01

Common Issues Impacting D&N Families

Why do these families do what they do?

Presenter Name

Presenter Organization

Any other info presenter wants audience to have

“Do your little bit of good where you are; its those little bits of good put together that overwhelm the world.” ***Desmond Tutu***

✱ RELEVANCE OF SOCIAL SCIENCE TO D&N CASES

- Best Interest Standard
- Definition of D&N Child. C.R.S. § 19-3-102
- Termination Standard. C.R.S. § 19-3-604

→Primary consideration to the physical, mental and emotional needs of the child

- Placement

<u>Goal of Session</u>: Not to make you a social science expert, but provide basic exposure to relevant family dynamics. Additional research and training in these areas will be necessary!

Common Issues

Child Development

Attachment

✓"Where the child uses the primary caregiver as a secure base from which to explore and, when necessary, as a haven of safety and a source of comfort."*

✓Bedrock of healthy development.

✓All of the substantive topics discussed today (mental illness, substance abuse, DV) can negatively affect attachment, IF NOT MITIGATED.

***Benoit, Diane*, Infant-parent attachment: Definition, types, antecedents, measurement and outcome*, Pediatric Child Health 2004 Oct. 9(8), 541-545**

Childhood experiences are powerful determinants of who we become as adults.

Adverse Childhood Experiences (ACEs)

- CDC/Kaiser Permanente Study
- Decades Long; 17,000 People Involved; Largest Study Done of Its Kind
- Looked at Effects of ACEs over lifespan
- ACEs Studied: Emotional, physical and sexual abuse; Neglect; Domestic Violence; Substance Abuse; Mental Illness; Incarceration of Parent
- Higher ACE score individual has, the higher risk of numerous negative health and social outcomes
- Example: ACE 3, more than 2x as likely to be an alcoholic as ACE 0
- As the ACE score goes up, so does the risk of problems from adolescence to adulthood.

POP QUIZ!

See Handout Number 1

POP QUIZ ANSWERS

Category	Prevalence (%)
Physical Abuse	28.3
Sexual Abuse	20.7
Emotional Abuse	10.6
Physical Neglect	9.9
Emotional Neglect	14.8

- Individuals who reported six or more ACEs (adverse childhood experiences) had an average life expectancy of two decades shorter than those that reported none.
- In one study, 80% of 21-year-olds who reported childhood abuse met the criteria for at least one psychological disorder.
- In a study of 513 children exposed to drugs in-utero, rates of abuse were 2-3 times that of children in the same geographic region.
- Children who experience child abuse and neglect are 9 times more likely to become involved in criminal activity.

FAMILY RELATIONSHIPS

1. Purposes of Children's Code. C.R.S. § 19-1-102(1)
(keep children in the home, or return children quickly to home, whenever possible)
2. Attachment & ACEs
3. Assessment of Safety and Risk – NCFAS/New, revised safety/assessment tool
4. Sibling Issues—Joint Placement Preference: C.R.S. § C.R.S. 19-3-213(1)(c)(I)
C.R.S. § 19-3-213(1)(c)(I). GRID Sibling Fact Sheet F217-224
5. Extended Family Relationships—Placement Preference: 42 U.S.C. § 671(a)(19)
C.R.S. § 19-3-403(3.6)(a)(V); C.R.S. § 19-3-508(1)(b); C.R.S. § 19-3-605(1). GRID Relative and Kinship Placement Factsheet F207-216
Grandparents Special Preference:
C.R.S. § 19-1-115(1)(a); C.R.S. § 19-3-115(3)(a);
C.R.S. § 19-3-402(2)(a)
C.R.S. § 19-3-508(5)(b)(1)
Et cetera,

THE BIG THREE
(in no particular order)

MENTAL ILLNESS

Alone not a safety factor, but is a risk factor

Assessment
(early is best)

- DSM-V
- Axis I v. Axis II
- Neuropsychological Evals v. Psychological Evals v. Mental Health Evals

Colorado's Crisis and Support Line:
844-493-TALK (8255)

THE BIG THREE 10

Mental Illness

POINTS:

- If severe & untreated, impact to children: Neglect, Emotional Abuse, Physical Abuse, Etc.
- Rarely only issue you see
- Often Co-occurring/Dual Diagnosis

TREATMENTS:

- ✓ Evidence-Based
- ✓ Fit Diagnosis
- ✓ What is client motivated to participate in?

THE BIG THREE

Mental Illness

Children with Mental Illness

- Why so many in our system?

ACEs/Trauma

- What to do about it?

Mental Health Treatment

L.A.N. v. L.M.B. 292 P.3d 942 (Colo. 2013)

- When counseling's not enough?

RTC or RCCF v. TRCCF v. PRTF

- When, What and How Much?

Hot Topic: Psychotropic Medication for Children

NUMBER ONE REASON CHILDREN COME INTO CHILD WELFARE SYSTEM:

NEGLECT!

NUMBER ONE REASON CHILDREN NEGLECTED

SUBSTANCE ABUSE!

Adjudication

C.R.S. § 19-3-102
GRID H49-76

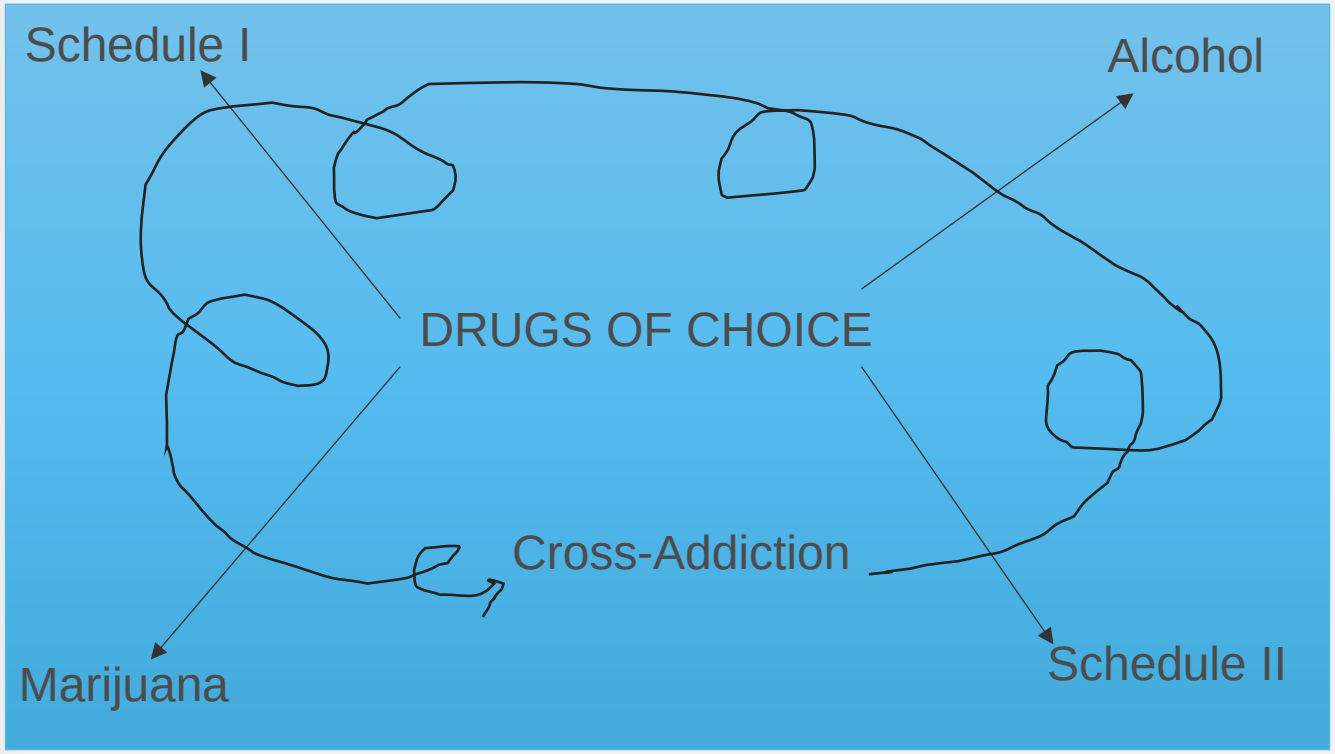
Injurious Environment
Lack of Proper Parental Care
In-Utero Use

*50-80% of all child abuse and neglect cases substantiated by CPS involve some degree of substance abuse by the child's parents.**

*USDHHS, Nat'l Center on Child Abuse and Neglect, Protecting Children in Substance Abusing Families, 1994

THE BIG THREE

SUBSTANCE ABUSE



***Always consider possibility of co-occurring/dual diagnosis**

Evaluations Determine:

Use — Abuse — Dependence

(early evaluation best practice)

Learn About Testing:

Breathalyzer (BAs)
Urinalysis (UAs)
Ethylglucuronide (EtG)
Hair Follicle Tests
Mouth Swabs
Sweat Patches

Random and varied methods of testing most accurate way to determine current use.

DOMESTIC VIOLENCE
is a
PATTERN of coercive and assaultive behaviors that include physical, sexual, verbal, and psychological attacks and economic coercion used against an INTIMATE PARTNER

- 85-95% of the victims female
- In one study, 50% of men who frequently assaulted wives also abused their children.
- More than 60% of DV incidents happen at home
- More than 3 million children witness DV in home every year
- Without intervention, girls who witness DV more likely to be victims and boys who witness DV more likely to be perpetrators

Power and Control

Domestic Violence

1. Contradiction & Overlap with Criminal System

2. Treatment
   - Offender: DVOMB
   - Victim: Crisis Intervention/Trauma-Focused
   - Children: Therapy
   - No couples counselling.

3. Impact to Children: Witnessing is more than seeing it.

INCARCRATION

Short Term
Long Term

- Impact to Children
- Availability of Services
- Visitation
- Termination of Parental Rights
  C.R.S. § 19-3-604(1)(b)(III), GRID H167

Angela Patton: A Father-Daughter Dance . . . In Prison
https://www.ted.com/talks/angela_patton_a_father_daughter_dance_in_prison?language=en

Other Common Issues

- **Homelessness/Housing/Transportation**
- **Failure to Protect (from DV and Sex Abuse)**
- **High, high conflict divorce/separation**

- **Others?**

UNDERSTANDING YOUR CHILDREN AND FAMILIES

Developmental Disabilities

- Various definitions depending on context.

- ADA, 42 USC § 12102(1):
  - protects against discrimination
  - requires reasonable accommodations and modification
- Title II of ADA applies to state and local agencies. 42 U.S.C. § 12131 *et. seq.*

- Social Security Disability Insurance ("SSDI"); dependent benefits

Parents With Disabilities

- One study suggest 12.9% of children in the system have caregiver with a disability*
- Community Center Boards/Single Entry Point
- Appropriate Services? Reasonable efforts. Treatment planning.
- Family and Community Supports?

*Through the Looking Glass; Gemmill, Alison, Summary of the 2008 National Child Abuse and Neglect Data System (NCANDS) Child File: Victims of Maltreatment and their Caregivers' Disabilities (Berkeley, CA: Through the Looking Glass, 2011).

Children with Disabilities

1. School Issues:
   - →Assessment: School District; Boards of Cooperative Ed. Serv. (BOCES)
   - →Disability: Learning or Behavior Related
   - → Behavior Intervention Plan v. Response to Intervention (RTI) v. Individualized Education Plan (IEP)
   - →Supportive services through age 21
   - → Specialized Issues; Take additional training

2. Financial Support
   - →SSI: Children can be eligible

3. Aging Out/Transitioning to Adult System
   - →School-to-Work Programs
   - →Adult Services?

Cultural Competence

TRUTH: Child Welfare has a Disproportionality Problem.*

- Know, understand, explore, consider potential biases
- Advocate for culturally relevant services
- Spend a little extra time in the homes of people most different from you
- Be open-minded!

***U.S. Dep't of Health & Human Serv., Child Welfare Information Gateway, Issue Brief, *Addressing Racial Disproportionality in Child Welfare* (Jan. 2011)**

Integrating Social Science Into Practice

DON'T:

- Go off of gut alone
- Ignore the Law
- Put Blinders On

✓ Evidence-Based

✓ Law-Based

✓ Family Specific

The Do's in Detail

- Prevent Out of Home Placement
  - when safety can be mitigated
  - use protective orders/safety plans pre-adjudication. C.R.S. § §19-1-103(87), 19-1-104, 19-1-114
- Be aware of possible ACEs
- Avoid disrupting attachment if possible
- Advocate for evidence-based, family specific treatment plans
- Use written motions for social science related arguments
- Find and use good expert witnesses

RELATING TO YOUR CHILDREN AND FAMILIES

The better you understand the issues facing your Children and families, the better you can relate and work to help them.

That's all folks! Thanks!