

The Intersection of Abuse and Neglect Cases &
Parental Substance Use Disorder

Family Treatment Court

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2

Objectives

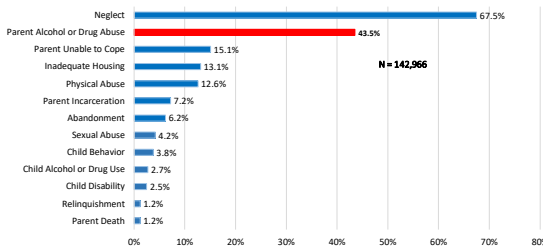
- Describe the typical abuse/neglect case process in New Hampshire.
- Describe how Family Treatment Court uses cross-systems collaboration to address the needs of families affected by SUD to include access to SUD and mental health treatment for parents, children and family relationships.
- Review a case presentation of a family who would participate in Family Treatment Court and what benefits they might access.
- Discuss how attendees can support families with open abuse and neglect cases who are affected by SUD.

3

The Matter of Time



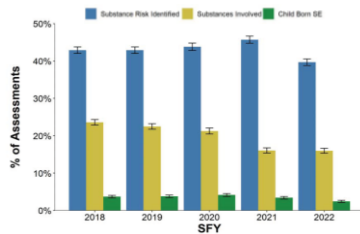
Percent of Children with Terminated Parental Rights by Identified Condition of Removal in the United States, 2019




Note: Estimates based on *all children in out of home care at some point during Fiscal Year*. Source: Adoption and Foster Care Analysis and Reporting System Data, 2019-20

2022 DCYF Data Book

Reports Related to Substance Misuse





The Family Division handles cases filed by the state involving abused or neglected children.

The purpose of this process is to protect children, keep families together when possible, provide assistance to parents so they can raise healthy and safe children, and to provide treatment and services to children who are placed outside their home.

NH's Timeline for Abuse/Neglect Cases:

1

Child removed from parents' care
Petition for Abuse/Neglect must be filed w/in 72 hours

2

Adjudication (abuse/neglect exists) w/in 30 days of petition filed, unless "extraordinary circumstances" and then w/in 60 days

3

Dispositional orders (what parents must do to correct A/N) w/in 30 days of finding of A/N

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Review Hearings
FTC = 2x/month
Non FTC = every three months

5

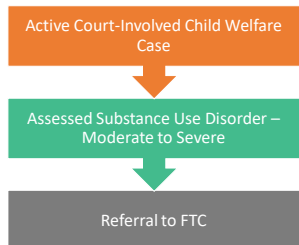
Permanency Hearing: 12 mo. from Adjudication
Reunited (possible one-time 90 day ext.) or TRP/Guardianship for kids under 16

Parties to the Case: Roles

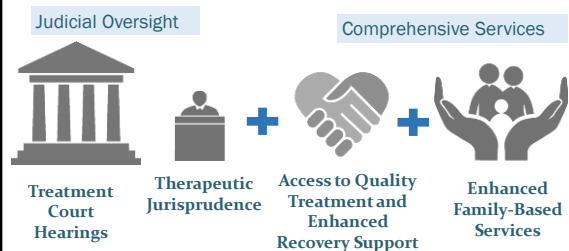
Child	CASA/GAL	DCYF	Parent	Parent Attorney	School District
<ul style="list-style-type: none"> Attends select hearings May choose to speak with the judge 	<ul style="list-style-type: none"> Visits with child regularly during case Advocates for best interest of child 	<ul style="list-style-type: none"> Primary goal: Safety of child Support family in accessing services needed for child safety 	<ul style="list-style-type: none"> Attends every hearing Responsible for successfully completing case plan Primarily relies on parent attorney for advocacy 	<ul style="list-style-type: none"> Represents the parent Ensures parent's rights aren't infringed upon Ensures parent has needed services to comply with case plan 	<ul style="list-style-type: none"> Provides some resources for child Attends hearings Updates on child's academic status

So how does Family Treatment Court use cross-systems collaboration to address the needs of families affected by SUD?

Eligibility Criteria:



FTC Model as a Collaborative Solution



How Does the FTC Team Help Families Succeed?

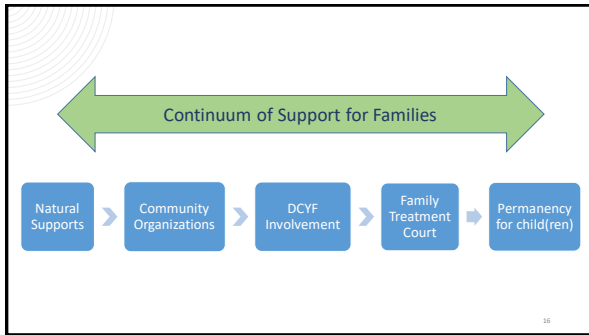


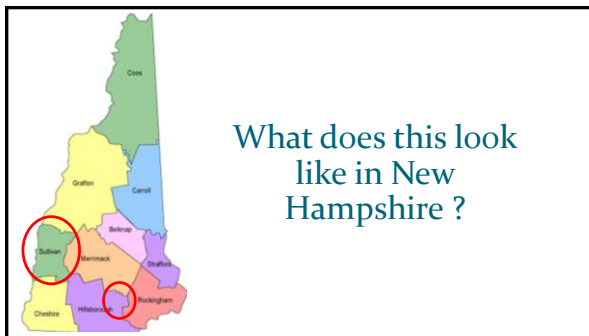
Abuse/Neglect Case: 12-Month Timeline

"Regular" Child Protection Case	Family Treatment Court
<ul style="list-style-type: none"> Case Manager Parents given contact #s for services; some do not contact Parents meet with judge every 3 months Sporadic drug testing Incentives for positive behaviors toward end of case 	<ul style="list-style-type: none"> Case Management Team Whole family has warm handoff to services early in case Parents meet with judge 2x/month Regular drug testing Incentives/recognition for positive behaviors at every meeting with judge

"Therapeutic Jurisprudence"

- An overarching principle:** the way in which our judicial system attends to and prioritizes the *therapeutic care and treatment* of the individuals in the system to create more positive outcomes.
- More specific to Family Treatment Court:** the judge practices therapeutic jurisprudence by interacting in a personal, supportive, and solution-oriented way
 - Less adversarial
 - Breaking down formal barriers
 - Approaching parents "where they are at"
 - Must be balanced with the need to comply with the legal protections and structure of the abuse and neglect system





Talk about Family Treatment Court!

- Need to bring name recognition to FTC
- Talk to your local court connected lawyers, providers, clerks and court staff
- Ask for sit down with your local judge or judges to ask about FTC
- This model is how all our courts should be operating; we need to begin by creating recognition within our communities
- **FTC is a program that requires community buy-in and a network of support.**

Stigma and Families Impacted by SUD

"Stigma is a set of negative attitudes or beliefs about a person or a group of people. Stigma reinforces unequal power dynamics and has a direct impact on the quality of life of the person(s) or groups these attitudes are directed towards"- *Howell & Chasnoff, 1999*

- Stigma interacts with illness and exposes people to distorted experiences with criminal/mental health/medical treatment.

Addiction Stigma and Challenges within Abuse and Neglect Cases

- Negative reputation is hard to overcome; often already known to law enforcement and CPS
- Autonomous decision making may be perceived as non-compliance, resistance which can create adversarial relationships between families and systems
- Relationship dynamics within the family are changing; Typical recovery process has peaks and valleys
- Earlier trauma is often exposed; "just stop using myth"
- Feelings of guilt, low self worth
- Accepting help for the child may open parent to scrutiny and increase their vulnerability

Language Matters

- Let's do a small activity...

~ How we perceive a human condition changes how we respond to it, and in turn, changes the outcome ~

Language Choices-Say this not that

Deficit Based	Strength/Recovery Focused
Addict, Junkie, Meth head	Person with a substance use disorder
Clean, dirty (for a person)	Using substances or abstinent from substances
Clean, dirty (for urine drug screen)	Positive or negative for a substance
Clean, Dirty (syringe)	New or used
Abuse of substance	Harmful use, misuse, high risk use
Replacement or substitution Therapy	Medication for Addiction Treatment
Habit or drug habit	Substance use disorder

November 30, 2023

22

Language choices-Say this not that

Deficit Based	Strengths/Recovery Focused
Substance Abuser	Person with a substance use disorder, Person with an addiction, Person in recovery
Suffering from	Working to recover from
Acting out, splitting	Ineffective communication
Non-compliant to treatment	Uses alternative coping methods, may be experiencing barriers
Frequent Flyer	Takes advantage of available services and supports. Seeks care when needed.
Helpless and Hopeless	Unaware of capabilities/unaware of opportunity

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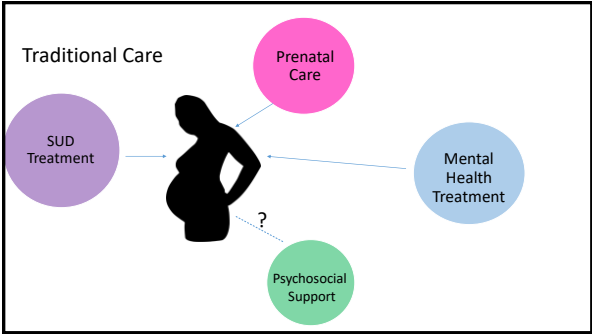
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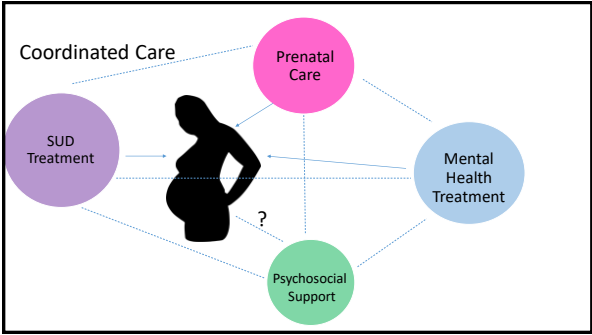
When we say
Recovery and
Treatment are
a part of the
FTC team...

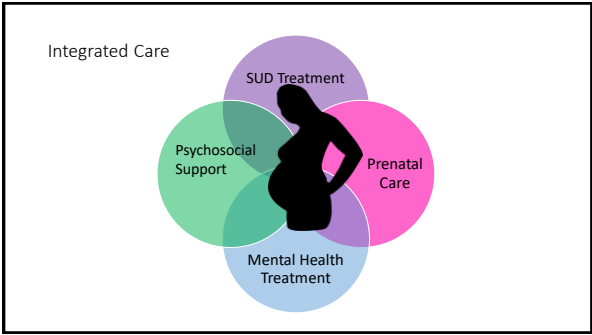
- Immediate connection with Peer Support to assist parent in connecting with treatment and help support through FTC process
- Referral for Substance Use Evaluation and assess for appropriate level of care, connection to treatment program
- Urine Screens required for ongoing accountability, used for therapeutic interventions within FTC
- Treatment becomes a heard voice at the table providing education and support to the team as well as the parents involved.

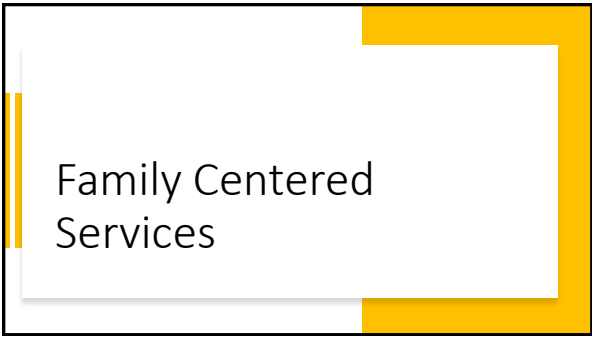
Treatment

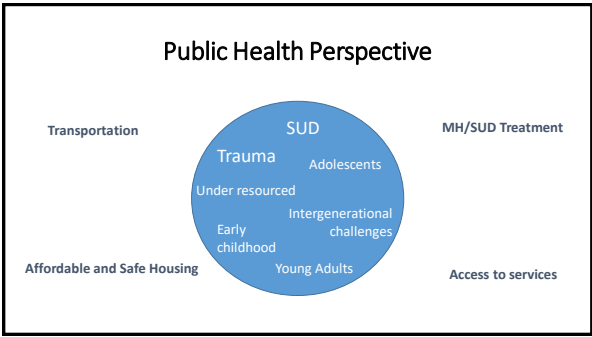
- Timely & appropriate
- Comprehensive Continuum of Care
- Integrated Treatment of Mental Health and Substance Use
- Family Centered
- Gender responsive
- Culturally responsive
- Evidence based care by licensed professionals
- Regular and random drug testing











FTC Multidisciplinary Team

A multidisciplinary team of professionals ... includes any agency that provides essential services for the children, parents, and families the FTC serves.

- Judge
- FTC coordinator
- DCYF attorney
- DCYF caseworker
- Parent's attorney
- Guardian ad litem and/or Court-appointed special advocate
- SUD treatment provider
- Mental health treatment provider
- Child and adolescent services providers
- Related agencies such as health, educational, vocational, recovery and reunifications support, law enforcement, and probation

FPC Model – Multiple Expertise




Child Welfare services assess child risk and safety, provides for needs of child and family, focus on child permanency and well-being



Treatment assess need for treatment – level of care, areas of life functioning, recovery supports



Court provides oversight, ensures timeliness, child well-being and access to services



“ FTC made it a lot easier to access services for [the children]. It also provided a wonderful opportunity to meet care providers and acquire a better understanding of what services are available and how to best access them. ”

Jan Bettencourt, CASA

Why is FTC good for kids?

...Prevention!

- Parents in recovery often have values that are fantastic protective factors for their children:
 - Understand addiction and consequences of use
 - Connected to a community
 - Teach their kids the healthy ways they have learned to cope, celebrate and commiserate
- Getting kids into mental health services earlier will help them learn to cope & celebrate in healthy ways
- Studies have found that when families are involved in FTC, fewer *kids* are involved with criminal justice system

Family Treatment Court is a tool to break intergenerational substance use.

What Can You Do?

- Start with curiosity and stay curious. This keeps us out of our judging mind and more aware of our own internal bias
- Access is important to parents and being able to continue to participate in their children's lives in a parenting capacity is a motivator
- Acknowledge that parents do not know how to do this and are learning
- Suspicion and Distrust of systems are almost always present, be the reason that they give the next system they encounter a chance

Case Presentation #1:

Bill and Jessica have one child, Patrick, who is four years old. Bill is currently held in jail awaiting trial on a drug possession charge. Jessica was left to care for Patrick but her untreated bipolar disorder led to conditions of neglect. Patrick was taken from the home and placed in a foster home approximately 1 hour from where Jessica lives. Jessica is working part-time and currently has no transportation

Case Example #2

Jody and Derek met in a residential treatment program 3 years ago and now have a 1 year old, Ava; and a 2 year old, Hayden. Jody previously involved with CPS, resulting in the loss of her parental rights, of her oldest daughter, age 16. Jody and Derek are facing eviction due to unpaid rent. Jody is currently in a treatment program attending outpatient groups once per week and medication for OUD. Derek lost his health insurance 5 months ago and has been taking medication for OUD unprescribed. He has been struggling with periodic methamphetamine use and recently CPS became involved after Hayden was found unsupervised outside of the apartment while in Derek's care and Jody was grocery shopping. Children have not been seen for pediatric follow up.



What can
you do?

- Check out this resources about AN cases: [Online Tutorial for Substance Use Disorder Treatment Professionals](#) (National Center on Substance Abuse and Child Welfare)
- Advocate for and connect people with abuse/neglect cases with peer support and DCYF embedded LDACs
- Cross training among stakeholders
- Make this approach more status quo, for instance: Providing information for the judge to create helpful orders

Presentation title

38

THANK YOU

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