and into court.

EACH SJP DEVELOPS A MEMORANDUM OF UNDERSTANDING (MOU) WHICH ESTABLISHES GUIDELINES FOR ADDRESSING STUDENT MISCONDUCT WITHOUT COURT OR LAW ENFORCEMENT INVOLVEMENT.

Using a graduated response model, the Memorandum of Understanding (MOU) identifies age-appropriate graduated responses that increase in severity as misconduct persists.

CURRENT EXCLUSIONARY DISCIPLINE PRACTICES PUSH STUDENTS OUT OF SCHOOL AND INTO COURT FOR MINOR MISCONDUCT.

In North Carolina, school-based referrals accounted for 45% of the referrals to the juvenile justice system in calendar year 2019. Most of these referrals were for minor, nonviolent offenses. In the 2018–2019 school year, 93% of school-based referrals were for misdemeanors and status offenses.

RESPONDING TO STUDENT MISCONDUCT WITH EXCLUSIONARY DISCIPLINE PRODUCES NEGATIVE OUTCOMES FOR STUDENTS AND SCHOOLS.

Suspension and expulsion increase the risk that students will drop out of school, repeat a grade, and engage in future delinquent conduct. A single suspension can triple the likelihood that a student will enter the juvenile justice system.

Court involvement for minor misconduct increases the likelihood that youth will reoffend, and outcomes worsen with deeper involvement in the system. For example, confinement in a juvenile facility increases the risk that a youth will be rearrested as an adult.

For some students, a school-based referral can lead to a permanent criminal record, which creates barriers to college financial aid, employment, housing, and military eligibility.

SJPs IN NORTH CAROLINA ARE HELPING TO KEEP KIDS IN SCHOOL BY REDUCING SCHOOL-BASED REFERRALS.

New Hanover County implemented an SJP in November 2015, which has resulted in a 67% decrease in school-based referrals since FY 2013–2014. In the same time period, the dropout rate in New Hanover County declined, and the high school graduation rate increased.

Other SJP counties in North Carolina have seen similar declines since FY 2015-2016:

- In Lenoir County, school-based delinquency referrals have decreased by 87%.
- In Brunswick County, school-based delinquency referrals have decreased by 80%.
- In Mecklenburg County, school-based delinquency referrals have decreased by 37%.

NCAOC RELEASED A TOOLKIT FOR JUDGES TO FACILITATE THE STATEWIDE IMPLEMENTATION OF SJPs.

A collaborative workgroup completed the development of an "SJP Toolkit" for chief district court judges to convene local community stakeholder groups.

The SJP Toolkit, which was released August 2019, provides resources needed to implement an SJP and adopt an SJP Memorandum of Understanding (MOU) setting out appropriate responses to student misconduct.

As of September 2022, SJPs have been convened or developed in 52 North Carolina counties. To learn more about SJPs in North Carolina, visit [SJP.nccourts.gov](https://sjp.nccourts.gov).



A PROGRAM TO KEEP KIDS IN SCHOOL AND OUT OF COURT
[SJP.NCCOURTS.GOV](https://sjp.nccourts.gov)

The School Justice Partnership North Carolina (SJP) program is managed by the North Carolina Judicial Branch's Administrative Office of the Courts. 150 copies of this public document were printed at a cost of \$16.50 total, or about \$0.11 per sheet.

Going to Court




Ages 11 and under



Lots of kids go to court,
just like you! In this book,
we will learn about court
with Anna and her dad.

Who is In the Courtroom?

Court is a place where situations are settled through the law. Kids and grown-ups go to court for many different reasons. There are many different people who work in the courtroom. Each person has a different role. Some will speak in the courtroom, and some will be silent. Some will stand the entire time, and some will sit down.

	ROLE	WHAT THEY DO
	Judge	The judge makes sure that people follow the rules.
	Clerk	The clerk keeps records of papers and decisions for each court case that can be used by the judge. Clerks also take notes about what happens in the courtroom.
	Court Reporter	The court reporter types what everyone in the courtroom is saying.
	Lawyer	A lawyer gives people advice on what to do. Lawyers talk to the judge and other people to find out what happened.
	Law Enforcement/ Bailiff	Law enforcement in the courtroom is also called the "bailiff." They make sure everyone is being kind and respectful while in the courtroom.

Historical Court Figures in North Carolina



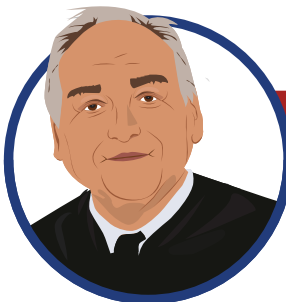
Judge Angelica Chavis McIntyre

First Native American female chief district court judge in NC



Judge Larry Brown

First Black judge in Alamance County



Judge Mario Perez

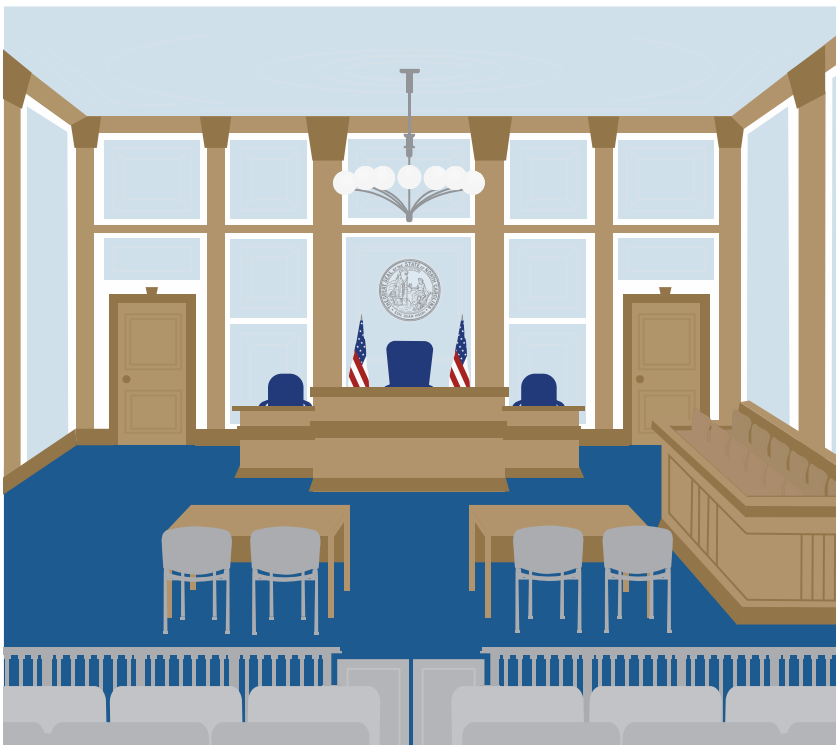
First Mexican American judge in NC

What Happens in the Courtroom?

- There are many different courtrooms in the courthouse. The grown-up you came with today will take you to the right place. The grown-up you came with may not know everything that is going on, but they can find out by asking questions.
- Once you are in the courtroom, there will be seats or long benches for you to sit on.
- There may be a lot of people in the courtroom. Cases are heard one at a time. The judge or a lawyer will call each person by name when it is their turn.
- The judge will ask everyone to be quiet and listen when others are talking. It is important to wait until it is your turn to talk. You can bring a toy, just make sure you aren't being too loud! Loud toys are not allowed in the courtroom.

The grown-up you are here with may be your parent, care giver, or other grown-up who is helping you in court.

Label What You See in the Courtroom



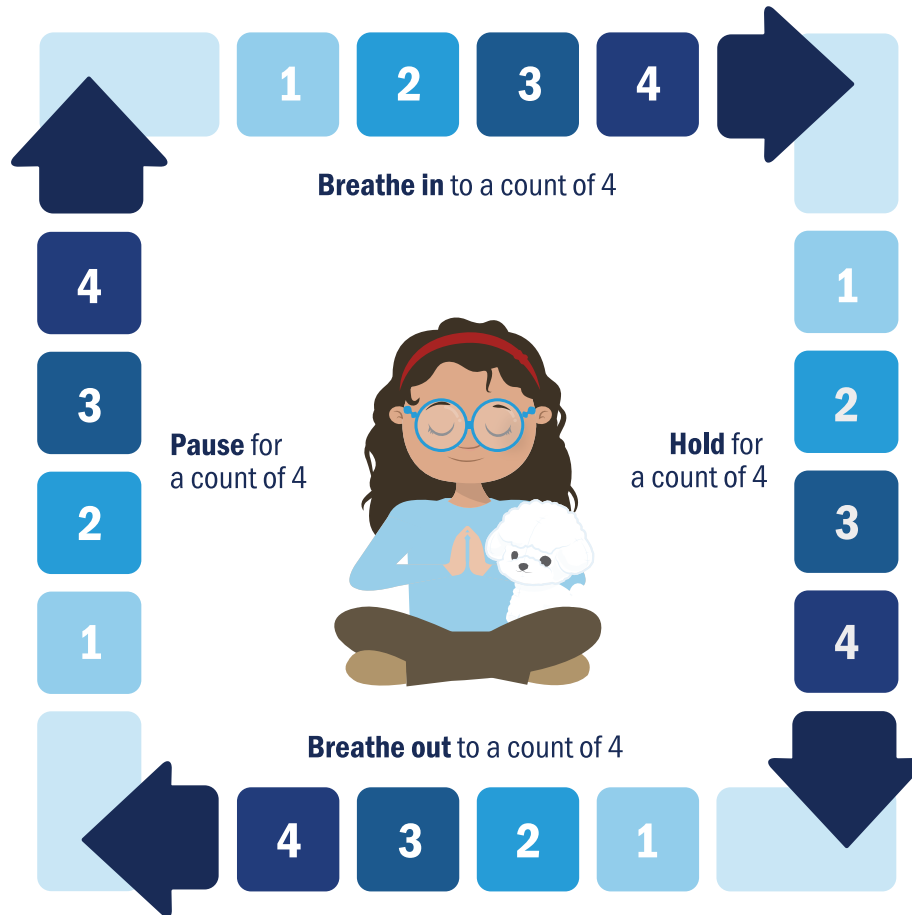
As you look around the courtroom, what do you see? Label the picture below with what you see. What looks the same? What looks different? Where are you sitting?

- Label what you see in the room: Judge, Clerk, Court Reporter, Lawyer, Bailiff

Activities

Sometimes people get nervous in court.
Below are activities that can help you relax.

BREATHING EXERCISE



KIND THINGS ACTIVITY

Write 3-4 kind things about yourself.

■ I am _____

■ I love my _____

■ I have _____

■ Write your own: _____







Going to Court

Ages 12 and older



Who is In the Courtroom?

Court is a place where situations are settled through the law. Youth and adults go to court for many different reasons. In the courtroom, you will see that there are many different people who work there. Each person has a different role. Some will speak in the courtroom, and some will be silent. Some will stand the entire time, and some will sit down. Below are some of the roles that you will see in court.

ROLE	WHAT THEY DO
 Judge	The judge helps make sure that everyone is obeying the law. They also make decisions about how to best help the people who have come to the courtroom.
 Clerk	The clerk keeps track of all decisions the judge makes and keeps the papers about the cases organized.
 Court Reporter	The court reporter records everything that is said in court word for word by typing it on a machine called a stenotype. Most courtrooms have a court reporter, but they are not required for all case types.
 Lawyer	A lawyer is also called an “attorney.” Lawyers give advice to people who have a disagreement. The lawyer “represents” one of the sides in a disagreement. The lawyer speaks to the judge and questions witnesses.
 Law Enforcement/ Bailiff	Law enforcement makes sure that everyone is following the rules of the court. The law enforcement officer in court is called the “bailiff.”
 Witness	A witness is a person who may be sworn under oath to tell what they know about something they might have seen, heard, smelled, or touched that will help the judge make a decision about the case.

Historical Court Figures in North Carolina



Judge Angelica Chavis McIntyre

First Native American female chief district court judge in NC



Judge Mario Perez

First Mexican American judge in NC



Judge Larry Brown

First Black judge in Alamance County

What Happens in the Courtroom?

- There are many different courtrooms in the courthouse. The adult you came with today will take you to the courtroom where the case will be held. The adult you came with may not know everything that's going on in the courtroom, but they can find out.
- Once you are in the courtroom, there will be seats or long benches for you to sit on in the public gallery.
- There may be a lot of people in the courtroom. Cases are heard one at a time. The judge or an attorney will call each person and tell them where to go when it is their turn.
- Electronic devices are often discouraged in the courtroom. Sometimes they are not allowed. Anything distracting in the courtroom may be taken by the bailiff. The bailiff or another court personnel will let you know the rules of the court.

The adult with you in court may be your parent, care giver, guardian ad litem, or other adult.

Label What You See in the Courtroom



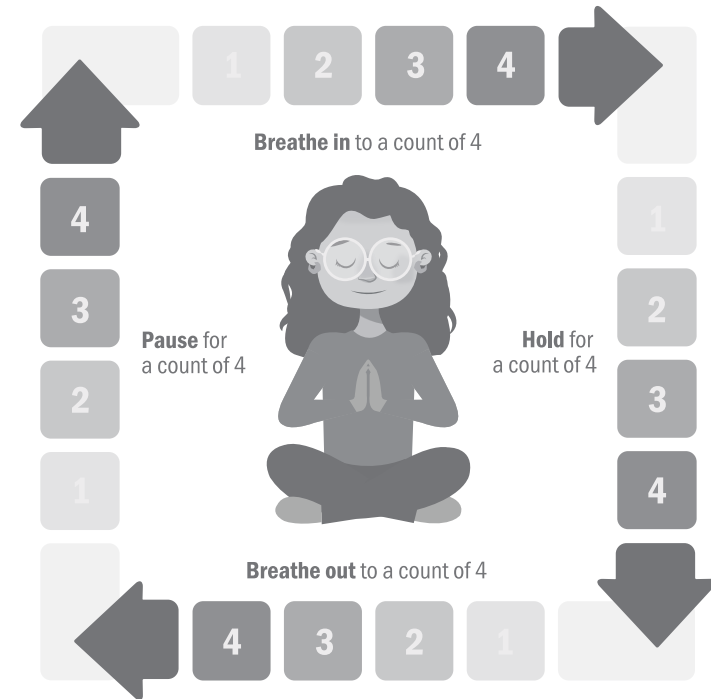
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■ Label what you see in the room: Judge, Clerk, Court Reporter, Lawyer, Bailiff

Activities

Sometimes people get nervous in court. Below are activities that can help you relax.

BREATHING EXERCISE



L	U	A	E	H	T	Y	W	W	X
E	W	Z	C	J	J	Z	B	S	N
Z	B	W	L	N	U	I	A	M	L
M	J	V	E	X	D	H	I	P	T
X	F	D	R	N	G	D	L	J	O
G	N	M	K	G	E	T	I	O	I
W	I	T	N	E	S	S	F	O	Z
K	L	O	B	B	Y	O	F	O	C
D	G	B	E	N	C	H	V	N	U
G	E	V	E	Q	Q	L	W	N	Y

WORD SEARCH

Can you find these six words in the word search?

- JUDGE
- CLERK
- BAILIFF
- WITNESS
- LOBBY
- BENCH



Infant-Toddler Court Program:

Tip Sheet for Trauma-Responsive Courts



Trauma responsive courts embrace a universal precaution model, which assumes that all children, families, and court stakeholders could have a history of exposure to trauma prior to court involvement. In collaboration with the [National Child Traumatic Stress Network](#) (NCTSN), the [National Council of Juvenile and Family Court Judges](#) (NCJFCJ) created a trauma assessment protocol for juvenile and family courts. The tips provided in the following sections are general recommendations that can be used to assist in creating trauma responsive court environments, policies, and practices. Additionally, it is recommended that courts assemble a committee to examine their current practices and court environment and work to create a plan to move toward being a more trauma responsive courthouse. While these tips and questions can inform courts on how to become more trauma responsive, recommendations could change depending on individual court circumstances.

AUTHORS:

Vanessa Helfrick Paulus

Senior Policy Analyst, NCJFCJ

Sarah Rimington

Regional Field Specialist,
ZERO TO THREE



A service system with a trauma-informed perspective is one in which agencies, programs, and service providers:

- Routinely screen for trauma exposure and related symptoms.
- Use evidence-based, culturally responsive assessment and treatment for traumatic stress and associated mental health symptoms.
- Make resources available to children, families, and providers on trauma exposure, its impact, and treatment.
- Engage in efforts to strengthen the resilience and protective factors of children and families impacted by and vulnerable to trauma.

- Address parent and caregiver trauma and its impact on the family system.
- Emphasize continuity of care and collaboration across child-service systems.
- Maintain an environment of care for staff that addresses, minimizes, and treats secondary traumatic stress, and that increases staff wellness.

For more information, see <https://www.nctsn.org/trauma-informed-care/creating-trauma-informed-systems>.



Environmental Considerations to Become a Trauma Responsive Court

Access to the courthouse.

Are online map directions accurate and easy to follow? Is there adequate parking? Is parking free and not limited by time or a meter? Is there a bus stop nearby and are buses scheduled to stop during regular court hours? If the answer is **no** to any of the above questions, this could be an area a committee may want to address.



Pierce County, Washington signage

Security process.

To gain a better understanding of the security process, members of the committee might consider entering the courthouse as a consumer, rather than as an employee or through a special entrance. When doing so, consider the following: How long does it take get through security? Are there security guards of all genders? This is especially important if pat downs are required as part of the process. Are security officers armed and/or in full uniform? Are officers friendly, welcoming, and helpful? Does the number of officers present appear to be adequate or excessive?

Navigating the courthouse.

If this were your first time visiting this courthouse, how long would it take you to find the courtroom? The bathrooms? The cafeteria or vending area? Is there adequate signage? Would you have to ask someone for assistance? Is there a staffed information desk?



Pierce County, Washington child-friendly area

Child- and family-friendly spaces.

What do the waiting areas and courtrooms look like? Is there child-sized furniture? Are toys and books available to children ranging in age from 0 – 17? Are there murals or child friendly artwork on the walls? Are supplies such as snacks, diapers/wipes, or a change of clothes provided? Is there adequate and comfortable seating? Are there areas for attorneys and their clients to meet privately? Local churches, schools, and community organizations can be great partners and can often assist with the creation of and providing items for child friendly spaces.



Douglas County, Georgia reading room



Polk County, Iowa mural

Additional environmental considerations.

Contact community partners to explore the possibility of offering childcare to parents while they attend meetings and hearings, if not already offered. Consider implementing a therapy dog program. Explore ways to provide fresh, healthy food and drink options to families who may spend hours at the courthouse. If the courthouse has limited food options, and there are no restaurants nearby, reach out to local food trucks who may be willing to park at the courthouse on a regular basis.

Practice Considerations to Become a Trauma Responsive Court

Judicial Engagement.

During hearings, what does judicial engagement look like? Does the judicial officer welcome the parents and call the parents and other parties by their name or by their title (i.e., Ms. Smith vs “the Mother” or “the Resource Caregiver”)?

Do they start each hearing with an explanation of its purpose and an introduction of all parties present? Does the judicial officer wear a robe? Does the judge always sit behind the bench? When children are present for hearings, does the judge interact with the children? Does the judge ask the parents about their child's developmental milestones? Does the judicial officer speak directly to the parents, provide them with an opportunity to be heard, and end the hearing with an explanation of what took place and next steps?



Broward County, Florida court room

Hearing practices.

Are hearings held in a formal court room or a more child and family friendly space? Are child well-being topics thoroughly covered? Do the professionals use easy to understand language or provide explanations when speaking in technical jargon? Are hearings adversarial or strength-based and collaborative in nature? Are parties treated with respect and empathy? Are all parties given an opportunity to speak? If bailiffs are in the courtroom, how do they interact with the families (e.g., are they solely focused on security matters or do they engage with parties and children present)? How often are cases continued due to professionals not being adequately prepared?



Duluth County, Minnesota child-friendly family time (visitation) space where Family Team Meetings occur

Family team meeting practices.

Are all parties introduced by name and relation to the case? What do seating arrangements look like? Are ground rules posted or reviewed prior to starting the meeting? Is the meeting child-focused, strength-based, and parent-led, or is it agency-led and compliance-driven? Is there a conversation related to current safety concerns and protective capacities, including the question, "Why can't the child return home today?" Was the concurrent plan actively discussed or simply stated? Was there an opportunity to problem-solve issues in real time? Were parents treated with respect, empathy, and honesty? Were parents given first opportunity to provide updates on their child's progress? Do professionals and paraprofessionals (e.g. Parent Mentors) at the table listen to understand or listen to respond? Are notes taken in real time for all parties to see and/or provided to all parties at the end of the meeting? Was food provided? Was adequate time given to cover all necessary topics satisfactorily?

Considerations for virtual hearings.

Do parents have access to technology and do they know how to use the platform used for virtual hearings? If parents do not have a computer or smartphone, courthouses can set up rooms where parents can use a computer to virtually attend their hearing; child welfare agencies can also provide such technology to parents. Is virtual training available to assist parents in learning how to use the technology prior to their hearing? Are breakout rooms available on the virtual platform in order for attorneys to confer confidentially with their clients? Similar to in person hearings, do judicial officers explain the hearing, allow parties to introduce themselves, and ask parents or children if they have questions?



Policy Considerations to Become a Trauma Responsive Court

Timeliness and dockets.

Are hearings scheduled using time-certain calendaring? How long do families wait for their case to be called? How long are hearings in relation to wait times? Time-certain calendaring should be utilized where all hearings are scheduled for a specific time and continuations are kept to a minimum. Are cases called by name for everyone in the waiting area to hear? If so, screens or a numbering system can be used in order to maintain privacy. Is adequate time scheduled for hearings to cover necessary

topics thoroughly and allow for questions and real time problem-solving?

Incarcerated parents.

Do incarcerated parents attend their hearings in person, virtually, or by phone? Are incarcerated parents allowed to change out of their uniform and into court- appropriate clothing? Do incarcerated parents attend their hearing in shackles or are they removed prior to the hearing? Does the sheriff/security stand next to the parent during the hearing, or do they observe from the back of the courtroom?

Trauma screenings.

Are clients screened for trauma, or are they referred for trauma screening? What screening tool is used? Is the screening process collaborative among court stakeholders? What is done with the information from the screening? Is trauma, or trauma history, considered as part of decision-making related to children and families in the system (e.g., decisions about placement, services, etc.)? Trauma screening should be part of a court policy. A trauma screening protocol used by all system-involved agencies to screen children and parents prior to (or early in) involvement with the court should be considered. Additionally, trauma screeners should have training and experience in preventing further trauma during the screening process.

Secondary trauma and ongoing training.

Within your agency/organization, is there an understanding of the emotional impact of the work you do (e.g., burnout, vicarious trauma, compassion fatigue)? What's the level and prevalence of understanding? What resources are available to help staff experiencing these issues (e.g., employee wellness program)? Is trauma training related to clients provided on

an ongoing basis? Is secondary trauma training related to court stakeholders provided on an ongoing basis? Do court staff and stakeholders have a say in other training topics?



Additional Resources

- The NCJFCJ's *Enhanced Resource Guidelines* covers all stages of the court process, from the preliminary protective hearing until juvenile and family court involvement has ended, which leads to the child safely being returned home or placed in a new, secure, and legally permanent home. <https://www.ncjfcj.org/publications/enhanced-resource-guidelines/>
- The NCJFCJ's *Questions Every Judge and Lawyer Should Ask about Infants and Toddlers in the Child Welfare System* contains checklists developed for judges, attorneys, child advocates, and other child welfare professionals in meeting the wide range of developmental, physical, and mental health needs of infants and young children. <https://www.ncjfcj.org/publications/questions-every-judge-and-lawyer-should-ask-about-infants-and-children-in-the-child-welfare-system/>
- The American Bar Association's (ABA) Youth Engagement Project has developed several resources to improve policies and practice involving children in court, including observations and questions to ask young

children. https://www.americanbar.org/groups/public_interest/child_law/project-areas/youth-engagement-project/resources/

- A set of interactive online learning modules for judicial officers and attorneys, *Putting the Science of Early Childhood to Work in the Courtroom*, provides information and tips from experienced peers and experts in the field for cases involving very young children. It includes a module on "The Trauma-Responsive Court," which offers practical strategies for creating a more trauma-responsive court environment. www.elearn.zerotothree.org/itcp
- ZERO TO THREE's Infant-Toddler Court Program is a national resource center supporting trauma-informed practices in child abuse and neglect cases with very young children. A collection of bench cards and other tools to support a trauma-responsive court environment is available on the program's networking and resource-sharing platform, ITCP Connect. https://go.zerotothree.org/join_itcp_connect_LP

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Trauma-Informed Judicial Practice from the judges' perspective

BY EVA MCKINSEY,
SAMANTHA A. ZOTTOLA,
ALEXIS MITCHELL,
MARK HEINEN &
LUKE ELLMAKER

Research sends a clear message: The effects of trauma cannot be ignored within our court system. Up to 90 percent of adolescents and 75 percent of adults involved in the U.S. criminal legal system report at least one traumatic event during childhood,¹ and decades of research demonstrate the link between early experiences of trauma and later negative outcomes, including criminal legal system involvement. What can judges do to help address this endemic problem? In this article, we describe an in-depth investigation of judges' perspectives on how to make judicial practice more "trauma-informed." But first, we offer an overview of trauma and its relevance to the criminal legal context.

One of the first large-scale explorations of trauma was the Adverse Childhood Experiences (ACEs) study, a massive undertaking that surveyed 17,000 people between 1995 and 1997.² In this study, Kaiser Permanente asked participants a series of questions about their experiences as a child to investigate whether exposure to traumatic events in childhood was linked to physical and mental health issues in adulthood. The questions covered events a person may have experienced themselves or may have witnessed happening to someone with whom they lived, and they focused on three broad categories — abuse, neglect, and family dysfunction. Had the child experienced physical, sexual, or emotional abuse, or physical or emotional neglect? Did the child have a family member who was depressed or diagnosed with other mental illness, or who was addicted to alcohol or another substance, or who was in prison? Had the child witnessed a mother being abused? Had the child lost a parent to separation, divorce, or some other reason?³

The findings of the study shocked researchers: Nearly two-thirds of adults had at least one ACE.⁴ And the more adversity a person had experienced as a child, the more likely they were to suffer from both negative mental and physical outcomes as an adult, including chronic disease, suicidality, cancer, and other health concerns.⁵ An ACE score of 4, for example, is associated with a 400 percent increase in the risk of emphysema and a 1,200 per-

cent increase in the risk of suicide.⁶ The study suggested that trauma and its effects were more prevalent than ever imagined and flipped the script: Whereas trauma used to be seen as a problem predominantly within poorer communities of color, the study also revealed noticeable ACE scores among white participants and those with college degrees.⁷

Today, many judges, lawyers, and other system actors realize that not only can trauma not be ignored in their work, but that adopting a trauma-informed approach is part of doing their jobs well.

What began as a study about health quickly evolved into something much more. Further research revealed that the effects of early and/or severe adversity — including the original ACE categories, as well as others like bullying, systemic oppression, and community-based violence — are relevant to a wide range of contexts.⁸ Indeed, experiencing traumatic events can impact a person's brain and body development, and thus their behavior, in profound ways. Trauma can affect the actual physical structure of the brain — leading, at times, to more impulsive behavior, emotional regu-

lation challenges, trouble identifying threats, and other behaviors that may contribute to a person's involvement in the criminal legal system.⁹ These behaviors also contribute to outcomes that often occur in tandem with criminal legal system involvement, such as substance use, housing instability, relationship problems, and employment challenges.¹⁰ A vast program of research, some conducted even before the ACEs study, illustrates these links between trauma and system involvement,¹¹ showing that experiencing trauma during childhood increases the odds of engaging in violent behavior by more than 200 percent.¹² Importantly, research also shows that some people demonstrate growth and resilience, and can heal through psychotherapy,¹³ social support,¹⁴ and other interventions following traumatic events.¹⁵

This body of research, including a special issue in the *Juvenile and Family Court Journal* devoted to trauma in 2006, brought the concept of "trauma-informed care" to the forefront of the criminal legal context. Nearly a decade later, the government agency Substance Abuse and Mental Health Services Administration (SAMHSA) developed a framework for taking a trauma-informed approach that could be adopted across a range of service systems, including the criminal legal system. This framework articulates the "4 Rs" of a trauma-informed approach: *realizing* the prevalence of ►

Judges expressed confidence in their knowledge of trauma but uncertainty about what to do with that knowledge.

trauma and potential pathways for recovery; *recognizing* signs and symptoms of trauma in the people who come through the courtroom; *responding* by integrating knowledge of trauma into practice; and actively *resisting re-traumatization*.¹⁶ Studies examining the impacts of trauma-informed interventions directed at people who are justice-involved* have shown reduced recidivism and perpetration of violent behavior among youth in juvenile detention centers,¹⁷ and decreased presence of post-traumatic stress disorder symptoms among women who are incarcerated.¹⁸ Today, many judges, lawyers, and other system actors realize that not only can trauma not be ignored in their work, but that adopting a trauma-informed approach is part of doing their jobs well.

Despite widespread recognition of the importance of trauma-informed care throughout the U.S. criminal legal system broadly and the court system specifically, many system actors still have questions surrounding this concept: What exactly does it mean to be “trauma-informed” within a courtroom? How much does trauma *really* influence a person’s involvement in the system? How should court professionals, including judges, be trained on this concept?

There is some guidance on these questions. The National Child Traumatic Stress Network published a resource

guide on the Essential Elements of a Trauma-Informed Juvenile Justice System,¹⁹ and a recent study investigated perceptions of judicial educators about what does and does not work when engaging in trauma education for the judiciary.²⁰ However, the perceptions of judges themselves have not been extensively explored. And these perceptions matter, as studies show that the success of any practice depends in part upon whether the practitioner actually believes the practice is appropriate and relevant.²¹ Indeed, judicial educators recognize the importance of understanding judges’ perceptions and recommend that anyone creating trainings should “engage judicial voice in assessing how trauma education is designed and delivered.”²² The investigation described here aimed to do just that by asking judges themselves about their experiences with receiving training on trauma-informed courtrooms and engaging in trauma-informed practices.

OUR INVESTIGATION

Over the past year, a team of investigators set out to explore judges’ perceptions of trauma training and trauma-informed courtrooms. The process began in August 2021 with a pilot trauma education course for a small group of North Carolina district court judges. The course was developed and administered by the Bolch Judicial Institute at Duke Law School, which serves as the academic leader of the North Carolina Chief Justice’s Task Force on ACEs-Informed Courts, created by Chief Justice Paul Newby in May 2021 (the Institute also publishes *Judicature*). The course concluded with a feedback session in which research-

ers asked participating judges for their thoughts on the effectiveness of the course and how to improve future trainings.

The curriculum covered three topics: 1) the science of trauma; 2) efforts to grow a trauma-informed system of care in North Carolina; and 3) pragmatic ways to implement trauma-informed practices in the courtroom. The training lasted two and a half hours, took place over Zoom due to COVID-19 precautions, had one session for each topic, and included an introduction by a North Carolina chief district court judge who opened the program by discussing the goals and purpose of the course. The course that followed included a session on the brain science of trauma led by a professor of psychiatry; a session on the trauma movement within the state led by a clinical psychologist; and a session on practical application of trauma-informed court in the courtroom led by two experienced judges.²³

Eleven district court judges, five of whom were chiefs of their respective district courts, attended the pilot training. The participating judges came from both urban and rural jurisdictions across North Carolina, and their years of experience on the bench ranged from one year to 21 years, with the majority having served over ten years. Knowledge of trauma varied among the judges, though all had at least some baseline familiarity.

Directly following the pilot training, the judges engaged in a feedback session on the training. The feedback session was structured using the group-level assessment model, a research method in which stakeholders — in this case, participating judges — join the

* Throughout our article, we use the terms *justice-involved* or *court-involved* to refer to people who are involved with the court or justice system at any stage (e.g., pretrial, sentencing, post-conviction, probation). Using a term that allows for person-first language (i.e., *person who is justice-involved*), rather than a label (e.g., *defendant*, *perpetrator*), is aligned with the key principles of trauma-informed practices laid out by SAMHSA: specifically, the principle of collaboration and mutuality.

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evaluation process as co-researchers.²⁴ This model allows those with the greatest courtroom knowledge and expertise to play a central role in the generation, analysis, and interpretation of data.²⁵

We also conducted in-depth interviews with nine of the judges three to four months after the training to learn about their experiences implementing the content of the training and their opinions of trauma-informed courtrooms broadly. Here, we share our findings on judges' perceptions of various topics and issues surrounding trauma-informed judicial practice focusing on three overarching topics:

1. Trauma Education — What do judges believe makes an effective trauma education program for court professionals?
2. Trauma-informed Courts — What do judges believe makes a courtroom trauma-informed?
3. Barriers and Solutions — What do judges consider to be the greatest barriers to implementing trauma-informed judicial practice and how do they believe these barriers should be addressed?

In the sections that follow, we dig into each of the above-listed questions, first providing brief overviews of the general topic and then reporting our findings.

WHAT MAKES AN EFFECTIVE TRAUMA EDUCATION PROGRAM FOR COURT PROFESSIONALS?

A recent survey of 343 court professionals (probation/parole officers, lawyers, judges, and law students) found that nearly one in two respondents had previously participated in a training or educational program focused on the impact of trauma.²⁶ Trauma-related education takes many forms. It might

be, for example, a broader educational curriculum on child development or a viewing of the movie *Resilience: The Biology of Stress and the Science of Hope*. Whatever the form, these educational efforts generally have the same overarching goals — defining trauma and traumatic events, explaining how trauma affects the brain and behavior, describing the relevance of trauma to the criminal legal context, and illustrating how to adjust court practices and procedures to account for the influence of trauma on court-involved people.

Findings

We gleaned 11 essential recommendations for future trauma education from the feedback we received from our judge participants. These recommendations cover two broad categories: the content of training and the structure of training.

Content Recommendation #1: Focus on the practical

“Many trainings are conceptually strong, but weak on practicality.”

In both the feedback session and interviews, judges expressed confidence in their knowledge of trauma but uncertainty about what to do with that knowledge. Future trainings should dedicate substantial time to concrete changes judges and other legal actors can make and specific skills they can develop to foster a trauma-informed courtroom. As one judge described, seemingly simple skills, such as communicating with courtroom participants in a trauma-informed manner, can be challenging. “You have to ask questions but try to not be too personal with people either — you don’t want people to have to talk about all of their problems within a courtroom with 100

people sitting there, but being positive and supportive and praising people for the steps that they’re taking is important. Sometimes, I get so rushed that I forget to do that.”

Content Recommendation #2: Incorporate research, data, and statistics into training

“The brain studies on the actual biological impact of trauma, neuroplasticity, etc., [are] amazing for someone who went to law school.”

Judges appreciated the inclusion of research speaking to the neuropsychological impacts of trauma, statistics on the prevalence of trauma in North Carolina, and research on the impacts of trauma-informed interventions in other criminal legal contexts (e.g., juvenile detention centers). They also expressed a desire for more research on topics they thought would help foster a trauma-informed approach and increase buy-in among other court professionals, such as research showing the impacts of courtroom-based trauma-informed practices on future legal system involvement and life outcomes. In other words, several judges asked: Do these practices “work”?

Content Recommendation #3: Include broad messaging and discussion about what it means to be a judge

“[My main takeaway of the pilot training was] the concept of making court procedures and processes more about everybody else and not just about the judges and lawyers.”

Most judges shared the perspective that becoming trauma-informed necessarily involves re-examining the role of the judge. Several referred to this as a ►

Most judges shared the perspective that becoming trauma-informed necessarily involves re-examining the role of the judge. Several referred to this as a “mindset” or “culture” shift. Trainings should directly address this shift by emphasizing the ways in which taking a trauma-informed approach to one’s judicial role often means defying the traditional perceptions of what it means to hold that role.

“mindset” or “culture” shift. Trainings should directly address this shift by emphasizing the ways in which taking a trauma-informed approach to one’s judicial role often means defying the traditional perceptions of what it means to hold that role, which tend to include instilling fear in others or having authority over others. To demonstrate, one judge described a trauma-informed communication approach in contrast to the approach many judges were trained in: “You know, not being so challenging of ‘Why did you do this?’ . . . and [instead] trying to speak to them in a way that you’re trying to understand what happened in their lives that led them to where they’re standing in front of you . . . that’s always tricky for judges, though, because you do want accountability and personal responsibility, but how you get someone to be personally responsible . . . there are definitely different ways to do that — and not just fear. Fear is the old one that most judges have been trained to use. . . . That works for a certain number of people, but it doesn’t work for the majority of people. Unfortunately, that’s usually the mindset judges come from.”

Content Recommendation #4: Supplement training with educational resources

“I think bench cards, checklists, videos — all those things are extremely helpful.”

Judges expressed that a wide range of resources can be helpful at differ-

ent times, but that bench cards and checklists were the easiest to implement. Additionally, some judges said that sharing a list of trauma-informed practices that other court professionals frequently use would encourage such practices among other judges.

Content Recommendation #5: Don’t forget about adults

“My perspective is that it’s all been about children.”

Several judges noted how current trauma trainings are heavily centered around children. While early adversity has the greatest impact on young developing minds, trauma can occur at any age and often presents differently depending on a person’s age.²⁷ As such, trauma trainings should address the ways in which trauma manifests in adults and how to take a trauma-informed approach when working with adults in the system.

Content Recommendation #6: Include information and resources on vicarious trauma

“I think one training issue that needs to be dealt with is [that] being a juvenile court judge is traumatic. We see traumatic stuff; it affects us.”

As noted by several of the interviewed judges, the frequent exposure to and contact with trauma in other people’s lives can itself be traumatic. Research

shows that legal professionals are susceptible to vicarious, or secondary, trauma. One study of work-related symptoms associated with vicarious trauma found that the majority of judges (63 percent) reported experiencing either long- or short-term symptoms.²⁸ Another study that surveyed attorneys, mental health professionals, and social workers found that attorneys were the most likely to experience burnout from becoming “over-extended” with their clients.²⁹ Trainings should incorporate information on vicarious trauma and ways to address it, and should also avoid content that could re-traumatize training participants (e.g., video or audio clips presenting physical abuse).

Content Recommendation #7: Consider differences in the availability of resources faced by training participants

“I wish I could show you this room that I’m holding court in. I mean we [in rural courts] live in a very different world and we don’t have all those options. . . . We can’t paint the walls blue because it’s a soothing color. I can’t get paint on the walls in the hallway of my offices with holes punched in it with no paint at all on it for 10 years. . . . [Y]ou are talking about two completely different worlds when you talk about rural versus the urban metropolitan areas and all that.”

Some judges from low-resourced jurisdictions expressed frustration over trauma-informed courtroom

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suggestions that rely on money, such as making structural changes to the courthouse. Trainers should recognize the potential resource limitations some districts face when making recommendations for changes to courtrooms and focus on affordable trauma-informed practices. Many potential practices cost little or nothing to implement, like improving communication and scheduling dockets to avoid exposing court-participants to unnecessary wait times and traumatic testimony, and even some physical changes are low cost, like adding children's books to waiting areas. Trainers should make it clear that costly courtroom changes are only some options among many and should consider proposing costly options only if courts strongly buy into making changes and have the means to implement them. Further, trainers should include information about free resources available for courts interested in implementing a trauma-informed courtroom, such as those available on the SAMHSA website.

Structure Recommendation #1: Form training teams with diverse voices and perspectives

"I would like to see a multiple-disciplinary team type of approach . . . have a judge make a presentation, somebody from the juvenile justice system, somebody from the district attorney's office."

Judges valued the diversity of presenters in the pilot training — researchers, clinical professionals, and judicial actors. They shared that hearing directly from a judge about trauma and their approach to trauma-informed practice was particularly impactful for increasing buy-in. Hearing from, and being able to ask specific questions of, trauma experts during the train-

ing was also helpful. That said, several judges expressed that some voices were missing, particularly voices of trauma survivors who had been system-involved. Trainings, whether in person or virtual, should include people with a wide range of perspectives and expertise.

Structure Recommendation #2: Provide training opportunities for all court professionals

"Out of 100 people, [court participants] might only interact with the judge 2 percent of the time. Ninety-eight percent of the time they are interacting with everyone else in the system, and so a lot of judges will go, 'Well, how much impact can I really have?'"

Most of the judges highlighted the fact that an individual will encounter many different court professionals (e.g., law enforcement officers, lawyers, clerks, magistrates, judge, etc.) while moving through the system. These multiple points of contact signal the need to educate all court professionals on trauma and trauma-informed judicial practice. Indeed, trauma-informed care describes a system-level approach to providing services to people, which requires all actors within that system to be on the "same page."

Structure Recommendation #3: Provide independent and collaborative training sessions across professions and jurisdictions

"If you have these meetings in silos, an agency may understand what their role is, but they don't understand how it connects to the other agency."

In recognizing that different actors have different frames of reference,

many judges suggested a training structure in which groups of actors are first trained independently (e.g., all judges together, all clerks together, etc.) to discuss group-specific issues and then brought together to discuss how to collectively create a trauma-informed experience for people who are system-involved. As one judge put it, "the left hand has to know what the right hand is doing." Several judges emphasized that these collaborative sessions would be most effective if they grouped actors by district so that they could discuss inventive ways to provide trauma-informed care while working around system- and resource-limitations in their districts.

Structure Recommendation #4: Ensure trainings are in person and interactive

"More expansive, in person, and ideally on site if that's an option."

Nearly all judges recommended in-person trainings that include sufficient time for discussion. In-person and, if possible, on-site trainings would allow more opportunity for the collaborative brainstorming and dialogue needed to turn trauma knowledge into trauma-informed practice. Though judges acknowledged that it can be challenging to gather a group of court professionals in one room for any significant amount of time, they suggested that trauma training may be one situation in which the effort is worthwhile.

WHAT MAKES A COURTROOM TRAUMA-INFORMED?

Many available resources (e.g., trainings, academic articles, published bench cards, and online guides) provide suggestions for creating a more trauma-informed justice system, yet ►

“If there is a traumatic condition that’s causing this criminal behavior, if we don’t treat that or get to the bottom of that, this person is going to continually be involved in the criminal justice system.”

it can be difficult for judges to determine exactly how to implement these suggestions. For instance, a systematic review of 10 publications on trauma-informed care in the juvenile justice system found moderate consistency across publications on the abstract core domains of a trauma-informed juvenile justice system, such as the importance of promoting a safe environment, but much less consistency around the concrete trauma-informed practices, interventions, and policies to employ, such as the use of positive behavior-management strategies.³⁰

We sought to better understand what judges believe to be the core components of a trauma-informed courtroom. Understanding judges’ perceptions of what a trauma-informed courtroom *does* look like allows for specific recommendations that address those perceptions and elucidates gaps in knowledge about what trauma-informed courtrooms *could* look like.

Findings

During interviews, judges’ comments tended to center on five core components of a trauma-informed courtroom.

Component #1: Consider the judge’s demeanor and behavior

“It goes deeper than [respect] when you’re talking about trauma . . . we don’t know what circumstances have brought the individual into the courtroom and why they’re standing before me, so I have to try to be mindful in the way I talk to people, the language I use, the tone I use, because I have a furrowed brow and I can look mean and tough just naturally without intending to.”

Judges focused heavily on judge demeanor and behavior when describ-

ing trauma-informed courtrooms. They recognized that their treatment of courtroom participants can have a significant impact on those participants’ experience in court. Many emphasized the need for judges to shift their communication style to focus more on having a conversation rather than an interrogation or lecture. According to the judges, asking questions aimed at understanding as opposed to blaming (e.g., “What have you been through?” instead of “What is wrong with you?”), listening, and then asking more questions is at the crux of taking a trauma-informed approach as a judge.

Component #2: Prioritize treatment

“[It’s] almost like I preside over a treatment court . . . the person obviously still needs to be held accountable, but maybe we’re not so punitive, maybe we’re more treatment-oriented and realizing that if there is a traumatic condition that’s causing this criminal behavior, if we don’t treat that or get to the bottom of that, this person is going to continually be involved in the criminal justice system.”

All judges recognized prioritization of treatment as an essential element of trauma-informed judicial practice. They acknowledged that a trauma-informed courtroom should help individuals who have experienced trauma receive proper treatment to reduce the odds that they return to that courtroom in the future. That said, many judges also described a degree of tension or incompatibil-

ity between their desire to prioritize treatment and their responsibility to hold people accountable. As one judge explained, “On the one hand, you have the accountability; on the other hand, you have treatment.” Future trainings should directly address how trauma-informed goals do not necessarily conflict with accountability goals.

Component #3: Slow down

“Too often, the prosecutors, everybody in the courtroom wants to hurry up. They want to get it done. They want to move on. They don’t want to spend the time with this person or this child, so I’m trying to slow things down.”

Across all interviews, judges noted the need to slow down despite their huge caseloads and the fast-paced environment of court. They believed that if they had more time with courtroom participants, they would be able to address participants’ trauma more effectively and make decisions with everyone’s best interest in mind. One judge described the way they intentionally manage their schedule to ensure they are able to slow down to the extent needed for some cases:

“It takes a little forethought, you know . . . like today, I knew that I was going to have a kid testifying. I had one other remote matter, but besides that I scheduled nothing else. . . . Every other day I might have 10 cases on the calendar, but because I knew a kid was going to be testifying, I blocked out the entire morning and, as luck would have it, it lasted all morning long.”

Judicature

Component #4: Reimagine the court environment

“I think the courtroom environment could be a little bit softer . . . I guess we have to maintain a certain amount of decorum and it’d still be a courtroom, but I think there’s ways of making it a little less formal, less daunting.”

Judges described the need to “soften” the courtroom environment, structurally and procedurally. Regarding structure, several judges expressed support for the use of round conference tables in the well of the courtroom to discuss disposition decisions. They described situations in which it would be beneficial to come off the bench, perhaps without a robe on, and join courtroom participants at their same level to discuss next steps and solutions together. As for procedural changes, several judges noted the need to re-think who is in the courtroom and when. As one judge questioned: “I don’t know what effect it might have if we have a murder case and the next case behind it is a kid who got in a fight in school . . . and they’re seeing the murder defendant walking out in chains. Does that affect them?” Taking intentional steps toward creating an environment that is calming, supportive, and not re-traumatizing is an essential component of a trauma-informed courtroom.

Component #5: Involve everyone

“The way that the bailiffs and other courtroom actors interact with people — I try to monitor that because, in my experience, [it] has been triggering to some people.”

Although judges recognized the weight their own behaviors hold within the

courtroom, they also noted that a true trauma-informed approach would require an integrated effort from all actors, both inside and outside of the courtroom. They stressed the importance of the ways in which bailiffs, sheriff deputies, juvenile court counselors, public defenders, guardians ad litem, and district attorneys behave and interact with courtroom participants, including court-involved youth and victims. Several noted the role that the district attorney’s office, and specifically district attorney legal assistants, can play in making the process more trauma-responsive for victims, not only by advocating for accountability throughout the court proceedings but also by ensuring victims are connected to the services and support they need going forward.

WHAT ARE THE BARRIERS TO TRAUMA-INFORMED JUDICIAL PRACTICE, AND HOW SHOULD WE ADDRESS THEM?

As with any practice, intervention, or training, understanding barriers to implementation and how to address those barriers is essential to success. Barriers to trauma-informed judicial practice, however, have not been thoroughly examined. That may explain why trauma-informed courtrooms are still not the norm in the United States, despite decades of research supporting the need for them. The limited research that does exist suggests that misconceptions regarding trauma (e.g., trauma is an excuse for bad behavior) may be one barrier to the successful translation of trauma education into trauma-informed practices in the courtroom.³¹

To build on this knowledge, we explored judges’ perspectives on these barriers and their ideas for addressing them.

Findings

Judges’ comments tended to center on three types of barriers that most often impede the successful implementation of trauma-informed judicial practice. Many also offered potential solutions for addressing these barriers.

Barrier Type #1: Lack of Buy-in

“You’re going to have a target population of people who do not believe in therapists, who think it’s junk science, who have not really taken the opportunity to take a look at it, or they think that they know better, and my personal favorite, ‘we’ve never done it that way.’”

All judges agreed that lack of buy-in to the concept of trauma-informed care from court professionals across roles (e.g., judges, lawyers, district attorneys) presents a major hurdle to a trauma-informed system. The reasons for such pushback range broadly. Judges noted that some actors do not fully believe in the science behind trauma and ACEs; that some would rather not switch up “the way things have always been”; and that others, particularly judges, may resist a trauma-informed approach out of fear that it requires them to relinquish some of their authority. As one judge shared: “I think some judges’ egos are going to have a hard time with this.”

Judges also spoke extensively about how concerns surrounding accountability may decrease buy-in. As previously noted, some judges we spoke to described a perceived dichotomy between treatment and accountability, believing that a trauma-informed approach that prioritizes treatment could diminish the extent to which they are able to achieve accountability. One judge illustrated the perceived tension between these two concepts: ►

Punishment is not synonymous with accountability. Sometimes trauma-informed practices can achieve goals traditionally associated with punishment (e.g., reducing recidivism).

“We certainly want the treatment aspect of the situation to work, because if a child receives effective treatment, we probably won’t see him again But at the same time, the victim is sitting there wondering what you are going to do to this kid; what are you going to do to make him accountable for disrupting the classroom or punching the teacher in the face or kicking some kid down the stairs or more serious things.” This perceived dichotomy between treatment and accountability may deter some judges from taking the more trauma-informed approach, particularly judges who see their primary responsibility to be enforcing rules and upholding the law.

Judges proposed several ways to increase buy-in to trauma-informed judicial practice:

- *Focus on getting judges, particularly chief judges, on board first.* Their opinions often carry the most weight in regard to changing courtroom policies and procedures, as well as other actors’ perspectives. As one judge stated: “If you have a judge saying ‘everyone, hey, let’s do this,’ there’s a lot more power and influence in that.”
- *Broaden the conversation of trauma-informed care to include discussion of what it means to be a judge, more broadly.* The traditional perception of a judge as primarily someone who is meant to have authority over others inhibits progress toward trauma-informed practice. Conversations about reconceptualizing a judge’s role would likely be most effective if they occur from one judge to another.
- *Clarify that punishment is not synonymous with accountability, and that sometimes trauma-informed practices can achieve goals tradi-*

tionally associated with punishment (e.g., reducing recidivism). One judge explained “If you want to talk about accountability, one of our goals here is [reducing] recidivism [You often hear complaints] about how we see the same people here over and over again. . . . Well, if you want to change that . . . [trauma-informed care] is one way to do it. If you get to them early enough, you can actually stop that cycle and reduce these folks from coming back again and again. . . . If we punish every time and a person has a lengthy record, just punishing them is not stopping them from coming back to court.”

Barrier Type # 2: Practical barriers

“We are limited by the number of courtrooms we have. We are limited by the number of clerks we have available for those courtrooms. We are limited by the number of sheriff personnel who are bailiffs in the courtroom.”

Even judges who were exceedingly knowledgeable about trauma and fully bought-in to the concept of trauma-informed care indicated they experienced difficulty in implementing trauma-informed judicial practice due to various practical barriers. All judges spoke repeatedly about the sheer number of cases they deal with on a daily basis. According to several judges, these high numbers result in court professionals too often treating people “like case numbers and not real people.” They expressed that, due to the high volume of cases, they simply could not “slow

down,” despite believing this to be one of the most essential components of a trauma-informed approach.

Other judges spoke about the lack of resources in their counties, and specifically, about the uneven distribution of resources across the state. As one judge shared: “If I live in [X county], I’m going to get program after program thrown at me or available to me. . . . In the smaller counties, we don’t have a lot of this programming, and that’s very frustrating that we live in a state that has a statewide system, but the system is so radically different depending on where you are.” Lack of money was most frequently mentioned as an obstacle to making physical changes to the courthouse that are trauma-informed, such as painting the walls a soothing color, installing multilingual signage, or reorganizing waiting areas.

The judges suggested the following actions to help address some of these practical barriers:

- *Partner with the community.* Several judges spoke about the resources and support that other folks and organizations in their communities — such as advocacy groups, schools, local mental health services, and faith-based groups — can offer. One judge said: “I think it’s a matter of getting our community organized, talking, and working together.”
- *Engage in deliberate scheduling and meticulous time management.* Judges who have learned to “slow down” shared how deliberate this change of pace has to be. It takes intention in the moment and forethought

Best practices for trauma-informed virtual hearings

When physical distancing measures required courts to quickly adapt operations, the National Center for State Courts (NCSC) saw an opportunity to examine the experience of families and child welfare court professionals in virtual hearings. Most families who come to the attention of the child welfare system have experienced trauma, and, for many, the court experience exacerbates trauma. Many jurisdictions have moved in recent years to implement trauma-informed practices for in-person hearings, including environmental changes and judicial engagement strategies. But early in the pandemic, how those practices would translate to the virtual environment was unclear.

With support from Annie E. Casey Foundation Inc. and Casey Family Programs, NCSC began a study that aimed to describe how families and court professionals experienced online court proceedings through the lenses of procedural fairness, access, and judicial engagement. Sixteen jurisdictions in five states welcomed NCSC into their virtual courtrooms to observe more than 400 child welfare hearings in early 2021. NCSC supplemented hearing observations with interviews and surveys of judges, parents, older youth, attorneys, and case workers.

A key takeaway from the study is that no two sites conducted virtual hearings in the same way — even courtrooms within the same state or courthouse. When courts began facilitating virtual hearings, there was little guidance available and immense pressure to become operational quickly. Most courts simply took in-person practices and transitioned them online with limited time to consider how the virtual courtroom impacted effective

One way to be trauma-responsive and support feelings of safety for hearing participants is to ask them where they are physically and whether they feel safe and able to meaningfully participate from that location.

communication, access to justice, and meaningful engagement.

For example, camera use in videoconferencing sessions varied widely across hearing participants. Very few courts in the study articulated clear expectations on this issue. Individuals joining hearings by video have the benefit of seeing all participants and observing nonverbal cues, while those joining by phone only are often unaware of who is present and may not know how and when to contribute. These limitations make an already difficult situation even more stressful, can contribute to feelings of mistrust, and impede an individual's ability to meaningfully engage in a hearing — all experiences that can trigger a trauma response.

While the pandemic forced courts to quickly adopt technological solutions, it also created an opportunity for courts to expand access to justice for families and a responsibility to learn how to do so in an effective, fair, and trauma-responsive way. NCSC's study of virtual child welfare hearings identified several practices to improve the quality

of virtual hearings, and many of these practices align with the key principles of the Substance Abuse and Mental Health Services Administration's trauma-informed approach (<https://bit.ly/3aUvdms>). Some crucial practices of trauma-informed virtual hearings are described here; see the NCSC's full report at <https://bit.ly/3ttEuby> for more practices and details.

Safety. Virtual (video) hearings present different challenges for ensuring physical and emotional safety for hearing participants. The virtual courtroom may be less intimidating for some; however, it creates the possibility that participants may join from a public location or a place that may otherwise inhibit meaningful engagement. One way to be trauma-responsive and support feelings of safety for hearing participants is to ask them where they are physically and whether they feel safe and able to meaningfully participate from that location. In the study of virtual child welfare hearings, it was extremely rare for judges to ask individuals where they were, though this simple act can help determine whether a parent or child is able to meaningfully engage in the virtual hearing.

Transparency and Trustworthiness. Trauma-responsive virtual hearings require courts to communicate expectations and processes clearly, starting with the hearing notice. Courts can demonstrate transparency and build trust by providing instructions on how to access the hearing, how to use the platform, and how clients can privately interact with their attorney, as

well in advance, too (such as by reorganizing dockets and start times for cases). As one judge noted, scheduling changes is something judges ultimately do “have more control over.”

- **Commit to trauma-informed judicial practice.** As several judges acknowledged, the number of cases will continue to be high until judges commit to engaging in practices that get to the root of why persons end up in the system in the first place.

Barrier Type #3: Systemic Barriers

“You’ve got this dynamic where the courthouse is owned by the county commissioners, the clerk of superior court is responsible for the physicality, and it’s the judge’s courtroom. Okay, so walk through that for just a second . . . I can’t change the colors on the walls of my courtroom because I don’t own the building, the county does. The clerk of superior court technically runs the courthouse as far as its physicality, but the county commissioners pass the budget.”

Judges described a wide range of barriers to trauma-informed judicial practice related to, or perpetuated by, the way the criminal legal system is “set

up.” Several judges recognized how the hierarchical, and at times bureaucratic, nature of the system restricts some judges from implementing changes that could move their courtrooms toward being trauma-informed. Judges’ opinions also varied widely on the extent of their own authority to take the initiative to make certain changes. For instance, a few judges, but not all, expressed that they would need to receive direct permission from leadership or to see adjustments made to the juvenile court rules to implement some trauma-informed change recommendations, such as bringing a conference table into the well of the courtroom. As illustrated in the quote above, others spoke about the bureaucratic obstacles that effectively discourage court professionals from putting effort into making physical changes to their courtroom.

Several judges also emphasized that many parts of the current system are simply not, and likely will never be, set up to address trauma. For instance, one judge explained how we cannot rely on jails to provide mental health services to individuals who are system-involved: “Jail is not the place to send someone who has mental health issues, who’s getting [into] criminal problems, because nothing is going to

happen at the jail except they are going to just sit there alone.”

Judges identified other system-level obstacles that impede implementation of trauma-informed judicial practice:

- **Election politics:** One judge explained how pressure to get reelected can influence the way judges behave: “In North Carolina, you have to get reelected. You’re not going to get too many ‘activist judges’ in their first four years or if they have to run for election if they [originally] got appointed. If you’ve been around 25 to 30 years, you feel a lot more comfortable saying whatever you want to, what’s on your heart, and what’s on your sleeve.”
- **Underpaid attorneys:** “We’re dealing with a system that quite candidly doesn’t pay attorneys enough money to do this kind of work. We have fewer and fewer people that are willing to take these kinds of cases.”
- **Assignment of young and inexperienced district attorneys to juvenile court:** “Historically, across [North Carolina], when you’re a new assistant DA, just out of law school, with no experience, they put you in juvenile court . . . and then the idea is you work your way up to your goal

well as the court’s expectations around camera use, before the hearing. Most parents surveyed said they received a link for the hearing from their attorney, and youth often received the link from their caseworker. Courts can develop and disseminate clear instructions for accessing hearings for court professionals like these to share with clients so that everyone receives the same information.

Empowerment, Voice, and Choice. As requirements for physical distanc-

ing wane, many states are deciding to keep virtual hearings in child welfare cases, and several have given careful thought to which hearing types and situations are best for virtual hearings. Ideally, courts will offer families a choice as to how they access a hearing. Giving families a choice embodies the trauma-responsive principle of empowerment, voice, and choice.

With intentional preparation, it is possible for virtual hearings to be responsive to trauma. While virtual hearings may not be ideal for all

families or all hearings, they do have benefits. Through careful consideration of technology, open and clear communication, and realistic expectations, child welfare courts can facilitate virtual hearings that not only respond to impacts of past traumas experienced by families involved in the child welfare system, but also avoid creating new traumatic experiences.

— **TERI DEAL** is a principal court management consultant at the National Center for State Courts.

... most of their goals is to become a superior court DA and try murder cases Unfortunately, that leads to [juvenile court] just being a steppingstone.”

Judges provided several ideas for higher-level changes that could help address some of these barriers:

- *Leadership should encourage trauma-informed practices specifically and directly.* This encouragement could be the tipping point for some judges who question whether they have the authority or the permission to implement common trauma-informed change recommendations.
- *Consider enacting laws to explicitly recommend certain trauma-informed practices.* As one judge shared: “I’d like to have a juvenile rule that says, ‘Here’s how we’re going to do disposition’ and specifically state ‘We will have this conversation in this manner, these are the issues that need to be addressed during that disposition in a more thoughtful manner’ — rather than, ‘Here’s the juvenile court counselor’s recommendation, you look at them, follow the recommendations, you have a minute or two conversation with the juvenile and the parents, and send them on their way.’”
- *Ensure all district attorneys, particularly the ones who begin their career in juvenile court, are trained on trauma and trauma-informed practice.* Several judges noted the unique position district attorneys are in to support courtroom participants, prepare them for the courtroom experience, and help connect them to community resources.

CONCLUSION

In this article, we share results from an investigation into judges’ perspec-

Several judges also emphasized that many parts of the current system are simply not, and likely will never be, set up to address trauma. For instance, one judge explained how we cannot rely on jails to provide mental health services to individuals who are system-involved.

tives on trauma education programs and on trauma-informed courtrooms more broadly. Judges shared important recommendations for the structure and content of trainings and insights into the barriers to implementing trauma-informed practices in their courtrooms. We conclude by highlighting a few recommendations that came out of this research and that we believe are important considerations as the work of creating a trauma-informed criminal legal system continues. The first is a takeaway for developers and facilitators of trauma education, the second is a takeaway for researchers of effective trauma-informed practices, and the third is a takeaway for all parties working to create trauma-informed environments.

First, future trainings should include the voices of people who have experienced trauma and have been justice-involved. While many trauma education programs increasingly involve various system actors and academic experts, the inclusion of people who have been justice-involved themselves is not common practice, nor is it commonly recommended in the literature.³² Yet judges recognized the unique insight this population could bring to the movement toward trauma-informed courts and expressed that inclusion of such voices would have enhanced the training.

Second, future research should focus on understanding perceptions of accountability in the context of trau-

ma-informed court practices. The concept of accountability is complex, and the judges acknowledged this complexity by grappling with the question of how to achieve accountability and implement trauma-informed practices simultaneously. Tension between these concepts was salient when judges described consideration of victims’ wishes. Some judges expressed concern that an increased focus on treatment may reduce their ability to hold a person accountable, suggesting there may be conflation between the concepts of punishment and accountability. Yet research suggests that, for some victims at least, accountability and punishment are not synonymous,³³ highlighting a misalignment between victims’ views of accountability and judges’ perceptions of those views. Future research must explore perceptions of the relationship between accountability, punishment, and trauma-informed practices for all parties to help alleviate accountability concerns as a barrier to adoption of these practices.

Third, greater attention must be paid to diversity, equity, and inclusion (DEI) — a critical aspect of trauma-informed courts. As Shawn Marsh, former chief program officer for Juvenile Law at the National Council of Juvenile and Family Court Judges and expert on trauma-responsive justice, said, “Diversity, equity, and inclusion is a priority [for the future of trauma-responsive justice]. . . . It comes down to DEI being a trauma-informed prac- ►

tice.”³⁴ The topic of DEI did not come up in the interviews with judges, highlighting a potential gap in awareness of the connections between DEI and trauma-informed practice and a weakness of the pilot training for not emphasizing this topic. Among other actions, helping make courts navigable by offering multilingual signage and ensuring courthouse leadership reflects the gen-

der and racial diversity of the people who come through the courthouse are central to promoting a sense of safety for people who are court-involved.³⁵ Such practices must be promoted in future training and integrated into efforts to create trauma-informed courts — without them, the efforts will fall short.



EVA MCKINSEY

is a PhD candidate in the Applied Social and Community Psychology program at North Carolina State University (NCSU). Her current

research focuses on interventions that have the potential to shift our society away from reliance on punishment and toward more transformative forms of justice.



SAMANTHA A. ZOTTOLA

is a senior research associate at Policy Research Associates, Inc., where she studies the criminal legal system. She received her PhD in psychology from NCSU.



ALEXIS MITCHELL

holds a bachelor's degree in psychology, with a criminology minor, from NCSU and is now pursuing a master's degree in physiology.



MARK HEINEN

is pursuing a bachelor of arts in psychology at NCSU.



LUKE ELLMAKER

holds a bachelor's degree in psychology from NCSU. He is currently conducting research at the Emory University Veterans Program.

The core research team also included **AMELIA THORN**, assistant director of the Bolch Judicial Institute, *Judicature's* articles editor, and chair of the education subcommittee of the North Carolina Chief Justice's Task Force on ACEs-Informed Courts.

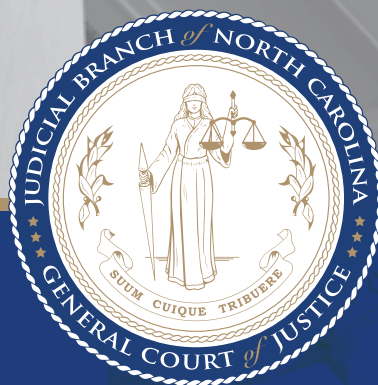
- ¹ Carly B. Dierkhising et al., *Trauma Histories Among Justice-involved Youth: Findings from the National Child Traumatic Stress Network*, 4 EUR. J. OF PSYCHOTRAUMATOLOGY 1, 1–11 (2013); Flora Matheson, *Implications of Trauma Among Male and Female Offenders*, 9 INT. J. OF ENV'T. RSCH. AND PUB. HEALTH 97, 97–99 (2012).
- ² Vincent J. Felitti et al., *Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study*, 14 AM. J. OF PREVENTIVE MED. 245, 245–258. (1998); *About the CDC-Kaiser ACE Study*, CTRS. FOR DISEASE CONTROL & PREVENTION (June 14, 2016), [hereinafter *About CDC-Kaiser*], <http://www.cdc.gov/violenceprevention/acestudy/about.html> [https://perma.cc/LJ2E-EBWC].
- ³ See Felitti et al., *supra* note 2, at 248 (abbreviating list of ACE questions in Table 1).
- ⁴ See *About CDC-Kaiser*, *supra* note 2 (highlighting major ACE findings).
- ⁵ See Felitti et al., *supra* note 2, at 249 (“We found a strong dose response relationship between the breadth of exposure to abuse or household dysfunction during childhood and . . . ischemic heart disease, cancer, chronic lung disease, skeletal fractures, and liver disease.”)
- ⁶ See *id.* at 250 (highlighting emphysema and suicide associations in Tables 4 and 7).
- ⁷ *Id.* at 251 (Tabl. 3); see also *PACES Science 101*, ACES TOO HIGH, <https://acestoohigh.com/aces-101/> [https://perma.cc/M9CJ-L3PL] (“What’s particularly startling is that the 17,000 ACE Study participants were mostly white, middle- and upper-middle class, college, educated, and all had jobs and great health care . . .”).
- ⁸ *The Original ACE Study*, NAT’L HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE CTR., https://nhtta.acf.hhs.gov/soar/eguide/stop/adverse_childhood_experiences [https://perma.cc/2YLD-H76C].
- ⁹ Bryanna H. Fox et al., *Trauma Changes Everything: Examining the Relationship Between Adverse Childhood Experiences and Serious, Violent, and Chronic Juvenile Offenders*, 46 CHILD ABUSE AND NEGLECT 163, 164–165 (2015).
- ¹⁰ Matheson, *Implications of Trauma Among Male and Female Offenders*, *supra* note 1, at 97.
- ¹¹ See, e.g., Michael G. Maxfield and Cathy S. Widom, *The Cycle of Violence: Revisited Six Years Later*, 150 ARCHIVES OF PEDIATRICS & ADOLESCENT MED. 390, 390 (1996) (“Childhood abuse and neglect have a significant impact on the likelihood of arrest for delinquency, adult criminality, and violence.”).
- ¹² Fox, *supra* note 9, at 164.
- ¹³ See generally LOUIS J. COZOLINO, *THE NEUROSCIENCE OF PSYCHOTHERAPY: BUILDING AND REBUILDING THE HUMAN BRAIN* 14 (3rd ed. 2017) (“Psychotherapy can be thought of as a specific type of enriched environment that promotes social and emotional development . . . the way the brain changes during therapy will depend upon the neural networks involved in the symptoms and focus of the treatment.”)
- ¹⁴ See Kristen Clements-Nolle & Rachel Waddington, *Adverse Childhood Experiences and Distress in Juvenile Offenders: The Protective Influence of Resilience and Youth Assets*, 64 JOURNAL OF ADOLESCENT HEALTH, 49, 52–55 (2019) (finding that “protective factors,” such as family communication, school connectedness, peer role models, and nonparent role models are “associated with a reduction in psychological distress . . .”).
- ¹⁵ See Sukhdeep K. Purewal Boparai et al., *Ameliorating the Biological Impacts of Childhood Adversity: A Review of Intervention Programs*, 81 CHILD ABUSE AND NEGLECT, 82, 84–102 (2018) (demonstrating through an extensive literature review that “interventions can indeed improve or normalize outcomes in children exposed to adversity across institutional foster care, and community settings”).
- ¹⁶ SUBSTANCE ABUSE & MENTAL HEALTH SERVS. ADMIN., U.S. DEP’T OF HEALTH & HUMAN SERVS., *Concept of Trauma and Guidance for a Trauma-Informed Approach*, 9–10 (2014), https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf [https://perma.cc/J9HS-8GXK].
- ¹⁷ See, e.g., Carly L. Baetz et al., *Impact of a Trauma-Informed Intervention for Youth and Staff on Rates of Violence in Juvenile Detention Settings*, 36 J. OF INTERPERSONAL VIOLENCE NP9463, NP9464 (2019) (“The analyses revealed the intervention was significantly related to a reduction of violent incidents . . .”); Haley Zettler, *Much to Do About Trauma: A Systematic Review of Existing Trauma-Informed Treatments on Youth Violence and Recidivism*, 19 YOUTH VIOLENCE AND JUV. JUST. 113, 117 (2021) (“Systematic reviews . . . report that these interventions are effective at reducing recidivism in both adolescent samples . . .”).
- ¹⁸ See, e.g., Erin A. King, *Outcomes of Trauma-Informed Interventions for Incarcerated Women: A Review*, 67 INT. J. OF OFFENDER THERAPY AND COMP. CRIMINOLOGY 667, 684–685 (2017) (“Overall, the identified trauma-informed interventions appear to have a positive impact on PTSD symptomatology.”).
- ¹⁹ *Essential Elements: Trauma-Informed Juvenile Justice System*, NATIONAL CHILD TRAUMATIC STRESS

- NETWORK, https://www.nctsn.org/sites/default/files/resources/essential_elements_trauma_informed_juvenile_justice_system.pdf [https://perma.cc/3U3G-P2A3].
- 20 Shawn C. Marsh, *Judicial Educators' Perspectives on Trauma Education for the Judiciary*, 70 JUV. AND FAM. CT. J. 55, 55–67 (2019).
- 21 See, e.g., Enola Proctor et al., *Outcomes for Implementation Research: Conceptual Distinctions, Measurement Challenges, and Research Agenda*, 38 ADMIN. AND POLICY IN MENTAL HEALTH SERV. AND MENTAL HEALTH SERV. RSCH. 65, 69–73 (2011) (defining “appropriateness” as including “relevance” and demonstrating the relationship between perceived appropriateness and the “adoption, penetration, and sustainability” of an intervention).
- 22 Marsh, *supra* note 17, at 63.
- 23 Drawing on his own experiences, a judge introduced the program with introductory remarks on why trauma education ought to matter to the judiciary. The first session, “The Science of Trauma & Resilience,” was led by a professor and practitioner of medicine who focused on defining trauma and resilience, trauma’s effect on the brain and body, and the prevalence of trauma in N.C. and nationally. The second session, “The Trauma-Awareness Movement in N.C.,” was led by the director of a trauma-focused nonprofit organization who presented information on trauma awareness and resilience across systems, the evolution of the trauma movement in N.C., and trauma approaches in different sectors of the community. The final session, “Trauma-Informed Practice on the Bench,” was led by two judges, the N.C. chief district court judge who had led the introduction and a retired circuit court judge from Florida, both of whom are heavily involved in trauma education and practice in their districts. This session included concrete ways to implement trauma awareness skills from the bench. The judges covered courtroom practices, relationship-building techniques, the cost savings potential of trauma-sensitive policies, and skills for handling vicarious trauma and building resilience for judges.
- 24 Lisa Vaughn & Maryann Lohmueller, *Calling All Stakeholders: Group-Level Assessment (GLA) — A Qualitative and Participatory Method for Large Groups*, 38 EVALUATION REV. 336, 336–355 (2014).
- 25 This collaborative process involved four steps. First, the participating judges responded to 20 feedback prompts on a digital, interactive whiteboard platform called Jamboard. All responses were completely anonymous. Second, the judges reviewed and responded to each other’s responses. Third, in Zoom breakout rooms of three to four people, the judges discussed themes they saw within the digital responses. Fourth and lastly, the judges and other conference attendees engaged in a full group discussion to expand on their observations of and feedback on the training, identify overarching themes within the data, and talk about how to use this information moving forward.
- 26 McKinsey, E. & Desmarais, S. L. *Impact of growth mindset-enhanced trauma education on criminal legal professionals’ attitudes and perceptions* (2022) (draft manuscript on file with author).
- 27 Jonathon DePierro et al., *Beyond PTSD: Client presentations of developmental trauma disorder from a national survey of clinicians*, PSYCH. TRAUMA: THEORY, RSCH., PRAC., AND POL’Y. (2019) (on file with the National Library of Medicine).
- 28 Peter G. Jaffre et al., *Vicarious Trauma in Judges: The Personal Challenge of Dispensing Justice*, 54 JUV. AND FAM. CT. J. 1, 14 (2009).
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- 30 Christopher E. Branson et al., *Trauma-informed Juvenile Justice Systems: A Systematic Review of Definitions and Core Components*, 9 PSYCH. TRAUMA: THEORY, RSCH., AND POLICY 635, 635–646 (2017).
- 31 Marsh, *supra* note 17, at 63.
- 32 But see Kathryn A. Becker-Blease, *As the World Becomes Trauma Informed, Work to Do*, 18 J. OF TRAUMA AND DISSOCIATION 2, 131–138 (describing the input of trauma victims/survivors as a forgotten yet essential component of the trauma-informed care movement).
- 33 See Barton Poulson, *A Third Voice: A Review of Empirical Research on the Psychological Outcome of Restorative Justice*, 2003 UTAH L. REV. 167, 178 (“Table 1 and Figure 1 . . . [show] that both victims and offenders in restorative justice were significantly and substantively more likely . . . to believe that the criminal justice system was fair than were victims or offenders in court”).
- 34 See New York Youth Justice Institute, *Reflections on the Status and Future of Trauma-Responsive Justice in Communities of Healing*, YOUTUBE, at 24:14 (Oct. 14, 2021), <https://www.youtube.com/watch?v=vljtZSL366U> [https://perma.cc/UD97-DFHR].
- 35 See Alicia DeVault et al., *Environmental Considerations for Trauma-Responsive Juvenile and Family Courts: A Review of the Literature with Recommendations for Practice*, 69 JUV. AND FAM. CT. J. 5, 5–20 (2018) (“Public trust in the courts and feelings of safety within the courthouse, which are important conditions for healing, are undermined by a lack of diversity.”).

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