



PRACTICAL TIPS TO HELP

JUVENILE DRUG COURT

TEAMS IMPLEMENT THE
16 STRATEGIES
IN PRACTICE



NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES

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The National Council of Juvenile and Family Court Judges® (NCJFCJ), headquartered on the University of Nevada campus in Reno since 1969, provides cutting-edge training, wide-ranging technical assistance, and research to help the nation's courts, judges, and staff in their important work. Since its founding in 1937 by a group of judges dedicated to improving the effectiveness of the nation's juvenile courts, the NCJFCJ has pursued a mission to improve courts and systems practice and raise awareness of the core issues that touch the lives of many of our nation's children and families.

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Collaborative Planning

CASE STUDY: The Juvenile Drug Court (JDC) began accepting clients just six months after an initial exploratory planning meeting in 2008. While there was much passion among the team members, the team operated without approved policies and procedures, as well as without a designated prosecutor. The defense attorney had such a large workload (outside of the JDC) he had a difficult time attending staffing and court sessions. It is now 2013, and the judge and coordinator are concerned about the lack of referrals and low graduation rates of the program. The prosecutor and defense attorney are still not active team members, and the positions have turned over numerous times. The judge and coordinator both understand that they likely jumped in too soon to the process and failed to get the necessary buy-in from all administrative levels in order to solidify the drug court.

Solution-focused Tips to create a strong, collaborative approach with varied levels of support:

- 1 Tip No. 1:** The JDC team should form an oversight or steering committee composed of elected officials, managers and agency representatives to assist in developing policies and procedures.
 - As leaders and conveners, judges assigned to the JDC will meet directly with elected officials and agency managers to gauge interest, educate about the philosophy of juvenile treatment courts, and discuss professional commitments as well as intended outcomes.
 - Read the *Juvenile Drug Courts: Strategies in Practice* in order to understand the philosophical and structural mandates of the juvenile drug court framework – comprehension of the *Strategies in Practice* should exist for both operational team members and committee stakeholders.
 - Build a mission, goals and objectives for the program that are based on a careful review of data and currently available community resources.
 - It is important that all JDC operational team members, as well as committee members, believe that their voice is heard in policy meetings and that there is power balance across the groups.
 - Meet on a quarterly basis (stakeholder committee and JDC team) to engage in continual program development and to establish strong and continual lines of communication.
- Utilize on-line training opportunities available through the National Council of Juvenile and Family Court Judges (NCJFCJ), the Center for Court Innovation, and the National Drug Court Institute so that all committee members are fully trained on the complexity of the model and steps that are needed to launch and/or maintain the juvenile drug court.
- 2 Tip No. 2:** The JDC team should ensure that all active team members are fully trained on their assigned roles and responsibilities and attend all staffing and court sessions.
 - Research has shown that courts have better outcomes when all team members are present and attend case staffings and court (NPC Research, 2012).
 - Utilizing the NCJFCJ juvenile drug court website tool, team members should review their current assigned role descriptions and memorialize duties in policies and procedures. Agency directors and managers should be afforded the opportunity to provide input and guidance into time and skill commitment.
 - Committee members who are responsible for assigning members to the JDC team should carefully consider the placement – team members should serve a two-year minimum assignment, but more importantly, express an interest and passion in the program.
 - Research has also shown that team members that receive greater levels of training (varied training across local, state and national venues) express greater personal and agency satisfaction from JDC collaborative experience



and believe that they are having a greater impact on youth than through the traditional court process (van Wormer, 2010).

3 **Tip No. 3:** The Steering/Oversight committee and JDC team should work together in joint planning or review sessions to continually assess community resources and needed supports.

- Complete a community resource mapping exercise (available for download on the NCJFCJ website) every six months to assess available resources. This allows matching services to the current needs of clients, while building other needed resources.
- Equally divide necessary outreach to new or needed services so that one individual (e.g., coordinator) does not become overwhelmed and the program continues to match clients to needed services and supports.

4 **Tip No. 4:** The Committee and JDC Team members should use their data to review the effectiveness of the program, and engage in open and honest dialogue about JDC outcomes.

- Courts which use their data in an on-going manner to monitor for effectiveness and make necessary adjustments have stronger program outcomes and greater cost-savings (NPC Research, 2013).
- Review record/court data on a yearly basis – review *and* open discussion allow for problem solving and strengthening of the program, and help to highlight the many successes of the program participants.
- Survey and/or interview youth and family members upon program completion to collect detailed information about program appropriateness and effectiveness.

CHECK FOR UNDERSTANDING: *How would the JDC build necessary stakeholder involvement and support in order to increase referrals and develop a stronger operational model?*

ANSWER: The JDC judge and coordinator are encouraged to follow-up with all elected officials (e.g. prosecutor, other members of the

bench) and agency directors (e.g., juvenile court administration, treatment) to discuss the current program structure and outcomes. The judge and coordinator should work with these individuals to create a steering/oversight committee that can meet on a regular basis to further develop needed policies and procedures. Team members should be allowed to participate in the committee meetings to ensure that policies and practices that are being developed are realistic given resource and time limitations of the JDC team. These meetings should occur quarterly and should begin with developing a comprehensive mission statement, as well as realistic goals and measurable objectives. Data should be pulled (from numerous sources) and reviewed to assess types and numbers of crimes, as well as potential eligibility pools. The steering committee and JDC team should also consistently monitor needed resources and complete necessary outreach in a timely fashion. More importantly, outcome data from the program should be used in a yearly retreat setting between the steering committee and JDC team to evaluate for program strengths and challenges. This allows for both groups to engage in a coordinated problem solving procedure, while also educating other agencies and the general community about the successes of the program.

ADDITIONAL RESOURCE(S):

- NCJFCJ’s Juvenile Drug Court Information Center - <http://www.ncjfcj.org/collaborative-planning>
- *Juvenile Drug Courts: Strategies in Practice* – Page 11
- NPC Research - http://www.npresearch.com/publications_drug_treatment_courts.php

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Teamwork

CASE STUDY: The Brigham County Juvenile Drug Court (JDC) has been operational since 2005. The initial seven members of the operating team, who were formally trained in 2004 during the Drug Court Planning Initiative, have moved on and have slowly been replaced by new team members. Some of these new team members don't understand the philosophy behind JDC; many have not been trained on the *16 Strategies in Practice* and do not understand their unique role on the team or what their responsibilities are. Pre-Court staffings have become a nightmare and can last three to four hours and nothing appears to get settled. The team members frequently revert to bickering and rarely come to a consensus on how to respond to a youth's behavior. The Brigham County JDC team needs to address many challenges, if they are to become a high-functioning team – a hallmark of a well-run juvenile drug court.

Solution-focused Tips to increase teamwork on a JDC team:

- 1 Tip No. 1:** Team members should share in the philosophy of the JDC model.
 - Read and understand the *Juvenile Drug Courts: Strategies in Practice*.
 - Create JDC learning packets to relay information on program components (i.e., incentives and sanctions).
 - Introduce new team members to stakeholder committees before they begin working with the court, and allow the committee members to talk about why they believe in the benefit or positive impact of the JDC.
 - Have team members shadow other/existing team members to help them understand each of the unique roles on the team.
 - Codified roles and responsibilities within the policy and procedure manuals, stating what each JDC role does. Sample roles can be found at: <http://www.ncjfcj.org/sites/default/files/Complete%20Set%20of%20JDC%20Roles.pdf>.
- 2 Tip No. 2:** The JDC team should work toward having a core team that includes a judge, prosecutor, defense attorney, probation/case manager, treatment provider, and coordinator.
 - Create buy-in from parent agencies to allow for participation on the team by promoting the JDC program (e.g., have a brown-bag lunch to discuss the many ways the program is helping the community).
 - Don't be afraid to use the power of the judge as a leader and convener in the community.
 - Certain components of the JDC program (e.g., community mapping, resource development) frequently need to be revisited; place new team members in charge of this project to create buy-in or ownership.
- 3 Tip No. 3:** Team members should understand their roles and responsibilities.
 - Clarify the roles of new team members – plan a “meet-n-greet” for new team members to introduce themselves and describe what they think their role is; allow current team members to provide feedback.
 - Team members should actively find training opportunities to train the entire team on a regular basis.
 - Attend face-to-face trainings, as a team, on a yearly basis whenever possible and feasible.
 - Sign up for newsletters, listservs, or email updates, with national training organizations (NCJFCJ, National Association of Drug Court Professionals) to keep informed of possible training opportunities.
 - Look for out-of-the-box training opportunities, which can be done on-site (e.g., webinars, new publications).
 - Leverage the value and expertise of the current JDC team members who likely have a wealth
- 4 Tip No. 4:** Give new team members an opportunity to gain ownership in the JDC program.
- 5 Tip No. 5:** Team members should actively find training opportunities to train the entire team on a regular basis.



TEAMWORK

of information to offer – incorporate mini-training sessions at the beginning of pre-court staffing by allowing each team member to discuss new and important information from their field.

6 Tip No. 6: Team members should work to incorporate a high level of trust and open communication.

- Create ground rules for pre-court case staffings and ensure that all team members are allowed an opportunity to voice concerns and provide feedback.
- Incorporate a standard processing system in pre-court case staffings – cover hard cases first so team members don't feel rushed and perhaps not communicate all that is necessary to make a decision.
- Practice active listening skills and learn about ways to communicate effectively in a team environment (e.g., visit websites that have tools and resources on how to communicate and listen).
- Teams should work toward a consensus regarding decisions on youth suitability, incentives/sanctions, and program enhancements, rather than relying on a voting process.

CHECK FOR UNDERSTANDING: *How would you increase teamwork for the Brigham County JDC team using some of the Tips discussed above?*

ANSWER: The Brigham County JDC team should designate a particular role for someone on the team to create Learning Packets for incoming team members, so information regarding the *16 Strategies*, program structure, and other JDC-related topics (e.g., adolescent treatment, incentives and sanctions) will be easily accessible. The team should codify team members' roles and responsibilities within their policy and procedure manual to alleviate any confusion among the group. The team should work together to find training and technical assistance and implement new and innovative ideas so the program continues to grow. Finally, the team should concentrate on learning and

utilizing communication and listening skills in pre-court case staffings and court hearings, so that the group will work collaboratively and effectively together, to respond to the needs of the youth and family in their program.

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information Center - <http://www.ncjfcj.org/teamwork>
- *Juvenile Drug Courts: Strategies in Practice* – Page 14
- www.mindtools.com

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Clearly Defined Target Population and Eligibility Criteria

CASE STUDY: Lee County Juvenile Drug Court has been operational since 2004. During this time the team has experienced a lot of turnover. Currently there is only one team member, the coordinator, who was part of the original planning team. The coordinator takes the lead on many of the program's procedures and expectations. The team trusts her abilities and allows her the freedom to do what's right for the program, mostly because everyone is too busy with their own responsibilities outside of drug court. Recently the judge read a publication that challenged the effectiveness of a juvenile drug court, compared to traditional juvenile probation. The judge also wanted to know why there were only six participants in the program, even though the program's capacity is set at 25. He asked the coordinator to provide the team with the success rate over the past nine years and an explanation as to why there were so few participants. The findings were eye-opening and alarming. Two areas of concern were identified, first, the team's success rate was less than 20% and secondly, referrals were down 60%.

Solution-focused Tips to help teams define their target population and eligibility criteria:

- 1 Tip No. 1:** The JDC team should collect and analyze juvenile justice and social indicator data to determine need.
 - Collecting and reviewing data is the key to success – collect data that the team will use to inform target population and eligibility criteria.
 - Ask the question: does the data collected indicate a need to implement a juvenile drug court – is there a portion of the population who meet the criminogenic risk and the substance abuse/use treatment need?
 - Draft (or revisit) a mission statement with the JDC team which states who the program will serve.
 - Regularly analyze data to monitor for shifts in culture of substance abuse/use by youth – codify this process in the policy and procedure manual (i.e., data review takes place annually at the close of the fiscal year).
 - Keep community partners, JDC stakeholders, and the JDC team informed of any changes and/or recommendations derived from yearly analysis.
 - Keep in mind that the data may simply indicate that there is not a need for a juvenile drug court.
- JDC teams (planning or operating) are cautioned not to widen the net, by taking low-risk offenders to “boost” numbers. Let the data drive the need for the program!
- 2 Tip No. 2:** The JDC team should utilize validated screening and assessment tools to make well informed decisions about program acceptance.
 - Use timely screening/intake forms to filter youth, with the goal being to place youth into the right program the first time.
 - Develop a matrix with triggers or indicators that move the appropriate youth closer to the response needed for their particular need, for example:
 - First trigger – youth between 14-17 years old
 - Second trigger – youth meets legal status requirement
 - Third trigger – moderate-high or high risk level from validated pre-screen
 - Fourth trigger – specific questions selected on validated pre-screen:
 - Currently using alcohol
 - Alcohol contributes to criminal behavior
 - Currently using drugs



CLEARLY DEFINED TARGET POPULATION AND ELIGIBILITY CRITERIA

- Drugs contributes to criminal behavior
 - Each trigger will further filter youth from the total pool of youth coming in contact with the juvenile justice system to the youth appropriate for juvenile drug court, for example:
 - First trigger – 2,524 youth meet the criteria
 - Second trigger – 2,408 youth meet the criteria
 - Third trigger – 414 youth meet the criteria
 - Fourth trigger – 132 youth meet the criteria (youth eligible for JDC review and assessment)
- 3 Tip No. 3:** The JDC team’s eligibility criteria should stem from the data collected *and* analyzed.
- Define eligibility criteria based on the population the court is serving (based on an indicated need) – build qualifiers *and* disqualifiers based on age, geographic area, court status, gender, severity of drug-use problem, history of substance-abuse treatment, and previous involvement in juvenile justice system.
 - Keep in mind that JDCs should serve youth who are moderate/high in both substance abuse/use need and criminogenic risk.
 - Determine if the resources in place, within the community, can address the needs of the target population – conduct a community mapping exercise with the target population in mind.
- 4 Tip No. 4:** The JDC team should determine, based on the target population, who can refer potential youth – ask:
- Who can refer potential youth?
 - Natural referral sources can be prosecutors (often the gatekeepers), defense attorneys, or probation/intake officers.
 - How will referrals get to the court/team?
 - Draft a checklist, based on qualifiers and disqualifiers, for referral sources to use to quickly determine broad eligibility requirements – the checklist should reference specific JDC team members to send referrals to.
 - How will the team educate referral sources?
 - Host brown-bag lunches educating referral sources on JDC philosophy, referral procedures, and success rates – codify this education process in the policy and procedure manual (i.e., brown-bag education lunch will be held on a quarterly basis; JDC coordinator facilitates this process).
 - If there is “push-back” from referral sources regarding the program itself (i.e., too punitive or too lenient), invite them to articulate specific perceived issues – it may be something that just needs further clarification and/or consensus building to alleviate any fears.

CHECK FOR UNDERSTANDING: *What steps need to be taken to find a solution for Lee County’s lack of referrals and low success rate?*

ANSWER: The judge and the coordinator should hold a strategic planning meeting for the operational team members. The meeting will give the team an opportunity to review juvenile justice and social indicator data. The team is encouraged to take a hard look at the need in their community. If there is a definite need, the next steps would be to adjust capacity and review eligibility criteria, based on data. Eligibility criteria should be defined and codified as a team and include concrete qualifiers and disqualifiers – defining this criteria decreases net-widening. The team should determine available resources – conducting a community resource reality check is a perfect team-building activity, where the team would work together to update their community map. A tip would be to assign reach-out duties to each member of the team, so the process isn’t heaped onto the JDC coordinator. Finally, the team should review their referral process and identify any gaps. If it is simply a matter of educating natural referral sources, the JDC team members should



draft a brown-bag lunch schedule where each team member would participate in educating colleagues in their particular field.

ADDITIONAL RESOURCE(S):

- NCJFCJ’s Juvenile Drug Court Information Center - <http://www.ncjfcj.org/clearly-defined-target-population-and-eligibility-criteria>
- *Juvenile Drug Courts: Strategies in Practice* – Page 17

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Judicial Involvement and Supervision

CASE STUDY: Newly elected Judge Adams has been assigned by the senior judge in her jurisdiction to preside over the juvenile drug court (JDC) for two years. There is no assigned substitute. She has no prior training in the specifics of juvenile justice or treatment and wonders if she has the right training and philosophy to preside over this specialty court. Judge Adams has scheduled JDC case staffings for 1:30 p.m. and open hearings for 2:30 p.m. every other Wednesday for all participants. Participants are often late or absent from court and frequently do not return to school following court. Youth complain that they can't get to court on time. The JDC requires a parent to attend court with the youth but finds that parental participation is sporadic. Judge Adams is challenged by the behaviors and attitudes of the participants and their parents and frustrated that they continue to break the program rules. Youth and their families complain that they are not treated fairly and state that the judge favors some participants and does not understand the special needs of others.

Solution-focused Tips to judicial involvement and supervision:

- 1 Tip No. 1:** Whenever possible seek or assign judges who support the drug court philosophy and are willing to serve for a significant period of time.
 - Select a judge who supports the philosophy of treatment courts and who is comfortable working with challenging youth and families.
 - Select an alternate judge to step in during times of absences by the sitting judge who believes in the JDC philosophy.
 - Select a judge who will be a leader and convener, as the collaborative process will depend on strong leadership skills.
 - Select a judge who will build a personal relationship with participants, which is fundamental to the JDC process. This provides structure for participants that they may not receive elsewhere.
 - Select a judge who can provide structure and consistency – program continuity is enhanced when judges serve for significant periods of time (two years in recommended practice).
- 2 Tip No. 2:** The judge and team should conduct court sessions at times that accommodate the needs of the participants and their parents.
 - Hold court sessions at times that least interferes with the daily lives of youth and families.
 - School, work, and treatment schedules of youth and families must be taken into account – consider holding court in late afternoon or in the evening.
 - Be flexible in scheduling hearings – situations may arise that require attention between regular court appearances (e.g., dispensing immediate incentives and/or sanctions).
- 3 Tip No. 3:** The judge should attend and participate in frequent pre-court staffings and court appearances.
 - Hold court sessions on a bi-weekly basis – frequent interaction with the judge improves outcomes for youth and families.
 - Participate and facilitate pre-court staffing with the JDC team to discuss successes, challenges, and case planning for the youth.
 - Provide an opportunity for other team members to voice opinions and concerns regarding case planning and individual decisions about the youth.
 - Avoid voting, as this continues the adversarial process.
 - Work on building a consensus with the team, with the judge having the final decision.
 - Follow the agreed-upon recommendations of the team once on the bench.



4 Tip No. 4: The judge should hold open hearings for most JDC cases (note: state statutes may apply).

- Require youth and families to attend court for the entire docket:
 - Youth benefit from seeing how their peers are performing in the program.
 - Youth are able to observe fair and consistent treatment by the court.
- Care must be taken not to shame or embarrass youth.
- Sensitive medical, family or other information should be dealt with in pre-court staffings – client confidentially must be upheld.
- Maintain the integrity of the court by providing a respectful and calm environment that is conducive to learning from the process – youth should dress appropriately (provide clothing, if necessary); keep disruptions to a minimum; incorporate family as much as possible.

5 Tip No. 5: The judge and the JDC team should be knowledgeable about the culture of youth, their language and attitudes.

- Locate opportunities to provide training on adolescent development and youth culture – youth are different from adults!
- Keep in mind that youth may be at different places developmentally and may respond differently to JDC requirements – individualize responses from the bench, rather than focusing on broad program goals – focus on the strengths of the youth and families.
- Understand the difference between adolescent-based substance abuse/use treatment and adult treatment models – take the time to find out what type of treatment model is utilized.
- Understand the difference between substance abuse/use of drugs and alcohol by adolescents and adults – the issues are different.

6 Tip No. 6: The judge should strive to build a personal connection with the youth and

families.

- Take the time to understand the youth’s unique challenges – comprehensive case planning and participation in pre-court staffing will assist the judge with this.
- Impartiality is key – show the same level of concern with each youth.
- Draw attention to weekly accomplishments in court – praise from the bench is often an incentive that the youth and families most value.
- Comment on individual program expectations/ goals and tie to phase movement and graduation every time the youth appear before the judge.

CHECK FOR UNDERSTANDING: How would you structure a JDC using some of the Tips discussed above?

ANSWER: Selection of a judge is often difficult; however, whenever possible select a judge who believes in treatment courts and who is broadly competent in the areas of adolescent development, adolescent-based treatment, and who is willing to work with a challenging population. Judge Adams should seek out training on juvenile drug courts and adolescent development. In addition, Judge Adams should work with the JDC team to individualize responses from the bench, which are discussed (and agreed upon) during pre-court staffing. Judge Adams should work with the juvenile justice system to find a time on the court docket that will accommodate the youth and families’ schedules. The team should begin operating open court sessions that highlight a consistent and fair process.

ADDITIONAL RESOURCE(S):

- Ethical Considerations for Judges and Attorneys in Drug Court, NDCI, 2001. www.ndci.org
- *Juvenile Drug Courts: Strategies in Practice*, Page 20
- NCJFCJ’s Juvenile Drug Court Information Center - <http://www.ncjfcj.org/judicial-involvement-and-supervision>

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Monitoring and Evaluation

CASE STUDY: The Zee County court system has experienced a sharp increase in the number of youths referred for various charges related to substance use activity. For example, the docket is filled with charges of violation of probation, possession of drug paraphernalia, underage drinking, violation of school system's zero tolerance policy (mostly related to tobacco products on campus) and distribution of illegal substances, including prescription drugs. In addition, and suspected to be an ancillary correlation, is a rise in the number of various status offenses, such as: runaway, curfew violations, disobeying rules of household or academic failure due to violation of compensatory attendance regulations.

Solution-focused Tips to monitor and evaluate:

- 1 Tip No. 1:** The JDC team should compile baseline data from a multi-disciplinary approach and focus on the identified issues.
 - Compile information from the larger juvenile justice system, including, but not limited to: arrests, charges, detention, imprisonment, educational progress, employment rates, family stability, job skills and/or training opportunities, teen pregnancy rates, UA results, types of incentives and sanctions used, and various other information specific to geographic location.
 - Acknowledge that the juvenile drug court team is undertaking a research project, which will require a commitment to participate in this social experiment.
- 2 Tip No. 2:** The JDC planning team should incorporate monitoring and evaluation component before implementing the program.
 - Discuss program expectations as a response to identified community issues.
 - Identify everyone's role in the ongoing process with clear expectations of the tasks and responsibilities.
 - Define how things will be different and how community issues will be changed with the implementation of an operational juvenile drug court.
 - Have stakeholders and team members document their own individual strengths and weaknesses (i.e., is evaluation a part of their skill set), as well as areas of interest in the evaluation process.
- 3 Tip No. 3:** The JDC team should develop a mission statement that encapsulates expectations for success.
 - Prepare a timeline for identifying a target population to be served, the services to be provided, an evaluator to be hired, and all other expectations of what the program will look like.
 - Address the following questions when looking at data and building an evaluation component:
 - What data is needed to show change?
 - Where will the data come from?
 - Is working with the court IT/IMS people to determine IT capacity a possibility?
 - Will the team hire an independent evaluator?
 - Will funding be necessary to utilize an independent evaluator?
 - Is there a local university the team can partner with to bring expertise or provide services?
 - What instruments are available for data collection?
 - Include in monitoring and evaluation a mechanism for youth and family input; e.g. user survey or exit interviews
 - Since no one program can fix all community problems, decide what the limits of the drug court should be.
 - Determine wants/needs and how to get it so that the mission statement clearly defines what the program will do and what it will not do.



MONITORING AND EVALUATION

- Be realistic about expectations; consider what team members are willing to do, what services can be provided, what level of support is already in place and what else needed to be successful.
- Define terms of evaluation processes so that everyone is speaking the same language.

4 Tip No. 4: The JDC team should devise a system for documentation of the program's process and procedure.

- Document team meetings with reports on what is discussed, what actions will be taken; follow up at the next meeting to determine whether the work is getting done.
- Foster the team approach by assigning specific tasks of monitoring and evaluation to all team members. For example, there will be team members well suited to develop participant surveys, to serve as resource monitors and/or to interface with service providers.
- Develop and maintain signed letters of agreement between the program and the named evaluator outlining the program's purpose, scope, method, providers, workplan and schedule.
- Continue regular team meetings with periodic updates from the evaluator and stakeholders so that there are no surprises.
- Establish a management information system (MIS) where all JDC program-specific documentation is placed and can be retrieved for reports.

5 Tip No. 5: The JDC team should collect and manage data to answer programmatic evaluation questions.

- Conduct process evaluations (which are different from outcome evaluations) and ask programmatic questions:
 - Are youth moving through phases in the anticipated timeframe?
 - Are the procedures set in place to refer youth to treatment working? Getting youth

assessed faster/better?

- Is having a school liaison doing what the team wants – increasing school connectedness?
- How are the processes tested – validated pre and post scales?
- Implement a monitoring process that accurately reflects the day-to-day operations of the program; a well-defined process helps to identify needs for improvement and to provide for in-the-moment continuous improvement strategies.
- Refer back to the initial questions relevant to the identified issues; for example, are provided services working (e.g., family support groups, adolescent-based treatment, case planning)?
- Demonstrate the impact of both process and outcome evaluation goals. For example, family connectedness is increased because the JDC team implemented a family support group – how do we know this?
 - Process evaluation is data collected on number of family support groups held and attendance levels
 - Outcome evaluation is data collected from pre & post scales which show an increase in family connectedness
- Collect data along the way to avoid some of the common pitfalls in the long run, such as failure to document, mission creep, expecting a too-quick fix, and communication difficulties among all involved parties.

6 Tip No. 6: The JDC team should acknowledge that a juvenile drug court program is research in its most basic form.

- As a research endeavor, the juvenile drug court contributes to knowledge in the field by maintaining program integrity.
- Comparison among programs can provide the field with information from which to draw conclusions and provide for continuous improvement.
- Documentation of what works enables you



to provide the field with evidence-based practice strategies.

- Maximize the contributions of all stakeholders, rather than relying solely on one evaluator to determine success; remember to express gratitude for the contributions of all stakeholders.

CHECK FOR UNDERSTANDING: *How can a juvenile drug court monitor and evaluate its effectiveness using some of the TIPs discussed above?*

ANSWER: Begin collecting data from a variety of sources prior to implementing a juvenile drug court. Be sure to include a needs assessment, which will help to provide baseline data. Get everyone on the team, including all stakeholders, involved in developing expectations for success and a plan for meeting those expectations. Keep all this information available to all stakeholders. Once expectations for the program are set, identify the primary evaluator and give him/her access to program information. Develop the letters of agreement so that everyone knows his/her role in the program. Continue to look back at the initial questions asked making any corrections as the program evolves. Maintain the momentum! Recognize that there will be a difference in evaluation goals for all stakeholders. For example, clients (youth and his/her family) want help for a problem, sponsors want to know that their funds are being used appropriately, community members want to know that issues are being addressed, service providers will want confirmation that their services meet the program's needs and researchers and data collection experts want assurance that they are adequately capturing the program's successes and areas for improvement, giving recommendations for the future and providing the field with evidence based practice models. Results and final reports should be widely disseminated so that replication and/or continuation is likely to occur.

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information - <http://www.ncjfcj.org/monitoring/evaluation>.
- *Case Management for Substance Abuse Treatment: A Guide for Administrators* - www.samhsa.gov
- *Handbook of Practical Program Evaluation, Wholey, Hatry and Newcomer* (editors), from Jossey-Bass.
- *Juvenile Drug Courts: Strategies in Practice* - Page 23
- PPCD Technical Issues Snapshot 2011 Creating Judicial Academic Partnerships: An Efficient Way to Leverage Resources for Evaluation - http://www.ncjfcj.org/sites/default/files/Judiciary-Academic%20TAB_Final_0.pdf

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Community Partnerships

CASE STUDY: The Smith County Juvenile Drug Court (JDC) team has returned from a regional training where they learned about a number of community linkages the JDCs in neighboring counties have been able to make, and the team thinks the linkages discussed would also work in their program. Creating more community linkages will allow them to access more incentives, pro-social activities, employment opportunities for the youth, resources for families, life-skills training, mentors, transportation services, tutors and other educational resources, vocational training, and many other beneficial services. The JDC team decides to hosts a big open-house for all of their potential community partners and is very excited about all the prospective partners the team connects with during the open-house. However, six months later when the JDC Coordinator tries to set up a referral with one of their new partners she is surprised to learn that the partner really isn't ready to work with the JDC and cannot accept the referral. Indeed, the JDC team has failed to utilize any of the partners met during the open-house.

Solution-focused Tips to create strong, community linkages:

- 1 Tip No. 1:** The JDC team should decide *why* they want to engage the community. (e.g., social services, probation) to share resources.
 - Meet as a team and brainstorm a list of reasons to engage the community.
 - Take an inventory of needs. Ask JDC team members, court staff, and youth and families what they'd like to see incorporated into practice or offered as additional services.
 - Once a list of needs and wants has been created, the team should work together to identify two or three primary goals.
- 2 Tip No. 2:** The JDC team should determine what type of agencies or organizations or who they want to engage within the community.
 - The community is a large undefined group of agencies, individuals, business, and service providers; when "engaging the community" it is important to determine what portion of the community to engage and when.
 - Use the Community Map (<http://www.ncjfcj.org/sites/default/files/Community%20Partnership%20Map.pdf>) exercise to brainstorm a list of available community resources then match the Community Map with the teams list of needs and wants.
 - Consider exploring existing partnerships to see if there are new ways to collaborate. Many teams find it useful to strengthen existing partnerships with "sister" systems
- 3 Tip No. 3:** The JDC team should make community engagement a priority.
 - Set aside at least six months to a year to form new community linkages.
 - Create a subcommittee that is designed to undertake the tasks necessary to create community linkages. The community engagement and resource development subcommittee should meet regularly (monthly or bi-weekly).
 - Include the JDC judge on the community engagement and resource development subcommittee, as the judge can often serve as the leader and convener of community partners.
 - The community engagement and resource development subcommittee should set measurable, time bound goals to accomplish, based on the identified needs of the program. For assistance in creating goals and objectives see NCJFCJ's *7 (Easy) Steps to Measuring Performance of Juvenile Drug Courts*.
- 4 Tip No. 4:** The JDC team should develop marketing tools team members can use when talking to potential partners.
 - Create an overview of the JDC program that team members can bring with them when visiting potential partners.



COMMUNITY PARTNERSHIPS

- Marketing materials should include the team’s vision; an overview of the youth and families served by the program; and a brief overview of court users’ unmet needs (e.g., housing, tutoring, transportation assistance).
- Develop a short “elevator speech” about the JDC program that JDC team members and stakeholders can use when asked to describe the program.

5 Tip No. 5: The JDC team should engage the community strategically.

- Before approaching a new partner, decide three things – who will be making the connection; what the team wants from the partner; and why the agency or business would want to partner with the JDC.
- Building a relationship with a new community linkage can take time. Try developing a relationship by:
 - participate in their strategic planning meetings and offer any available support that the JDC team is able to provide
 - invite potential partners to court events that are open to the public, so they can get a better understanding of the JDC philosophy
 - host a roundtable with community leaders to discuss areas of mutual interest, gaps in the system, and innovative ideas – use follow-up meetings with individual leaders, agencies, or organizations to codify partnerships
- Be specific about what is expected from each partner and have a range of options for involvement. For example, a team looking for drug testing assistance could seek financial funding at a variety of levels - one month, six months, or a year of drug testing supplies.
- Create community partnerships within the neighborhoods where the majority of youth and families in the JDC reside.

6 Tip No. 6: The JDC team should formalize community partnerships.

- Create a Memorandum of Understanding (MOU) for use with other agencies and organizations that clearly define roles and responsibilities.
- Have detailed contracts that include services to be delivered, cost of the services, person(s) responsible and expected duration of the service.
- If one does not already exist, develop a non-profit agency to allow the JDC to receive donations or other types of funding (e.g., local foundations).
- Formally acknowledge receipt of donations received from civic organizations and businesses. Include both a receipt and a letter of thanks from the JDC team and the youth being served by the program.

CHECK FOR UNDERSTANDING: *How would the Smith County JDC team build necessary community linkages in order to better serve the youth and families participating in the JDC?*

ANSWER: The JDC team is encouraged to approach the creation of community linkages strategically. Meet formally as a team to determine gaps in services and subsequently identify potential partners that can fill those gaps. Work as a team to select a subcommittee (e.g., judge, coordinator, and prosecuting attorney) to further develop these resources. The subcommittee will create materials about the JDC that can be shared with potential partners and spend several months “courting” agencies, businesses, and individuals and then codify the partnerships with well-constructed MOUs that detail roles and responsibilities. The judge can serve as a convener of initial meetings with prospective partners and can be a great spokesperson for the JDC, but the entire team should feel free to promote the program and create community linkages within their own spheres of influence by using a developed “elevator speech” to attract valuable community partners.



ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information Center - <http://www.ncjfcj.org/community-partnerships>
- *Juvenile Drug Courts: Strategies in Practice* – Pages 27-28

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Comprehensive Treatment Planning

CASE STUDY: The 2nd Chance Juvenile Drug Court has had difficulty in retaining youth in treatment. The drug court retention rate is plummeting with no signs of success. The providers state they are all using an evidence-based practice; however their success with family participation is limited. The court has temporarily stopped admitting youth until it can enhance the treatment component. It is seeking new ways to strengthen this area without any new funding. Currently the community has two providers that are working with youth; three providers focus on families. They have invited the treatment providers to explore enhancing services that are developmentally appropriate for youth and culturally appropriate for families in the community. The team met and learned that several of the services being provided, while evidence based, were not designed for youth and/or did not address the cultural needs of the youths' families. They also realized that the family component required parents to attend events twice a week in addition to home visits. Parents were overwhelmed with court requirements, treatment attendance for youth and also having to attend family night. Several of the identified youth required an inpatient level of care that was not available in the community. A three-month waiting list exists for programs in neighboring communities.

Solution-focused Tips for comprehensive treatment planning:

1 Tip No. 1: The team should consider the needs of the identified target population and whether the services are available in the community to respond to their needs.

- Evidence-Based Practices should take into account “socio-cultural and familial factors (e.g., gender, gender identity, ethnicity, race, social class, religion, disability status, family structure, and sexual orientation) and environmental context (e.g., institutional racism, health care disparities),” in addition to developmental needs (American Psychological Association, 2006, Washington, DC).

2 Tip No. 2: The team should utilize age and developmentally appropriate screening tools and a bio-psychosocial assessment to ensure the court is serving the intended population effectively.

- Screening is a process for evaluating the possible presence of a particular problem. The outcome is normally a yes or no as it relates to eligibility (SAMHSA).
- Assessment is a process for defining the nature of that problem, determining a diagnosis and developing specific treatment recommendations for addressing the problems or diagnosis (SAMHSA).

- Whenever possible, use instruments that have been normed, adapted, or tested on specific cultural and linguistic groups. (SAMHSA Tip # 51)

- Include in the initial assessment the strengths the youth possesses; use information about the youth's strengths to begin the engagement process.

3 Tip No. 3: The treatment plan should be cognizant of the court requirements in order to develop a coordinated approach and decrease over burdening youth and families with required schedules and activities.

- Work together during per-court staffing, during phase one, to coordinate both treatment case plans and court requirements to present a unified front to the youth and families.

4 Tip No. 4: Evidence-based practices should be selected based on the characteristics of the population to be served.

- The selected intervention should be relevant to the level of care required; race/ethnicity/gender, rural, urban, suburban population, age, linguistically appropriate (e.g., if serving a Hispanic/Latino population, have assessments and materials available in Spanish). Below is a list of strategies to consider when selecting an evidence-based practice:



COMPREHENSIVE TREATMENT PLANNING

- Identify your court's eligibility requirements to determine the type of program that will be most appropriate.
 - Assess your organizational capacity including financial resources, organizational commitment, and community buy-in to determine your ability to implement a program with fidelity.
 - Search program registries to select a program that matches your community needs, your organization's available resources, and available programs.
 - Understand program fidelity and program adaptation (modified SAMHSA, NREPP).
 - fidelity: adherence or integrity to the original design/approach
- 5 Tip No. 5:** The JDC team should periodically assess what treatment programs youth and families respond well to.
- Have program participants complete a program report card indicating the strengths and challenges of the program. If possible keep to one page.
 - Explore different types of customer satisfaction surveys that are user friendly.
- 6 Tip No. 6:** The treatment providers should explain, to the entire drug court team, the practice they are utilizing and how the court can avoid enabling or not working in tandem with provider.
- Provide cross-training to explain the proposed practices that are being recommended and why.
 - Have the treatment providers clarify terms and potential misconceptions of the recommended practice.
- 7 Tip No. 7:** The JDC team should compare their target population against the level of services available to the youth – is the court meeting youths' needs?
- Conduct community mapping exercises to determine resources and services available.
 - Guard against accepting youth who meet a treatment need that the court cannot assist with.
 - The American Society of Addiction Medicine (ASAM) provides a comprehensive set of guidelines for placement, continued stay, and transfer/discharge of individuals with addiction disorders.
- 8 Tip No. 8:** The team should coordinate responses regarding incentives and sanctions/consequences.
- Work together during pre-court staffing to discuss the youth's behavior and discuss incentives and/or sanctions – remember that incentives should always be discussed and given!
 - E.g., youth attends treatment and participates, but does not adhere to their curfew – treatment wants to provide an incentive; court wants a consequence. Do both!
- 9 Tip No. 9:** The service delivery should include trauma-informed treatment because system involved youth tend to have a higher rate of exposure to physical and sexual abuse, witnessing violence, and other aspects of trauma.
- Trauma-informed services should be blended into family services. .
 - Trauma-informed services should be gender responsive and appropriate to the unique needs of the identified gender.
- 10 Tip No. 10:** The treatment court is a holistic approach to address the unique needs of the youth and families. Youth and families should be considered as a part of the treatment team and not as a separate entity.
- Consumers of services should be invited to participate periodically to discuss what works and what doesn't.
 - Invite youth and their families, who have completed/graduated drug court, to serve as mentors and potential co-facilitators for new participants and families in family groups and educational activities or as graduation speakers.



CHECK FOR UNDERSTANDING: *What strategies should the 2nd Chance JDC explore to meet the treatment needs of youth and their families?*

ANSWER: The 2nd Chance Court should implement a process to utilize existing resources to identify best practices and evidence-informed services to meet the needs of youth and families. Providers should be instructed to coordinate services being provided to youth and families to align with the required court attendance schedule, probation and school requirements. The providers will determine criteria for youth and families that will be eligible for services and should help families explore available insurance options if no insurance is available. Since none of the programs are providing gender responsive programs, the service providers will need to implement a plan to address the potential unique needs of youth and families (e.g., scheduling, childcare, bus passes etc.). Once a youth has been accepted, the full team will discuss best treatment options based on the recommendation of the providers for youth and families that adhere to a phased system. The coordinator should arrange for a speaker to meet with the team at their upcoming retreat to address the court and treatment becoming more trauma responsive and informed. If a family opts out of a proposed treatment option; family members will continue to receive individual and group therapy. The team is also developing a plan to have better coordination of incentives and sanctions in order to avoid mixed messages to youth and potential manipulation of court operations.

ADDITIONAL RESOURCE(S):

- NCJFCJ’s Juvenile Drug Court Information Center - <http://www.ncjfcj.org/comprehensive-treatment-planning>
- *Juvenile Drug Courts: Strategies in Practice* – Page 29
- NCJFCJ’s Adolescent-Based Treatment Database - <http://www.ncjfcj.org/our-work/adolescent-based-treatment-interventions-and-assessment-instruments>

- What Works Wisconsin- Research to Practice Series Issue # 3 March 2007 - <http://whatworks.uwex.edu>
- National Registry of Evidence Based Programs and Practices - <http://www.nrepp.samhsa.gov>
- National Child Traumatic Stress Network – www.NCTSN.org
- American Society of Addiction Medicine- <http://www.asam.org/publications/the-asam-criteria/the-asam-criteria>

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Developmentally Appropriate Services

CASE STUDY: Fifteen-year-old Isha is currently two years behind his same age peers in academic placement. He seems to prefer friendships with other children, who are two to three years his junior. Parents report that Isha did not meet developmental milestones as expected compared to his siblings. For example, he did not walk until age two, seemed frustrated by games and play and did not feed himself (using eating utensils) until age four. He was placed in speech therapy soon after entering school. Isha admits to some experimentation with alcohol and marijuana; his parents requested a urine analysis (UA). Based on results, Isha was placed in treatment. Upon discharge, he returned to substance use and began acting out in other risky behaviors such as, curfew violations, school failure and increased aggression. He returned to in-patient care and so began the revolving door of treatment and return to the home environment. Each time he returned, his risky behaviors increased.

Solution-focused Tips for developmentally appropriate services:

- 1 Tip No. 1:** The JDC should collect assessment information on each adolescent entering the drug court program; all evaluative assessments should be completed by a competent clinician or specialist.
 - Gather data on cognitive skills, current functioning level and capacity in reading, writing and verbal skills.
 - Include assessments on social and emotional maturity, along with ability to access services and follow through on treatment recommendations.
 - Personality traits should also be assessed, which might inform the JDC team how the participant deals with authority and follows instructions.
 - Periodic assessments should be completed to respond to developmental changes that occur during the course of drug court involvement.
- 2 Tip No. 2:** The JDC team should hold service providers accountable for the individualized treatment of each participant.
 - Use a broad-based interdisciplinary approach for developing treatment plans and provide cross training for all stakeholders.
 - Ensure that providers have a continuum of treatment options available to match with the various developmental levels of participants.
 - Recognize that chronological age is not necessarily the same as psychological, emotional or developmental age.
- 3 Tip No. 3:** The JDC team should develop strategies based on the interests and abilities of program participants.
 - Monitor treatment plans regularly and amend as necessary to meet the changing cognitive, social and emotional needs of participants (note: the treatment providers will conduct this process).
 - Monitor the potential negative impact of peer group and family members so that the participants' interests and abilities are encouraged, rather than discouraged.
 - Conduct an interest and/or aptitude survey to find out what participants might want to do as a future vocation.
 - Conduct an inventory or interest survey on what truly will motivate the youth's positive behavior change.
 - Showcase, through any type of show and tell model, special abilities such as art, music, crafts, mechanics, cosmetology, fashion, woodworking, etc.
- 4 Tip No. 4:** The JDC team should steer away from premature diagnoses or long-term labeling.
 - Acknowledge that not all adolescents who use substances are or will be dependent; experimentation is a common behavior among adolescents.
 - Distinguish among the terms used to define substance use: use, abuse, dependency and addiction are not the same.



DEVELOPMENTALLY APPROPRIATE SERVICES

- Discuss any previous diagnoses given, especially from a personality, mental health or academic perspective. Do not allow this label to become an excuse or a crutch for inappropriate behaviors.

5 Tip No. 5: The JDC team should foster motivation to change through provision of developmentally appropriate services.

- Engage the youth in his/her treatment planning since participants are more likely to see the benefits of change if they understand and agree with the goals and objectives.
- When interviewing or interfacing with participants, use a motivational strategy in both what is said and how it is said; strict punitive measures do not work.
- Operate in the here and now, but with a definite, positive outlook on what the future may hold for each participant.
- Use self-help and treatment groups geared toward adolescents, instead of placing participants in predominantly adult treatment groups where they may become overwhelmed.

6 Tip No. 6: The JDC team should establish a plan to provide for developmentally appropriate continuing care, once drug court involvement has been completed.

- Minimize the revolving door of treatment by giving the youth and his/her family a plan to move forward.
- Involve youth and family members in setting goals for continuation beyond drug court in education, work, family planning and other life decisions.
- Provide opportunities and encouragement for youth to get involved in community functions (e.g., faith-based community, Boys & Girls Club, school associations/clubs, community mentors) with caring adults who can serve as role models such as Scouts, Big Brother/Big Sister or other mentoring programs.

CHECK FOR UNDERSTANDING: *How will you provide for developmentally appropriate services for Isha, especially knowing that other options have failed?*

ANSWER: As soon as possible, conduct a thorough assessment by a competent clinician or specialist trained in adolescent functioning to determine Isha's cognitive, social and emotional functioning, as well as personality traits. This may involve collecting and reviewing information that already exists. If this information does not exist, be sure to have an assessment completed that is relevant to current functioning. Give assessment data to service providers so that they can develop an individualized treatment plan that takes Isha's needs and abilities into account. Ensure that providers frequently address changes in his developmental needs and cognitive, social and emotional status and amend the treatment plan as indicated. Do not allow any diagnoses or label to be detrimental to his progress. Diagnoses are not excuses for inappropriate behaviors! Stay positive and be sure to allow both Isha and his family to be active participants in his treatment. Remember that change may not be permanent without also including a plan for developmentally appropriate aftercare. Provide opportunities and encouragement for Isha to move forward and live up to his individual potential.

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information Center - <http://www.ncjfcj.org/developmentally-appropriate-services>
- *Juvenile Drug Courts: Strategies in Practice* – Page 32
- Case Management for Substance Abuse Treatment: A Guide for Administrators - www.samhsa.gov
- Facts for Families: American Academy of Child and Adolescent Psychiatry - <http://www.aacap.org>

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Gender-Appropriate Services: Focus on Boys

CASE STUDY: Robbie Woodbine is a 15-year-old white male. Robbie is a cannabis user and has been in juvenile drug court for three months. Robbie lives with his mother and three older female siblings, and his father died when he was only four years old – the lack of a male role model is concerning for the JDC team, as well as his mother. Robbie has shown signs of irresponsibility and immaturity as displayed by violating curfew and cutting school. When confronted by the JDC team about his behavior, he yells and screams uncontrollably. Robbie’s family members, especially his mother, enable his inappropriate behavior by providing a variety of excuses for his actions. Robbie’s mother often refers to him as “the man of the house,” which has placed quite a bit of pressure on Robbie’s shoulders. Robbie has a 19-year-old girlfriend and is sexually active. The team (as well as the mom) is concerned that an unplanned pregnancy is in the future.

Solution-focused Tips to working with boys:

1 Tip No. 1: The JDC team should implement a mentoring component within the JDC and engage adult male role models for young men who may need additional support.

- Mentoring can be a strong component of the juvenile drug court. A mentor is a caring adult who provides a child with support, advice, friendship, reinforcement, and constructive example to support the efforts of the parents.
- Male mentors for young men can focus on strengthening relationships with parents, family, caring adults, and responsible friends.
- Match mentors with youth whenever possible (i.e., same interests, background).
- Consider having the youth initiate the mentoring relationship by identifying a caring (appropriate) adult in his life.

2 Tip No. 2: The JDC team should consider utilizing Rites of Passage Programs, with a wide array of evidence-based options, to address the needs of young men.

- Use evidence-based programs – the JDC team is encouraged to review any research connected to individual programs (or the practice at large). If the research seems daunting, seek out experts in the field for additional guidance.

- Make referrals and/or decisions to use a Rite of Passage program based on a valid assessment of the youth’s risk and need, as well as a comprehensive component of the youth’s case plan.
- Court and treatment staff should work closely together to determine need, with a focus on keeping the youth connected to his community, as much as possible.

3 Tip No. 3: The JDC team should consider utilizing a family-based therapy to address rescuing and enabling behavior that may be holding the youth back, rather than moving him forward.

- Often, when family members attempt to help a loved one with his substance abuse/use or engagement in delinquent behaviors (e.g., providing excuses for truancy when a valid excuse may not exist); they are making it easier for the youth to continue to engage in such behaviors.
- Families may need the power of the court for a short period of time to help them address unwanted behaviors and to motivate for change. The JDC team can utilize individualized incentives and sanctions to accomplish this task.
- Work with the families and seek out their help in this process, keep in mind that mandating parenting or other skill-building classes may be



perceived as extremely offensive – engage, rather than mandate!

4 Tip No. 4: The JDC team should consider engaging the local health and human services agency to provide sex education classes for the young men participating in your court.

- Address unplanned pregnancies and provide information on birth control strategies. This may include information on where youth can get birth control. It is important to impart that birth control is his responsibility, as well as his partner's.
- Address sexually transmitted diseases and how to protect against them as well as providing information on how to get tested.
- Consider bringing in an expert to discuss consent with the male youth in your court.

CHECK FOR UNDERSTANDING: *How should the juvenile drug court team and family engage Robbie and respond to any undesirable behaviors?*

ANSWER: The juvenile drug court team and his family need to hold Robbie accountable with individualized incentives and sanctions (preferably family-based). The team should work with Robbie to find a suitable mentor or caring adult who can model appropriate male behavior. Provide sex education to help Robbie understand the consequences (and rewards) of participating in a romantic relationship. The team should empower Robbie's mother to set limits and use the power of the court to hold him responsible. By engaging Robbie's mother in this process, the team can successfully recruit a new team member to help him through this process. Incorporating family-based treatment will likely improve family functioning, as well as engage the family as a whole, rather than focusing only on Robbie.

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information Center - <http://www.ncjfcj.org/gender-appropriate-services>

- *Juvenile Drug Courts: Strategies in Practice* – Page 34
- Rite of Passage: Improving the Lives of Youth: <http://www.riteofpassage.com/index.html>
- The Center for Evidence-Based Mentoring: http://www.umbmentoring.org/projects/youth_initiated.html
- The National Guard Youth Challenge Program: <http://www2.ngycp.org/national/>
- The National Campaign to Prevent Teen and Unplanned Pregnancies: <http://www.thenationalcampaign.org/>

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Gender-Appropriate Services: Focus on Girls

CASE STUDY: Jennifer Lewis (Jen) is 16 and has been in drug court for three months. The entire team is frustrated since she is always rolling her eyes and her favorite word is “whatever!” Jen comes to court in Goth makeup and is always wearing black. Her probation officer told her to dress more appropriately for court, but Jen continues not to comply. She has not missed drug court and has been late only once. Every time the judge admonishes her, she cries. The drug court team is exasperated and feels as if Jen is trying to seek attention as well as manipulate the judge through her dress and behavior.

Solution-focused Tips to respond to girls:

- 1 Tip No. 1:** The JDC team should become trauma-informed and responsive.
 - Girls tend to experience childhood victimization at much higher rates than boys.
 - Many enter the system with serious mental health issues often resulting from experiencing trauma.
 - Girls may act out in court as a survival mechanism – they may also withdraw and shut down.
 - Staff is encouraged to seek additional training in this area to better serve a female population. <http://www.courtinnovation.org/gender-initiatives>
- 2 Tip No. 2:** The JDC teams should understand that girls communicate and respond to frustrations differently.
 - Girls’ non-verbal communication can include deep sighs, rolling their eyes, shutting down by closing eyes, and staring at you.
 - Don’t personalize it! Find out what is going on by asking open-ended questions, and clarify when indicated.
 - For many girls, rolling their eyes, pouting, and folding their arms are common behaviors.
 - Allow girls time to come up with an answer beyond- “I don’t know.”
 - Allow teen girls to express themselves and communicate in ways that are comfortable to them.
- 3 Tip No. 3:** The JDC team should recognize the art and benefit of tears.
 - Crying can be healthy! It’s a way to express sadness, relief, happiness, or to get rid of pain.
 - Allow time for girls to cry – if the youth is trying to be manipulative, she might stop crying quickly. If there is something else going on, it may take some time.
 - Provide an area where the youth can step out of court for a period time to get herself together.
 - After crying for a period of time the youth may fall asleep. This is not unusual.
- 4 Tip No. 4:** The JDC team should empower young women to engage in the process – let them be a member of the team too!
 - If the youth is frustrated with the juvenile drug court, ask her how it can improve.
 - Provide her the opportunity to make a list of things she thinks may help her succeed – allow her time to think about it and don’t be surprised if she indicates that “it’s not her problem.”
 - Sometime it’s the little things that count! Look



for what girls do right by focusing on the positive – just showing up on time can be considered a success.

5 Tip No. 5: The JDC team should provide gender responsive incentives and sanctions.

- Individualize incentives and sanctions – don't take for granted that a young woman is interested in getting a manicure just because she is a girl.
- Take the time to complete interests surveys to discover what motivates a particular girl – this may surprise the team.
- Make sure sanctions are beneficial and tied to a behavior the youth needs to change (See strategy # 15).

6 Tip No. 6: The JDC team should allow the girls to express themselves through individual style.

- Girls tend to portray their personality through fashion and style. They may choose a particular style to gain attention or it may be her way of expressing herself.
- Seek out training on Girl Culture (or youth culture). Fashion trends (hairstyles, clothing, and perfume) are a driving force for youth, especially young women.
- Explore trends to better understand where the youth are coming from. Focus on culture since some trends for girls may vary based on race, ethnicity, faith, location (urban/rural), while others may remain constant regardless of where they reside
- When girls dress in a certain way, try to find out what their thinking is; ask what do they like about certain clothing? How does it relate to their personal expression?
- Have the teen write a short history of the type of clothing she likes and share with the team or her peers about why she likes to express herself in this way. It will require her to be proactive and her responses may surprise you!

CHECK FOR UNDERSTANDING: *How would you respond to Jennifer Lewis and the issues she is*

presenting to the court?

ANSWER: The drug court coordinator takes the time to educate herself and her team on Goth clothing and accessories and talks with Jennifer about different styles. She learns that Jen has been helping her peers with makeup and outfits to prepare for the new Vampire movie coming out. Her counselor informs the team that the next time she begins rolling her eyes to ignore it. It is something that most girls at her age do to demonstrate boredom rather than a sign of disrespect. She also encourages the team that when Jen begins crying in court to give her a few minutes to get herself together rather than responding immediately. She acknowledges that Jen is dealing with some very personal issues in treatment. The team notes Jen's attendance at the last meeting and rewards her with Goth makeup and a lace umbrella (as an incentive for future attendance), which surprises Jen especially because she thought the team hated her makeup. The judge arranges for the team to have a brown bag lunch in order to receive training on being trauma informed. This training will increase awareness of participants who may be experiencing unresolved trauma and assist staff being trauma responsive to behaviors exhibited in court. The case manager empowers Jen to identify ways she thinks the JDC can be enhanced to be more responsive to girls.

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information Center - <http://www.ncjfcj.org/gender-appropriate-services>
- *Juvenile Drug Courts: Strategies in Practice* – Page 34
- Gender Specific Programming: <http://www.ojjdp.gov/mpg/progTypesGenderSpecificProgramming.aspx>
- Gender-specific reactions to trauma: http://www.youthlaw.org/publications/yln/2009/july_september_2009/gender_and_juvenile_justice_new_courts_programs_address_needs_of_girls/

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Gender-Appropriate Services: Focus on LGBTQI Youth

CASE STUDY: Corey Wilson has been in juvenile drug court for the past six months. He has remained drug free for 120 consecutive days, improved his school-work, is participating in the school orchestra and had not re-offended until three weeks ago when he was suspended for fighting in school after another youth called him rude names and was taunting him. Last month Corey told the drug court team that he was gay and asked for support while he told his parents. His mother cried and his father refused to talk about it. Judge Bennett told Corey that his parents really had nothing to do with his decision to come out. The Judge further indicated that Corey needed to focus on his sobriety and staying out of trouble. His probation officer, according to Corey, has been treating Corey as if he had a disease and suggested that Corey might do better with a female officer. Corey told the coordinator that he feels as if everyone is against him, and he just wants to get high or even end his life since no one understands him!

Solution-focused practical Tips for working with LGBTQI youth:

Note: *The terminology, LGBTQI was used to be as inclusive as possible. References referring to this community include, but are not limited to LGBT - Lesbian Gay Bisexual Transgender. As always when working with a diverse community, ask individuals how they identify themselves in order to maintain respect.*

1 Tip No. 1: The JDC team should seek out training on national statistics on behaviors and issues that impact LGBTQI youth.

- Hold a brown bag lunch to provide training on substance use, crime, mental health problems, and homelessness as they affect LGBTQI youth.
 - Suicide is the leading cause of death among gay and lesbian youth;
 - 50% of all gay and lesbian youth report that their parents reject them due to their sexual orientation;
 - Gays and lesbians are at a much higher risk than the heterosexual population for alcohol and drug abuse;
 - It is estimated that gay, lesbian and bisexual youth make up 20-40% of homeless youth in urban areas;
 - An estimated 28% of gay and lesbian youth drop out of high school due to verbal and physical abuse in the school environment.

2 Tip No. 2: The JDC team should become

familiar with terminology, sensitive language, culture and expressions used by the Lesbian Gay Bisexual Transgender Queer Intersex (LGBTQI) participant.

- Develop a glossary of terms to assist in clarifying misconceptions and stereotypes associated with language pertinent to the LGBTQI community.
- Consider working with the LGBTQI community to help develop and define terms in the glossary.
 - The team may need to conduct a community mapping exercise to determine which groups within their own community would be appropriate.

3 Tip No. 3: The JDC team should develop a resource list of local support services that are developmentally appropriate and relevant to LGBTQI youth and families.

- Include sober support groups and specific treatment providers specializing in gender responsive services.
- Expand resource lists to include national and regional support (e.g., hot lines for youth to call or online support groups).



- Seek out mentoring groups which provide mentors to LGBTQI youth.
- The team can also assist youth in identifying appropriate role models or mentors that may aid in providing additional support to assist in reducing bias.

4 Tip No. 4: The JDC team should identify a local and/or state network which focuses on parents, families, allies and friends of lesbians and gays.

- Empower youth and families to explore these networks so they can identify with others who may be experiencing similar concerns and questions.
- Determine if there is a Parent, Family and Friends of Lesbians and Gays (PFLAG) in your jurisdiction – if not contact the national organization.
- Consider including a representative from PFLAG on the JDC’s advisory group/ stakeholder committee.
- Be prepared to implement a support system for family members who may have difficulty accepting their child’s orientation/gender.

5 Tip No. 5: The JDC school representative should identify what support services are available at the youth’s school and what is available in their county.

- Explore whether or not the school has internal LGBTQI support groups.
- Identify if non-discrimination policies exist at the school or county.

CHECK FOR UNDERSTANDING: *What strategies should the drug court employ to provide services to Corey? What strategies can be offered to his family?*

ANSWER: Mark, the coordinator, contacts the mental health clinic to set up an appointment for Corey since he is very concerned that Corey appears to be depressed and wants to rule out any suicidal ideations. Because of his positive relationship with Corey, Mark encourages him to come to the team meeting to tell them how

they could provide support. While Corey declines Mark’s invitation, he provides Mark with a list of things that he wants help with, especially regarding his family. The team asks the family therapist to work with Corey and his family to address concerns, to identify ways that they can support him, and to provide a forum to express any concerns, issues or lack of understanding his parents may have in regards to Corey’s identifying that he is gay. Mark also distributes a glossary of terms often used in the LGBTQ community. He arranges a parent from PFLAG to educate the team to address how the court can best provide support and identify community resources. Lastly, Cory’s probation officer admits that he is not comfortable with Corey and that he needs to meet with his supervisor to address his situation and proceed in a way that benefits Corey the most.

ADDITIONAL RESOURCE(S):

- NCJFCJ’s Juvenile Drug Court Information Center - <http://www.ncjfcj.org/gender-appropriate-services>
- *Juvenile Drug Courts: Strategies in Practice* – Page 34
- Technical Assistance Partnership for Child and Family Mental Health Tool Kit - <http://www.tapartnership.org/COP/CLC/lgbtqi2sWorkgroup.php>
- Human Rights Campaign Working for Lesbian Gay Bisexual Human Rights - http://www.hrc.org/youth/download-the-report/#.Ua4oJZU7S_s
- Parents Families Friends and Allies of Lesbian and Gays - <http://community.pflag.org/>
- Substance Abuse Mental Health Services Administration: Lesbian Gay Bisexual Transgender Publications - <http://www.samhsa.gov/obhe/lgbt.aspx>
- National Gay and Lesbian Task Force - <http://www.nglftf.org>
- To better understand terminology - <http://www.lgbt.ucla.edu/documents/LGBTterminology.pdf>

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Cultural Competence

CASE STUDY: Jorge Rodríguez is a 15-year-old male of Mexican descent. His family has been in America for three generations, and Jorge does not speak or read Spanish. Jorge has been a participant in the juvenile drug court for three months; however engagement strategies have not worked so far. Indeed, when Jorge began the assessment and treatment process, the receptionist at the treatment center was busy, saw that he had a Hispanic surname and a brown complexion, and she immediately gave him material to read in Spanish. Understandably, Jorge felt stereotyped, misunderstood, and offended from the very beginning of the treatment process. Jorge has not engaged in the treatment process and has focused on the fact that other JDC participants, JDC team members, and treatment providers do not look like him – that they are all white or Caucasian.

Solution-focused Tips to cultural competence:

1 Tip No. 1: The JDC team should work with juvenile justice staff, treatment providers, support staff to increase cultural awareness, with the first step being not to make assumptions regarding race.

- Allow participants to self-identify their ethnicity. If assumptions are made, and offense is taken, the engagement process may be slowed or never begin.
- Consider having youth and family complete self-administered forms to garner information on ethnicity and other personal information before dispersing any program-related material.
- Work with an expert trainer to increase cultural competency; this should be a system-wide effort and include support staff, as many youth are in contact with line staff first and often.

2 Tip No. 2: The JDC team should use culturally relevant treatment interventions to engage youth of color effectively.

- Consider the appropriateness of specific therapeutic models or interventions for youth of color. Treatment interventions and case plans should be individualized, which would include taking into consideration a youth's ethnicity.
- Consider the differences in values and culture among ethnic groups and how *your own* personal values influence interaction with the client, as well as the way

challenges and goals for treatment are viewed.

- Ask – what is the value-system for this particular client/family? The team should be sensitive to:

- spiritual values
- community values
- extended family values

3 Tip No. 3: The JDC team should strive to be reflective of the population they serve.

- Ideally the drug court team and treatment staff's race and ethnicity should be reflective of the population they serve.
- Consider reaching out to the community to engage volunteers (who reflect the population the court is serving) to help with JDC pro-social activities, family nights, or support groups.
- Consider incorporating a mentoring component with a focus on engaging a reflective mix of the population the court is serving.
- The court can work with already established mentoring groups (Big Brothers Big Sisters) or develop and recruit, using community engagement strategies.

4 Tip No. 4: The JDC team should strive to achieve equitable access – do the research, if disparities exist fix it!

- Juvenile drug courts have an affirmative legal and ethical obligation to provide equal access to their services and equivalent treatment to all citizens (Marlowe, 2013).



- Take the time to review the program structure (i.e., phases, length of program, carrots used) and determine if the program is attractive to youth and families of color.
- Keep in mind that your target population might become so narrow that it is exclusive rather than inclusive.
- The court is encouraged to review its data on youth and family demographics and make necessary adjustments to eligibility criteria, if needed.
 - If disparities are discovered, develop a plan and (if needed) new service delivery approaches based on the cultural needs of the youth in your jurisdiction.

CHECK FOR UNDERSTANDING: *What should the JDC team do to engage Jorge Rodríguez and his family, and ultimately, help Jorge succeed in juvenile drug court?*

ANSWER: The JDC team should work with the juvenile justice system in the jurisdiction, as a whole and not just the JDC team, but receptionists, court clerks, and volunteers to provide educational opportunities to address cultural competency. The team should incorporate ways to allow the youth and family to self-identify before making snap judgments regarding race or ethnicity. Allowing the family and youth to self-identify will assist the team in finding culturally appropriate treatment interventions, which include individualized treatment case planning. Team members should address and consider if they look like the population they are serving and seek to build a team through staff, mentors, or volunteers which is more reflective and diverse – look for disparities in the program:

- Are youth of color opting not to participate in the JDC?
- Do youth of color terminate out of the program more than other youth?
- Is the treatment intervention engaging youth of color?

ADDITIONAL RESOURCE(S):

- NCJFCJ’s Juvenile Drug Court Information Center - <http://www.ncjfcj.org/cultural-competence>
- *Juvenile Drug Courts: Strategies in Practice* – Page 37
- The Center for Organizational Cultural Competence - <http://www.culturalcompetence.ca/>
- National Center for Cultural Competence - <http://www11.georgetown.edu/research/gucchd/nccc/>

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Focus on Strengths

CASE STUDY: Dwayne Scott is 15 years old and has lived in more than four foster care homes; he currently resides in a group home. Dwayne has two brothers and an older sister who are also in foster care. He sees one of his brothers periodically but has not seen his sister for two years and is worried about her. He has tried to keep his family together by staying in touch with his siblings. Dwayne's mother and father are both incarcerated, and he has been to see his mother twice in the past six months. Dwayne has been in and out of the juvenile justice system for minor offenses. Last year he was charged with breaking and entering, and theft at a grocery store with some of his friends. Two months later while on probation he was caught at a school activity smoking marijuana and had ecstasy in his pocket. He has been in drug court for two months and shows up late to sessions. The group home manager, Paul, says Dwayne is cocky, always has an attitude and avoids his social worker. He says he does chores around the house but has an attitude when he is doing it. Paul told the drug court coordinator that Dwayne had borrowed the lawn mower to cut peoples grass in the neighborhood so he could have money to catch the bus and visit his siblings and mom. Paul said he was going to report him to the probation officer for stealing the lawn mower but changed his mind because he always brought the lawn mower back. The house manager said he put a stop to Dwayne borrowing the lawn mower by putting a lock on the shed where it was stored. Dwayne's last two drug screens were negative but the house manager thinks he has been drinking beer with some of the other kids.

Dwayne continues to be resistant to drug court, and the team has had difficulty in engaging him in treatment and community service.

Solution- focused practical Tips to apply a strengths-based approach:

An individualized, strengths-based approach refers to policies, practice methods, and strategies that identify and draw upon the strengths of children, families, and communities. Strength-based practice involves a shift from a deficit approach, which emphasizes problems and pathology, to a positive partnership with the youth and their family. (Find out more at www.childwelfare.gov)

1 Tip No. 1: The JDC team should understand that ALL children have strengths - ALL people have strengths!

- Being involved in the juvenile justice system does not negate the fact that all youth and their families have strengths.
- Seek out training on a strength-based approach for all JDC team members (see resources below).
- Motivate youth and families by looking for what is right (strength-based approach) versus what is wrong (deficit approach).
- A strengths-based approach should encompass asset development, social development, youth engagement, cultural values, resiliency, restorative justice, community development and focus on a

therapeutic response.

2 Tip No. 2: The JDC team should make a concerted effort to strategically address strengths across systems when youth are involved in multiple systems (child welfare, juvenile justice, school).

- Work collaboratively with other agencies so youth are not overburdened with multiple expectations from those systems which may result in conflict of required court expectations such as:
 - The youth needs to meet with their social worker but they have been called in for a drug test at the same time.

3 Tip No. 3: The JDC team should prioritize identifying a responsible, caring adult (mentor, coach, and/or teacher) to provide support and



encouragement, if a traditional parent is not available to engage in the program.

- If a mentor or a responsible adult is not available, invite and encourage the youth to identify someone from their own community or a member of the drug court team that they would like support from.
- Help youth identify a caring adult by having them discuss what they respect about that person or how that caring adult shows respect for the youth.

4 Tip No. 4: The JDC team should consider beginning each juvenile drug court hearing by focusing on the positive behaviors or activities (achievements) that took place since the last court appearance.

- Keep in mind that behind each achievement are strengths that make the achievement possible – persistence is a strength; commitment is a strength; ability to plan and follow through are strengths that make certain kinds of achievements like completing 20 hours of community service or going to school four days a week possible.
- It's important to help youths identify what strengths/abilities are that make achievements possible- and to have achievements be a separate concept from strengths.
- Ask the youth to identify his or her greatest strengths and ask them to clarify what that means and how those strengths helped them accomplish goals or tasks since the last court appearance.

5 Tip No. 5: The JDC assessment process should include a strength-based assessment.

- A strength-based assessment for juvenile drug courts can be defined as identifying or building on those emotional and behavioral skills, competencies and characteristics that create a sense of personal accomplishment for the youth and contribute to satisfying relationships with family members, peers, and other adults.

- Building upon a person's strengths can enhance one's ability to deal with adversity and stress, and promote one's personal, social, and academic development to support a lifestyle free of delinquency and substance abuse and/or use.
- This assessment can be conducted as a component of the youth's orientation to drug court and can be formal or informal.
- Families should also have an assessment of their strengths and should be encouraged to nurture relationships, establish routines, maintain expectations, adapt to challenges, and connect to the community.

6 Tip No. 6: The JDC should keep the following questions in mind, when assessing a youth's strengths:

- Pose open-ended questions, such as:
 - "Where do you go to have fun that is crime and drug free?"
 - "What skills do you use to avoid being in a bad situation?"
- If a youth cannot identify strengths or respond, with "I don't have any strengths" – identify something positive about their behavior (e.g., they have done well in school, helped out at home; tested negative for drugs, completed their community service hours or showed up in court. The strength in these examples is that they are following rules, being compliant etc.)
- Ask youth what is important to them and why. This will provide team members the ability to focus on what's important to the youth from their perspective.
- Ask youth, what do you like best about yourself? What would you like to change about yourself?
 - Some youth may say they don't like anything- at that point the person conducting the assessment can acknowledge what they see as positive about the person they are assessing.
- Always be honest. Don't identify something as



a strength if it does not exist. Youth who are system-involved need to build trust with the team; so honesty is critical especially since they will model the behaviors they see.

CHECK FOR UNDERSTANDING: *What are Dwayne’s strengths and how would you recommend the team respond using a strength-based approach?*

ANSWER: Dwayne demonstrates numerous strengths. He is focused on unifying his family, making efforts to stay in touch with his siblings and mother. He has an entrepreneurial spirit and works at cutting grass so he can have money for transportation. Despite his cocky attitude, Dwayne completes his chores and shows up for drug court (even if he is late). He is able to follow through on commitments and legal requirements and he is able to plan to make things happen. The team is encouraged to highlight these strengths during contact with Dwayne and during staffing.

The probation officer or treatment provider should work closely with the house manager to determine if Dwayne can continue to use the lawnmower if he pays for gas. The team may also want to explore including independent living skills (to build upon his assets) with Dwayne and encourage him to begin thinking of ways he can continue to utilize his skills. The team (which should include the social worker), should explore ways for Dwayne, his brothers and sister to get together for a meal or some activity.

The team should explore why Dwayne is having difficulty arriving at court on time and inspire him to develop solutions if indicated or have the team check bus schedules or transportation issues he may be experiencing.

ADDITIONAL RESOURCE(S):

- NCJFCJ’s Juvenile Drug Court Information Center - <http://www.ncjfcj.org/focus-strengths>
- *Juvenile Drug Courts: Strategies in Practice* – Page 40
- The American Family Assets Study - <http://>

www.search-institute.org/research/family-well-being

- An Individualized, Strengths Based Approach in Public Child Welfare Driven System of Care - <https://www.childwelfare.gov>
- Developmental assets - <http://www.search-institute.org/research>
- Principles of Strength Based Practices - www.resiliencyiniciatives.ca

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Family Engagement

CASE STUDY: Ms. Thomas has four children one of whom has been in and out of the juvenile justice system for shoplifting, possession of alcohol and marijuana (he has a daily smoking habit), fighting, and gang activity (not substantiated). Victor is well known within treatment and juvenile justice circles, and according to his records remains non-compliant. Victor is very close to his grandmother, Nona, who is 65 and lives with the family. At age 16, Victor has been accepted into the juvenile drug court program, which is seen as a last ditch effort to get him through the juvenile justice system before he is sent to an out-of-home placement. Ms. Thomas recently received a letter to meet with the drug court team coordinator. But, Ms. Thomas is resistant and informs the JDC coordinator, “I’m not wasting my time coming to meet with the court; I’m tired of Victor’s behavior, at this point, I don’t care what happens to my son!” You know that successfully engaging Ms. Thomas or another family member in the JDC process will likely lead to a more positive outcome for Victor.

Solution-focused Tips to engage families:

- 1 Tip No. 1:** The JDC team should demonstrate respectful behavior to the family, even if the family members behave badly and/or are resistant to the process.
 - Family members may appear to be resistant because of prior negative experiences with the court system - take the time to identify what those experiences have been, which may help to open the door to improved communication.
 - Utilize active-listening skills and provide family members an opportunity to express concerns.
 - Ask open-ended questions to seek clarification and to increase knowledge about the youth and family.
 - Remember that family members took time out of their very, very busy day to meet with the team, to come to court, to come to treatment. Take the time to recognize this effort.
 - Always thank family members for their time and cooperation!
- 2 Tip No. 2:** The JDC team should develop a professional relationship built upon honesty and trust.
 - Build rapport by doing what you say you’re going to do (e.g., begin and end court or other appointments on time; their time is just as important as yours).
- 3 Tip No. 3:** The JDC team should determine who the decision-maker is within each family unit.
 - Be honest about what you *can* and *cannot* do (e.g., do not promise to provide transportation when the program doesn’t have adequate funds to support this).
 - If you don’t have an answer to a specific question or concern, indicate that you will get back to them with the answer – the key is to follow-through with a response via phone or email.
 - To alleviate miscommunication, have a parent/responsible adult repeat the instructions you have provided to clarify.
 - Ask family members and/or the youth who the decision-maker is in the family/household (this might not be mom or dad).
 - If the immediate parent is not available, inquire who may be able to serve as an active family participant in the program.
 - Ask about extended non-traditional family members (in some cultures, an individual can be considered family even if there is no blood relation).
 - In some cases, the team will be working with an elderly grandparent/family member.
 - It may be difficult for him/her to interact with younger team members, as there



may be a perception that the younger person will not understand the elder's life experiences strictly because of age. In some cases, the team may want to identify a team member who will be able to relate to an older generation.

- If a youth is a part of a group home or in foster care, connect with a case worker to discuss the value and support a drug court can provide.

4 **Tip No. 4:** The JDC team should define expectations and roles for the team *and* the youth & family.

- Be clear about the JDC's expectations – what is it that you want the youth and family members to do, how often, and at what times?
- Explain the roles of the JDC team members and indicate points of contact for specific questions or concerns.
- Explain what the family member's role is on the team. Help each family member understand that he or she is a JDC team member, too. The court is looking to family members for guidance in the decision-making process.
- Work with the youth and families to identify any potential conflicts (i.e., childcare, work, transportation) and help them find solutions to those barriers.

5 **Tip No. 5:** The JDC should engage family members between court appearances and appointments, by keeping them informed and updated on the youth's progress.

- Share positive and negative feedback on grades, timeliness, and attitude (i.e., Victor was going to be late today, but he called to let me know...I really appreciate that).
- Make contact with the family to ask how things are going at home. Ask what kind of support the JDC can give (i.e., "Victor is having trouble waking up in the morning for school, and he won't listen to me" ...The judge may be able to address this in court;

the family then feels as though the court is backing them).

- Encourage family members to participate in the JDC program by asking for their advice on sanctions or incentives. Keep in mind that these are their children, the court is there to offer guidance and support.
- Consider maintaining a contact/communication log to refer back to.

6 **Tip No. 6:** The JDC team should implement a written guide or JDC binder for youth and families.

- Consider the population the JDC team is serving – does the information need to be provided in another language (e.g., Spanish; Chinese)?
- Keep readability at a fifth grade level, which is the recommended level of understanding for court users.
- Some information to include would be:
 - Expectation/roles of JDC team members and youth/families
 - Detailed schedules for court and treatment
 - Contact information for JDC team members (e.g., calling tree)
 - Maps/addresses for important locations (e.g., drug testing centers)
 - Sections for case plan/goals (e.g., treatment goals, court goals, school goals)
 - Include blank sheets for questions or notes

7 **Tip No. 7:** Most importantly, when working with families, JDC teams should have patience.

- Be prepared for resistance from the youth and families.
- Be prepared for manipulation from the youth and families.
- Always keep in mind that these families and significant others may have several things going on at one time!



- If families and youth are struggling with time management issues, the JDC team should work to remove any barriers (e.g., set up reminder texts, calls, or emails or implement easy-to-read, simplified schedules).

CHECK FOR UNDERSTANDING: *How would you engage the Thomas family using some of the Tips discussed above?*

ANSWER: Listen respectfully and attentively to Ms. Thomas's concerns and periodically ask if there are any questions. Respond to those concerns which you are able to and seek clarification regarding any issues that are not clear. Ask Ms. Thomas if another family/extended member, such as Nona, who would be available to attend and actively participate with Victor – permit Ms. Thomas to suggest someone else. Determine, if any, additional conflicts to either of them attending. Give the family hope. The drug court team is there to help and support Victor and the Thomas family. Indicate that you will keep her informed regarding Victor's progress and follow through with this promise. Provide her with contact information, where you or another team member can be reached if there are additional questions. Provide the family with a participant guide or JDC binder loaded with all of the information the youth and family need to know. Thank Ms. Thomas for taking the time to meet with you to share her concerns.

ADDITIONAL RESOURCE(S):

- NCJFCJ Juvenile Drug Court Information Center <http://www.ncjfcj.org/our-work/family-engagement>
- *Juvenile Drug Courts: Strategies in Practice* – Page 43
- Family Resource, Support, & Education Services - <https://www.childwelfare.gov/famcentered/services/resource.cfm>
- Engaging Families, Act for Youth Center of Excellence - http://www.actforyouth.net/youth_development/communities/partners/families.cfm

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Educational Linkages

CASE STUDY: Jimmy's parents have virtually no faith in the educational system; both were high school drop-outs. At the age of six, Jimmy was tested and placed in special education classes for both intellectual and social adaptability deficits. As a special education student, he is eligible for educational services until age 22, but his attendance and efforts to learn are minimal. At age 17, he came before the court system for truancy. He was ordered to attend school regularly, but soon returned to court for violation of the school's zero tolerance policy for marijuana and alcohol found in his locker. It became clear that the school system did not want Jimmy in school, so he was recruited into the drug court program.

Solution-focused Tips for educational linkages:

- 1** **Tip No. 1:** The JDC team should include a committed, experienced educational representative on the drug court team.
- Include an educational representative on both the planning and operational teams to ensure that participants will be seamlessly served before, during, and after juvenile drug court involvement.
 - Have the educational representative choose a school liaison from each of the educational facilities available to youth, whether public school, alternative school or vocational preparatory centers. Liaisons should focus on educational advocacy.
 - Have the responsibilities of this team member and/or liaison include: coordination and exchange of information about participants' grades, attendance, behavior and assessment results.

- 2** **Tip No. 2:** The JDC team should focus on expanding current educational and vocational opportunities for all participants.
- Provide for cross training and professional development workshops so that the team is well informed of new technologies and educational opportunities.
 - Track and analyze school-based inquiries and data collection that document perspectives, needs and satisfaction of students and their families; this may help to increase family engagement and participation in education.
 - Inform participants and family members

about community activities that support learning skills and diverse talents, as well as health, recreational, cultural and social activities (as these are wonderful learning opportunities).

- Have participants and family members document lessons learned while involved with drug court as information to be shared with a focus on continuous improvement.
- 3** **Tip No. 3:** The JDC team should learn the language of education so that appropriate referrals and resources can be utilized.
- Recognize that the conventional school setting is not appropriate for everyone; therefore, linking with the system(s) can provide information on alternative schools, on-line learning programs, home schooling, vocational training, and GED programs.
 - Funding streams attached to education may be available for special needs; some of these terms include: IDEA, 504, gifted, various learning disabilities, specific behaviors and many others. The juvenile drug court's knowledge of educational terminology can be instrumental when trying to increase resources.
 - Get involved in the school's requirement to conduct multi-disciplinary team meetings (M-teams or S-teams) to accommodate students with special needs; coordinate the schools' recommendations with treatment plans of drug court participants.
 - Know your state's standards and high need career options to advise youth on what they

need to know and what education or skills they will need in order to become successful.

4 Tip No. 4: The JDC team should participate in school-related activities.

- Attend PTA or school open houses to present juvenile drug court as a viable resource and partner for those substance users in the schools.
- Present knowledge-based information on warning signs, symptoms and effects of substance use to promote awareness in the schools.
- Know the schedule of school functions and activities to allow the juvenile drug court team to attend and be represented; be sure schedules are widely disseminated to team members.

5 Tip No. 5: The JDC team should respect the various structures that assist in continuous improvement of the educational system(s).

- Include parents, grandparents and other extended family members that have nurturing and caretaking responsibilities in decisions about participants' education.
- Account for cultural differences in the roles of family in education, as well as making an effort to understand cultural expectations for school success.
- Foster expanding partnerships and collaboration between drug court programs and educational providers.
- Include surveys, interviews and open discussions to inform your drug court about how to improve both the drug court program and educational offerings.

6 Tip No. 6: The JDC team should recognize the academic focus of schools, but work to form linkages that are especially relevant to at-risk adolescents.

- Ask educational representatives to include well-structured school-to-work programs for those students who do not plan to attend college.

- Work with schools to obtain funding that can support their ideas for expanding opportunities by leveraging existing funds.
- Match JDC participants to mentors in employment or community service experiences, helping to nurture participants' interest in becoming successful. This may also help to reduce negative peer pressure.
- Instruct JDC youth participants on modes of dress and behavior appropriate to public appearances, like school and work settings, to help build participants' self-confidence and self-esteem.

CHECK FOR UNDERSTANDING: *How can the juvenile drug court help to provide a solid educational foundation for Jimmy and all other participants?*

ANSWER: Placement in special education can be confusing and overwhelming to parents, especially those who have children with limited education or undiagnosed learning disabilities. Discuss Jimmy's needs and different options available with the educational representative on the JDC team. Review records of attendance, grades, behavior, and assessment results to check for patterns in the student's learning and academic progress. Discuss with the educational representative Jimmy's abilities to meet state standards. Ask the school site evaluator to perform current evaluations that will help to match Jimmy's abilities and interests with career options. Incorporate this information into treatment planning. Decide on the best-suited educational placement for Jimmy. Include Jimmy, his parents and/or extended family in the decision-making process through surveys, interviews and follow up discussions. Once Jimmy's educational placement has been decided, plan to partner with this educational entity to provide for mentoring in employment and community service settings. Monitor closely for those issues that were problematic in the traditional school setting, such as performance, attendance, behavior and results of additional assessments so that any problems can be addressed immediately. Sometimes, one-on-one attention and meeting individualized needs cannot be addressed solely by an over-



EDUCATIONAL LINKAGES

burdened school system; the juvenile drug court team can make educational success a reality!

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information - <http://www.ncjfcj.org/educationallinkages>
- *Juvenile Drug Courts: Strategies in Practice* – Page 46
- Helping Disconnected Youth by Improving Linkages between High Schools and Careers - www.urban.org/publications.

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Drug Testing

CASE STUDY: Lee County's juvenile drug court judge attended a statewide Juvenile Drug Court Conference. One of the breakout sessions was about drug testing. After the session, two questions formed in the judge's mind. When he returned to his court he wanted to know how urine collection was conducted by the JDC and if the team was potentially abusing detention for positive urine screen results. The coordinator said that the procedure had changed once the program's grant had ended, and they were now following the same protocol as regular probation. The coordinator said they were no longer able to afford the previous phone system (that clients used daily to find out if they were required to drop) after the program's grant ended. She also indicated that participants received regular weekly urine drops either before or after group or individual sessions with treatment. The coordinator said she also had concerns about the number of days clients were spending in detention due to positive screens.

Solution-focused Tips to developing a drug testing policy:

- 1 Tip No. 1:** The JDC should disseminate policy and procedure regarding drug testing among team members and participants.
 - As the leader and convener of the juvenile drug court, it is important for the judge to know and understand the JDC's drug testing protocols - all team members need to know how collections occur.
 - Using detention or placements for positive urine screens is not recommended – the team is encouraged to develop alternative responses for positive UAs (responses from treatment and the court).
 - Making changes in drug testing protocol without informing the team and families may lead to confusion and negatively affect the family's willingness to support the treatment plan.
 - Procedures should always be in writing for the team and participants.
- 2 Tip No. 2:** The JDC team should have a clear understanding of random drug testing.
 - Ask the question, "does our random urine collection procedure give substance abusing youth the opportunity to be better prepared for a drop?"; if a client has treatment three times a week and he or she *KNOWS* treatment collects urine for a drug test before or after, is that really random?
 - Randomness offers fewer opportunities for youth to mask or alter a positive urine sample.
 - A drug testing protocol is not random just because the client doesn't know if he or she is being dropped before or after treatment. The fact that the youth *KNOWS* there will be a drop that day indicates the drug test is *NOT RANDOM*.
 - The following is an example of an affordable random process:
 - Use a wipe board to keep track of the day's urine samples that were collected.
 - Purchase a cheap bingo game. Every week assign a client to a number on a ball. Pull the number of balls to equal the drops you wish to do for each day.
 - Chart a week's worth.
 - Keep track for a month to ensure the court is not testing the same client on the same days each week.
 - Random also means the *TIME* of day isn't consistently the same. You may meet the standard of random in reference to different days. However if the client *KNOWS* you collect urine only in the morning, the court has failed to meet the standard of random once again.
 - To be truly random, the team should discuss ways in which collection can occur after 5pm on weekdays and on the weekends, especially if the targeted youth have alcohol abuse or other



substances that flush through the system within 72 hours.

- Diversify drug testing (e.g., use of cotton swabs) – it doesn't always have to be urine collection.

3 Tip No. 3: The JDC team should understand that a treatment response is important for each positive sample.

- Positive test sanctions shouldn't always equal detention, if ever – if detention was the answer to recovery, would there be a need for JDC's?
- The purpose of drug testing is to monitor and support the treatment plan; it shouldn't be about catching clients.
- Challenge the team to answer the following question: "What if we didn't have detention available in our county?"

4 Tip No. 4: The JDC team should analyze their drug testing policy and monitor sanctions closely.

- Ask, "Are we testing enough – do we have an accurate picture, (through screening) as to the drug of choice for each client?"
 - Recommended practice for drug testing frequency is 2-3 times per week and keeping drug testing levels consistent throughout the entire length of the program.
- Is our testing really random - considerations: Location of collection? Days of the week? After hours? Weekends? Various testing instruments?
- Make it a goal to reduce detention days – if this isn't a goal, the team won't consider it important.
- Consider implementing a privilege reduction model (i.e., contingency management) to respond to positive and negative UAs.

CHECK FOR UNDERSTANDING: *What steps should the Lee County JDC incorporate into the drug testing procedures?*

ANSWER: Lee County JDC should make sure that all of the team members are educated as to the team's drug testing protocol. Allow for feedback and discussion if necessary. A part of Lee County JDC team's quality assurance plan should be reviewing these procedures, at a minimum, on an annual basis. Many counties don't have the finances to afford expensive highly technological sound devices to assure randomness for urine screens. The team shouldn't be discouraged from providing a random procedure for their JDC. Having a system in place that allows those who collect samples to view how tests are taken is a good first step. It doesn't matter if Lee County JDC has an expensive system or a creative innovation a team member has developed. The criterion is the same for being random: *be unpredictable*. Lee County JDC can accomplish this by administering random drug tests at various times, days, locations and using various testing instruments. Lastly the team should place an importance on the role of treatment for long term success for sobriety, and one of the best areas to utilize this approach is after a positive urine screen. Remember, drug testing is a tool to assist with the treatment plan. Treating positives with court-only sanctions is drifting away from the JDC model and closer to traditional probationary standards. Having the JDC team buy into detention reduction could help with sustainability from stakeholders and community leaders.

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information Center - <http://www.ncjfcj.org/drug-testing>
- *Juvenile Drug Courts: Strategies in Practice* – Page 49
- Random Drug Testing as a component of addiction treatment - <http://www.asam.org/advocacy/find-a-policy-statement/view-policy-statement/public-policy-statements/2011/12/15/drug-testing-as-a-component-of-addiction-treatment-and-monitoring-programs-and-in-other-clinical-settings>

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Goal-Oriented Incentives and Sanctions

CASE STUDY: The Evergreen County Juvenile Drug Court (JDC) launched in 1996 and proudly operates as one of the longest running juvenile drug courts in the country. The team has seven core members who have worked together for five years. All team members have received local, state and national training on the model, as well as topic-specific trainings. The program is built to serve 25 youth at any time, and the team has two active treatment providers who are both able to offer an array of evidence-based treatment modalities. The team, however, is increasingly frustrated with low graduation rates, high termination rates, and an inability to fill the program.

Two years ago, team members began conducting exit interviews with youth and families so that they could collect information on what worked and what was not helpful to the JDC client. The team quickly noticed a trend in responses from former clients regarding the use of incentives and sanctions. Youth and families repeatedly reported that they did not understand the purpose or use of incentives. Youth reported that they were generally uninterested in the gifts or incentives that they received, or didn't understand why they received a certain type of incentive. As one youth stated: "I think they just felt bad because they hadn't given me anything in a long time." In terms of sanctions, youth believed that the court was overly harsh and too quick to punish. One youth reported that that after his first dirty UA he was placed into detention for seven days, and by his third dirty UA he served 21 days. Youth and parents also reported that no one bothered to ask them what sort of incentives were important to them, or what they considered to be an effective consequence.

Solution-focused Tips to create an effective incentives and sanctions process:

1 Tip No. 1: Team members need to embrace the philosophy that the use of incentives and sanctions is to *motivate for behavior change*.

- Read and understand the *Juvenile Drug Courts: Strategies in Practice* and how incentives and sanctions fit within the larger model and intended outcomes.
- Read and have focused discussion of the "Making Sense of Incentives and Sanctions in Working with the Substance Abusing Offender" written by Yeres, Gurnell and Holmberg. This resource will help team members shift from rewarding and punishing to engaging youth through calculated and thoughtful steps to move youth toward behavior change.
- Utilize on-line training opportunities available through the NCJFCJ, Center for Court Innovation, and the National Drug Court Institute to continually stay abreast of the latest research findings on incentives and sanctions.

2 Tip No. 2: The JDC team should develop written incentive and sanction procedures based on the concepts of proximal and distal goals.

- Research has shown that courts that have written guidelines for incentives and sanctions procedures experience stronger outcomes (NPC Research, 2013).
- Distinguish between proximal and distal goals when addressing behaviors.
 - Proximal goals are immediate. They are goals or directives that the youth can regularly address (e.g., school or counseling attendance) and should be rewarded immediately.
 - Distal goals are much more difficult for youth to address. These goals (e.g., obtain GED) take greater time to address and accomplish, given that youth are limited in their ability to see long-term solutions. Teams should carefully craft responses to distal goals that are tied to the behavior (or program condition) that they are trying to address.

3 Tip No. 3: After a period of sobriety and stability, the JDC team (case manager, treatment provider, and coordinator) should sit down with the youth and family representative and generate a list of rewards and consequences.

- What is rewarding and/or consequential to one youth is not necessarily so for another youth in your program. Creating a level of individualization, while also building family-based incentives leads, to greater motivation for change.
- Teams can still utilize grid systems, but ensure enough flexibility in each section to meet the varied needs and interests of program youth.
- This list of incentives and sanctions should be updated every 60-90 days.

4 Tip No. 4: The JDC team should match the use of incentives and sanctions to the current phase.

- Goals vary according to phase, and therefore so should incentives and sanctions. Phase one should be considered a brief, orientation phase with minimal requirements. This will allow for a period of stability and exposure to new structure and treatment. JDC operations that focus on a long, requirement-heavy phase one often lead to excessive punishment based on too many stringent requirements.
- JDC teams should expect more from youth as they move through phases.
 - Phase one is considered a period of stabilization, and youth should have minimal expectations and be rewarded for simple steps (e.g., showing up for treatment).
 - Phase two and three are focused on program engagement and completion, and team members should expect stronger behaviors; therefore, rewards and sanctions should match to greater expectations.

- Phase four is a step down phase, and teams are cautioned to carefully address sanctions in this phase, as over-punitive responses (e.g., “They should have known better” and “we left off at seven days detention”) can cause greater setbacks.

- JDC teams should monitor their data on a continual basis to ensure that treatment-related behaviors are being addressed through a therapeutic process. In addition, teams can ensure that a wide range of incentives and sanctions is used, that the incentives and sanctions are directly tied to the underlying behavior, and the incentives and sanctions are meaningful to the individual youth to whom they are applied.
- Extensive research shows that the least effective way in which to bring about behavior change is through the use of detention. It is also the most costly. Teams are encouraged to use detention sparingly.

5 Tip No. 5: Teams should employ a variety of methods in both treatment and in the court room to visualize the incentives and sanctions process, which allows for greater engagement and understanding of the process.

- Youth learn through various mediums, and are often visual and tactical learners.
- Teams are encouraged to use white boards, “checking accounts” and other methods to track weekly progress. With the white board approach, youth step up to the board to check off or place stickers on the program goals that they have achieved for the week. For the checking account, youth are awarded points for positive behaviors and goal attainment each week and can “cash a check” for relevant incentive items when they so desire.
- JDC teams are encouraged, if possible, to incentivize parents or caretakers as well, and to make them an active participant in the incentive/sanction process in the front of the courtroom.
- Team members are encouraged to read *Contingency Management for Adolescent*



Substance Abuse: A Practitioners Guide (2012) by Henggeler, Cunningham, Rowland & Schoenwald for further practical tips and ideas on how to integrate contracts and point-reward systems into their drug court program.

6 Tip No. 6: Team members should use their data to review the effectiveness of the incentives and sanctions, and engage in open communication (among the team, youth and family) about the changes in incentives and sanctions.

- Courts that use their data in an ongoing manner to monitor for effectiveness and make necessary adjustments have stronger program outcomes and greater cost savings (NPC Research, 2013).
- Teams should survey and/or interview youth and family upon program completion to collect detailed information about the appropriateness and effectiveness of their current incentives and sanction procedures.

CHECK FOR UNDERSTANDING: *How would you ensure that the Evergreen County JDC utilizes proper methods and techniques to motivate youth for behavior change?*

ANSWER: The Evergreen County JDC team should be encouraged to capitalize on all training opportunities, as well as assign several team members to carefully reviewing the literature sources outlined in this tip sheet. This information should then be presented at a policy meeting to discuss the array of information and to develop the new procedures. Once the method of engagement (e.g., point system, white board, etc.) is selected, then all necessary forms should be developed. The team should allow sufficient time for these changes to take place within the courtroom and at the treatment provider. Teams also need to develop the forms necessary to collect information from youth and families about what they perceive to be meaningful rewards and consequences. The judge should engage the youth and family member each court session via an integrated process of review (e.g., “Tell

me what goals you have met for the week?” and “So, Mom, tell me what you both worked on this week and how it went.” “How many points did you earn this week and why?”), while ensuring that the time spent talking with the youth is short and targeted. Gone are the days of ordering a youth to complete community service work due to missing school. Instead, the team is focused on addressing the school truancy through school-based interventions such as a teacher signing an attendance card, tutoring and/or after school sessions with teachers.

ADDITIONAL RESOURCE(S):

- NCJFCJ’s Juvenile Drug Court Information Center - <http://www.ncjfcj.org/collaborative-planning>
- *Juvenile Drug Courts: Strategies in Practice* – Page 53
- NPC Research - http://www.npcresearch.com/publications_drug_treatment_courts.php
- Henggeler, S. W., Cunningham, P. B., Rowland, M. D., & Schoenwald, S. K. (2012). *Contingency management for adolescent substance abuse: A practitioner’s guide*. New York, NY: The Guilford Press.

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Confidentiality

CASE STUDY: The Granite County Juvenile Drug Court (JDC) has experienced significant turnover of its team members. None of the organizational team members remain involved with the court for very long, and no prior operational team members are available for mentorship or guidance. There are inadequate written policies and procedures, which have never been updated. Program providers are reluctant to provide treatment information to the team because participants complain that their confidential treatment information is not safeguarded by the JDC. The team expects each participant's attorney to provide confidential client information. The new team members have agreed to re-evaluate the program. They know that confidential information is necessary to provide appropriate treatment and monitor program compliance, but they are uncertain of how to obtain and use it. They are committed to creating a written policy and procedures to govern these matters.

Solution-focused Tips to safeguard confidentiality:

1 Tip No. 1: The JDC team should understand that substance abuse treatment and related records are confidential under federal and state law and regulations, 42 United State Code Section 290dd-2 and 42 Code of Federal Regulations, Part 2.

- Federal confidentiality rules are broad enough to cover virtually all JDCs.
- State statutes on confidentiality exist and are in addition to the federal requirements.
- Federal regulations control confidentiality unless state regulations are more restrictive.
- Confidentiality laws encourage and support treatment.

2 Tip No. 2: The JDC team should develop policies and procedures which protect the privacy of participants while giving treatment information to team members.

- Participants can consent to the use of their confidential information by the JDC.
- Consent forms must be in writing and must contain the nine elements enumerated in Title 42, Section 2.31 (a) of the Code of Federal Regulations.
- Unless specifically stated in the written consent, re-disclosure of confidential information is prohibited.
- Parents or guardians may be required to consent for a minor under state law.

3 Tip No. 3: The JDC team should develop a consent form which is clear and self-explanatory and consent must be voluntarily given.

- Participants must understand that they have a right to confidentiality.
- Require disclosure of only that information needed to monitor program compliance.
- Allow participants to discuss the consent form with an attorney before signing.
- Review the consent form with participants after they have been in the program for a period of time. Require them to re-execute the consent when they more fully understand the JDC program – mid phase two, after they have gone through a stabilization period.
- JDC participants have the right to revoke their consent, so be sure that all team members are aware of this.

4 Tip No. 4: The JDC team should develop written procedures which control how confidential information will be shared, managed and stored.

- Care must be taken not to re-disclose confidential information.
- Determine who will have access to what confidential information.
- Confidential information must be securely stored in both written and electronic form.



- JDC files should be marked confidential and stored separately.

5 Tip No. 5: The JDC team should use Memoranda of Understanding (MOUs) to clarify how information will be accessed, shared and used among the parties and programs of the JDC.

- An MOU can identify the limits the JDC places on the prosecutor's use of JDC information.
- An MOU can specify how educational information will be shared among team members.
- An MOU can address matters of JDC operation such as what confidentiality agreements must be signed to allow outsiders to attend meetings and court sessions.

6 Tip No. 6: The JDC team should understand that defense attorneys have an ethical obligation to maintain a client's confidentiality.

- Confidentiality is fundamental to the attorney-client relationship and JDC participants should not be required to waive that confidentiality.
- Defense attorneys should not be expected to provide confidential client information to the team without specific consent of the participant.
- Attorneys may encourage participants to disclose confidential information to the court to further the drug court purpose and to provide the best treatment possible.

7 Tip No. 7: The JDC team should understand that it is a crime to violate the provisions of Section 290dd-2, 42 USC and the accompanying regulations.

- Participants and team members should understand the penalties which may be imposed for the improper disclosure of drug court information.
- Provide a grievance procedure for participants and families who feel their

privacy rights have been violated.

- Re-execute consent forms when team members change.

8 Tip No. 8: The JDC team should decide whether juvenile drug court sessions will be open or closed.

- Determine whether state law allows or prohibits open court sessions.
- Be sure that the participant's consent reflects the situation.
- Limit discussion in an open setting to program compliance. Do not reveal confidential information.
- Deal with sensitive medical, family or other information in staffing or a closed setting.

CHECK FOR UNDERSTANDING: *How can a JDC obtain and utilize confidential drug treatment information? What policies and procedures should be established to guard the privacy of this information?*

ANSWER: The release of confidential drug court information is governed by Section 290dd-2, Title 42, United States Code and the regulations found in Title 42, Part 2 of the Code of Federal Regulations. Some state laws and procedures may also apply. Consent to the release of confidential information must be in writing and must include nine specific elements. The law and regulations also specify how the released information may be used and shared by team members and programs of the JDC and how it is to be stored. A JDC should develop written policies and procedures to address each specific federal and state confidentiality requirement.

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information Center - <http://www.ncjfcj.org/confidentiality>
- *Juvenile Drug Courts: Strategies in Practice* – Page 55
- Practical Guide for Applying Federal Confidentiality Laws to Drug Court Operations - http://madcp.dreamhosters.com/sites/default/files/2D_Barbour_1936.pdf



CONFIDENTIALITY

- Federal Confidentiality Laws and How They Affect Drug Court Practitioners - <http://www.ndci.org/sites/default/files/nadcp/federalconfidentiality.pdf>
- Ethical Considerations for Judges and Attorneys in Drug Court - <https://www.ncjrs.gov/pdffiles1/nij/grants/197080.pdf>

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