Healing the Youngest Children: Court-Community Partnerships

The science of early childhood is shaping effective approaches for healing relationships between very young children and parents in the dependency court system. This article describes four model court-community partnerships that apply research to court practices to improve outcomes for maltreated infants, toddlers and their families. Each model takes a slightly different approach but applies shared core components described below.

Court Teams for Maltreated Infants and Toddlers

The Court Teams project has its roots in Miami, Florida, in the courtroom of Judge Cindy Lederman. The goals of the Court Teams project for maltreated infants and toddlers are to:
1. improve outcomes for maltreated infants and toddlers
2. reduce the recurrence of abuse and neglect and
3. change the court’s culture to focus on the needs of infants and toddlers.

Working with the Miami Court Team, ZERO TO THREE designed a two-phase process for several project sites:
- Develop a partnership between a judge and a local community coordinator to establish a team of key child-serving stakeholders, build knowledge and raise awareness of the needs of very young children in foster care, and complete a community needs assessment that identifies available services and gaps.
- Provide additional services for babies, starting with court-ordered referrals for health and dental care, quality child care, behavioral and developmental assessments, therapeutic services, and frequent visits with parents.

Babies Can’t Wait, New York, NY

Babies Can’t Wait (BCW) is a project of the New York State Permanent Judicial Commission on Justice for Children. BCW identifies, documents and tracks infants in family court; provides for their special health and developmental needs; and promotes permanency. The BCW project is improving the court system’s response to infants and toddlers through three major tasks:
1. providing training on infant health and development to those working in the court and child welfare systems
2. creating a judge’s bench card for infants that addresses the special developmental and medical needs of infants and
3. working with the child welfare agency to improve how cases involving infants are handled.

In addition, the BCW process includes the following components:
- Identify and convene local stakeholders
- Provide judicial leadership
- Build knowledge and offer accessible ways to share that knowledge
- Create a favorable climate for collaborative problem solving and
- Collect data to help drive program design and training content, and shape service plans and court orders.

Best for Babies, Yavapai County, AZ

Children ages three and younger represent approximately 23 percent of Arizona’s child population, but they account for 39 percent of the substantiated reports of child abuse and neglect.

This special vulnerability galvanized support for the Best for Babies (B4B) project, which developed a Yavapai County checklist (based on a previously published checklist) of essential services for the community’s most vulnerable children and delineated the responsibilities of stakeholders, parties and service providers.

The B4B project works to:
1. convert the B4B checklist from a snapshot in time to a guide for ongoing services
2. develop a cadre of CASA volunteers to oversee case coordination and collaboration and
3. enhance case coordination and collaboration among all service providers working with babies and their families.

Zero to Three FDTC, Omaha, NE

The Zero to Three Family Drug Treatment Court (FDTC) serves Douglas County, Nebraska, which includes the city of Omaha. The FDTC team became part of the national drug court movement but with a unique focus on families with children born between birth and three years.

Sobriety is a key component of the FDTC, but clean drug tests are not sufficient to guarantee a parent can safely care for a young child. The team created a five-phase program that encourages parents to visit their children regularly, progressing quickly to unsupervised contact if they remain sober and improve their parenting skills.

Core Components and Practice Tips

Although each project differs in its approach, they all share several common beliefs:
- Relationships are key to changing systems and practices
- Interventions informed by the science of early childhood development lead to better outcomes for infants, toddlers and their families and
- Communication and collaboration among project team members and the family lead to service plans that address the specific needs of young children and their families.

Jurisdictions interested in starting similar projects in their courts should consider the following tips. These tips emphasize the practical steps that the court-community programs took to implement 13 core components that characterize their success.

Judge as Leader and Catalyst. Identify a strong, proactive judge to lead the court’s efforts to focus on very young children. Judges play a critical role in marshaling community services and assistance on behalf of young children and families. The judge has a unique ability to encourage action among public and private child-serving agencies.

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Staff or Resources with Child Development Expertise. Identify an expert in early childhood development or children’s mental health to work with the judge and other team members to address the needs of very young children.

Court-Community Team. Establish a multidisciplinary team or committee that includes representatives from every discipline working with very young children in the dependency court system. The team can conduct a community needs assessment to identify significant gaps in services, develop a project plan, and offer multidisciplinary training, among other activities.

Attorneys Who Know about the Needs of Very Young Children. Train attorneys representing children, parents, and the child welfare agency on the special needs of very young children and their families, including developmental issues, emotional and attachment issues, medical issues, and community resources.

Research-based Interventions. Develop tools to allow the court and child welfare staff to respond knowledgeably to the medical and developmental needs of babies and promote permanency. Collect data to support new approaches to meeting the needs of young children and parents in the court system.

Access to Early Intervention Services. Educate all team members about Part C of the Individuals with Disabilities Act, which specifies that maltreated infants and toddlers are eligible for screening and services for developmental delays, and develop and implement policies to ensure infants and toddlers are referred for such services.

Mental Health Services. Develop the community’s capacity to offer mental health interventions to parents and young children together. Research funding sources for evidence-based interventions and supports.

Case Monitoring/Tracking. Establish a monthly case review process that informs the judge about each family’s progress. Hold regular meetings of all individuals and providers delivering court-mandated services to infants and toddlers to review case progress.

Child-Focused Court-Ordered Services. Incorporate child-focused services into existing case plans. Ensure the case plan provides frequent, regular visits between parent and child when safe and appropriate. Implement concurrent planning from the outset. Develop a shared understanding of what babies need to thrive and create a tool (e.g., a checklist or court order form) to ensure all necessary services are ordered for every baby. Coordinate medical, developmental, and behavioral assessments so service providers share information and develop a unified treatment plan that meets the child’s needs.

Training and Technical Assistance. Build knowledge about the impact of abuse and neglect on early development by providing training opportunities for project team members and other legal and child-serving professionals working with young children and families.

Resources for Professionals and Parents. Develop and share resource materials to guide project team members, birth parents and foster parents (e.g., publications and training guides, participant manuals, checklists).

Funding. Find funding to hire an expert in early childhood development or children’s mental health who will work with the judge to address the needs of young children in child maltreatment cases. Consider Court Improvement Projects, state and federal grants, private foundation funding, and in-kind donations from court team members to help implement and sustain the effort.

Program Evaluation. Evaluate program progress. Define current benchmarks that the court-community team wants to improve (e.g., number of months from placement to permanency, number of placements while in foster care, services ordered for children and services received). Analyze and address barriers to achieving desired outcomes so the evaluation process helps the team improve over time.

Conclusion. By focusing on the developmental needs of very young children, the four court-community models seek to improve outcomes for these children now and as they grow up. What makes these programs special is collaborative judicial leadership, committed colleagues in all child and family-serving disciplines, and willingness to expand their knowledge and try new approaches to old problems.

This article is adapted from an in-depth Practice & Policy Brief on court-community partnerships developed by staff at Zero to Three and the ABA Center on Children and the Law through the ABA’s Improving Understanding of Maternal and Child Health Project. For a free copy of the full brief, visit the Center’s child health webpage at www.abanet.org/child/baby-health.shtml.