

PERMANENCY



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EARLY CHILDHOOD AND SAFE BABIES COURTS



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WHY IT MATTERS

One third of children and youth in foster care are under the age of five. In 2016, 31,295 babies under the age of one were living in foster care and 18 percent of all children who entered foster care in 2016 were less than one year old.¹ Babies are the least likely of all age groups to exit care within six months. Not only are the numbers of infants and young children who live in foster care concerning, their vulnerability is extremely high. Many infants in care have been prenatally exposed to alcohol or dangerous drugs and were born with low birth weight, prematurely and many suffer from serious physical health problems.² Developmental delays occur at a rate that is four to five times greater than that of children in the general population.³ Unfortunately, the needs of the youngest group of children in foster care have historically gone unrecognized. Infants and babies are often perceived

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as easy to parent and easier to move among different foster families due to lack of ties to schooling, peers, and community. Fortunately, there is a growing sense of urgency that the first year of life in a child's development is critical to their future well-being and

that intervening early in the lives of young children impacted by abuse and neglect must be a priority.

Safe Babies Court Teams (SBCTs), Early Childhood Courts and Baby Courts are all labels to describe courts that focus on improving and expediting services for young children in foster care. According to the Safe Babies Court Team, their program is designed to protect babies from further harm, address the damage already done, and expose the structural issues in the child welfare system that prevent families from succeeding.⁴

Data demonstrates that compared to those in traditional family court, infants and toddlers:⁵

- End up in a permanent family two- to three-times faster,
- Leave foster care a year earlier; and,
- End up with their own family nearly twice as often.

Although different models of these courts have some unique practices, there are common elements that they operate under:

moved is traumatizing to the child and decreases the likelihood for reunification, and detrimental to their development, considerable thought and consideration goes into either the initial placement outside of the home or decisions about what needs to happen to keep the child safely in their home.

- There are multiple voices present during the hearings including therapists, childcare workers, family members, foster parents, advocates, etc. all sharing a common interest and commitment to helping babies and their parents succeed. Many

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- They are convened by a judge with jurisdiction over foster care cases and child welfare agency leaders. The judge collaborates with other judges, child welfare staff, attorneys, service providers and community leaders to aid in implementation of the court practices.
- They are family focused with the goal being to support parents in their parenting skills, attachment with their child, and addressing parent trauma histories that may make it difficult for them to effectively parent. This also means providing expedited services to substance abuse treatment or parent-child interaction therapy. The goal is to produce the best parenting possible and a loving parent-child bond whether or not the child ends up living with the parent.
- They promote placement stability, with a philosophy that the first placement is the last placement. Recognizing that each time a young child has to be

programs provide training to team members on the social and emotional development of infants and toddlers, infant mental health, historical trauma and other issues of concern.

- Many judges encourage and expect babies and toddlers to be present during hearings and have designed court rooms that are child friendly. Some even have therapy dogs present along with toys and children's books. Staff act as role models for appropriate interactions with the children.
- Cases in baby or early childhood courts are heard more frequently, sometime as often as once or twice a month. Recognizing that a month is a long time from a developmental perspective of a baby, these hearings are critical pieces to ensuring that everyone involved in the case is staying on track and that permanency will be achieved quickly and safely.

- For babies and toddlers not living with their parents, visitations are generally much more frequent and case workers are encouraged to ensure that they take place in settings with opportunities for natural parent-child interactions to occur.⁶

Evaluations show that these courts work. One study that evaluated four sites operating Safe Baby Courts found that more 99 percent of infants and toddlers served

through the program were protected from maltreatment following the original case closure.⁷ Another study found that compared to a matched sample, those served in Safe Babies Courts reached permanency two- to three-times faster.⁸ According to an evaluation by *Economics for the Public Good*, the short-term savings due to children leaving foster care more quickly represents an estimated average of \$7,300.⁹

ADVOCATES IN ACTION

If we have something like Early Childhood Court where we can monitor the children and get them the mental health treatment that they need then the outcome is very positive. If we don't have that intervention and they're never treated for the trauma that occurred the outlook can be bleak.

– Kathryn Shea, CEO, Florida Center for Early Childhood

ACTIONS:

- **Learn if there are early childhood courts/safe babies courts in your jurisdiction.** If so, learn more about how they operate, whom they serve, and what their outcomes are. If you are serving the best interests of young children, consider recommending that their case be heard in baby courts. Work with the caseworker, parents and foster parents to educate them about the benefits of such a court.
- **If there isn't a safe babies court or early childhood court in your jurisdiction, identify elements from these courts that you could recommend for the babies and toddlers you work with.** For example, should you recommend more frequent visits with parents? More frequent hearings

with the judge? More services for parent and child that will help them build a stronger bond? Work with the team to ensure that the first placement is the last placement. Advocate that a baby stay with their parent if it is safe to do so and that parents be provided with in-home services versus out-of-home placement.

- **Inquire as to whether it makes sense for an infant mental health specialist to conduct an assessment or evaluation of the child.** Given that babies can't communicate with words about their desires and wishes, a strong infant mental health specialist can help translate what a baby's social, emotional and developmental needs are. They can also assess the parent-child's relationship to identify strengths and gaps. The gaps can lead to identifying goals on the case plan for both parent and child.¹⁰

- **Encourage court personnel, child welfare staff, and all other parties to the case to become trauma-informed.** Does a strong knowledge-base exist among all involved parties on the impact of trauma on young children? Can those involved recognize trauma symptoms in infants and

toddlers?¹¹ Even if a court isn't identified as a "safe babies court" or "early childhood court," having a trauma informed lens when working with young children and their parents will change the dynamics of how the team interacts with the family.

BRIGHT SPOT

EARLY CHILDHOOD COURTS FLORIDA

Florida's Early Childhood Court (ECC) model addresses child welfare cases involving children under the age of three. Based on ZERO TO THREE's Safe Babies Court Teams approach and the Miami Child Well-Being model, the goals of Florida's ECC are to:

- Improve child safety and well-being
- Heal trauma and repair the parent/child relationship
- Expedite permanency
- Stop the cycle of intergenerational abuse/neglect/violence

In three years, ECC has grown from just a few sites to 21 sites in Florida. Based on the science of healthy attachment and early development from birth to age three, ECC courts provide appropriate in- and out-of-court services and practices to support infants and toddlers who have come to the attention of the child welfare system. There are 15 core components in ECC, including judicial leadership, a community coordinator to facilitate the court team's activities, monthly court reviews, child-parent psychotherapy, frequent parent-child contact and the use of team meetings.

The Guardian ad Litem (GAL) is an important part of the multi-disciplinary team that supports the child and family as they go through the process.¹² ECC holds monthly hearings as well as monthly team meetings which the GAL attends along with others including the parent(s), community coordinator, attorneys, child welfare staff, family clinician and other support personnel. Because the GAL may only have one or two cases they are serving on, their role is important to the informing of the team and court as to what is happening with the family, what supports are needed and so on. ECC participants receive regular training

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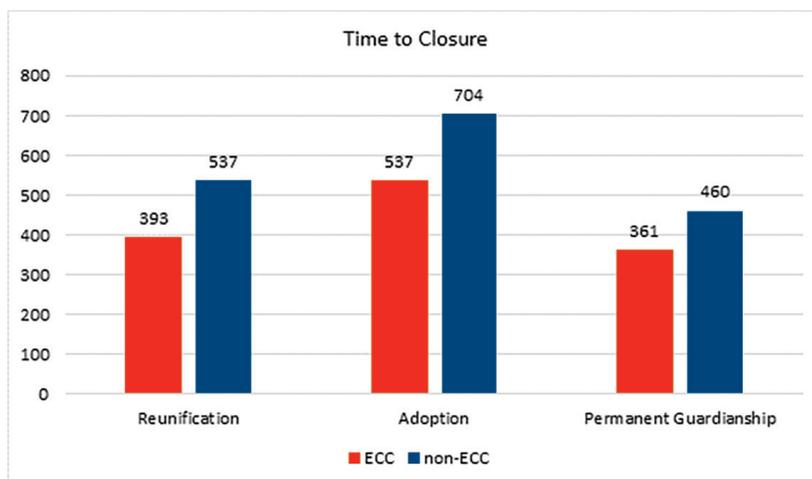
on early child development, the impact of trauma on development, and how best to serve young, vulnerable children in the context of the parental relationship.

The impacts of ECC are promising with data showing reduced time-to-permanency for young children who

participate in ECC versus those who do not, including reunification with parents, adoption and permanent guardianship with a relative or non-relative. Furthermore, the data has revealed a slight decrease in re-removals after case closure for ECC children versus non-ECC children.

For more information contact training@casaforchildren.org

To learn more: <http://www.flcourts.org/resources-and-services/court-improvement/problem-solving-courts/early-childhood-court.stml>



SELECTED RESOURCES

Name	Description
<p><u>The National Child Traumatic Stress Network, Bench card for the trauma-informed judge</u>¹³</p>	<p>These two Bench Cards provide judges with useful questions and guidelines to help them make decisions based on the emerging scientific findings in the traumatic stress field.</p>
<p><u>Florida State University, Florida’s Early Childhood Court: Improving outcomes for infants and toddlers in Florida’s dependency court</u>¹⁴</p>	<p>This document provides descriptions of the Early Childhood Court Team core components, steps to starting an Early Childhood Court team and helpful resources.</p>
<p><u>ZERO TO THREE, Safe Babies Courts</u>¹⁵</p>	<p>Since 1977, ZERO TO THREE has advanced the proven power of nurturing relationships by transforming the science of early childhood into helpful resources, practical tools and responsive policies for millions of parents, professionals and policymakers. This organization manages the Safe Babies Courts located across the country.</p>

ENDNOTES

- 1 U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, www.acf.hhs.gov/cb
- 2 Barth, R.P., Scarborough, A.A., Lloyd, E.C., Losby, J.L., Casanueva, C., & Mann, T. (2008). *Developmental status and early intervention service needs of maltreated children: Final report*. Washington, D.C: U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation.
- 3 Ibid.
- 4 ZERO to THREE (2014). The Safe Babies Court Teams project. Available from <https://www.zerotothree.org/our-work/safe-babies-court-teams>
- 5 Hafford, C., & DeSantis, J. (2009, October). *Evaluation of the court teams for maltreated infants and toddlers: Final report*. Available from http://www.jbassoc.com/ReportsPublications/Court%20Team%20Maltreated%20Infants%20and%20Toddlers_Final%20Report_Ex2%E2%80%A6.pdf
- 6 See Issue Brief on "Visitation Considerations for Young Children"
- 7 Hafford & DeSantis
- 8 Foster, E.M., & McCombs-Thorton, K.L. (2012, June). *Investing in our most vulnerable: A cost analysis of the ZERO TO THREE Safe Babies Court Teams initiative*. Birmingham, AL: Economics for the Public Good, LLC. Available from <https://acestoohigh.files.wordpress.com/2015/02/economicsforpublicgood.pdf>
- 9 Ibid.
- 10 See Issue Brief on "Assessing the needs of young children."
- 11 See Issue Brief on "Understanding early development, trauma impacts."
- 12 In Florida, the Guardian ad Litem (GAL) serves in a volunteer position similar to the CASA role
- 13 http://www.nctsn.org/sites/default/files/assets/pdfs/judge_bench_cards_final.pdf
- 14 <http://cpeip.fsu.edu/babyCourt/court2.cfm>
- 15 <https://www.zerotothree.org/resources/515-safe-babies-court-team-a-proven-solution>