



Strengthening the Front Door of the Courthouse

Meaningful Judicial Practice in the First 30 Days



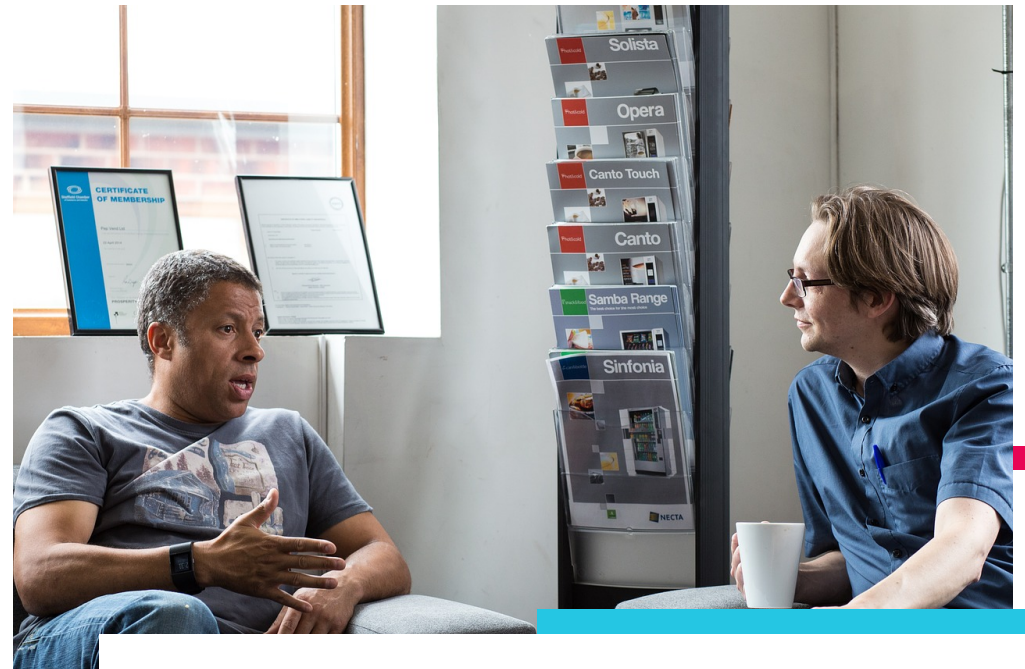
30 Day Shelter Care Hearing

Make it Meaningful

Build a court process between the initial shelter care hearing and adjudication that ...

- *Intentionally* utilizes time and other resources
- Fails to engage meaningfully with parents
- Destroys parents hope of success
- Fails to make any progress on the family, court, team goals.

Go crazy, have fun!



Build a Court Process

What on that list looks something like what happens in your court now?

What can you stop doing?



Your Courtroom

Harm of Removal

ACE: Adverse Childhood Experience

- A traumatic experience in a person's life occurring before the age of 18 that the person recalls as an adult

The loss of a parent and placement into foster care is an ACE





ACES

- *A person with an ACE score of 4 or more have high rates of stress, uncontrollable anger, mental health problems, and involvement in domestic violence.*
- *The average number of ACEs reported by adults formerly in foster care was 6 and 1/3 reported 8 or more ACEs.*

Adverse Childhood Experiences and Psychosocial Well-Being of Women Who Were in Foster Care as Children, **Delilah Bruskas, PhD, RN; Dale H Tessin, MS**, Perm J 2013 Summer;17(3):XX-XX

Loss

Separation



*Cumulative
Trauma*

*Multiple placements = Multiple Separations
exacerbate trauma and decrease opportunities
to establish an attachment to a primary
caregiver*

Ambiguous Loss

Physical absence with psychological presence.

A loved one is missing physically—lost, kidnapped, disappeared, but kept present psychologically because they might reappear.

Blieszner et al. 2007; Boss, 1999, 2002, 2004, 2006, 2007a, b; and Boss and Greenberg, 1984.

Ambiguous Loss

Preoccupied

Left wondering

Without any answers

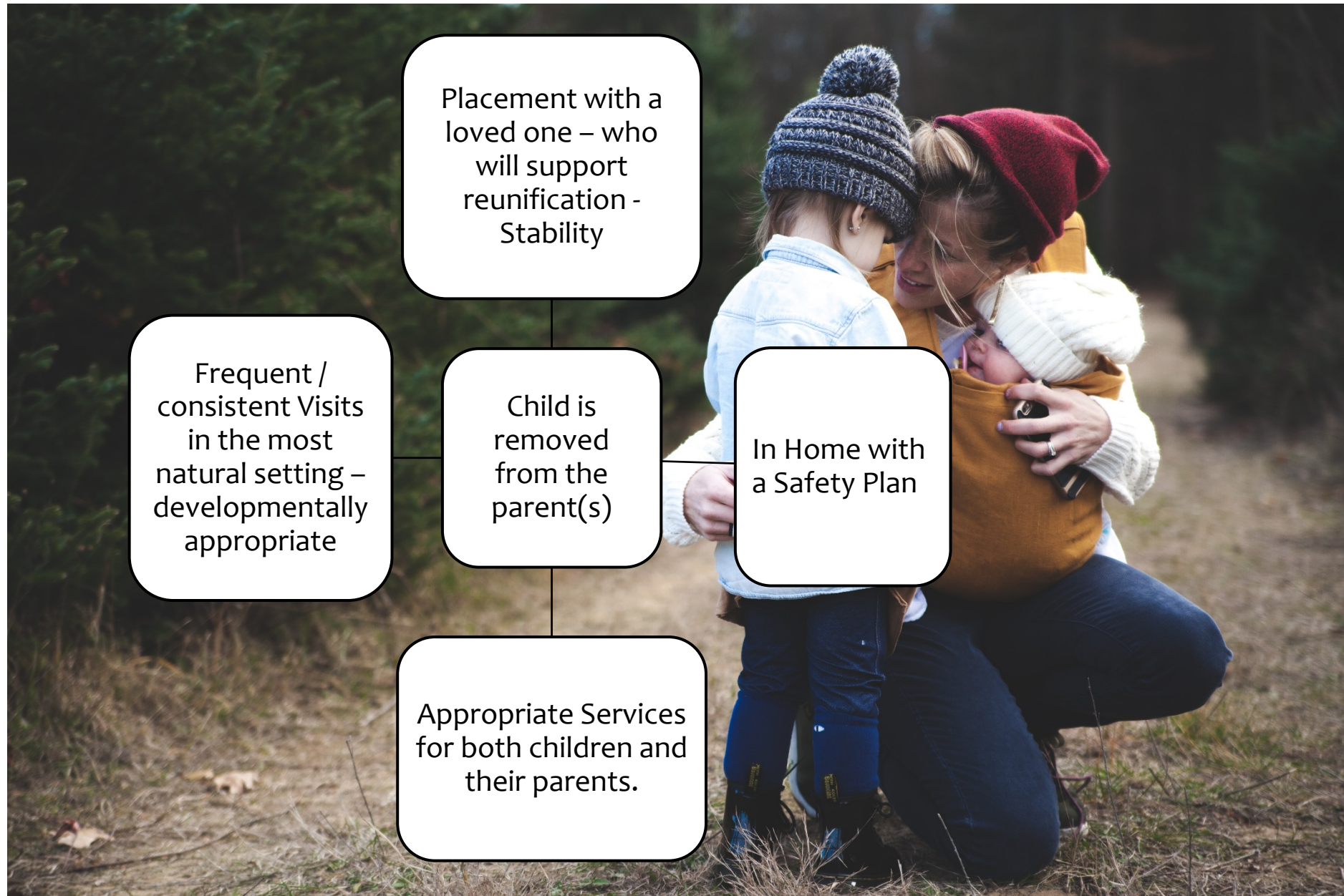
*Leads to limbo - blocked
from grieving, coping,
healing,*

Erodes resilience

Boss, 2006



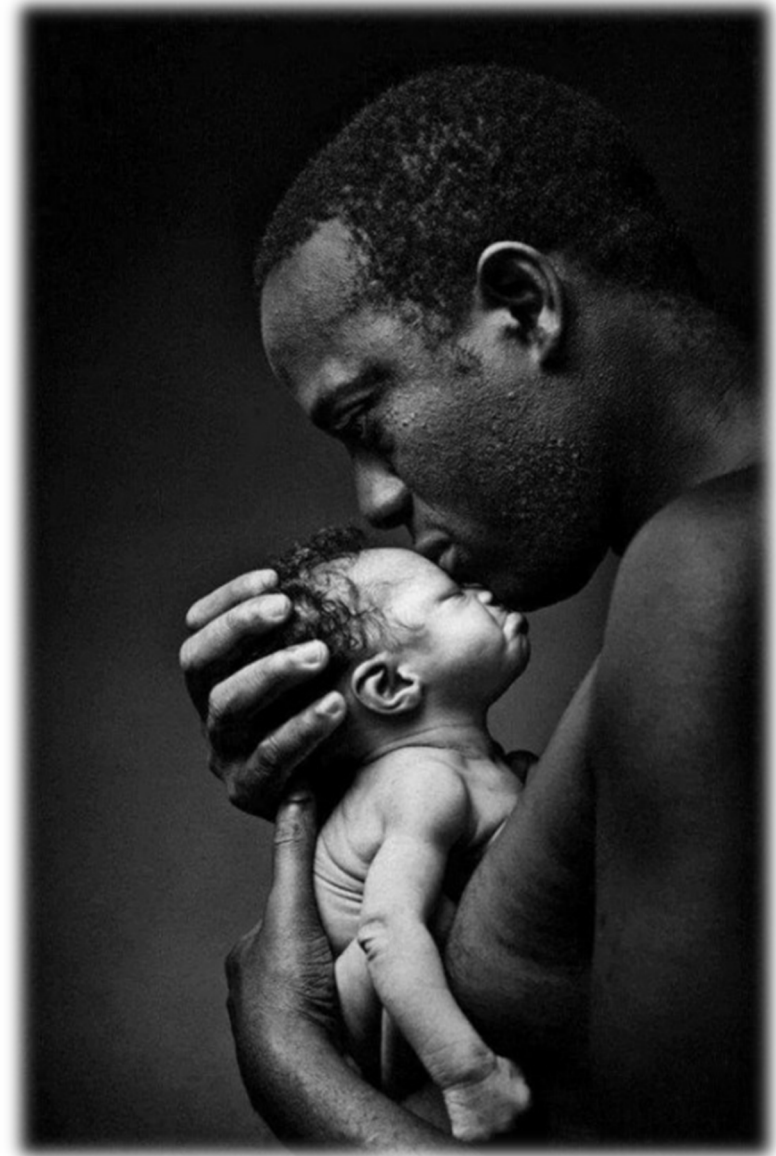
If removal is necessary – how do we reduce the harm of removal?



Disproportionate Impacts

Specifically Black and Indigenous Families

<https://www.dcyf.wa.gov/sites/default/files/pdf/reports/CWRacialDisparityIndices2019.pdf>





- *Acceptance for investigation (Zuravin et al., 2005)*
- *Substantiation of alleged maltreatment (Ards, et al., 2003)*
- *Placement in out of home care (Rivaux, et al., 2008)*
- *NOT being placed with Relatives*
- *Multiple Moves within the first 12 months*
- *Length of time in placement*
- *Longer time to reunification (Hill, 2005)*

<https://www.dcyf.wa.gov/sites/default/files/pdf/reports/CWRacialDisparityIndices2019.pdf>



How are children fairing in care?

- Research has found that children who have been placed in foster care are:
 - 7 times as likely to experience depression
 - 6 times as likely to exhibit behavioral problems
 - 5 times as likely to feel anxiety
 - 3 times as likely to have attention deficit disorder, hearing impairments and vision issues
 - 2 times as likely to suffer from learning disabilities, developmental delays, asthma, obesity and speech problems

[Mental and Physical Health of Children in Foster Care](http://pediatrics.aappublications.org/content/early/2016/10/14/peds.2016-1118)
in <http://pediatrics.aappublications.org/content/early/2016/10/14/peds.2016-1118>

How are you impacted by what you just heard?

What does it mean for the start of a case?



**Opportunity for
Change**

Legal Framework

Legislative Declaration

RCW 13.34.020






Modification of Shelter Care Order

RCW 13.34.065(7)(a)



Context

RCW 13.34.065(7)(a)



How do the court's required inquiries under RCW 13.34.065(4) at the shelter care hearing relate to possible amendment of the shelter care hearing order 30 days later?



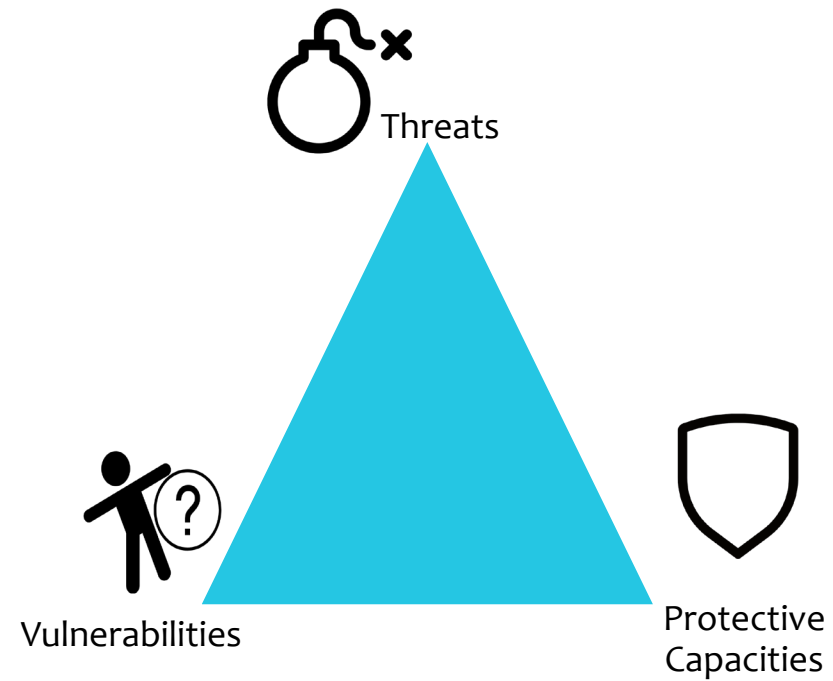


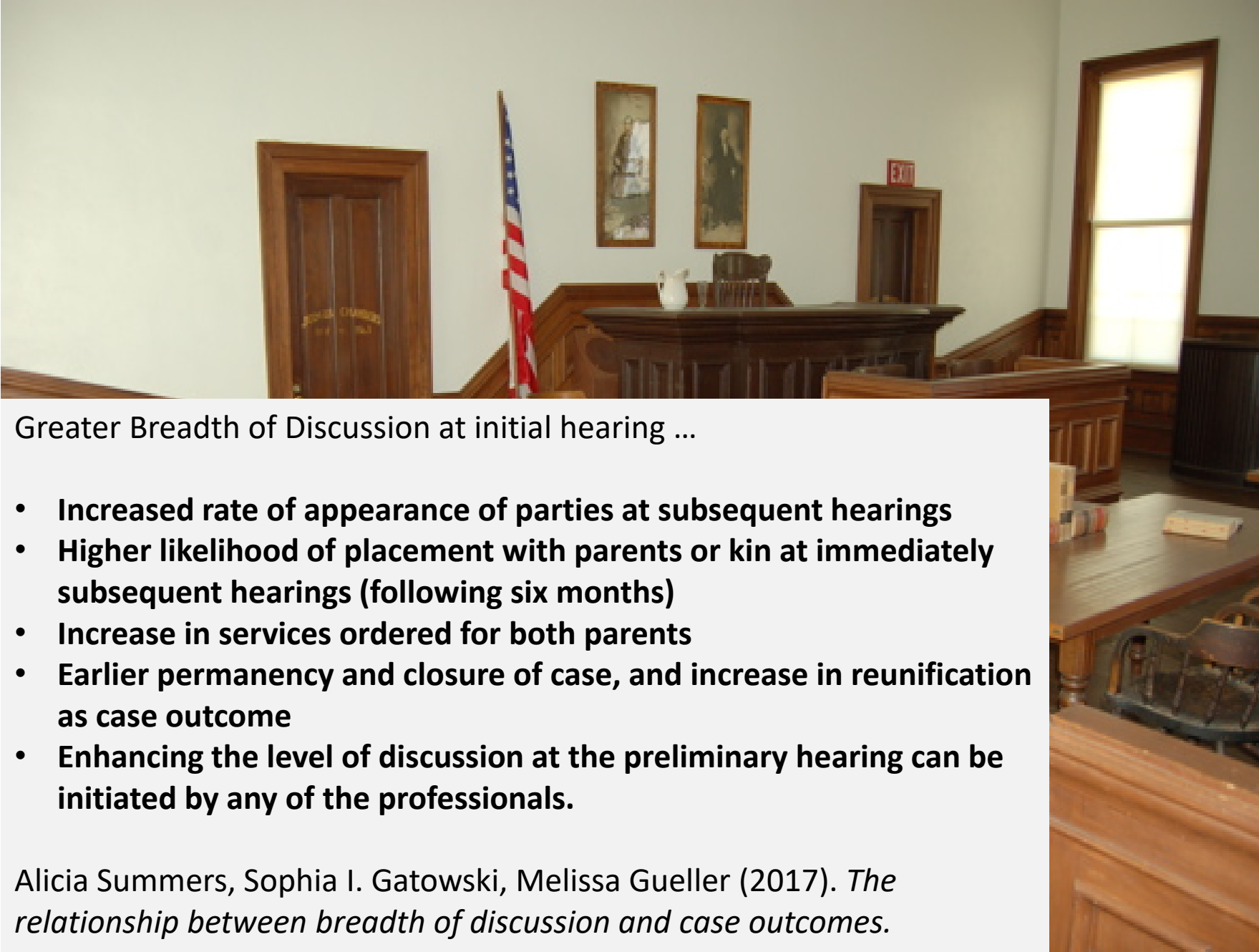
Legal Framework Review

Importance of Safety

Child Safety Framework

Safety Planning



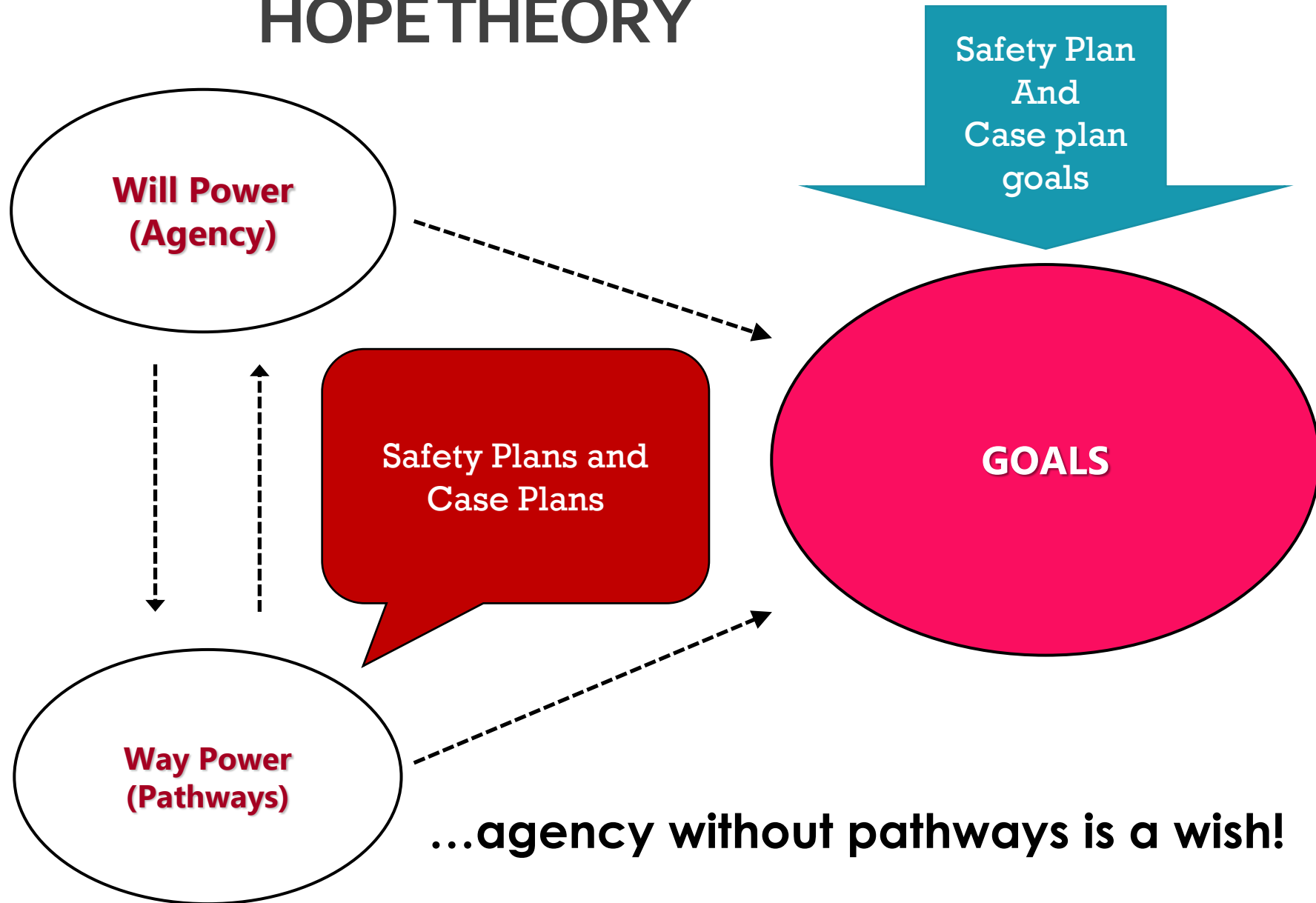


Greater Breadth of Discussion at initial hearing ...

- **Increased rate of appearance of parties at subsequent hearings**
- **Higher likelihood of placement with parents or kin at immediately subsequent hearings (following six months)**
- **Increase in services ordered for both parents**
- **Earlier permanency and closure of case, and increase in reunification as case outcome**
- **Enhancing the level of discussion at the preliminary hearing can be initiated by any of the professionals.**

Alicia Summers, Sophia I. Gatowski, Melissa Gueller (2017). *The relationship between breadth of discussion and case outcomes.*

HOPETHEORY



30 Day Shelter Care Benchmark

- Improve practice in your court
- Make it your own



Make it Meaningful