

FAMILY DRUG COURT: JUDICIAL SCRIPT

*A Technical Assistance Tool
Adapted from the Santa Clara
Family Wellness Court*



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ACKNOWLEDGEMENT

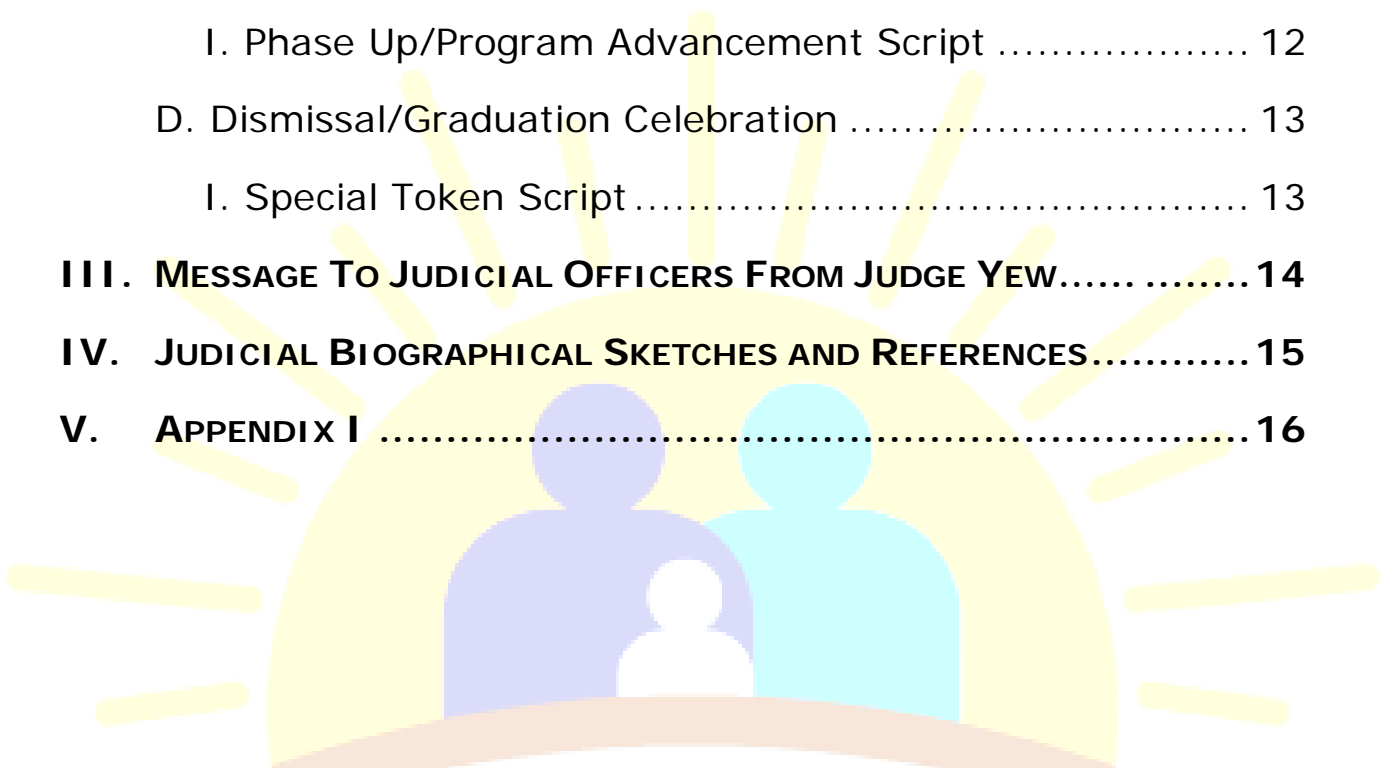
This document was adapted from Judge Yew's 2011 Santa Clara Family Wellness Court Script with additional text provided by Judge Nicolette M. Pach (ret.), Suffolk County, NY, and the Center for Children and Family Futures (www.cffutures.org), with support from the National Center on Substance Abuse and Child Welfare (www.ncsacw.samhsa.gov).

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BACKGROUND

Family Drug Courts (FDCs) have been in existence since 1995, with more than 360 programs in operation in 2013. These programs offer an effective way of addressing substance abuse and parenting within the child welfare system.

One of the keys to a successful FDC program is the judicial officer. The parent relationship with the judicial officer is considered one of the essential elements in parental motivation and in holding a parent accountable. This is done through the parent's frequent court appearances and by using rewards and sanctions to motivate the parent to comply with program requirements.

The parent's relationship with the judicial officer is considered one of the essential elements in parental motivation towards success.

This document is a guide for judicial officers and serves as a supplement to *The Drug Court Judicial Benchbook* (Marlowe & Meyer, 2011). The examples provided can assist judicial officers in the development of responses to parent behaviors in a way that supports continued engagement in recovery.

PURPOSE AND ORGANIZATION OF THIS TOOL

The purpose of this guide is to assist FDC judicial officers when talking with the parents about substance abuse issues and recovery. Scripts are provided as examples to guide judicial officers during their FDC hearings to improve parent engagement and retention.

Each script was developed by Judge Yew, Santa Clara County, CA with additional text provided by Judge Pach (ret.), Suffolk County, NY, utilizing the extensive professional knowledge developed through their experience as FDC judicial officers. Both Judge Yew and Judge Pach have based their scripts on their time leading integrated FDC models. In the integrated model, one judicial officer oversees both the dependency-related petitions and the compliance with substance abuse treatment orders. This judicial officer has primary responsibility for the child welfare case. In a parallel FDC, the dependency case proceedings regarding the child abuse/neglect issues including aspects of visitation and permanency are conducted on a regular family/dependency court docket. The parent is offered specialized court services and a specialized court officer hears the compliance reviews and manages the recovery aspects of the case throughout the parent's participation in the FDC.

No matter the FDC model, these scripts are helpful in providing the judicial officer with tools for interacting with parents.

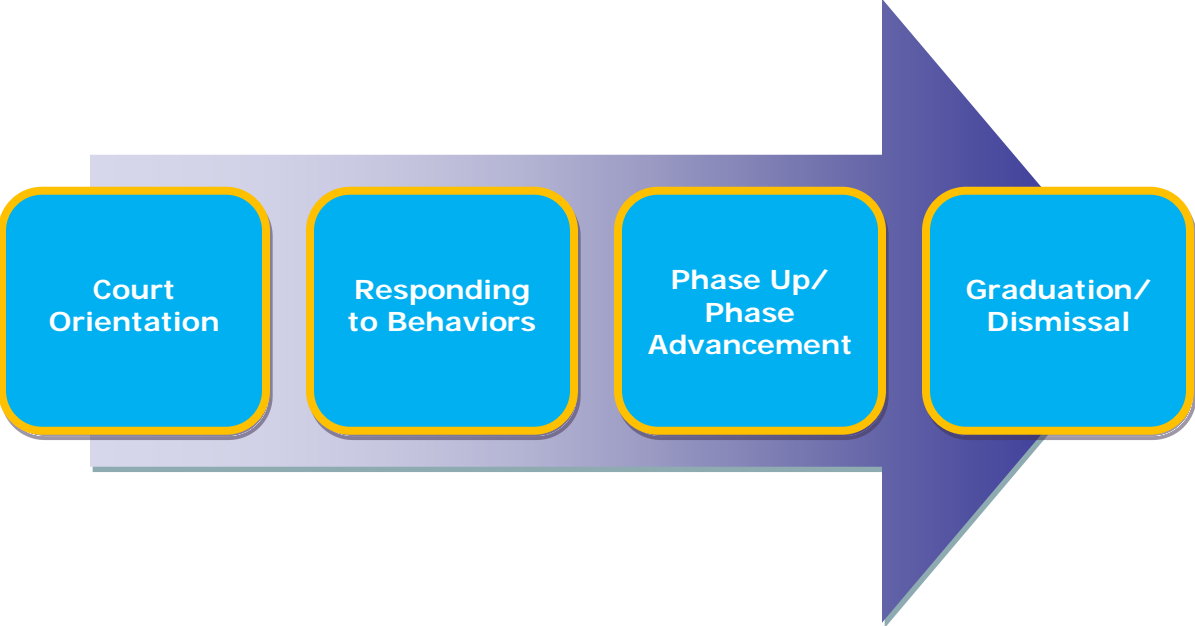
The use of jail is cited in these sample scripts although it is understood that not all FDCs utilize jail as a sanction. Regardless of the FDC model, it is hoped that these scripts are helpful in providing the judicial officer with the tools needed to motivate and assist the parents in their FDC.

It is recommended that these scripts are used as a reference and personalized to match the needs of your FDC program. Each judicial officer has their own style in the court room and the formality and tone can change throughout the FDC case process.

Again, the examples provided in this guide are being provided only as examples of ways to engage and to interact with the parents that come into your FDC.

Below you will find a graphic of the FDC case process described in this tool. For additional information on FDC phasing requirements, an example of Phasing Criteria adapted from Riverside County, CA can be referenced in Appendix I.

FIGURE 1: FDC CASE PROCESS



JUDICIAL SCRIPTS

COURT ORIENTATION

The initial stage of most FDCs is the Orientation Phase. The Orientation Phase provides parents with clear expectations of behavior and reviews the FDC rules and procedures. Providing the orientation to a group of people promotes the “community” approach while being cognizant of time constraints. If possible, schedule separate court orientations for mothers and fathers to avoid mixing genders. This is helpful if there have been issues around domestic violence and it creates an environment where mothers and fathers alike feel more comfortable asking questions and interacting.

COURT ORIENTATION SCRIPT

Good afternoon and welcome. We are so glad to see you here. This is your orientation to the [INSERT COURT NAME]. First we are going to introduce ourselves and then I have some information for you about [INSERT COURT NAME].

For the purposes of your orientation, we decided to have a number of cases heard at one time to save time and limit the time you have to wait to get into the courtroom. Now we are going to go around the room and introduce ourselves. We are going to give our full names because we want you to get to know us. We ask that you just give your first name to protect your privacy and confidentiality. If you forget and give your full name, don't worry. Now, you know me, I'm your judge and your children's judge, [INSERT JUDGE NAME].

Note: Go around the table and the team will introduce themselves and their roles. You should include everyone - whether they introduce themselves or you do - because it is more trauma-informed for everyone to be introduced to the parent. If everyone in the courtroom is perceived as working in alignment with the parent, the model works best.

Through those of us here, we represent the FDC team members who have come together to form a good safety net for our families in [INSERT COURT NAME]. We started [INSERT COURT NAME] [INSERT #] years ago because we know how hard it can be for parents to succeed in our court system - we ask a lot of our parents. So we came together to try to connect parents with services as soon as possible.

We feel that you are very special being in [INSERT COURT NAME] because we only take [INSERT #] families a month. We feel very lucky to be working with you. Every parent who comes into [INSERT COURT NAME] gets a lot of support. We actually go out of our way to assist and support you because we want you to be successful in getting your children back into your care. We do ask every parent coming into [INSERT COURT NAME] for three things.

The first is that we want you to always be honest. We know that being honest is key to your recovery. You have to be honest with yourself, your

Parents often feel ashamed or afraid to be judged if they are honest in court. The judicial officer should assure the parent that you are looking at the future and not their past actions.

case manager, your lawyer, your mentor, your sponsor, your team. Sometimes people find it hard to be honest because they feel ashamed or are worried that they will be judged. We want you to know that there is no negative judgment in this

courtroom. Everyone sitting around this table on your team has said or done something that we are ashamed of. We aren't about looking at the past; we are going to look at what you are doing right now to be the best parent you can be moving into your future! We also promise that we will be honest with you. We will be straight with you, even if it is hard, because that is how we show you our respect¹.

The second thing that we ask is that you work with us. When you have [INSERT #] partners and [INSERT #] resource providers, you have decades of experience at your disposal. There will be times that we suggest that you do something - like try a men's meeting or a women's meeting - and we ask that you listen to us and that you just try it out. We've worked with hundreds of parents now and we see patterns of what works and what doesn't work for people. We know from the successful parents (who have their pictures on that board behind you) what worked for them in getting their cases dismissed and their children

The role of the judicial officer is important but whenever possible use the word "we" to represent the FDC team - some parents feel closer to certain members of the team and parents feel stronger knowing they have a whole team behind them.

¹ And while we don't say it, because it seems heavy-handed, we have to maintain honesty at all times because we are modeling honest communications and an honest life for our parents.

back in their care. If you have tried something that we've suggested and it doesn't work for you, we will respect that. The third thing we ask is the hardest for some people. The third thing is that we ask people to tell us what they need. We have diapers, bus tokens, children's books and toys on hand to help you. We also have a lot of resource lists to connect you with resources in the community. We see it as our job to connect you with items and resources to help you and your family be successful. We believe that if we connect you, you will be able to do the same for your children and continue to connect with resources when your case is successfully dismissed. I say this is the hardest thing for people because sometimes they have had a lifetime of asking for help and no one stepped up for them. Or they feel so badly about themselves that they don't feel they deserve the help. You are important to us because you are the most important person in your children's lives and we want to support you. So please ask us.

We want you to know that if you need something, you can stop by the courthouse on any [INSERT DAYS OF THE WEEK] even if you do not have a court date that day. We have had parents out by the park and their children soiled their clothes and they needed diapers and a change of clothes. They stopped by for help. You are welcome here. If you come on a date when you are not scheduled for court, please tell the receptionist that you are a [INSERT COURT NAME] parent. They will find a lawyer or mentor for you. If they can't find them, they will let a courtroom clerk know that you are here and we will come out to see what you need. There is also a computer in the waiting room with a printer that you can use to make internet searches for housing or work. I asked that they put that in there for you to use so please know that it is there for you.

Now you may have noticed that when you came in, I called you by your first names. That is because we purposefully want to have a less formal environment in [INSERT COURT NAME]. So in your legal hearings, I will call you by your last name and in your [INSERT COURT NAME] reviews, I will call you by your first name. Also while there is a court reporter in your legal hearings, there is no court reporter in your [INSERT COURT NAME] reviews

Each FDC will address the parent in their own way but it is good for the parent to hear the reasoning behind the team's decision of when they might use their formal or first name.

because again we didn't want to create a formal environment where we had to worry about talking clearly enough or loud enough for the reporter to write down everything.

In your legal hearings, the other parent – if he or she is involved – will also be in the courtroom along with his or her lawyer. Foster parents, your support people, extended family members may also be in the courtroom during legal hearings. In your [INSERT COURT NAME] reviews, the only person who will be in here with the team is you and your lawyer and mentor. We wanted [INSERT COURT NAME] to give you your own special time with your team so that we could concentrate on you and your needs. If there is another parent in your case who is in [INSERT COURT NAME], we want you to know that apart from what needs to be disclosed for legal purposes, we will not tell the father/mother what you say and we will not tell you what the father/mother says in [INSERT COURT NAME]. You can tell one another if you choose to do so.

We do want you to know that even though [INSERT COURT NAME] review hearings are less formal than legal hearings, they are still court hearings and you are required to come to court. Your [INSERT COURT NAME] hearings are equally important as your legal hearings.

In [INSERT COURT NAME] because we are less formal, we get to feel comfortable with one another. I may see you out in the community or on the sidewalk outside the courthouse. I will always be happy to see you! There is an ethical rule, though, that prohibits judges from talking to people without their lawyers with them. So if I see you and sort of cut off the conversation and leave, it isn't because I am not glad to see you, it is just because I can't talk with you without the lawyers present, ok?

Now I wanted to check in with you to see if you have any questions. If you do, can you please take a moment and tell your attorney so that we can maintain your privacy?

The orientation process can be long and overwhelming - check in with the parent to see if they have any questions.

Note: Some parents may need to stay back after the orientation is completed to make sure all their questions are answered.

Let me check in with your team to see if anyone wants to add anything?

Note: Let the team members say what they wish to say - often they will just welcome the parents. Some of the team members may have already met the parents.

Ok before you go, we have some things to give you, so let me explain. First, I am giving you a voucher for a medical appointment. We've found that many of our parents haven't had a chance to take good care of their health. They haven't had a check up in a long time. Planned Parenthood has doctors that can give you a medical exam and they can provide family planning information. Medical care is provided on a sliding scale and family planning information is provided at no cost to you. If you show them this voucher and receive a service, they will give you a coupon for a movie ticket or a pizza.

I'm also giving you a card that says you are in [INSERT COURT NAME]. It has the court's seal on it and your name. The word is out that there are benefits to being in [INSERT COURT NAME] so some parents are saying they are in [INSERT COURT NAME] when they are not because it gets them to the top of some waiting lists. In case you need it, you now have a card that says you are officially a [INSERT COURT NAME] parent.

Also you will always leave [INSERT COURT NAME] with a reminder sheet. Your copy will be yellow. On the back of your paper there are phone numbers for resources in the community. Your lawyer will always write what you need to do between now and the next time you come to [INSERT COURT NAME]. We think of the reminder sheet as a contract. There's nothing really new on it, since the reminder sheet just sets forth your case plan, but in bite size pieces.

Finally every parent in [INSERT COURT NAME] gets his or her own re-useable bag. Since we give you things to take with you, we wanted you to have a bag. We only had enough money to give each parent one bag so if you want to get any items in court, please remember to bring your bag to court.

Do you have any questions?

Between today and your next court date you will go to your assessment, meet with your case manager and get drug tested at least twice. You must call this number [INSERT DRUG TESTING CALL-IN NUMBER] every morning by 10am and report for drug testing if your color code is the color of

the day. Your case manager will give you your parents handbook and will go over the rules for drug court. You will also attend a meeting with the drug court coordinator on [INSERT DATE AND LOCATION] to learn more about the drug court and how you will know that you are making progress.

It is great to have you here and we look forward to seeing you next time!

RESPONDING TO BEHAVIOR

Initially each court meets with parents weekly which then turn into a less frequent process as they advance phases in the FDC program. These meetings are to check on their recovery process and compliance with the overall program. The judicial officer needs to respond to the parent behaviors.

To learn more about responding to compliance or non compliance judicial officers should read Chapter 7 in the Drug Court Judicial Benchbook; Applying Incentives and Sanctions (Marlowe & Meyers, 2011). This section will give you additional background about the appropriate use of sanctions and incentives as well as provide scripts that incorporate these best practices. The scripts below intend to show that responses for the same infraction, for instance relapse, is different depending on the circumstances. Responding to behavior should be individualized and take into consideration circumstances such as where the parent is in the FDC phasing, where they are in their recovery process and what other factors might interplay. The judicial officer should take the time to explain their reasoning behind their decision for the benefit of the individual parent and all the FDC parents who are in the court room listening.

The fishbowl is a popular incentive tool. Along with praise, gift cards for certain milestones, and providing certain items like toys, diapers, wipes and books, the fishbowl allows the FDC to provide tangible validation of the parents' success.

FISHBOWL SCRIPT

This is our fishbowl. We only offer it to parents who have met all the FDC requirements since the last FDC review. We want you to know that we are proud of you for doing so well. The things in the fishbowl are small, but they are given with a lot of respect and a lot of pride.

There are two ways to pick from the fishbowl. Some people like a surprise. If that is what you want, you can pick an orange slip – which is something appropriate for man, woman or child – or you can pick a yellow slip which is for women/ a green slip which is for men. Other people like to save. If that is you, you can pick a coupon which is white. If you save two coupons, you can redeem them for a \$5 calling card or a \$5 Starbucks card. If you save four, you can turn them in for a \$10 target card. If you save six, you can turn them in for a \$20 target card and if you save eight, you can turn them in for a big surprise!

We have a menu of big surprise items that includes a digital camera with a memory card, a digital camcorder, a bbq with pot and pan set, or an iPod. It is up to you. Just know we are proud of you for getting your fishbowl! [Applause]²

Applause is the simplest form of an incentive but it goes a long way.

Note: It is important for the judicial officer and the FDC team to keep an accurate count of a parent's coupons and available resources. It would be a disincentive for parents if they earned a coupon and accurate count was not kept of the resources available.

1ST WEEK SCRIPT – POSITIVE DRUG SCREEN

Did you take a drug test today? (yes) and? (it was positive.) Thank you for your honesty. Of course we, your team, are disappointed that your test was positive, but we understand since you have not started treatment yet. This shows us why treatment is so important because it is hard to be in recovery alone. Sometimes people feel badly about themselves at this point. Please know that we do understand -- we say that relapse is understood, but it is not excused. When you come back next time, we want to see clean tests, OK?

As a member of FDC, you will have to do some specific things before we see you next week:

- Please go to your assessment at [LOCATION]. Your case manager will work with you to make your appointment.*
- Get the documents you need to enroll in treatment. Your case manager will tell you what those are and you should ask for help if you don't know how to get them.*
- Please call the FDC test line every morning and come in for testing when your color comes up. Remember, we tell you to call the testing line as soon as you wake up and even before you brush your teeth or eat breakfast so you can plan to test if you have to that day*
- Call or visit your children, depending on what is allowed under your case plan.*

² Don't underestimate the power of applause. I once received a surprise award and was given a standing ovation and applause. I was speechless and the applause felt good. I still have happy memories of that moment. Some of our parents did not have many opportunities to be applauded before they entered FDC. Sometimes you can see the pride and joy on their face when they receive applause from the team. It can be a powerful motivating tool.

Again, thank you for coming up to court and for your honesty. We are really impressed with your honesty and we are grateful that you are trusting this process. This is an important step toward your recovery.

4TH WEEK SCRIPT – POSITIVE DRUG SCREEN

How did your week go? (Not good) Were you drug tested? (Yes) and what was the result (It was positive). You will need to meet with your case manager about this and talk to your individual counselor at treatment. They will help you figure out if you need to focus on some changes in your life, like who your friends are and they will discuss with you whether another kind of treatment would work better for you.

You know there are consequences for a positive test. Your consequence will be to write an essay describing a change that you can make that will help you have a negative test next week. This essay will give you a chance to reflect on what went wrong and what you can do differently in future. Think about what tools have you learned through your recovery process and what additional support can you ask for to avoid this situation in the future.

Essays give parents a chance to reflect on what went wrong and what they can do differently in the future.

Keep going to treatment every time you are required to, test when you are told to and meet your obligations to your children.

Thank you for showing up to court today and for your honesty.

6TH MONTH SCRIPT – POSITIVE DRUG SCREEN WITH HONESTY

I understand you have something you want to tell me. Do you know how that happened? What did you do? Well I can see that you realize it was a mistake to [DESCRIBE SCENARIO]. Those are good signs that you have learned some recovery skills.

You can be stern with parents but remind them why the court cares— it is about them and their children.

As you know there are consequences for a positive test. Since you've been in the program long enough to have the tools to avoid this and you let your guard down you will be required to come to court every week for the next month and we will be adding a month to your time in drug court. You can't afford to waste any more time. Your permanency hearing is coming up

soon. You know what you have to do to get your children back. We know that you can do it! You've shown us that you can do this. Remember when you [INSERT AN EXAMPLE OF SOME SUCCESS, PERHAPS RELATED TO THE PARENT'S CONNECTION TO HIS OR HER CHILD]. We know that you feel badly about this mistake, but don't give up. Thank you for being honest with us and come back and shine next time, OK? I know you can do it. Thank you for your honesty.

MISSING IN ACTION SCRIPT – PARENT RETURNS AFTER 2 MONTHS

We are glad to see you back here. We've been worried about you and we've missed you. The permanency hearing to decide if the plan will continue to be that the children are returned to you is coming up shortly, [INSERT THE SPECIFIC DATE].

Giving clear and specific information - such as an important date - is being trauma-informed.

If you recommit to your recovery right away you may still have a chance. Have you thought about what you want? What do you want to do? Whatever you decide, we will support you. The county attorney has filed a contempt petition against you and is asking the court to give you a jail sentence for disobeying the court's order. . Your attorney will have a chance to tell me why I shouldn't hold you in jail until we can have your contempt hearing tomorrow.

I'm setting bail. I'll see you tomorrow for your hearing.

In the meantime your case manager will visit you at jail and will speak to the treatment program. When you come back they will make a recommendation about whether you need inpatient treatment or not.

Note: I would only use the bail option if I thought the parent's physical safety was at risk.

OR

I will release you in your own custody. Meet with your case manager right after court. Find out what meeting you can attend today and every day this week while you are reassessed to see what treatment will be most and supportive of your needs. Time is running out. Your next legal hearing date is [INSERT SPECIFIC DATE]. We've seen some parents turn it around in a short time and they've been able to get their children back. You can do this too, but you have to start today.

PHASE UP/PROGRAM ADVANCEMENT

Benchmarks for phase advancement should be concrete and measurable. The parent handbook for the program should describe where they can meet with their case manager and check off each time they achieve one of these benchmarks. The parent should be able to tell when they are due for advancement.

PHASE UP/PROGRAM ADVANCEMENT SCRIPT

You've been in FDC for more than a month now. Do you know when you will have met the requirements to move up to the next phase? I know you've been here at FDC every week since you entered so you have perfect attendance at FDC. Do you have 30 days of attending every treatment session required? Do you have 30 days in which you had all negative drug tests? In the last 30 days have you visited your children every time a visit was scheduled?³

It is important for the parent to know when and why they are ready for advancement.

*Are you ready to take on more responsibilities? Congratulations!
You've finished orientation and are ready for Phase up!*

Note: Judicial officer leads applause and steps off the bench to present a certificate of achievement or hand it to the case manager or court officer to present to the parent.

Is there anything you would like to share with the FDC team or your peers about your journey thus far? When you leave court this afternoon, please meet with your case manager to go over the benchmarks for phase 2. You've earned the right to come to FDC less often. Your FDC appearances will now be every other week. I'll see you in two weeks. Congratulations!

³ During the phase up/promotion script you will need to replace this example with your own program phase up requirements. The phase up/promotion requirements should be decided upon with your FDC team and provided to the parents in their handbook during orientation.

DISMISSAL/GRADUATION CELEBRATION

It is important to honor every parent – and case manager – who has had a case dismissed by holding a dismissal/graduation celebration. Each FDC will have a different process based on

*Engage the mentor parent/
substance abuse specialist in
the ceremony. They are a big
part of the success.*

the needs of their specific program. Depending on the time allotted and approach to the ceremony there can be many people that speak on behalf of the parents (case manager, parent attorney, mentor parent/substance abuse specialist, family and friends, etc) or it could be that only the graduates have the opportunity to speak for a few minutes each.

During this transition time it is appropriate to provide the parents with any resources and contact information you want them to have as well as providing a reminder about staying connected through alumni groups (if applicable). If resources permit, following the ceremony have everyone gather in a group for a photograph is a nice closing activity.

Many FDCs give out certificates or some symbol of their completion through the FDC program. One example of this by the Family Wellness Court in Santa Clara County is a solidarity bracelet. A script detailing the process of presenting this to the parent is offered below.

SPECIAL TOKEN SCRIPT – SOLIDARITY BRACELET

The last thing we want to give you is, for us, the most precious thing that we give even though it is a bit of plastic. It is a solidarity bracelet. It says our motto: "Family Wellness Court – live clean, parent well." It is precious because there are only two ways to get this bracelet. You either have to be a member of the court team or you have to be a parent who has successfully completed [ENTER PROGRAM NAME]! Now that you have this bracelet, you are a member of an elite club. We offer this to you to wear as a constant reminder of all that you have accomplished and a reminder that you are not alone. I wear mine 24/7, to weddings and the ER, weekdays and weekends, as a constant reminder to me of all that I have learned from the parents here and as a reminder that we are always connected. Congratulations!

A MESSAGE TO JUDICIAL OFFICERS FROM JUDGE YEW

The traditional training for judicial officers teaches us to be distant – emotionally and intellectually. We approach cases and people analytically and even skeptically. In our stereotypical roles, we are in control and have all the power. In a FDC, however, there is freedom to inhabit a more expansive role. The FDC judicial officer is still judge, of course, but so much more – team leader, cheerleader, motivator, sometimes Sherpa, other times confessor. The approach that works best for me is that of servant leader. “Servant leadership” was coined by Robert Greenleaf in 1970. Greenleaf said: “The servant-leader is servant first.... The difference manifests itself in the care taken ... to make sure that other people’s highest priority needs are being served. The best test, and difficult to administer, is: Do those served grow as persons? Do they, while being served, become healthier, wiser, freer, more autonomous, more likely themselves to become servants?”

In the FDC, the judicial officer has the opportunity to change the lives of many, but people going through recovery cannot be forced. They must be inspired. They must be helped to believe that they can achieve what seems impossible. The judicial officer and the team have to see the potential for success even before the parent does and even when the parent denies that it is there. The FDC judicial officer has a unique challenge, however, because we cannot join the parent in denial. We have to be reality-based while also being hopeful and inspiring. This requires the judicial officer to be present and authentic. Sometimes, you will be disappointed, but other times you will be amazed. You will marvel and be humbled by what people can achieve when you simply believe in them and speak to them honestly, plainly and with compassion and respect.

We have to be reality-based while also being hopeful and inspiring. This requires the judicial officer to be present and authentic. Sometimes, you will be disappointed, but other times you will be amazed.

JUDICIAL BIOGRAPHICAL SKETCHES

Hon. Erica Yew

Presiding Judge

Santa Clara Superior Court, California
Santa Clara, CA

Judge Erica Yew was appointed to the Santa Clara County Superior Court in October 2001. She helped to found Family Wellness Court, a juvenile dependency drug treatment court serving infants and toddlers and their parents. She presided in this court for approximately four years, during which time the FWC served hundreds of children and their parents. FWC was recognized by the California Assembly and Santa Clara County Board of Supervisors as a successful court collaboration. FWC was able to bring eighty plus resource providers together to serve the children and parents in that court. Judge Yew has been recognized for her volunteerism and leadership in areas such as family violence and diversity. Most recently, the San Jose Business Journal named Judge Yew a 2009 Women of Influence in the Silicon Valley. She received an Opening Doors to Justice Award from the Public Interest Clearinghouse and an Unsung Heroes Award from the Santa Clara County Bar Association. In October 2009, Judge Yew was appointed to the California Judicial Council, the policymaking body of the California Courts, the largest court system in the United States. Judge Yew received her undergraduate degree with honors from University of California at Berkeley in 1982 and her law degree from Hastings College of the Law in 1985.

Hon. Nicolette Pach

Consultant, Retired Judge of the Family Court

Judge Pach was a judge of the New York Family Court from 1993 to 2002. She presided over the state's first Family Treatment Court (FTC) opening in 1997. She brought together leaders from the court, county agencies and community based organizations to develop the FTC, which has been replicated statewide. Judge Pach is an independent consultant to national organizations. She serves as a Judicial Hearing Officer in Queens County (NY) Family Court.

REFERENCES

Marlowe, D. B. & Meyer, W. G. (Eds.) (2011). *The Drug Court Judicial Benchbook*. Alexandria, VA: National Drug Court Institute.

Yew, E. (2011). *Court-Based Interventions for Pos-Tox and Drug Exposed Infants and Toddlers*, available from the author at EYew@scscourt.org

APPENDIX I

FDC PHASING CRITERIA ADAPTED FROM RIVERSIDE COUNTY, CA

Phase 1

1. Attend court hearing every week. (Call in on weekdays not attending court/treatment.)
2. Maintain 12 Step meeting cards. (3 per week.)
3. Drug test as scheduled. (1-2 per week.)
4. Participate in treatment program as required.
5. Complete treatment plan goals.
6. Enroll in Parenting Program.
7. Attend case planning as required.

Phase 2

1. Attend court hearing every 2 weeks. (Call in on weekdays not attending court/treatment.)
2. Maintain 12 Step meeting cards. (3 per week.)
3. Drug test as scheduled. (1-2 per week.)
4. Participate in treatment program as required.
5. Complete treatment plan goals.
6. Complete Parenting Program.
7. Attend case plan individual meeting as scheduled.
8. Comply with case plan goals.
9. Obtain employment /School. (20 hours per week.)

Phase 3

1. Attend court hearing every 3 weeks. (Call in on weekdays not attending court/treatment.)
2. Maintain 12 Step meeting cards. (3 per week.)
3. Drug test as scheduled. (Once per week.)
4. Participate in treatment program as required.
5. Complete treatment plan goals.
6. Attend case plan individual meeting as scheduled.
7. Comply with case plan goals.
8. Work or attend school full time. (32 hours per week.)

Phase 4

1. Attend court hearing every 4 weeks. (Call in on days not attending court/treatment.)
2. Maintain 12 step meeting cards. (3 per week.)
3. Drug test as scheduled. (Once per week.)
4. Participate in treatment program as required.
5. Complete treatment plan goals.
6. Attend case plan individual meeting as scheduled.
7. Complete all case plan goals.
8. Complete Graduation Statement.

This tool as well as other technical assistance resources are available for download at www.cffutures.org or call Children and Family Futures toll free at 866-493-2758 for additional information.