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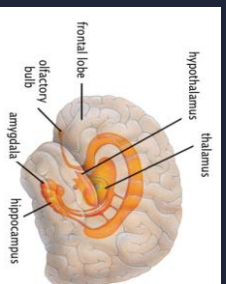
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"Dancing the dance you know..."



- Crisis becomes Chronic...
- Chronic becomes Violence...
- Violence becomes normalized.

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Consider: if you are in a dangerous or emotionally taxing situation, the part of the brain called the amygdala (survival instincts) may take over, leaving the parts of your brain that help to store memories and perform higher-order tasks with less energy and ability to get their own jobs done.

Dr. Kerry Ressler, Professor of Psychiatry at Harvard Medical School

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Experienced or witnessed events that represent a threat to perceived or real survival.

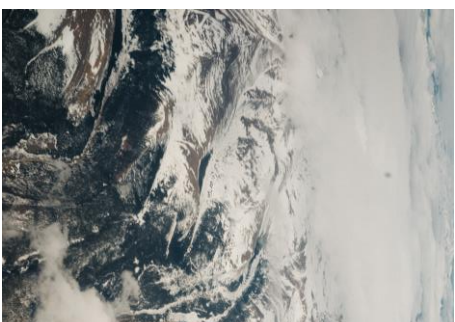
Combined with emotions ... fear, terror, perceived/actual loss of control, depression... plus accompanying behaviors can result in a life-changing experience.



Rebecca Campbell, Ph.D. Professor of Psychology Michigan State University

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It's not uncommon to feel disorganized and forgetful when you're under a lot of stress. But over the long term, stress may actually change your brain in ways that affect your memory. Researchers believe that when one part of your brain is engaged, the other parts of your brain may not have as much energy to handle their own vital tasks.



Dr. Kerry Ressler, Professor of Psychiatry at Harvard Medical School

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Memory is accurate and the recall of it is accurate, however it's the storage of the memory that is disorganized, fragmented and slowly retrieved.



Dr. Rebecca Curran, Professor of Psychology at Kean College  
University, NJ

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## Four Rs of a trauma-informed approach

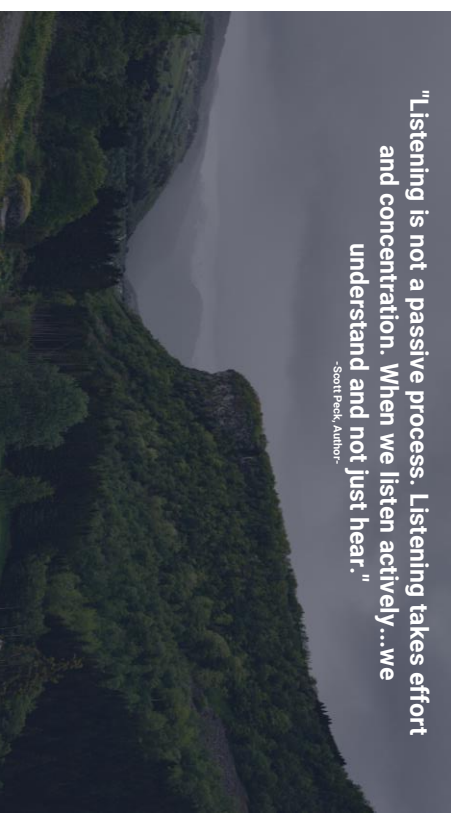
- Realizing how trauma affects people
- Recognizing the signs of trauma
- System responsive to trauma
- Resisting re-traumatization

Sandra K. Brown and Michael Hyman's Services Administration (SOM) Models to Support of Trauma and Evidence for Trauma-Informed

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"Listening is not a passive process. Listening takes effort and concentration. When we listen actively...we understand and not just hear."

-Scott Peck, Author-



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Creating a Bridge to the person who sits before you...



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# What is your judicial goal?

DO YOU WANT A "SNAP SHOT" OF THE SITUATION?

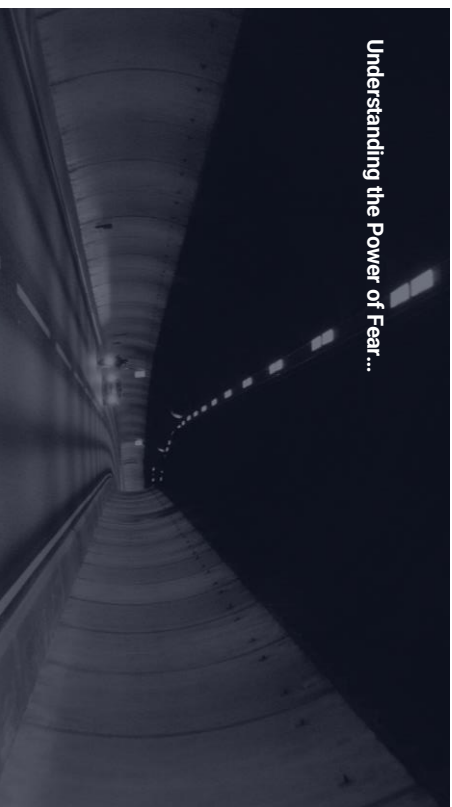


DO YOU WANT TO UNDERSTAND WHAT IS OCCURRING THROUGHOUT TIME?



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## Understanding the Power of Fear...



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UNDERSTANDING DV DYNAMICS

Majority of victims do not readily identify the violence or control as DV



NEED TO "TELL THEIR STORY"

Many victims do not know where to begin until guided



AFFIRMING AND CLARIFYING

Paraphrasing and reflective listening allows a person to feel heard



NEXT STEPS

What happens next?

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## Interrupting the "Cycle"

*Acknowledgment of being in love with the "potential" and the reality of its harm.*



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## Legal Requirements Applied to DV

Obtain the information you need to correctly apply the law to the facts.

Assist victim in understanding the limitations of the law.

Issue the appropriate arrest warrant or explain reasons for not issuing a warrant.

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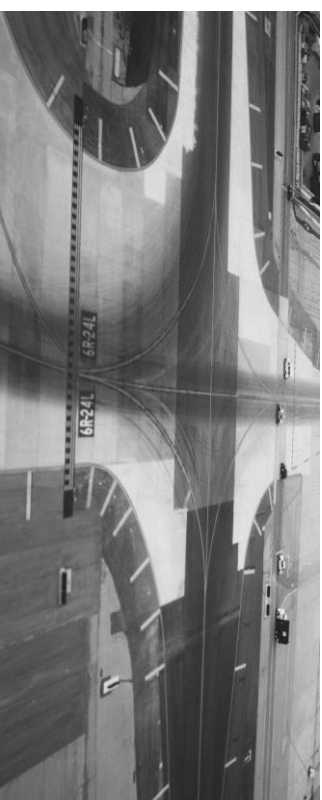
- In a narrative form ask the victim to slowly "walk the reader" through the most recent experience with the person that resulted in them seeking a warrant.
- Encourage the victim to be as descriptive as possible regarding behaviors and statements made by the person that caused distress and/or fear in the victim.
- Encourage the victim to use some examples that "show" the reader what they are in fear of, or continue to be concerned about the person's behavior and thinking.
  - Listen without judgement.



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## Telling Their Story

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## Affirming and Clarifying

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**Affirming statements recognize and validate a person's emotions, situation and/or strengths in a difficult and challenging circumstance.**

*"You've been through something very terrible, I regret this is happening to you and your loved ones."*

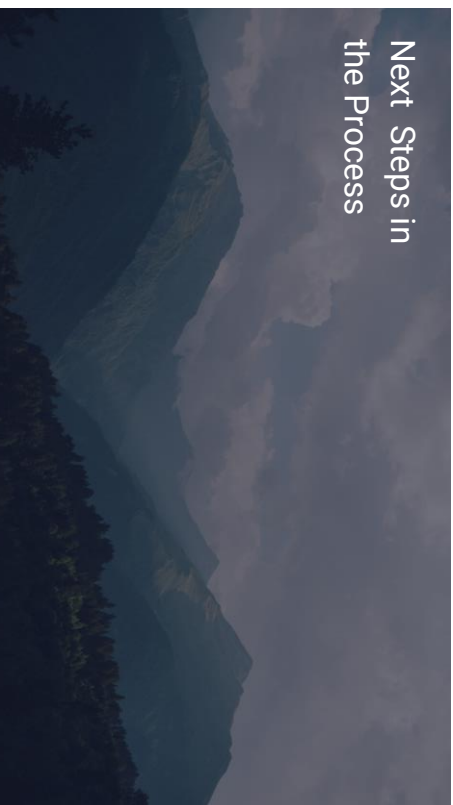
*"It sounds as though you have attempted to deal with this situation on your own, but now you are having to seek a change to help yourself and your children."*

*"There is no guarantee that this action may help, but we'll walk through this process and I will do my best to assist you."*

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## Next Steps in the Process



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A clarifying question is to:

- Ensure that the listener's understanding of what the speaker has said is correct, reducing misunderstanding.
- Reassure the speaker that the listener is genuinely interested in them and is attempting to understand what they are saying.

### CLOSED QUESTIONS

*"You love him/her and that's why you stay, right?"*

*"Did you always feel like this?"*

*"Were you aware of feeling this way?"*

### OPEN QUESTIONS

*"I'm not quite sure I understand what you are saying"*

*"When you said .....what did you mean?"*

*"When did you first start feeling like this?"*

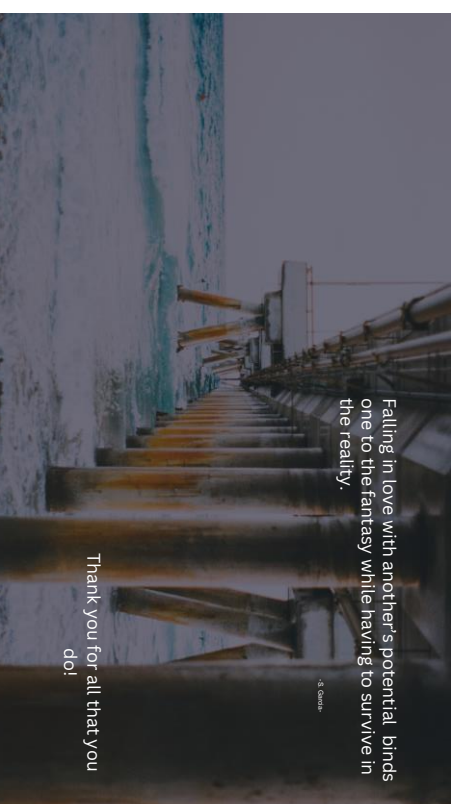
*"What kinds of behaviors cause you to feel this way?"*

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Falling in love with another's potential binds one to the fantasy while having to survive in the reality.

Thank you for all that you do!



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## TRAUMA-RESPONSIVE PRACTICES

### JUDGES, MAGISTRATES, HEARING OFFICERS, COURT STAFF, CLERKS, BAILIFFS

Source material:

- *Using Trauma-Informed Practices to Enhance Safety and Security in Women’s Correctional Facilities*, National Resource Center on Justice Involved Women, Alyssa Benedict
- *Essential Components of Trauma-Informed Judicial Practice*, Substance Abuse and Mental Health Services Administration
- *Safeguards Against Bias*, National Court Appointed Special Advocate Association
- *Pasco County Circuit Court Trauma Audit*, National Council of Juvenile and Family Court Judges

COMMUNICATION	What hurts?	What helps?
	Interactions that are humiliating, harsh, impersonal, disrespectful, critical, demanding and judgmental.	<p><b>SHOW RESPECT.</b> Interactions that express respect, kindness, patience, reassurance, and acceptance.</p> <ul style="list-style-type: none"> <li>• Instead of talking at the person by saying “Let me give you some advice,” talk with the person by saying “What do you think?” or “What can we do to solve the problem?”</li> <li>• Use “please” and “thank you” frequently.</li> <li>• Use the name of the people before you, addressing them by their surnames preceded by “Mr.” or “Ms.”</li> <li>• Ask the person before you if he or she has any questions.</li> <li>• Use short encouraging statements such as: “Your commitment really shows;” “It’s clear you are trying to change;” “Despite what happened in court last time, you have been able to...”</li> <li>• Provide praise that is concrete, specific, and delivered with a neutral tone. “I heard that you earned a one-month token in AA. I know you worked hard for that.” “I read in the court report that you followed last month’s visitation schedule without any problems. This will help your child.”</li> <li>• Instead of “I’m sending you for a mental health evaluation,” try “I’d like to refer you to a doctor who can help us better understand how to support you.”</li> <li>• Instead of “You are going to a commitment program; we are done with you. There is nothing more we can do,” try “Maybe what we’ve been doing isn’t the best way for us to support you. I’m going to ask you not to give up. We’re not going to give up on you.”</li> </ul>
	Distracted listening.	<p><b>LISTEN.</b> Use active listening.</p> <ul style="list-style-type: none"> <li>• Maintain eye contact.</li> <li>• Listen without judgment.</li> <li>• Examine your body language. Are you conveying attention?</li> <li>• Also, pay attention to the speaker’s body language. This is a facet of true listening.</li> <li>• While listening, do not plan what you will say next. Think only about what the person is saying.</li> <li>• Provide regular feedback by reflecting and paraphrasing the content. For example, “I can see you are confused” or “Sounds like you are saying...”</li> <li>• Refrain from looking at the computer or reading the case file while the person is speaking.</li> </ul>
Thinking and/or asking “what’s wrong with you?”	<p><b>UNDERSTAND.</b> Think and ask “What has happened to you?”</p> <ul style="list-style-type: none"> <li>• Recognize that some behaviors (hypervigilance, dissociation, avoidance) can be self-protective coping strategies; the trauma “symptoms” may be adaptations.</li> <li>• Instead of discussing sensitive issues related to trauma in open court, ask the attorneys and parties to approach the bench and conduct a sidebar conversation. Or, if rule and statute permits, and the attorneys agree, clear the courtroom.</li> </ul>	

	<p><b>Becoming aggressive and hostile when confronted with aggression and hostility.</b></p>	<p><b>REMAIN CALM.</b> Use a quiet tone of voice and a slow pace of speaking that encourages stability and physiological regulation.</p> <ul style="list-style-type: none"> <li>Recognize that the displayed anger could be increased activation of the arousal systems associated with survival, that the behavior could be self-protective, and that victims of trauma can often overexaggerate the “threat.” This doesn’t justify the behavior but it can provide insight; insight leads to compassion and problem-solving.</li> <li>Gently name the person’s behavior in a nonjudgmental way. For example, say “I can hear how upset you are.”</li> <li>Ask questions to clarify the issue. This shows a willingness to understand. However, avoid “why” questions and use “what” or “how.” Use active listening as mentioned above.</li> <li>If necessary, call a recess to allow the person an opportunity to self-regulate.</li> <li>Do not threaten; inform of consequences.</li> </ul>
	<p><b>Allowing court processes to be unknown and unexpected.</b></p>	<p><b>BE TRANSPARENT.</b> Use clear, simple language to let people know what is happening and why.</p> <ul style="list-style-type: none"> <li>Explain the purpose of each hearing and who is in the courtroom.</li> <li>Use non-technical language.</li> <li>For example, instead of conducting sidebar conversations without explanation, tell the person that a sidebar conversation will occur and why – saying “We have to discuss some issues related to your case. We just need a minute to do it on the side.”</li> </ul>
<p><b>SELF-AWARENESS</b></p>	<p><b>Personal bias.</b></p>	<p><b>Be vigilant in your awareness of your own personal biases as it can alter your perception of the impact of trauma.</b></p> <ul style="list-style-type: none"> <li>Take note of any “baggage” you hold from your own traumatic experiences or trauma events experienced by loved ones.</li> <li>Identify your potential biases and how they might color your interpretations without your even being aware of it.</li> <li>Understand and appreciate the culture, race, ethnicity, economic situation, religion, and place of residence of court-involved families.</li> <li>Ask whether proposed case plans/probation sanctions/visitation orders are reasonably tailored to the specific needs of the child and family. Research has shown that many parents need practical help, but this kind of assistance is not always a priority.</li> <li>Be open to and encourage appropriate connections to religious, community, and cultural institutions.</li> <li>If you are working with a youth or adults whose sexual orientation differs from yours, get training to understand their needs and how the system might affect them.</li> </ul>
<p><b>COURT ENVIRONMENT</b></p>	<p><b>Congested, noisy waiting areas.</b></p>	<p><b>Reduce stress prior to the hearing by offering a calm and quiet space to wait.</b></p> <ul style="list-style-type: none"> <li>Advocate for a well-maintained and clean waiting area and facility.</li> <li>Notice the lighting and temperature and make sure it is adequate and comfortable.</li> <li>Ask for security staff to be present in the waiting areas.</li> <li>Eliminate clutter.</li> </ul>
	<p><b>Congested, noisy courtrooms.</b></p>	<p><b>Ensure that the overall noise level of the courtroom is kept to minimum, along with the level of movement and activity.</b></p> <ul style="list-style-type: none"> <li>Advocate for a well-maintained and clean courtroom.</li> <li>Notice the lighting and temperature and make sure it is adequate and comfortable.</li> <li>Keep the noise limit low enough so that the noise is not distracting and provides a calm environment.</li> <li>Eliminate clutter.</li> </ul>
	<p><b>Confusing signage.</b></p>	<p><b>Reduce anxiety prior to the hearing by offering clear directions to the courtroom and posting simple courthouse rules.</b></p>

	<ul style="list-style-type: none"> <li>• Walk through the courthouse and notice if signage is clear. Are there courthouse maps that are easy to read? Are the courtrooms clearly labeled? Do you need signage in multiple languages?</li> <li>• Are simple rules about noise and courtroom decorum posted and easily understood?</li> </ul>
<b>Not feeling safe and secure.</b>	<p><b>Advocate for adequate courthouse security and ensure safety in your courtroom.</b></p> <ul style="list-style-type: none"> <li>• Follow a security protocol to protect victims of domestic violence.</li> <li>• Review safety and security measures and audits with your trial court administrator.</li> <li>• Have routine conversations with your bailiff about safety expectations. Seek ideas and recommendations from your bailiff.</li> </ul>
<b>Long periods of wait time before appearing before the judge.</b>	<b>Institute time-specific docketing to reduce anxiety and agitation.</b>
<b>Vast physical distance between the judge and the parties.</b>	<b>Consider conducting family court hearings at a table.</b>
<b>An elevated bench between the judge and the parties.</b>	<b>Move from behind the bench and instead sit at the head of a table.</b>
<b>Intimidating behavior by the bailiffs.</b>	<p><b>Eliminate forms of nonverbal intimidation (jingling handcuffs or keys).</b></p> <p><b>Stand to the side, and not behind litigants/defendants.</b></p> <p><b>Refrain from touching, and respect personal space.</b></p>
<b>Recalling traumatic events, memories, and feelings in open court.</b>	<b>Use caution when questioning about traumatic events. Consider having a trained mental health professional on-site to debrief with families and children after court.</b>

**Communicating in a trauma-informed tone and manner: a quick refresher**

“What has happened to you?”

“What do you think?”

“What can we do to solve the problem?”

“Please.”

“Thank you.”

"Your commitment really shows."

"It's clear you are trying to change."

"Despite what happened in court last time, you have been able to..."

"I heard that you earned a one-month token in AA. I know you worked hard for that."

"I read in the court report that you followed last month's visitation schedule without any problems. This will help your child."

"I'd like to refer you to a doctor who can help us better understand how to support you."

"Maybe what we've been doing isn't the best way for us to support you. I'm going to ask you not to give up on recovery. We're not going to give up on you."

"I can see you are confused."

"I can hear you are frustrated."

"Sounds like you are saying..."

***"Sometimes bad things happen to children when they're younger. Those are crimes. That shouldn't have happened. It's not your fault. There is nothing you could have done to stop it. You deserve to be happy. You can heal from bad things in the past. I can get you someone to talk to who could help. Do you think that might help?"***