

Supporting the Mental Health of Youth in Juvenile Court Podcast
December 2019

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Kelly Meehleib: Welcome to the Judicial Council's Center for Families Children & the Courts podcast series on juvenile law. We are fortunate to host an interview with Judge Donna Groman, who presides over the mental health court at the Los Angeles Superior Court and Rebecca Gudeman, Senior Director of Adolescent Health at the National Center for Youth Law. Rebecca and Judge Groman have worked together to produce a resource guide and bench cards on how to support the mental health of youth in juvenile court. This interview between Rebecca and Judge Groman took place in December 2019.

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Rebecca Gudeman: Judge Groman, you've spent the majority of your career in juvenile court and now you're assigned to a mental health court, do these two disciplines overlap?

Judge Donna Groman: The mental health court over which I preside is an LPS Conservatorship Court and we also do Assisted Outpatient Treatment. So, with respect to the conservatorships, conservatorships are done with all ages, so, we have children for whom conservatorships are sought as well as adults. With the Assisted Outpatient Treatment calendar, we work with young people who are 18 and over and it's actually a great opportunity for transition age youth to get intensive mental health services.

Rebecca Gudeman: Research tells us that 70 to 80 percent of youth in the child welfare and juvenile justice systems have some level of mental health issue, whether it's diagnosed or not, or treated or not, and whether it's acute or long-term. What are some of the key issues that might come up in court with regard to mental health, in your experience?

Judge Donna Groman: Well, with regard to youth in the child welfare system, mental health is always going to be an issue, especially with respect to trauma. There has to be some effort to evaluate youth coming through the child welfare system with respect to mental health issues. And, for youth who come into the juvenile justice system, they too, have experienced trauma in their past and many have mental health issues. It's almost important to assume that a child has some mental health issue and to have that child evaluated to see if, you know, problems at school are stemming from mental health issues, behavioral problems at home may stem from mental health issues. And, it's always important to keep that in the back of your mind that there's an explanation for behaviors that our young people exhibit that may be a result of a mental illness or trauma background.

Rebecca Gudeman: Judge Groman, you serve as Vice Chair of the Chief Justice's Keeping Kids in School and Out of Court initiative and there is a new research guide with bench cards from this initiative dedicated to supporting the mental health of children that will soon be

distributed by the Judicial Council. What are some of the highlights of these upcoming publications?

Judge Donna Groman: So, I have to say that these publications are absolutely amazing, and everybody should be reviewing them. The bench cards are fantastic, but the bench cards are just an opening to what is set forth in the resource guide which is just so chock full of information. I don't think that there's any one place, that I know of, that addresses the mental health needs of our youth in any one document. So, it's just a fabulous publication. So, one of the focuses that I really appreciate is on court reports, and what should be included in court reports, and what bench officers should expect to see in reports, and the information that is needed at every hearing to make good decisions. Another feature that I appreciate is talking about education and what role mental illness plays in ensuring that our youth have appropriate educational services at school to support them.

Rebecca Gudeman: You mentioned court reports, California Rules of Court set forth exacting requirements for the content of court reports which the court must review and as you noted one of the bench cards does address these requirements. What information is commonly absent from court reports?

Judge Donna Groman: Unfortunately, and it has been getting better, but a lot of the information in the Rules of Court are absent from the court reports. I can't think of anything more important than to monitor the education progress of our young people as they go through the system. Also, a focus that I think that many of us overlook is the focus on mental health issues and what services are needed to support our youth and who exactly is going to take care of attaining those services for our youth.

Rebecca Gudeman: As you note, a youth may receive services from a number of different entities, whether it's county mental health or the school system, some from their placement, and this means there may be multiple agencies responsible for providing those services. One of the bench cards does map providers funding streams and discuss eligibility requirements, what role might a judge play in ensuring that a youth mental health needs are fully met?

Judge Donna Groman: So, the juvenile court judge under the standards of judicial administration has a responsibility to both ensure that a particular youth is getting services and also that those services are available in the community. So, it's important for a juvenile court bench officer to understand all the funding streams, all the available services that are in the community, how they interlink and overlap, and to make sure that as a court we're overseeing that these services are appropriately provided to our young people.

Rebecca Gudeman: Youth and family input is critical to making decisions and is highlighted throughout the resource guide and bench cards. Why is this important and what strategies may the bench use to make sure youth and family voices are heard?

Judge Donna Groman: I have to say that youth and family voices are probably the most important voices for us to hear. You know, so often adults and professionals make plans for youth and family without considering their input because we think we know what's best for

them. But, every time I hear from a youth or from a family, I'm just totally surprised at the things that I've been overlooking and what's important to that youth and family.

In order for us to be providing culturally appropriate services, we need to understand what the needs of the youth and family are culturally, and we, also, absolutely need their buy-in. So, if we go ahead and make a plan without getting youth and family voice, chances are they're not going to want to participate. So, the more voice we have, of youth and family, the more they're going to be willing to participate in those services and to be successful.

Rebecca Gudeman: You mentioned making the courtroom a friendlier place, one of the bench cards describes how a courtroom may be a friendlier and more welcoming place for youth with mental health concerns. What are some of the practices you would like to see implemented in a courtroom to foster an atmosphere that's conducive to good mental health outcomes?

Judge Donna Groman: Well, it varies from the physical layout of the court, to the words coming out of a judicial officers mouth, and also the lawyers, and also the timing of the ways that the cases are heard. So, the signage that's in the courthouse needs to be a friendly advisement, as opposed to "no this" or "no that." And, people need to be able to understand where to go in the courthouse, so good signage is really important.

When a family walks into the courtroom, they should be greeted, they should be the focus of the proceedings. You want to make sure that your courtroom staff and attorneys, as friendly as they may be with each other, are not talking amongst themselves when people walk into the courtroom. It's a focus on the child and the family that's most important. And, you know, you always try to start off a proceeding with some sort of positive comment. You want to make the focus, the emphasis, on positive praise as opposed to criticism and reflection on all the things that have gone wrong.

So, there's so many different ways to approach a trauma-informed courtroom, but it's basically an attitude and focus on the child's needs and the family's needs. I think that one of the things that I learned early on is that not only are the children traumatized, but parents also. And, we have to be aware of the fact that many people in the courtroom, whether they're family members or attorneys or practitioners, we have to be sensitive to their trauma needs of everybody who's in the court.

Rebecca Gudeman: Unfortunately, transitions and placement changes can occur frequently in the life of a system-involved child. What are some of the key strategies that may be found in the resource guide and bench cards that support transitions and placement changes?

Judge Donna Groman: So, one of the things that the cards and resource guides point out is the need for planning before a transition begins. The worst thing that could happen is to move a child from one place to another without any kind of advance planning. So, you know, a child should not be in a new environment for even a minute without having the supports around him or her that have been provided in the past. So, you have to think about continuity of services, continuity of education, whether you're going to need to keep that young person in the same school that they've been attending so that they can finish out the school year there. You have to

figure out a funding stream. Duplicate the services and the activities that that young person had at the prior placement and make sure that they're all there in the subsequent placement.

Rebecca Gudeman: One of the cards flags things to look for when a youth turn certain key ages. For example, when a youth turns age 12, medical consent issues and confidentiality may be impacted. What are some of the issues you look for at different ages or key ages for you?

Judge Donna Groman: So, as children are getting older in our system, it's important for them to be prepared for adulthood. Starting at the earliest age possible we have to be preparing our youth for independence and being able to survive as adults with all the challenges that they have encountered in life. So, as you go along the age continuum, you have to give more and more responsibility to that young person in making decisions and being exposed to responsibilities that they will have to adhere to as adults.

You know, even from an early age there's differences in education and regional center services that are available. Who provides services for ages zero through three – once a child becomes school-age more of the services are going to be taking place in the school environment. When children turn age twelve, it's their opportunity to start reviewing the case plan and being given the opportunity to give their input, sign and receive a copy of their case plan. The case plan when youth turns age fourteen is the beginning of the transitioning plan from foster care to adulthood. As a youth approaches the age of majority, you need to make sure that there are benefits. Medi-Cal, SSI, immigration status, all of these services need to be reviewed and make sure everything's in place. And these are all set forth in the bench card considerations at different ages.

Rebecca Gudeman: Judge Groman, as someone with so much experience both in juvenile court and in a mental health court, any final thoughts on how to support mental health and wellness for youth in court?

Judge Donna Groman: Young people need to understand that mental health is a lifelong challenge. For those who have suffered trauma, it's going to be something that they'll need to address at probably all stages of their lives as memories of trauma are triggered. And, they need to be able to handle what happens when those memories come back. For youth who have mental illness, many mental illnesses are lifelong challenges and our youth need to understand what symptoms of mental illness are, what treatment they should be pursuing. Sometimes a youth may have to take medication for their lifetime and they have to understand what the benefits of the medication, how the medication works, and understand, in advance, what happens if they choose to not take their medication. It's also important to educate the family because even if our child is removed from the family, many children return to their families and it's important for the families to understand how to support a young person with mental health challenges.

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Kelly Meehleib: For those of you listening who would like to learn more or access the resource guide and bench cards for Supporting the Mental Health of Youth in Juvenile Court, please visit

the courts website at www.courts.ca.gov and refer to the KKIS page in the juvenile law section under programs for families and children. You may also visit the National Center for Youth Law website at www.youthlaw.org and select the resources page under education.

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