

THE INQUIRING MAGISTRATE:

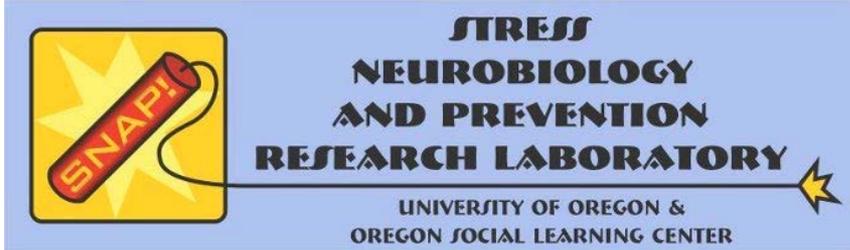
EVALUATING RISK FOR
NEGATIVE CHILD OUTCOMES

The Inquiring Magistrate Framework

Science and Child Development



Oregon Social Learning Center

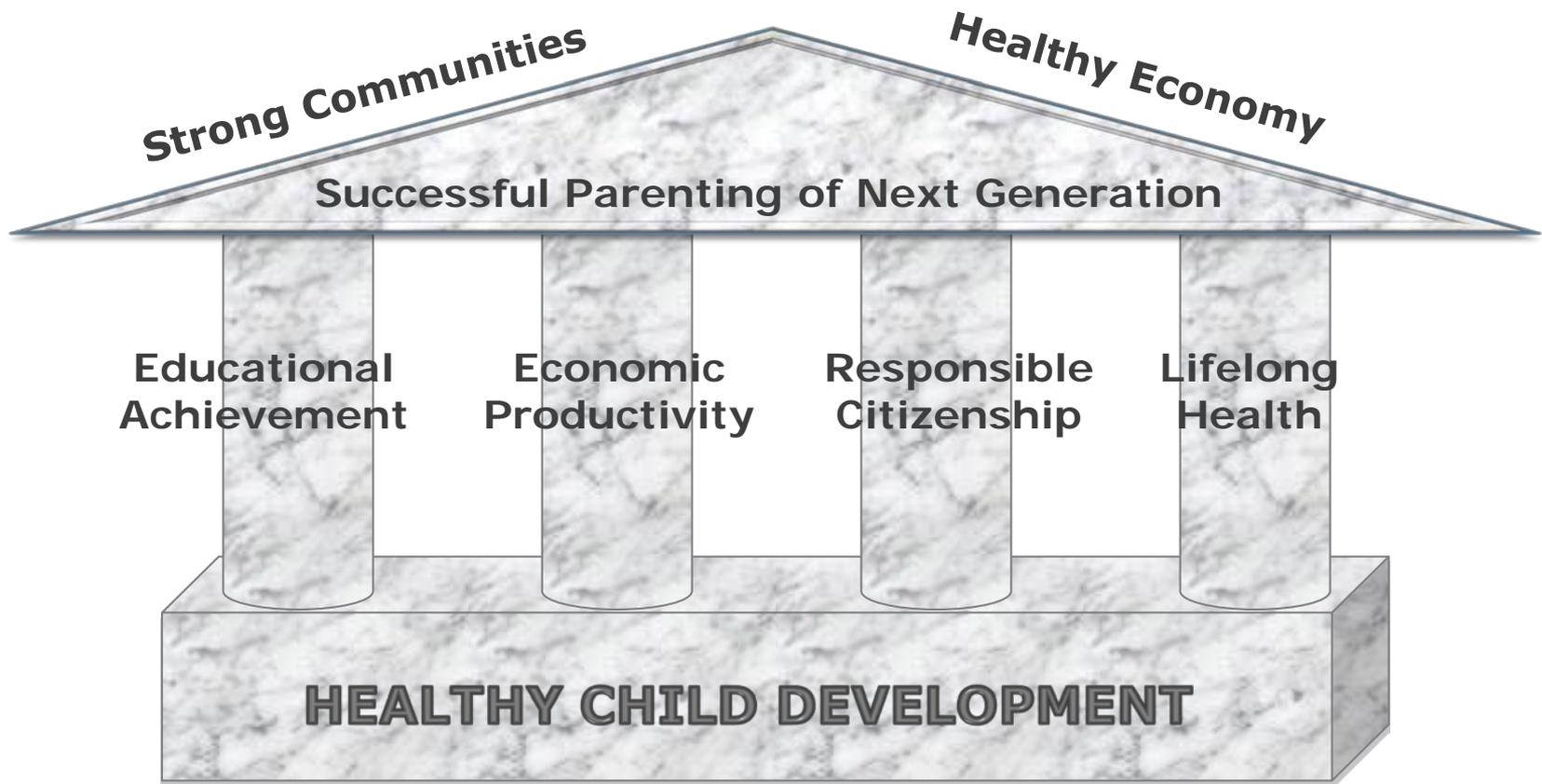


Center on the Developing Child  HARVARD UNIVERSITY

Experiences Build Brain Architecture



The Foundation of a Successful Society is Built in *Early Childhood*



Source: Center on the Developing Child at Harvard University (2007). A Science-Based Framework for Early Childhood Policy.

Brain Architecture Supports Lifelong Learning, Behavior, and Health

Brains are built over time, starting in the earliest years of life. Simple skills come first; more complex skills build on top of them.

Cognitive, emotional, and social capabilities are inextricably intertwined throughout the life course.

A strong foundation in the early years improves the odds for positive outcomes and a weak foundation increases the odds of later difficulties.



Source: *The Science of Early Childhood Development*. (2007)
National Scientific Council on the Developing Child.

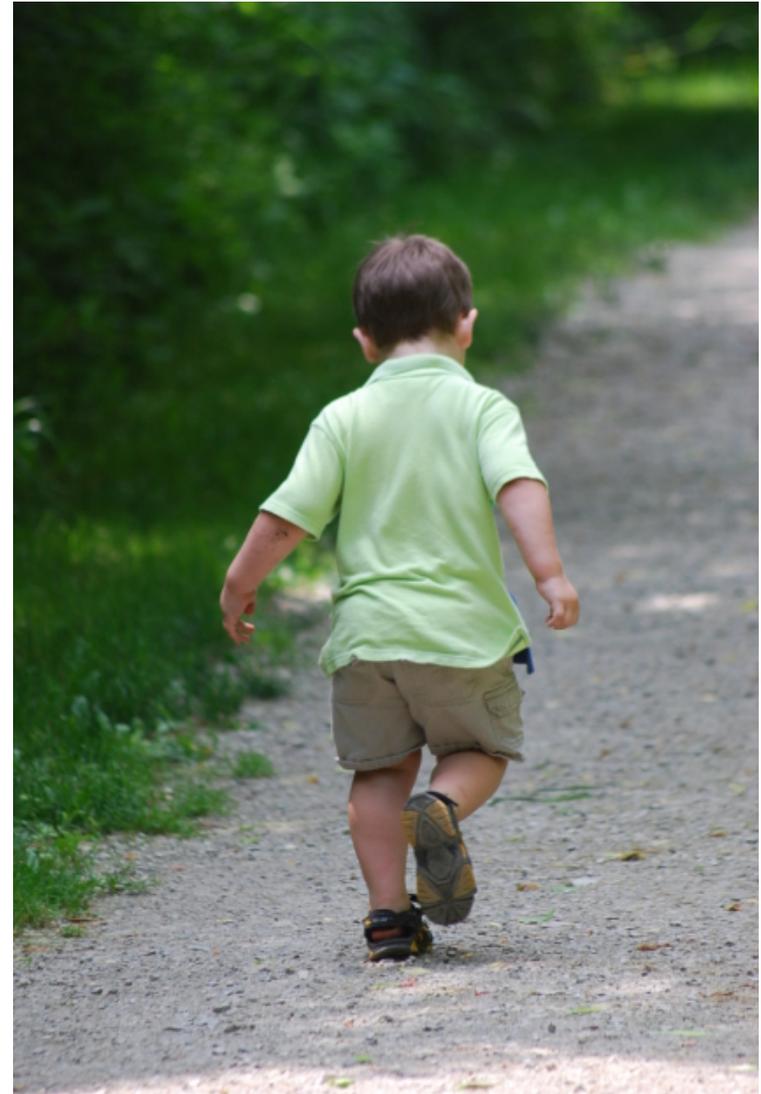
Developmental Milestones

Birth

"At term": 38-42 weeks, 6 or more pounds

Infancy and Childhood

Holds head up:	3-12 weeks
Sits up:	5-9 months
Crawls:	5-11 months
Stands alone:	9-16 months
Walks alone:	9-17 months
First words:	1 year-1 year & 6 months
Talking fluently:	2-3 years
Runs smoothly:	4-5 years
Rides a bicycle:	5-6 years



Toxic Stress Derails Healthy Development



The Biology of Adversity: Three Levels of Stress

Positive

Brief increases in heart rate,
mild elevations in stress hormone levels.

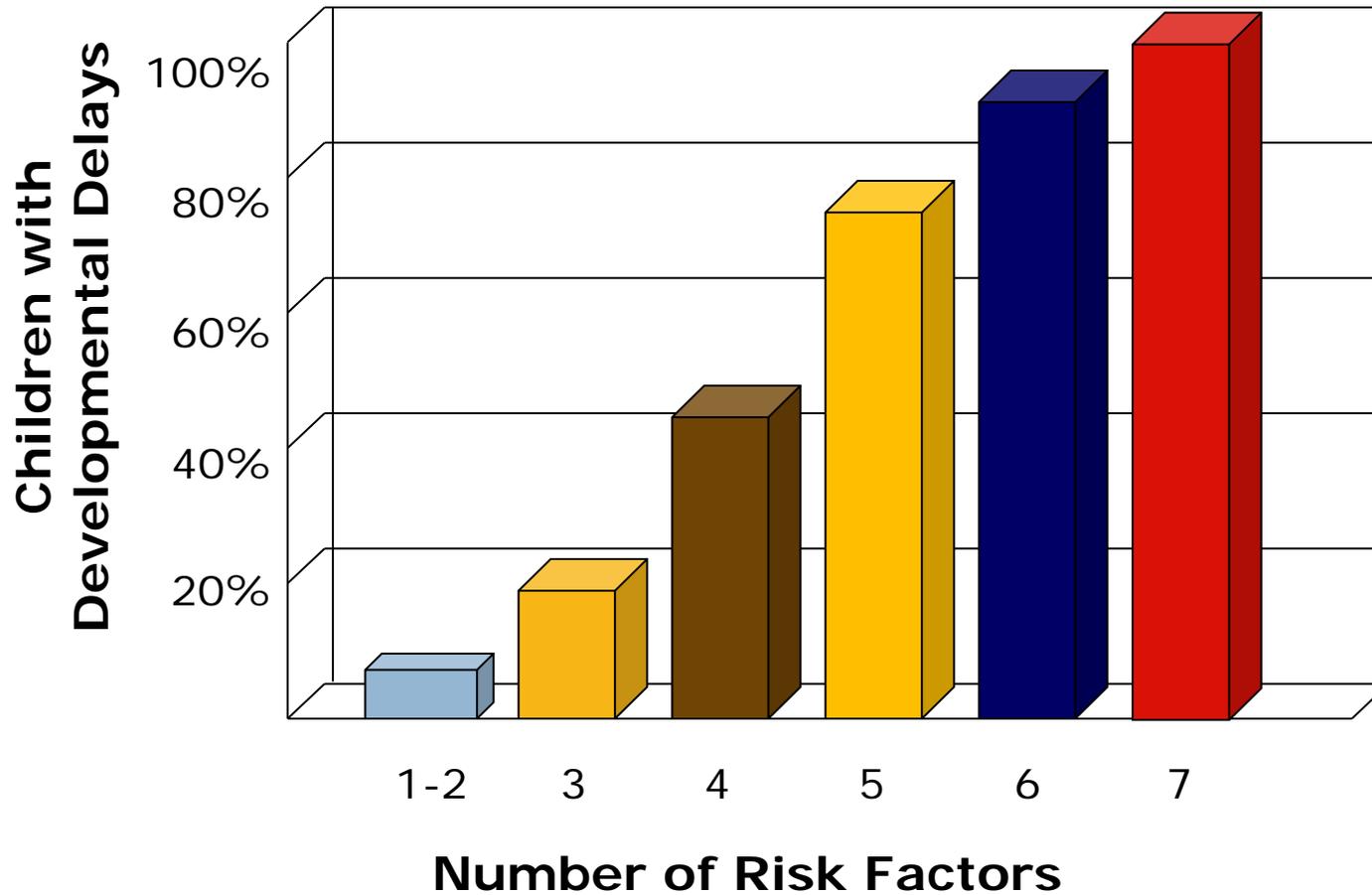
Tolerable

Serious, temporary stress responses,
buffered by supportive relationships.

Toxic

Prolonged activation of stress response systems
in the absence of protective relationships.

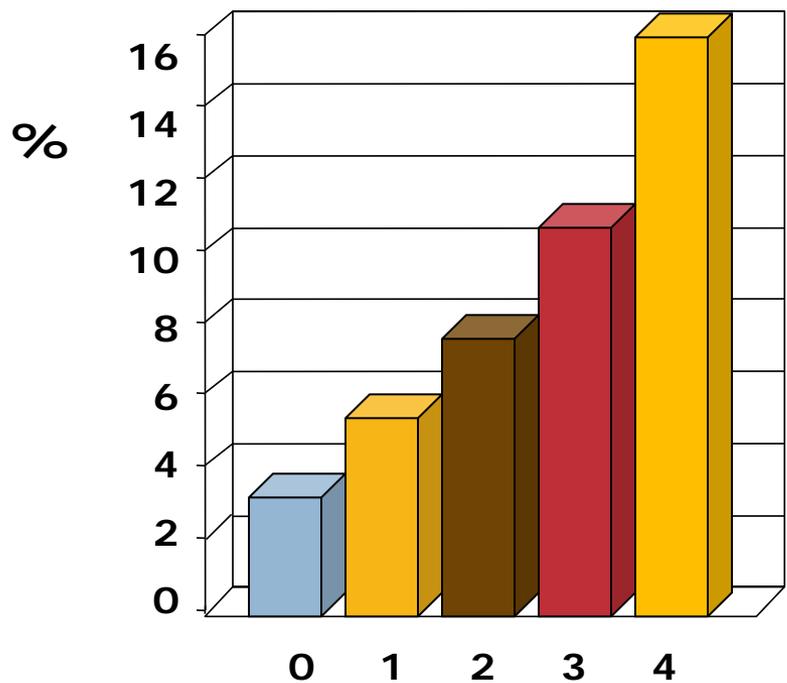
Significant Adversity Impairs Development in the First Three Years



Source: Barth, et al. (2008)

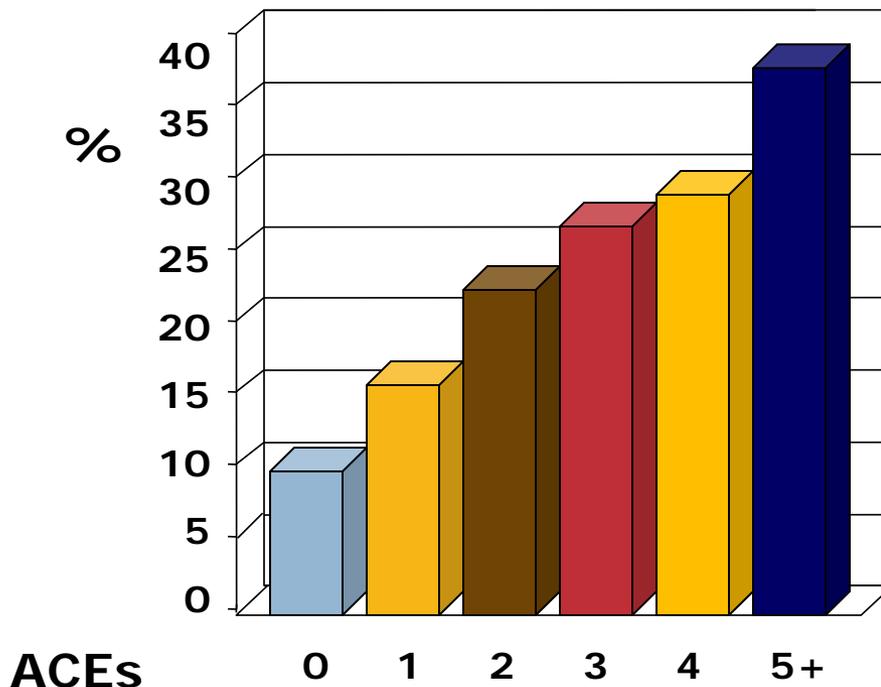
Risk Factors for Adult Substance Abuse are Embedded in Adverse Childhood Experiences

Self-Report: Alcoholism



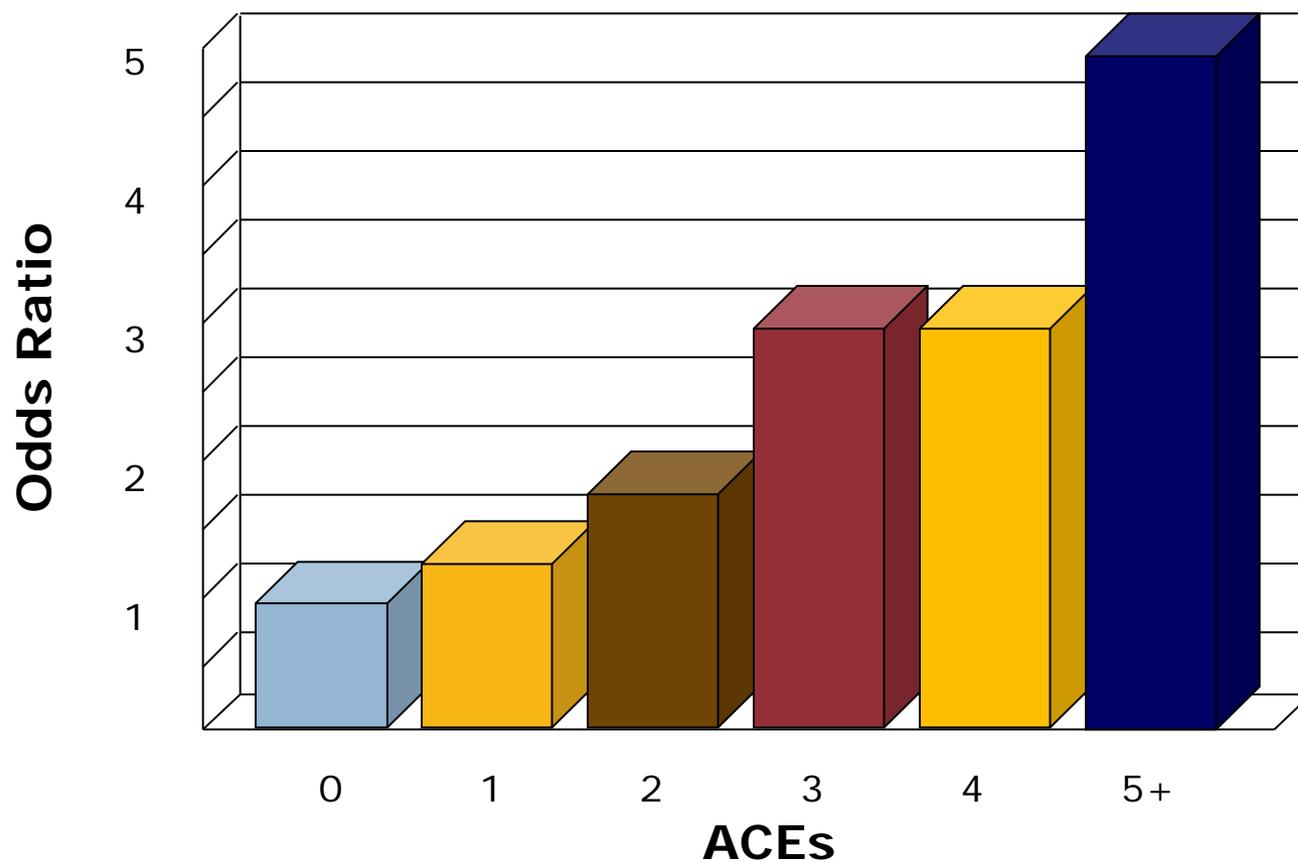
Source: Dube et al. (2002)

Self-Report: Illicit Drugs



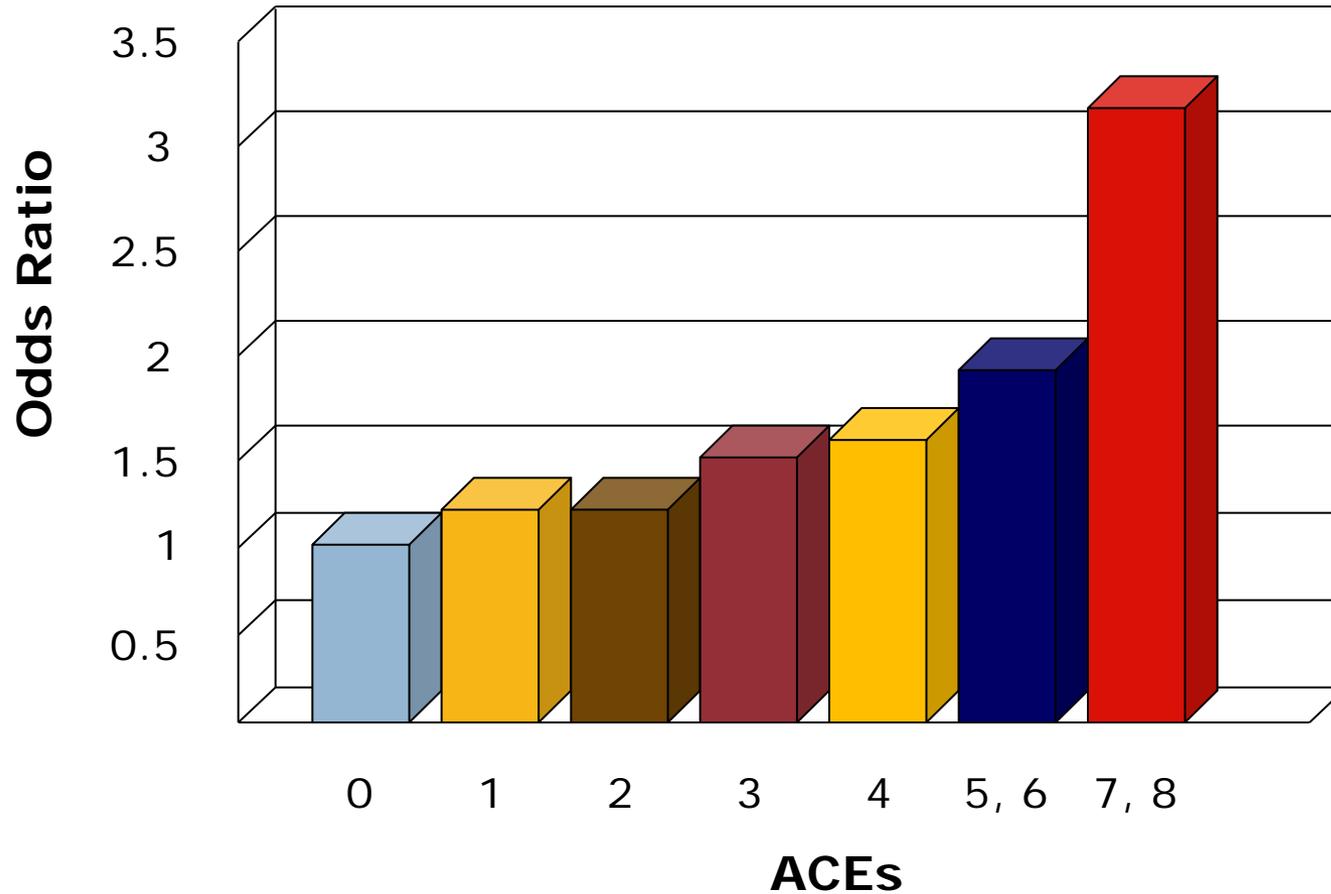
Source: Dube et al. (2003)

Risk Factors for Adult Depression are Embedded in Adverse Childhood Experiences



Source: Chapman et al. (2004)

Risk Factors for Adult Heart Disease are Embedded in Adverse Childhood Experiences



Source: Dong et al. (2004)

An “Air Traffic Control System” in the Brain



Executive functioning is a group of skills that help us to focus on multiple streams of information at the same time, set goals and make plans, make decisions in light of available information, revise plans, and resist hasty actions.

- **A key biological foundation of school readiness as well as outcomes in health and employability**

What are Executive Function Skills?

Inhibitory Control — filter thoughts and impulses to resist temptations and distractions



Working Memory — hold and manipulate information in our heads over short periods of time



Cognitive flexibility — adjust to changed demands, priorities, or perspectives



Relationships Buffer the Effects of Stress

Learning how to cope with moderate, short-lived stress can build a healthy stress response system.

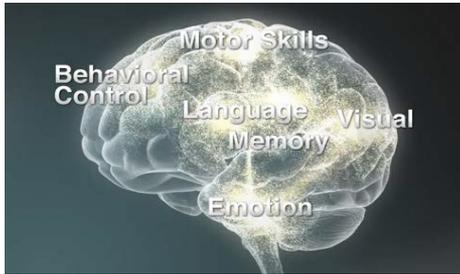
Toxic stress—when the body's stress response system is activated excessively—can weaken developing brain architecture.

Without caring adults to buffer children, toxic stress associated with extreme poverty, neglect, abuse, or severe maternal depression can have long-term consequences for learning, behavior, and both physical and mental health.



Source: *The Science of Early Childhood Development*. (2007) National Scientific Council on the Developing Child.

Keys to Healthy Development



A balanced approach to emotional, social, cognitive, and language development, starting in the earliest years of life.

Supportive relationships and positive learning experiences that begin with parents but are strengthened by others outside the home.



Highly specialized interventions as early as possible for children and families experiencing significant adversity.

Interaction Shapes Brain Circuitry



Serve & Return Builds Brains and Skills

Young children naturally reach out for interaction through babbling, facial expressions, and gestures, and adults respond in kind.

These “serve and return” interactions are essential for the development of healthy brain circuits.



Therefore, systems that support the quality of relationships in early care settings, communities, and homes also support the development of sturdy brain architecture.

Evidence-Based Targets for Parenting Interventions

Infancy-Early Childhood

Serve and Return

Childhood-Adolescence

Encouragement

Appropriate Discipline

Supervision

Separation from Delinquent/Socially Unskilled Peers

Educational Engagement



These parenting skills are natural for many parents and it is in their absence that they stand out

Intervention Example: Visitation

Parenting Skills

Activities to promote parent-child interactions in supervised and unsupervised contexts

Encouraging positive behavior

Responding to problem behavior

Observable outcomes

Improved parent and child emotion regulation

Incarcerated parent outcomes *improved* by contact with the child



Hypothetical Case

Lori Green & Bobby Green

Domain	Hearing:				Indication of Risk
	Shelter	Jurisdiction/Disposition	Review	Permanency	
Key Legal Question	Can the child go home today?	<ol style="list-style-type: none"> 1. Is the child within the court's jurisdiction? Is there a CURRENT risk of harm? 2. What assistance do the parent(s) and child need to address the basis for jurisdiction? 	How are the child and the parent(s) progressing, should the case plan be modified, is the concurrent planning appropriate, and should wardship continue?	When and where will the child be in a safe, permanent home?	+1 for each protective factor -1 for each risk factor
Child's Current Context	<ul style="list-style-type: none"> • Child's age, meeting developmental milestones? • Length, duration, intensity of precipitating event <ul style="list-style-type: none"> ▶ Abuse or neglect? • Child's behavior in home and community settings 	<ul style="list-style-type: none"> • What has changed since the shelter hearing? • What is happening with visitation and services? • Where is the child living? Is the child connected to a supportive adult? 			
Services the Child Receives	<ul style="list-style-type: none"> • Mental health, physical health, educational • What is the child's response to services? 				
Parent-Child Relationship	<ul style="list-style-type: none"> • Parent-child connection? • Are Serve & Return interactions occurring? 	<ul style="list-style-type: none"> • Quality of parent/child interactions during visitation • Frequency and duration of visitation • Serve & Return? • Is the parent using skills learned from services? 			
Placement History	<ul style="list-style-type: none"> • How many placements to date? Family vs. foster care? 	<ul style="list-style-type: none"> • How many placements or moves since the prior hearing? 			
Prenatal History	<ul style="list-style-type: none"> • History of substance use or domestic violence? • Other prenatal concerns? 				
Trauma History	<ul style="list-style-type: none"> • Trauma history other than precipitating event? 	<ul style="list-style-type: none"> • Are there additional traumatic incidents since the prior hearing? 			
	Total				

Domain	Shelter Hearing	Indication of Risk
Key Legal Question	<i>Can the child go home today?</i>	+1 for each protective factor -1 for each risk factor
Child's Current Context	<ul style="list-style-type: none"> • Child's age, meeting developmental milestones? • Length, duration, intensity of precipitating event <ul style="list-style-type: none"> ▶ Abuse or neglect? • Child's behavior in home and community settings 	Lori: +1 -1=0 Bobby: -1-1=_2
Services the Child Receives	<ul style="list-style-type: none"> • Mental health, physical health, educational • What is the child's response to services? 	
Parent-Child Relationship	<ul style="list-style-type: none"> • Parent-child connection? • Are Serve & Return interactions occurring? 	
Placement History	<ul style="list-style-type: none"> • How many placements to date? Family vs. foster care? 	
Prenatal History	<ul style="list-style-type: none"> • History of substance use or domestic violence? • Other prenatal concerns? 	
Trauma History	<ul style="list-style-type: none"> • Trauma history other than precipitating event? 	
	Total	

Domain	Jurisdiction/Disposition	Indication of Risk
Key Legal Question	<ol style="list-style-type: none"> 1. <i>Is the child within the court's jurisdiction? Is there a CURRENT risk of harm?</i> 2. <i>What assistance do the parent(s) and child need to address the basis for jurisdiction?</i> 	<p>+1 for each protective factor</p> <p>-1 for each risk factor</p>
Child's Current Context	<ul style="list-style-type: none"> • What has changed since the shelter hearing? • What is happening with visitation and services? • Where is the child living? Is the child connected to a supportive adult? 	
Services the Child Receives	<ul style="list-style-type: none"> • Mental health, physical health, educational • What is the child's response to services? 	
Parent-Child Relationship	<ul style="list-style-type: none"> • Quality of parent/child interactions during visitation • Frequency and duration of visitation • Serve & Return? 	
Placement History	<ul style="list-style-type: none"> • How many placements or moves since the prior hearing? 	
Prenatal History	<ul style="list-style-type: none"> • History of substance use or domestic violence? • Other prenatal concerns? 	
Trauma History	<ul style="list-style-type: none"> • Are there additional traumatic incidents since the prior hearing? 	
	Total	

Domain	Review Hearing	Indication of Risk
Key Legal Question	<i>How are the child and the parent(s) progressing, should the case plan be modified, is the concurrent planning appropriate, and should wardship continue?</i>	+1 for each protective factor -1 for each risk factor
Child's Current Context	<ul style="list-style-type: none"> • What has changed since the shelter hearing? • What is happening with visitation and services? • Where is the child living? Is the child connected to a supportive adult? 	
Services the Child Receives	<ul style="list-style-type: none"> • Mental health, physical health, educational • What is the child's response to services? 	
Parent-Child Relationship	<ul style="list-style-type: none"> • Quality of parent/child interactions during visitation • Frequency and duration of visitation • Serve & Return? • Is the parent using skills learned from services? 	
Placement History	<ul style="list-style-type: none"> • How many placements or moves since the prior hearing? 	
Prenatal History	<ul style="list-style-type: none"> • History of substance use or domestic violence? • Other prenatal concerns? 	
Trauma History	<ul style="list-style-type: none"> • Are there additional traumatic incidents since the prior hearing? 	
	Total	

Domain	Permanency Hearing	Indication of Risk
Key Legal Question	<i>How are the child and the parent(s) progressing, should the case plan be modified, is the concurrent planning appropriate, and should wardship continue?</i>	+1 for each protective factor -1 for each risk factor
Child's Current Context	<ul style="list-style-type: none"> • What has changed since the shelter hearing? • What is happening with visitation and services? • Where is the child living? Is the child connected to a supportive adult? 	
Services the Child Receives	<ul style="list-style-type: none"> • Mental health, physical health, educational • What is the child's response to services? 	
Parent-Child Relationship	<ul style="list-style-type: none"> • Quality of parent/child interactions during visitation • Frequency and duration of visitation • Serve & Return? • Is the parent using skills learned from services? 	
Placement History	<ul style="list-style-type: none"> • How many placements or moves since the prior hearing? 	
Prenatal History	<ul style="list-style-type: none"> • History of substance use or domestic violence? • Other prenatal concerns? 	
Trauma History	<ul style="list-style-type: none"> • Are there additional traumatic incidents since the prior hearing? 	
	Total	