

A JUDICIAL CHECKLIST
for Children and Youth
Exposed to Violence

Checklist



“Children Reflect What They See”

ARTWORK BY KATIE SCHULER FOR PINELLAS COUNTY, FLORIDA,

SAFE START

NCJFCJ
NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES
est. 1937

OJJDP
Office of Juvenile Justice and
Delinquency Prevention

CHECKLIST

for Children and Youth Exposed to Violence

Exposure to Violence & Type of Exposure

✓ **Have risk factors for exposure to violence been identified?**

Risk factors include, but are not limited to:

- Chronic violence in the community from which the child was removed or currently resides (e.g. The following occur on a regular basis in the community: shootings, stabbings, homicides, muggings, drug deals, gang violence, etc.)
- Domestic (family) violence in the home from which the child was removed or currently resides (e.g. physical violence, threats, coercion or intimidation between parents, a parent and an unrelated par-amour, a sibling towards a parent)
- Substance abuse and/or alcoholism by parent(s) or primary caregiver(s)
- Violence or ongoing bullying in the school that the child attends or has attended
- Physical or verbal abuse in a teenage 'dating' relationship
- Involvement in a gang or close ties to anyone in a gang
- Child/youth has spent time living on the streets as a runaway or homeless youth

✓ **Are there indicators that the child has been negatively impacted by exposure to violence?**

Indicators may include:

- Physical violence towards people or animals
 - Withdrawn or lack of affect or emotions (depression)
 - Overly excitable behavior
 - Aggressive behavior
 - Difficulties regulating behavior (e.g. poor impulse control)
 - Anxiety or hyper-vigilance
 - Substance abuse and/or alcoholism by child or youth
 - Risk taking behaviors (e.g. sexual promiscuity, drug use)
 - Suicide attempts or other self-destructive behavior (e.g. self-mutilation or cutting)
 - Difficulty paying attention
 - Problems in school (e.g. truancy, poor grades, detentions, suspensions, expulsions, bullying—victim or perpetrator, etc.)
 - Difficulty with peers and appropriate social interactions (e.g. fighting, unable to make friends)
 - Diagnosis of Post Traumatic Stress Disorder (PTSD)
-

✓ **If known, what type of violence was the child/youth exposed to (e.g. community violence, domestic violence, teen dating violence, school violence)?**

✓ **How was the child exposed to violence (e.g. heard the violent incident, saw the violent incident, was told about the violent incident, saw the aftermath of the violent incident - stitches, broken bones, bruises in parents or family members)?**

✓ **Was the violence an isolated incident or were there multiple incidents?**

- If multiple incidents, was the perpetrator the same each time or different?
 - If multiple incidents, for how long has the child been exposed to violent incidents?
-

✓ **Does the child/youth have a significant relationship with the perpetrator?**

✓ **Does the child/youth have a significant relationship with the *direct* victim of the violent act or acts?**

✓ **Where did the violence take place?**

- The child/youth's home with biological family
- The child/youth's placement (foster care, relative, non-relative)
- In the community/neighborhood
- At school
- At a friend's house
- Other

Legal System Responses

✓ **If the juvenile court has jurisdiction over the perpetrator and/or the victim of the violence, has a court order been entered regarding contact between the perpetrator and the child/youth and/or the victim and the child/youth (e.g. supervised, unsupervised, therapeutic, no contact)?**

✓ **If the juvenile court does *not* have jurisdiction over the perpetrator is a protective order necessary to protect the child/youth?**

- If so, is a protective order in place or is one being sought in the appropriate venue?
 - Who will assist or is assisting the child/youth and/or adult victim in seeking the restraining order?
-

✓ **Can the child's/youth's current caregiver protect him/her from further exposure to violence?**

- Is the caregiver afraid of or threatened by the perpetrator (if known)?

- Is the caregiver willing and able to enforce any restraining orders?
 - Does the caregiver live in a neighborhood with a high likelihood of exposing the child/youth to acts of violence in the community? If so, see additional questions related to children's exposure to violence?
-

✓ **Was/is law enforcement involved during or after the child's/youth's exposure to violence?**

- If not, is it appropriate to contact law enforcement now?
 - If so, were police reports generated and was the perpetrator arrested?
-

✓ **Is the perpetrator being prosecuted?**

- If so, is the child/youth a witness and/or victim in the case?
 - Does the child have a victim/witness advocate?
 - Is a protective order necessary to minimize or prevent additional trauma?
-

✓ **Has the advocate for the child/youth inquired into the availability of crime victim compensation through state and/or federal entities?**

Therapeutic Interventions

✓ **Has the child been referred for or undergone a psychological and/or developmental evaluation that specifically addresses whether the child was exposed to other forms of violence in addition to the issues that brought the family before the court?**

✓ **Have recommendations been made by a licensed clinician regarding the necessary therapeutic interventions for the child/youth?**

- Have the recommendations taken into consideration the age and developmental stage of the child/youth?
 - Have these recommendations considered the cultural background and gender of the child?
-

✓ **Have referrals been made to the recommended therapeutic interventions?**

- Do the interventions take into consideration the age and developmental stage of the child/youth?
- Are the interventions specifically tailored to the cultural background and gender of the child?

✓ **If currently involved in treatment, are the child's/youth's current treatment and service providers aware of his or her exposure to the violence described above?**

- Are these interventions age appropriate and developmentally appropriate?
-

Additional Questions to Ask About Children and Youth Who Have Been Exposed to Domestic Violence

- ✓ **Has the adult victim been provided an opportunity to seek an ‘injunction for protection,’ ‘no contact order,’ or ‘protective order’?**
 - Is injunctive relief available within the juvenile or family court system?
 - Does the injunction for protection include orders regarding the perpetrator’s contact with the children?
 - Has the injunction been made a part of the court record?

- ✓ **Has the safety of the adult victim been considered when deciding matters regarding the well-being and protection of the children?**
 - Have visitation orders specifically addressed issues such as safe exchange and the confidentiality of the adult and child victims’ residence?

- ✓ **Are court hearings held in a manner that is safe for both the child and adult victims of domestic violence?**
 - Do the parents and child(ren) have separate attorneys and/or advocates?
 - Is it possible to have separate hearings for the batterer and the victims?

- ✓ **Are child welfare professionals and domestic violence advocates coordinating their efforts to the extent it is feasible to do so?**

- ✓ **Have both the child and adult victims been offered domestic violence related therapeutic and supportive services that are culturally sensitive?**

- ✓ **Have the child and adult victims been linked with a community-based domestic violence advocate?**
 - Has the advocate provided information and education about domestic violence, the impact on children of exposure to domestic violence and safety planning?

- ✓ **Does this court have jurisdiction over the batterer?**
 - If so, has the batterer been required to attend a certified batterers’ intervention program, or similar quality service, and has the batterer’s attendance and progress been closely tracked?
 - If not, have the parties and the court worked with the criminal justice system and the victims to ensure that the batterer is held accountable for his/her actions (i.e. criminal prosecution of domestic violence, seeking a civil injunction for protection, prosecuting violations of probation or injunction)?

- ✓ **If an injunction is in place, has the batterer been in compliance?**
 - If not, has the adult victim contacted law enforcement regarding violations of the injunction?

- ✓ **What community and/or domestic violence shelter-based programs are available to assist child and adult victims of domestic violence with basic needs (food, clothing, shelter) as well as supportive and therapeutic services, including domestic violence advocates?**
 - Has a working relationship been developed between these programs and the court?

- ✓ **Are there any community-based prevention and awareness educational efforts specifically aimed at educating families and professionals about the effects on children of exposure to domestic violence?**
 - Is the court coordinating with these educational campaigns to ensure that court-related professionals are informed about domestic violence and children?

- ✓ **Have formal relationships been developed between the court, child protective services and the domestic violence community to enhance cooperation, coordination and effectiveness?**

Additional Questions to Ask About Children and Youth Exposed to Community Violence

- ✓ **Are community policing or similar efforts underway in the child's current community or the community in which he or she will be placed?**
 - If so, have the victim's advocates linked with community police to discuss the victim's experience with community violence and possible safeguards that can be put in place?
 - If not, has anyone connected with local law enforcement to institute a similar type of program?

- ✓ **Is the victim's current placement in a 'safe' community or one that is known to be fraught with violence?**
 - If the victim is not in a 'safe' community or a 'gun free school zone,' what efforts are being made to identify a safer living environment with either the same or different caregivers?

- ✓ **Has anyone helped the victim to identify a 'safe haven' in the community (i.e. school, community center, church, relative) that can provide a safe, supportive environment for the child?**

- ✓ **Have therapeutic trauma-focused group interventions or services (i.e. school or community peer support groups or bereavement counseling) been offered to the victim?**

✓ **Is an appropriate caregiver or parent available to develop a “competent, caring, positive” relationship with the child to assist and support the child in coping with and overcoming trauma from community violence?**

✓ **Is the victim able to identify a perpetrator of the community violence?**

If so, has law enforcement been contacted?

If not, what efforts are being made to ensure that the perpetrator is brought to justice?

✓ **Are there any grassroots, community-based efforts being made to eradicate violence, especially gun violence, from the child’s community?**

If so, have legal system advocates connected with these organizations or leaders to identify ‘safe havens’ for children and youth living in violent communities?

If not, how can the legal system work with community advocates and leaders to work to minimize the violence and its effect on children, youth and families?

