

MOTIVATIONAL TECHNIQUES FOR TREATMENT COURT JUDGES

Presented by Honorable Peggy Davis, Ret.

DISCLOSURE

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Points of views or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.



OBJECTIVES

- Explore the concepts that support motivational interviewing techniques
 - Understand how motivational interviewing can encourage and support change
 - Identify examples of motivational interviewing techniques that may be employed from the bench
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FOUNDATIONAL PRINCIPLE: RECOVERY

- **“A process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.** Even individuals with severe and chronic SUDs can, with help, overcome their disorder and regain health and social function. This is called remission. **When those positive changes and values become part of a voluntarily adopted lifestyle, that is called “being in recovery.”** Although **abstinence** from all substance misuse is a cardinal feature of a recovery lifestyle, it **is not the only healthy, pro-social feature.** (SAMHA TIP 35)
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CHALLENGE

Adjusting our thinking

Science of behavior change

Motivational approaches

Team members

- Staffing
- Courtroom dynamics
- Targeted conversations with participant's



THE NATURE OF MOTIVATION

- Key to change
 - Multidimensional
 - Dynamic
 - Fluctuating
 - Interactive
 - Can be modified
 - Style influences motivation
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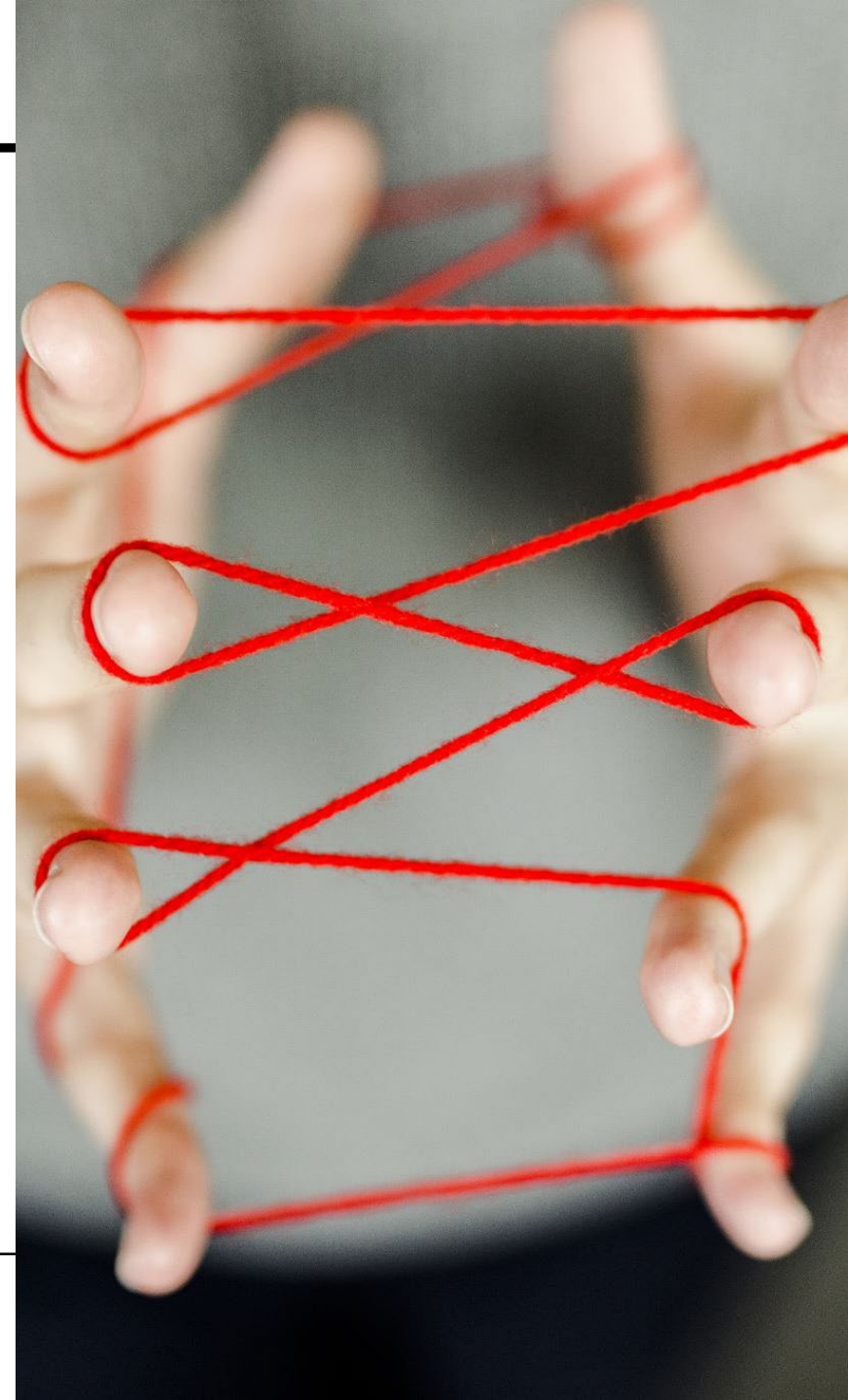


GOAL: MOTIVATION

- **Extrinsic**
 - **Social influences**
 - **External rewards**
 - **Consequences**
- **Intrinsic**
 - **Desires**
 - **Needs**
 - **Values**
 - **Goals**

AMBIVALENCE (RESISTANCE)

- Normal
- Not resistance
- Not a trait or characteristic
- Confrontation increases resistance
- Empathy, rather than power



MOTIVATIONAL APPROACHES

Person-
centered

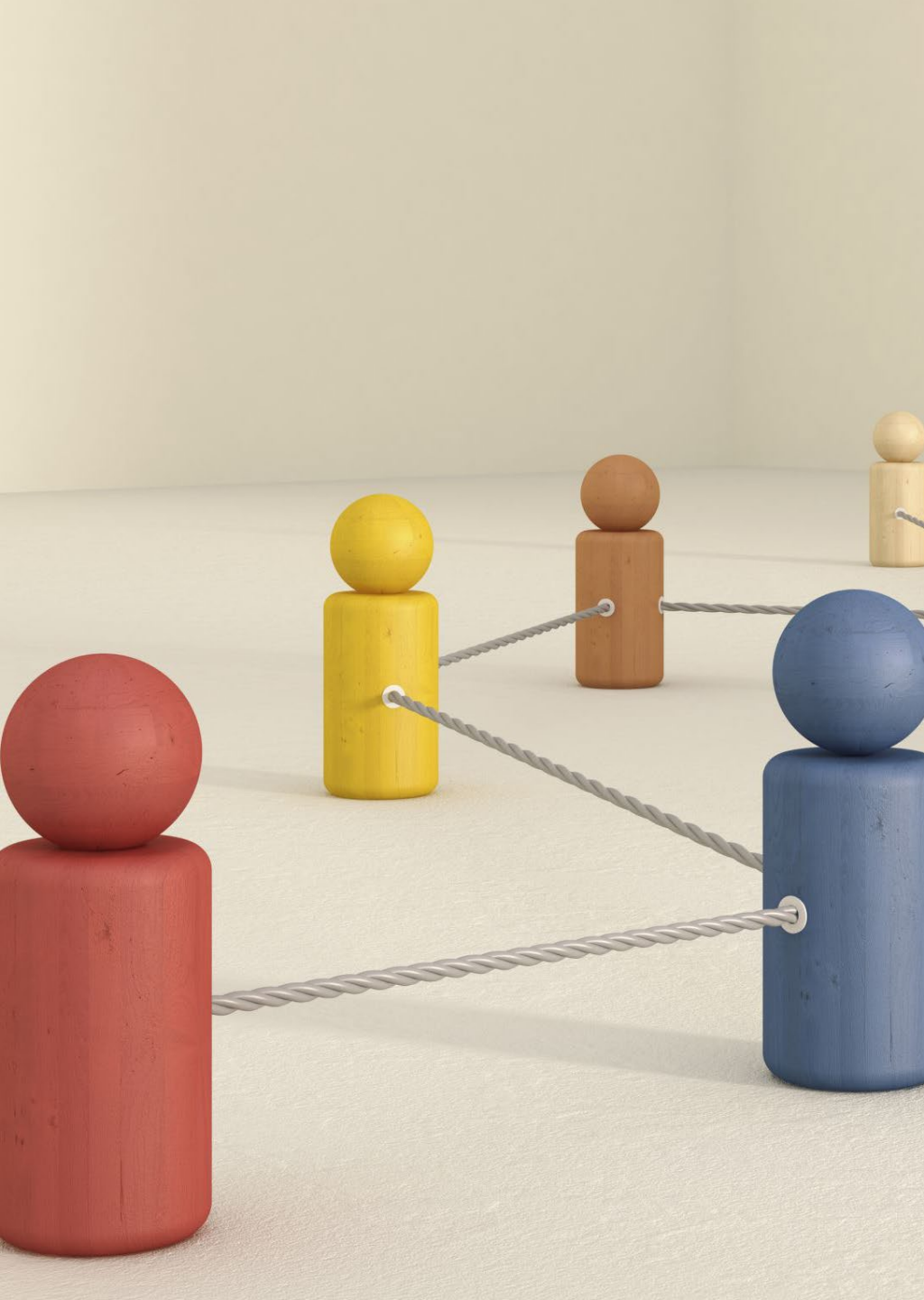


SUMMARY

- Focus on the participant's strengths
 - Individualize
 - Do not label
 - Develop a partnership
 - Express empathy
 - Not authority and power
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MOTIVATIONAL INTERVIEWING



FOUR PROCESSES

- Engaging
 - Relationship
 - Focusing
 - Identify goals
 - Evoking
 - Motivation is evoked from the participant – not given to the participant
 - Planning
 - Bridge to behavior change
-



FOUR PROCESSES INTEGRATES REFLECTIVE LISTENING AND STRATEGIC RESPONSES

- Opened questions
- Affirmations
- Reflective Listening
- Summarizing





DECISIONAL BALANCING

- Sustain talk
- Change talk

**OPENED ENDED
QUESTIONS
VS.
CLOSED ENDED
QUESTIONS**

Invites participant to
tell their story

Understand their
point of view

Does not require a
particular response



IDENTIFY OPEN ENDED QUESTIONS

- How long ago did you last drink?
 - Tell me about the last time you drank?
 - When do you plan to quit drinking?
 - What do you want to do about your drinking?
-



AFFIRMING

- Appreciation and positive regard
 - Emphasize strengths
 - Successes
 - Efforts to take steps, however small
 - Boosts confidence about taking action
 - Positive outcomes associated with affirmations
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EXAMPLES

You showed a lot of maturity when you walked away from a confrontation at treatment.

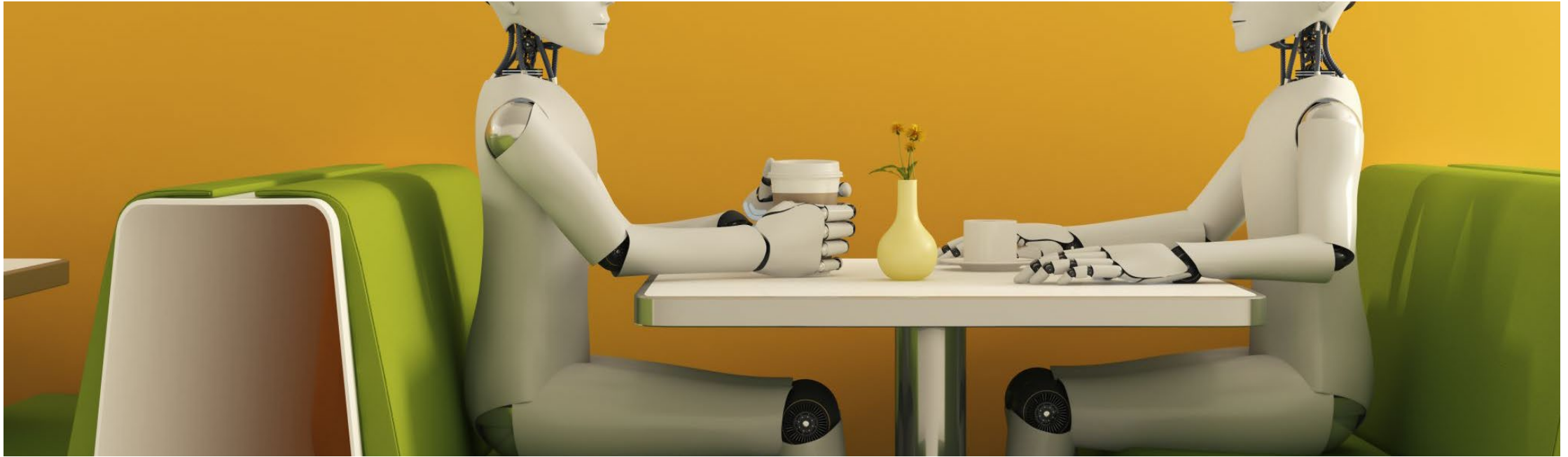
Last week was hard, but you kept up with all of your drug court responsibilities.

When forming affirmations:

Focus on specific behaviors

Avoid using "I"

Affirm interesting qualities and strengths of the participant.



REFLECTIVE LISTENING

- Requires you to make a mental hypothesis about the underlying meaning or feeling of client statements and then reflect that back with your best guess about the meaning or feeling behind the statement.

STEPS

Make a mental hypothesis about meaning or feelings

Consider in the larger context

- “I drink because I am lonely.”
- Meaning of lonely.
- It is hard for me to make friends.
- Is the participant noted for not having a social life?

STEPS

Consider larger context

- Participant does not have friends

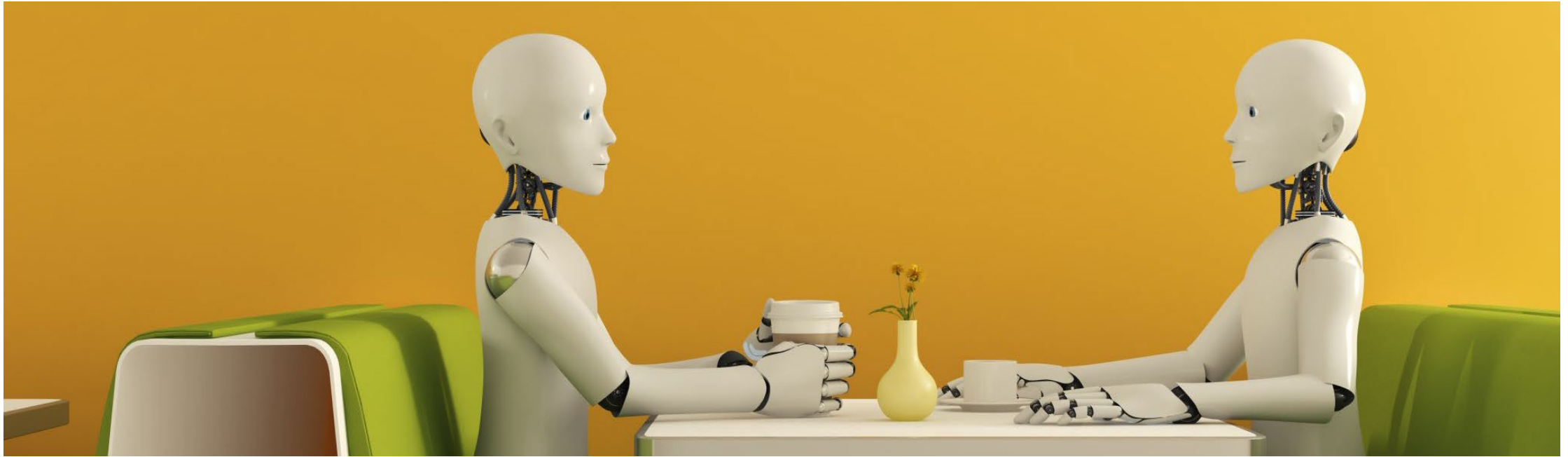
Reflective listening response

- “You drink because you do not know how to make friends.”

If wrong, participant will tell you

- Recent divorce

Prevents us from making assumptions about what is going on with the participant



REFLECTIVE LISTENING

- Empathy
- Active listening
 - Not: ordering, directing, warning, advising, persuading,, moralizing, judging

REFLECTIVE LISTENING

- Simple:
 - Repeat or rephrase statement
 - Builds rapport and expresses empathy
 - Example:
 - “My wife is nagging me about my drinking.”
 - “Your wife is pressuring you about your drinking.”

REFLECTIVE LISTENING

- Complex
- Example
 - “I’d like to quit smoking marijuana because it affects my daughter’s asthma.”
 - “You’re afraid that your daughter’s asthma will get worse if you continue to smoke marijuana.”
 - Highlights discrepancy between values and current behavior
 - Reinforce change talk
 - Avoid reinforcing sustain talk

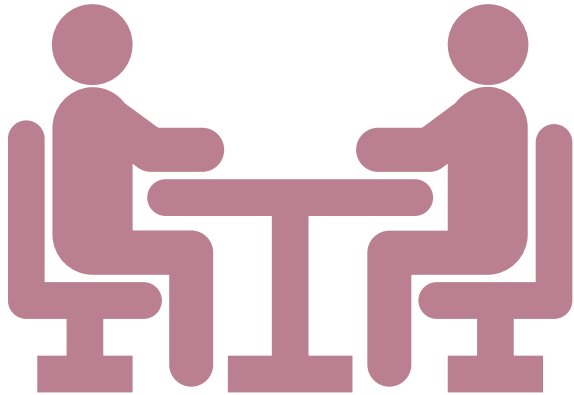
REFLECTIVE LISTENING

- Complex/Double Sided:
 - “I know I should give up drinking, but I can’t imagine life without it.”
 - “Giving up drinking would be hard, and you recognize that it is time to stop.”
- Resolves ambivalence
- Acknowledges sustain talk and emphasizes change talk
- Start with sustain talk and end with change talk

REFLECTIVE LISTENING

- Complex/ Amplified
 - “I think my cocaine use is just not a problem for me.”
 - “There are absolutely no negative consequences of using cocaine.”
 - Intensifies sustain talk to evoke change talk
 - Use sparingly
 - Do not get stuck in sustain talk

SUMMARIZE



- Summaries reinforce key statements of movement toward change.
 - Clients hear change talk once when they make a statement,
 - Twice when the counselor reflects it, and
 - Again, when the counselor summarizes the discussion.
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MOTIVATIONAL INTERVIEWING BENEFITS

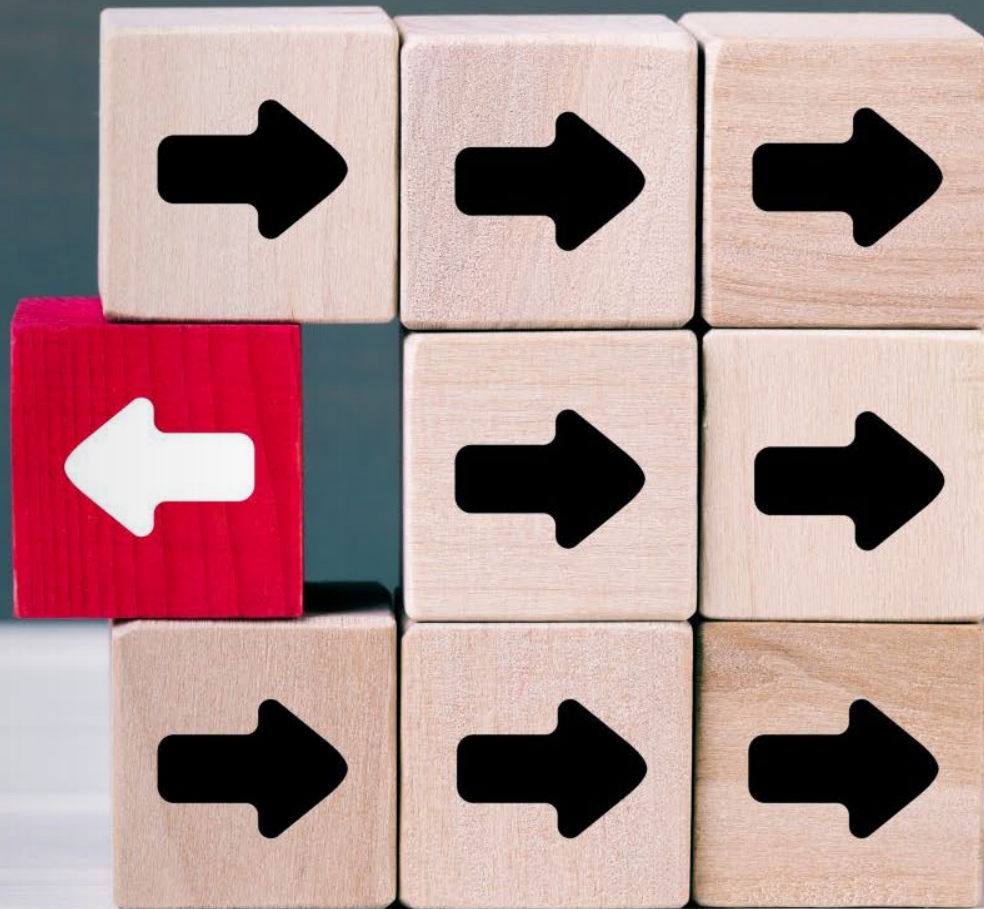
Effective for individuals with a low motivation for change

Increases participation in treatment

Increases positive outcomes

- Reductions in consumption
- Higher abstinence rates
- Better social adjustment

STAGES OF CHANGE: FRAMEWORK FOR MOTIVATIONAL APPROACHES





STAGES OF CHANGE

- Precontemplation
 - Contemplation
 - Preparation
 - Action
 - Maintenance
-

PRINCIPLES: STAGES OF CHANGE

Does not occur overnight

Gradual

There will be difficulties and setbacks

These are not failure

Should be addressed as a learning
opportunity



PRECONTEMPLATION

- Unconcerned and/or not considering change
 - Treatment Court
 - Entry
 - Additional phase goals
 - Relapse
 - Change in team members
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APPROACHES: PRECONTEMPLATION



Build alliance



Raise participant's concerns about substance use



Discuss participants perception of the problem



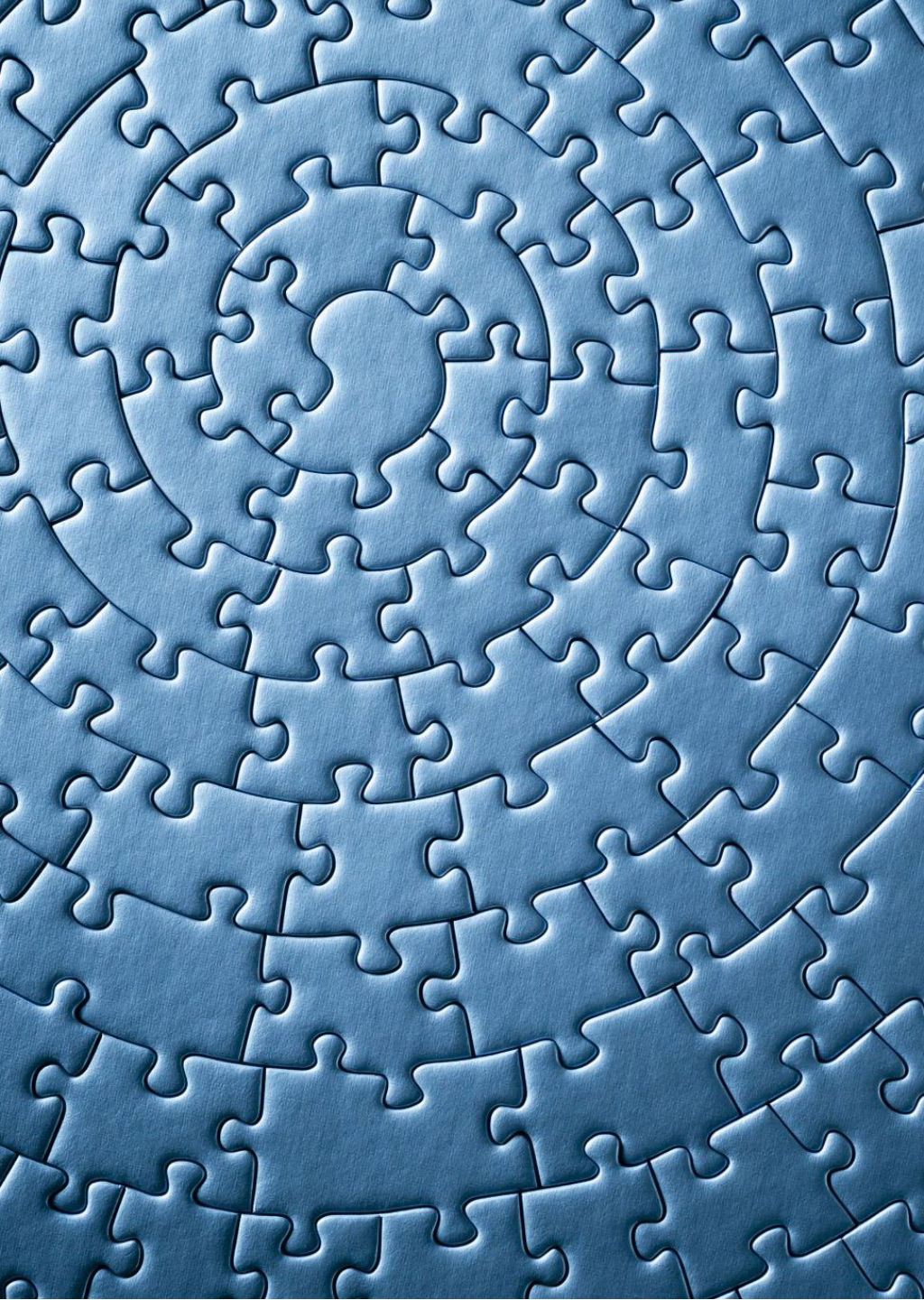
Refer to events that led to being in treatment court



Acknowledge ambivalence



Reinforce personal choice and responsibility



CONTEMPLATION

- Acknowledges concerns and considering the possibility of change
- Normalize ambivalence
- Tip decisional balance toward change



APPROACHES: CONTEMPLATION

Reassure ambivalence is normal

Offer personalized feedback

Explore self-efficacy

Support change talk



SUPPORT CHANGE

- Encourage small steps
- Going public
- Envisioning life after change
- Treatment court
 - Incentives and Sanctions
 - Phase Structure
 - Risk and Need





PREPARATION

- Recognizes the advantages of change
 - Recognizes the disadvantages – adverse consequences of maintaining the status quo
 - Decisional balance tips toward change
-

APPROACHES: PREPARATION



Developing a plan of action



Breaking old patterns and creating new ones



Support change talk



Encourage small steps



Encourage going public



Enlist social support



ACTION

- Committed
 - Believes change is possible
 - Actively pursuing and planning change
 - Not sure what to do next
-

APPROACHES: ACTION



Explore change goals



Develop a change plan



Discuss what is working and what is not



Help reduce change barriers



Goals should be determined and driven by the participant



SUPPORT CHANGE

- Reinforce participant's commitment
- Evoke and reflect change talk





APPROACHES MAINTENANCE

Participant has
achieved goals



Working toward
maintaining
change



APPROACHES MAINTENANCE



Maintain stability and life gains



Support lifestyle changes



Manage setbacks



Recurrence - Relapse

RECURRENCE -
RELAPSE

Reenter

Reenter change cycle

Identify

Identify new behaviors

Develop

Develop relapse prevention strategies



RELAPSE/RECURRENCE AND REENTERING THE CHANGE CYCLE

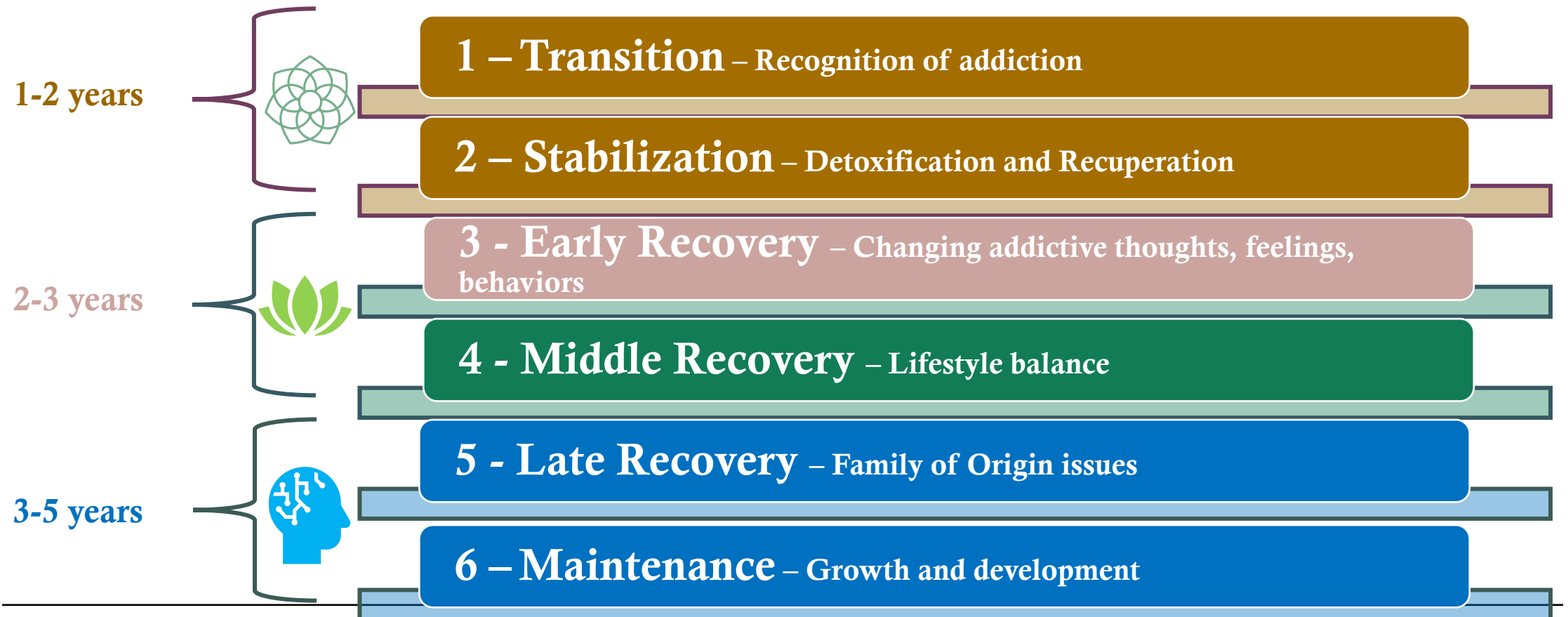
- Does not indicate that the participant has lost the desire to change
 - Is not failure
 - Encourage the participant to learn from the relapse/recurrence
 - Participant can reenter the change cycle, often at a earlier phase of change
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***CAN BE IN
DIFFERENT
CHANGE STAGE
FOR ONE GOAL
VS. ANOTHER***



DEVELOPMENTAL MODEL OF RECOVERY

Marlott and Gorski



EFFECTIVE
MOTIVATION
TECHNIQUES
UNDERScores
THE
IMPORTANCE OF
THE STAFFING
PROCESS

Experts

Tell the whole story

Message frame

Courtroom is theater

Outcomes can be predicted
based on the Judge's
expressions of optimism
and hope

All professionals contribute their
expertise to help frame the message



QUESTIONS

