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Fact Sheet: An Overview of the National Child Traumatic Stress Network's Trauma-Informed Juvenile Court Self-Assessment (TI-JCSA)

1. What is the TI-JCSA?

Tribal courts interested in implementing trauma-informed approaches may wish to assess the degree to which their current practices are trauma-informed and where there may be opportunity for growth. To guide this process, the NCTSN developed the Trauma-informed Juvenile Court Self-Assessment (TI-JCSA), which provides a framework for evaluation. The full TI-JCSA is available free of charge at the NCTSN website.

Citation:

Cruise, K.R., Howard, M.L., Pickens, I.B. & Halladay-Goldman, J. (2019). Trauma-Informed Juvenile Court Self-Assessment. National Child Traumatic Stress Network [NCTSN], Los Angeles, CA.

2. Why does a juvenile justice system need to be trauma-informed?

According to the National Child Traumatic Stress Network (NCTSN), more than 80% of youth involved in the juvenile justice system report experiencing trauma. These youth most often experience complex trauma which refers to multiple occurrences of trauma beginning in early childhood that is often severe and pervasive. Complex trauma can disrupt child development and place youth at risk for emotional, behavioral and legal problems. If unresolved, youth who experience complex trauma can develop post-traumatic stress symptoms that may lead to secondary consequences such as substance use, anxiety, depression, and conduct problems all of which can increase the likelihood of involvement in the juvenile justice system.

3. How does knowledge of trauma and its effects translate into practice?

The NCTSN developed the Essential Elements of a Trauma-informed Juvenile Justice System to guide a trauma-informed approach to youth involved in the system. The elements include:

- Trauma-informed policies and procedures
- Identification and screening of youth who have been traumatized
- Clinical assessment and intervention for trauma-impaired youth
- Trauma-informed programming and staff education
- Prevention and management of secondary traumatic stress (STS)
- Trauma-informed partnering with youth and families

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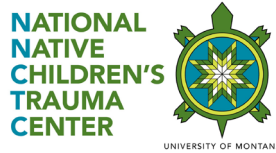
- Trauma-informed cross system collaboration
- Trauma-informed approaches to address disparities and diversity

The Essential Elements provide programs who serve justice involved youth with an understanding of each area of practice that can respond to the trauma related needs of youth and families. The framework centers the recovery of youth by supporting programs in promoting psychological safety and resisting re-traumatization.

4. How does the TI-JCSA work?

The TI-JCSA is a framework for evaluation organized around the Essential Elements. The TI-JSCA asks courts (and the broader justice system) to rate day-to-day functions to determine the extent to which operations align with the "content, process and systems-level procedures reflected in each essential element" (NCTSN, 2019).

The following are examples of evaluative components, why it's important to justice systems to consider and what the evaluation of this practice may entail:

Essential Element 1: Trauma-informed Policies and Practices

An important component of trauma-informed systems are the policies that guide practice. Institutionalizing practices in the form of policies can support their consistent application over time and allows a baseline where it is possible to evaluate outcomes. Programs are better able to determine if what they are doing is working if there is a shared definition of practice and generally consistent application of those practices.

Overall, the goal of trauma-informed policies and practices is to promote psychological safety for the youth and their families who enter the system. Individuals who have experienced trauma may see the systems or programs they are in to be another source of trauma. Though well intentioned, many courts and ancillary programs can serve as reminders of the traumas that resulted in their involvement within each system. In addition, it is not uncommon that certain court or program practices may contribute to the experience of trauma triggers. For example, consider a youth who has experienced physical abuse in the form of restraint. Though a routine part of many court processes, using shackles or restraints may trigger a youth and cause additional psychological harm. To prevent instances like this, court and child serving programs may wish to evaluate the extent to which their current policies or practices unknowingly contribute to such experiences.

The following are examples of assessment considerations provided by the TI-JCSA:
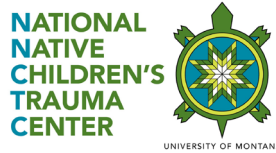
- Policies and practices mandate creation of safe spaces where youth and families can re-group when they experience posttraumatic stress reactions that interfere with their responsible participation in the legal process. (1f)
- Policies and practices related to the following activities ensure that system responses do not stigmatize, exclude or re-traumatize youth (1h):
    - Use of physical restraints (never or rarely used)
    - Shackling practices (never or rarely used)
    - Detention decisions (is an alternative to detention possible? Diversion program? Restorative practices?)
    - Isolation (never or rarely used)
    - Court hearings (courtroom assessment determines potential for trauma triggers. Court considers alternatives to in person hearings if able).

Essential Element 7: Trauma-informed Cross System Collaboration

Youth and families involved in the justice system may also be involved in other family serving systems across the community. It's therefore important that systems maximize collaboration efforts which can increase effectiveness and continuity of interventions used to address youth's behavioral challenges. Collaboration amongst youth serving systems can also help repair the social contract and rebuild trust with youth and families who may have been harmed by systems in the past. To understand the strengths and opportunities for growth relative to cross-systems collaboration, the TI-JCSA asks:

- Do partnerships exist across the numerous programs and systems youth are involved with? (7a)
- Do partnerships have communication plans that allow for information sharing while protecting youth and family confidentiality? (7e)
- Do partnerships identify strategies to ensure successful transition across systems and settings preserving access to trauma-informed or trauma-specific treatments and services that are working well and discontinuing those that are not working well for youth and families? (7d)

One way to institutionalize trauma-informed cross-system collaboration is through the development of a Memorandum of Understanding (MOU). Given the complexity of State-Tribal-Federal jurisdictional schemes and the variability in programming available to Native youth between State and Tribal settings, it may be that individual tribal juvenile justice systems and partnering state/county systems will want to explore the creation of a MOU to guide practice. While they can serve many functions, MOUs between jurisdictions may:
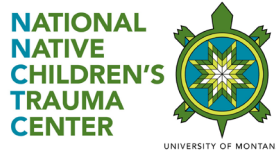
- Support effective information sharing across programs that balances the right to privacy for youth while preventing, for example, the unnecessary and potentially harmful practice of multiple trauma screenings or assessments of youth.
- Facilitate effective use of resources that avoids duplication of services. Many tribal and county youth serving systems struggle with adequate resources to support the trauma related needs of Native youth. An MOU that clearly articulates the sharing of resources may be one way to combat this all-too-common reality.
- Reinforce the State's responsibility to follow the Indian Child Welfare Act (ICWA) and ensure appropriate notification and collaboration with the youth's tribe.
- Institutionalize a commitment to providing trauma-informed, culturally responsive services. By incorporating language that reinforces an expectation that culture will be considered, an MOU can communicate the importance of culture in the well-being of Native youth.
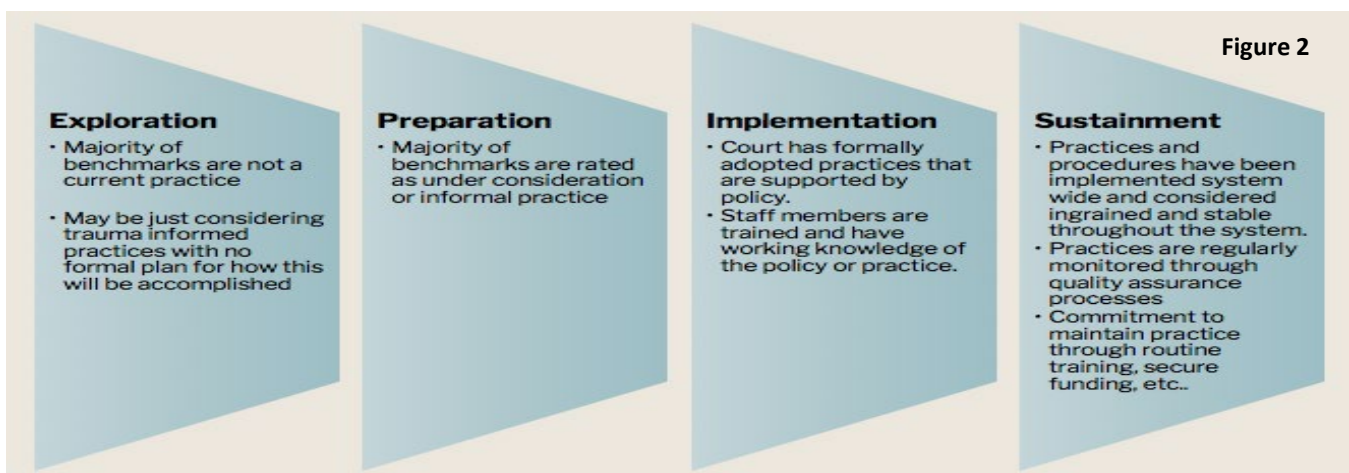
5. How do we conduct the assessment?

The first step in the assessment process is to develop a Self-Assessment team to guide the evaluation process and rate the different elements of the evaluation. The TI-JCSA encourages assessment teams to include representation from a variety of different systems. For example, you may want to include a tribal juvenile court judge and representatives from programs such as: juvenile probation, mental health agencies, schools, staff from any diversion program, law enforcement, health care, prosecutors, defense and advocates. Trauma-informed partnering with youth and families also means meaningfully folding Native youth and their families into the assessment process. Given their experience within the system, youth and family voices and perspectives can provide important information for the evaluation team to consider.

Once the team is developed, they will want to determine which elements of the court assessment to evaluate. The team may want to look at all elements (from policy and procedures to trauma-informed approaches to address disparities and diversity) or focus on a select few.

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The court-self assessment then asks programs to determine where they are on a continuum of practice (see Figure 1). Teams will consider whether this is not currently a practice, a practice under consideration, an informal practice, or a formal practice.

Figure 1

Not a current practice → Practice under consideration → Informal practice → Formal practice
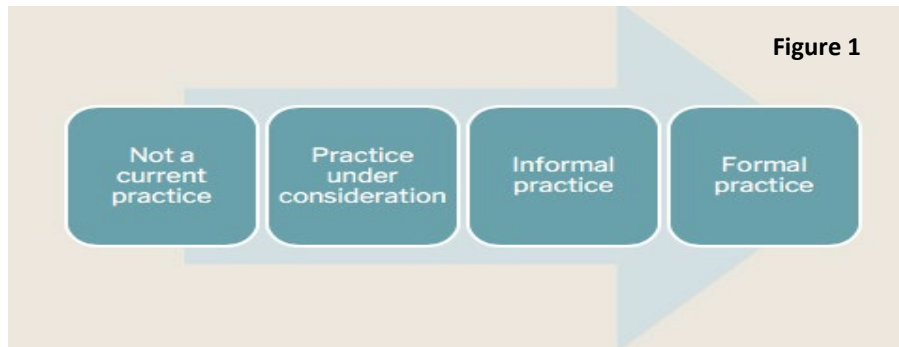
After benchmarks have been rated, the assessment team will review ratings and come to an overall conclusion as to the extent to which court practices are trauma-informed, have not yet been considered, are formally adopted or have been implemented and are being sustained. Figure 2 outlines the Exploration, Preparation, Implementation and Sustainment Framework used to guide this process. More information on this framework can be found within the self-assessment.

Figure 2

Exploration
- Majority of benchmarks are not a current practice
- May be just considering trauma informed practices with no formal plan for how this will be accomplished

Preparation
- Majority of benchmarks are rated as under consideration or informal practice

Implementation
- Court has formally adopted practices that are supported by policy.
- Staff members are trained and have working knowledge of the policy or practice.

Sustainment
- Practices and procedures have been implemented system wide and considered ingrained and stable throughout the system.
- Practices are regularly monitored through quality assurance processes
- Commitment to maintain practice through routine training, secure funding, etc..

6. What do we do after evaluating our juvenile court system?

Once the evaluative components are complete, the TI-JCSA suggests teams engage in a strategic planning process. The following prompts, as outlined in the TI-JCSA, detail what might be included in the strategic planning process including identifying priorities for change:

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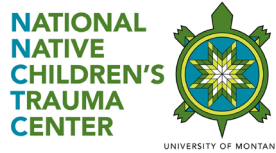
- Prioritize the changes recommended by the self-assessment team. What are the team's priorities for strategic planning under this element?
- Develop key tasks (concrete next steps) for addressing priorities and outline a timeline for completing tasks. Tasks should be concrete, quantifiable and tracked.
- Establish a proposed timeline to ensure there is a deadline for completing tasks and individual(s) responsible for their completion.

The self-assessment team and information from other stakeholders can help guide what might make most sense as a place to start. Those who work in the system or experience the system know that context best, and may be well positioned to figure out what change efforts are needed first.

Once those priorities have been identified, the team should develop a list of concrete tasks to undertake along with a timeline for completing those tasks. This too is best informed by those who are intimately engaged in the system given they know the different demands placed on people's time, and what might be reasonable in terms of time dedicated to these efforts. There is a strategic planning worksheet included in the self-assessment that can guide the planning process.

7. What else should we know about implementing trauma-informed change?

The TI-JCSA offers this point for consideration: to be trauma-informed, an organization should implement new practices in a trauma-informed manner. Once the self-assessment team has completed the strategic planning process and prepares to implement new strategies, the following considerations, provided by the TI-JCSA, may support a transparent and trauma-informed implementation process:

- Including stakeholders from all groups impacted by change
- Involve frequent and open communication about what is being implemented and why, when and how the process is working
- Allow all participants to provide feedback and receive answers to questions or concerns
- Address concerns or suggestions that stakeholders raise