

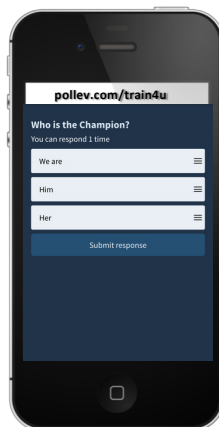


**HELPING CHILDREN PREPARE FOR THE UNKNOWN: REDUCING ANXIETY AND FEAR ASSOCIATED WITH COURT APPEARANCES**

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Jon S. Ebert, PsyD

## Poll Everywhere



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Simply open the web page below on your phone or tablet to participate in live polling and audience comments/questions as the day progresses.

**[pollev.com/train4u](http://pollev.com/train4u)**

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**If it snowed during the holiday season - what would you rather do that day?**

Build a Snowman

Go Sledding

Have a Snowball Fight

Stay inside drinking Hot  
Coca

Stay inside and enjoy the  
fire in the fireplace

Catch up on sleep

Jon S. Ebert, PsyD  
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Substance Abuse and Mental Health Services Administration  
**SAMHSA**  
www.samhsa.gov • 1-877-SAMHSA-7 (1-877-726-4727)

**REALIZES**  
Realizes widespread impact of trauma and understands potential paths for recovery

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Substance Abuse and Mental Health Services Administration  
**SAMHSA**  
www.samhsa.gov • 1-877-SAMHSA-7 (1-877-726-4727)

**RECOGNIZES**  
Recognizes signs and symptoms of trauma in clients, families, staff, and others involved with the system

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**RESPONDS**  
Responds by fully integrating knowledge about trauma into policies, procedures, and practices



Jon S. Ebert, PsyD



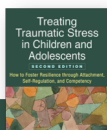
**RESISTS**  
Seeks to actively resist re-traumatization.



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**MULTI-LAYERED  
NATURE OF TRAUMA**



**ATTACHMENT, REGULATION, & COMPETENCE (ARC)**



## MULTI-LAYER TRAUMA & OUTCOMES

- Safety & Trust – Expect Harm
- Problems Forming Relationships
- Difficulty managing feelings & Behavior
- Sense of /Fragmented Self
- Developmental Challenges
- Heightened Arousal System
- Difficulty with Internal Controls
- Loss of Agency /Control

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## Trauma's Dual Influence on Development

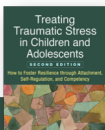


Prioritization of those domains of skill, competency, adaptation which help the child survive their environment and meet physical, emotional, and relational needs

AND



De-emphasis of domains of development which are less immediately relevant to survival



ATTACHMENT, REGULATION, & COMPETENCE (ARC)





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“It is now estimated that substantially more than **100,000 children** appear in court each year.”

**POLICY STATEMENT** Organizational Principles to Guide and Define the Child Health Care System and/or Improve the Health of all Children

American Academy of Pediatrics  
DEDICATED TO THE HEALTH OF ALL CHILDREN™

**The Child Witness in the Courtroom**  
Robert H. Patten, MD, FAAP, COMMITTEE ON PSYCHOSOCIAL ASPECTS OF CHILD AND FAMILY HEALTH

**Abstract**

Beginning in the 1980s, children have increasingly served as witnesses in the criminal, civil, and family courts; currently, >100,000 children appear in court each year. This statement updates the 1992 American Academy of Pediatrics (AAP) policy statement “The Child as a Witness” and the subsequent 1999 “The Child in Court: A Subject Review.” It also builds an existing AAP policy on adverse life events affecting children and resources developed to understand and address childhood trauma. The purpose of this policy statement is to provide background information on some of the legal issues involving children testifying in court, including the accuracy and psychological impact of child testimony; to provide suggestions for how pediatricians can support patients who will testify in court; and to make recommendations for policy improvements to minimize the adverse psychological consequences for child witnesses. These recommendations are, for the most part, based on studies on the psychological and physiologic consequences of children witnessing and experiencing violence, as well as appearing in court, that have emerged since the previous AAP publications on the subject. The goal is to reduce the secondary traumatization and long-term consequences for children providing testimony about violence they have experienced or witnessed. This statement primarily addresses children appearing in court as victims of physical or sexual abuse or as witnesses of violent acts; most of the scientific literature addresses these specific situations. It may apply in certain situations, to children required to provide testimony in custody disputes, child welfare proceedings, or immigration court. It does not address children appearing in court as offenders or as part of juvenile justice proceedings.

**BACKGROUND**

Children were first allowed to provide courtroom testimony with the 1895 US Supreme Court decision allowing a 5.5-year-old to serve as a witness. It is now estimated that substantially more than 100,000 children appear in court each year. With growing awareness of child abuse and a continual increase in reported abuse cases, a 1982 Presidential Task Force on Victims of Crime recommended 62 reforms.

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PEDIATRICS Volume 138, number 3, March 2017;doi:10.1542/peds.2016-1008

FROM THE AMERICAN ACADEMY OF PEDIATRICS

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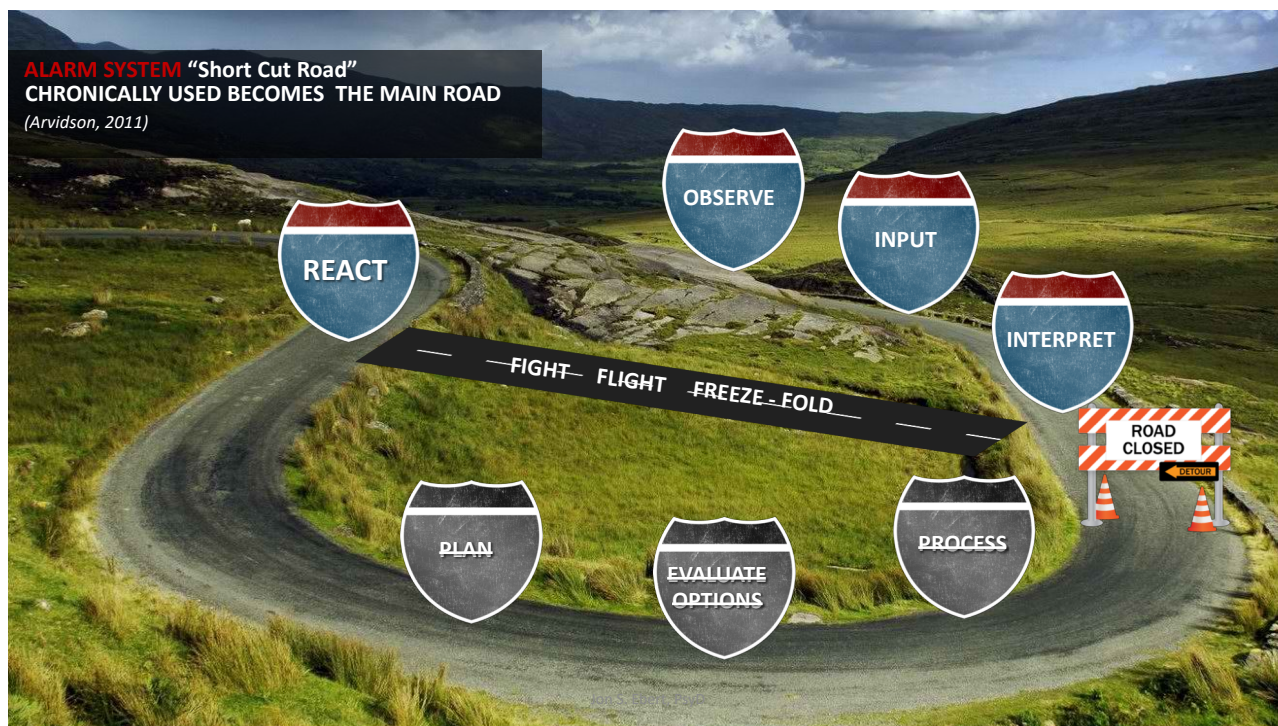
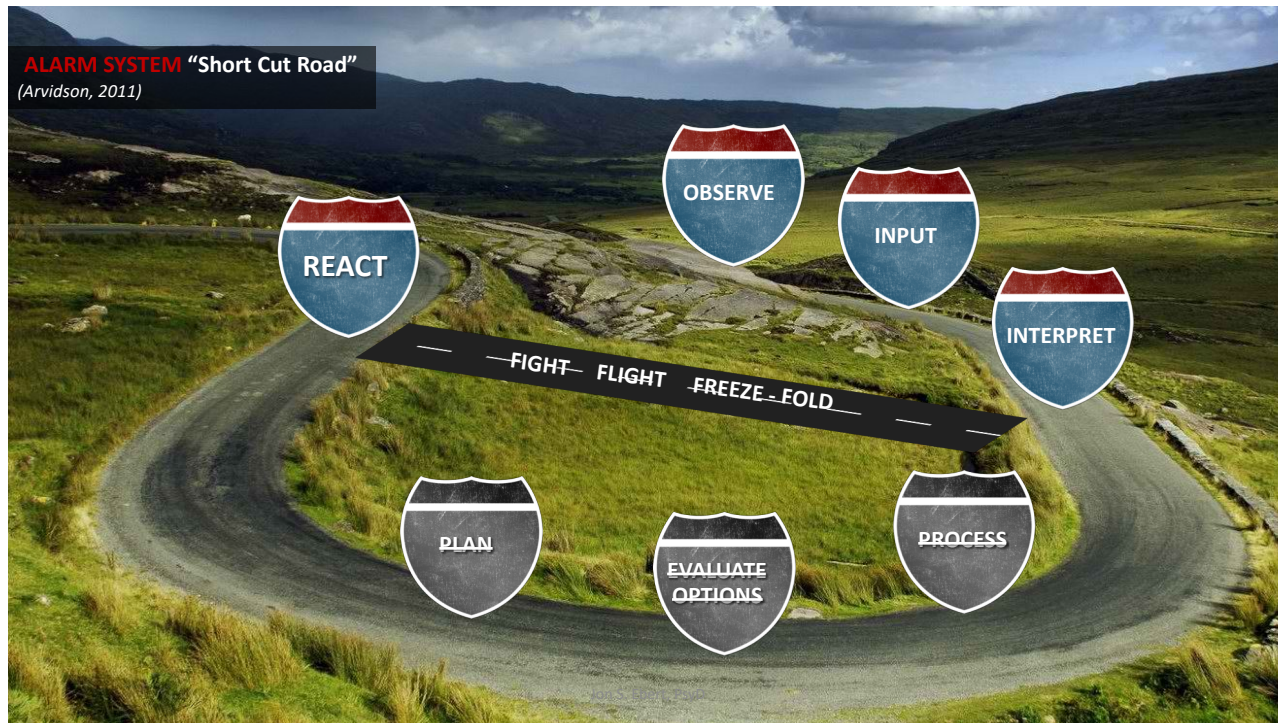
Based on your experience with kids, what feelings do they typically feel when they come to the court?

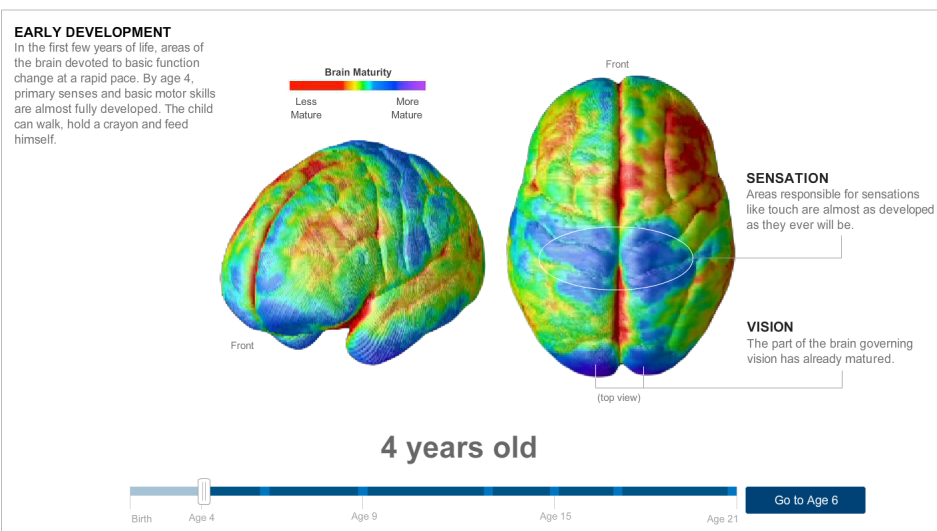
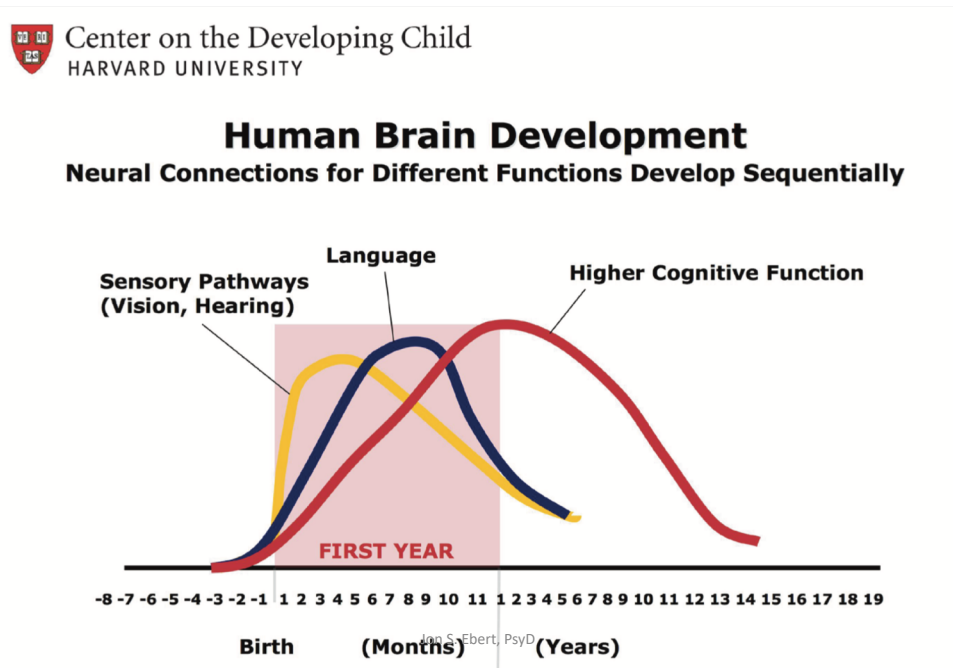
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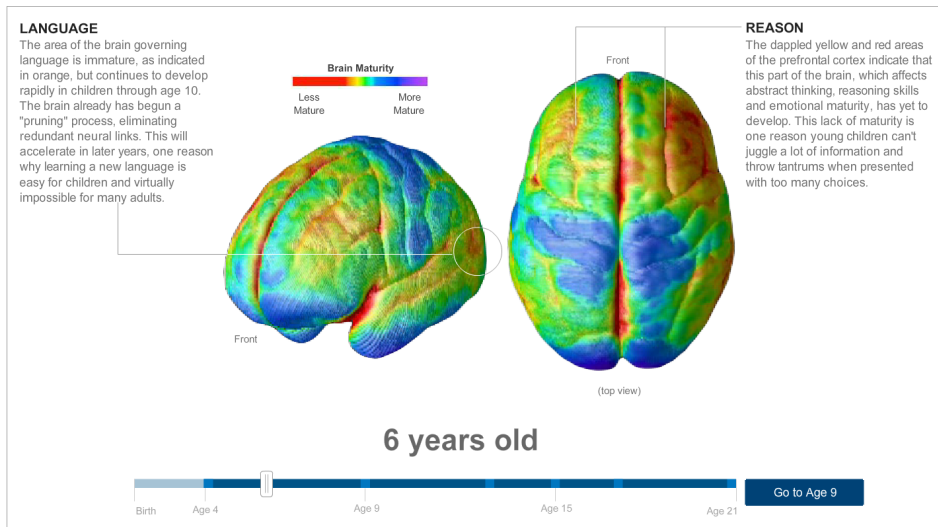


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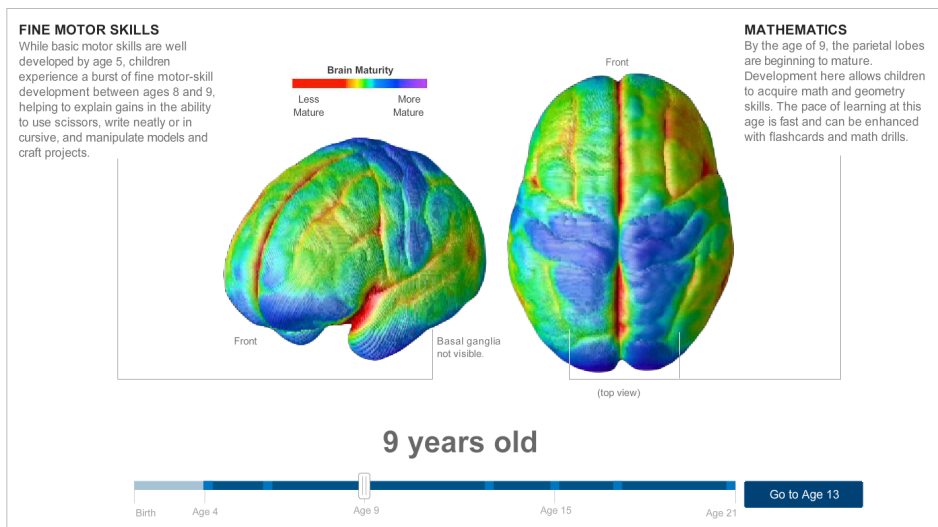
Brain images courtesy of Dr. Paul Thompson, University of California, Los Angeles. Source information provided by Dr. Jay Giedd, National Institutes of Mental Health. Produced by Tara Parker-Pope, Jon Huang, and Mike Mason/The New York Times



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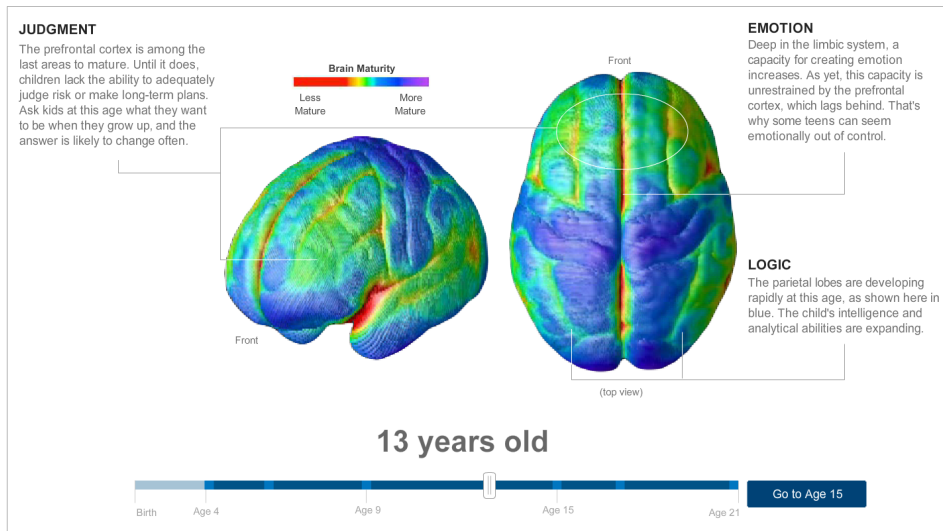
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<http://www.nytimes.com/interactive/2018/09/15/health/20080915-brain-development.html>



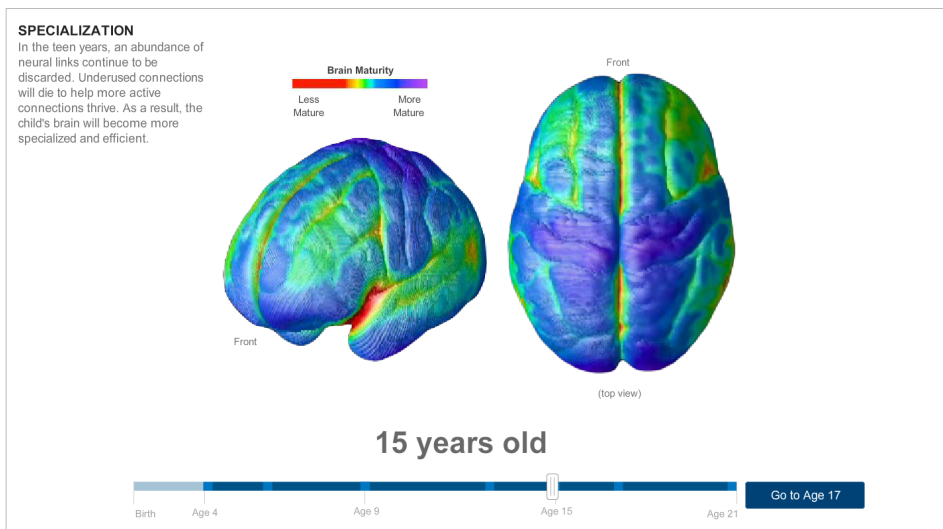
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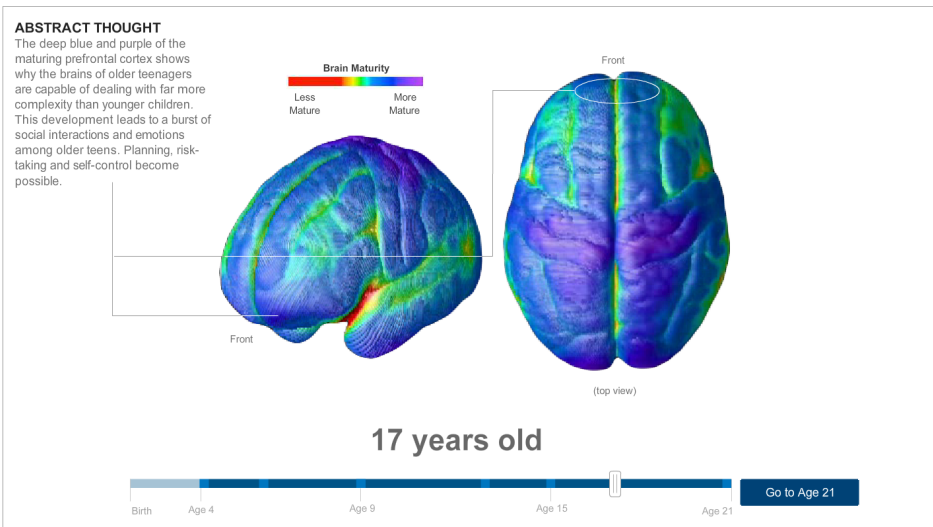
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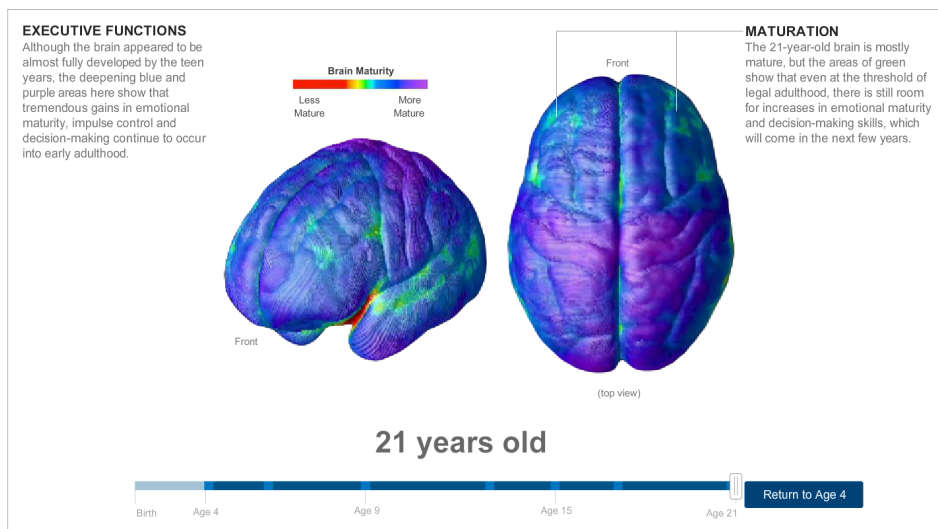
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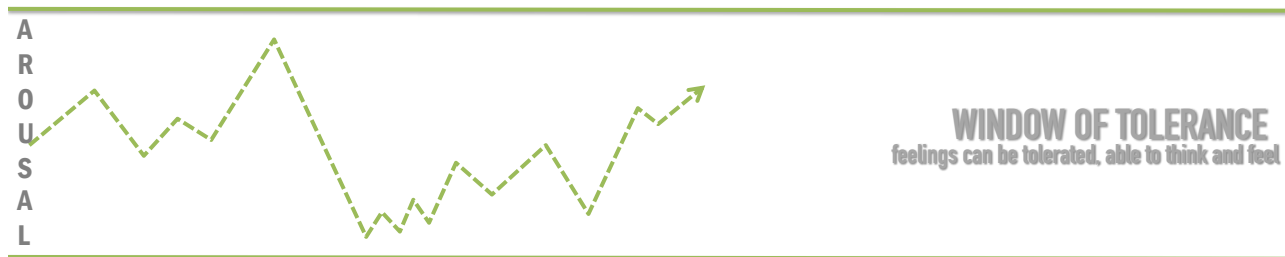
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- Stress can be managed and used for growth
- Regulated Stress can activate healthy engagement
- " Best Zone for Problem Solving

*Adapted: Foundation of Human Enrichment (2014)*

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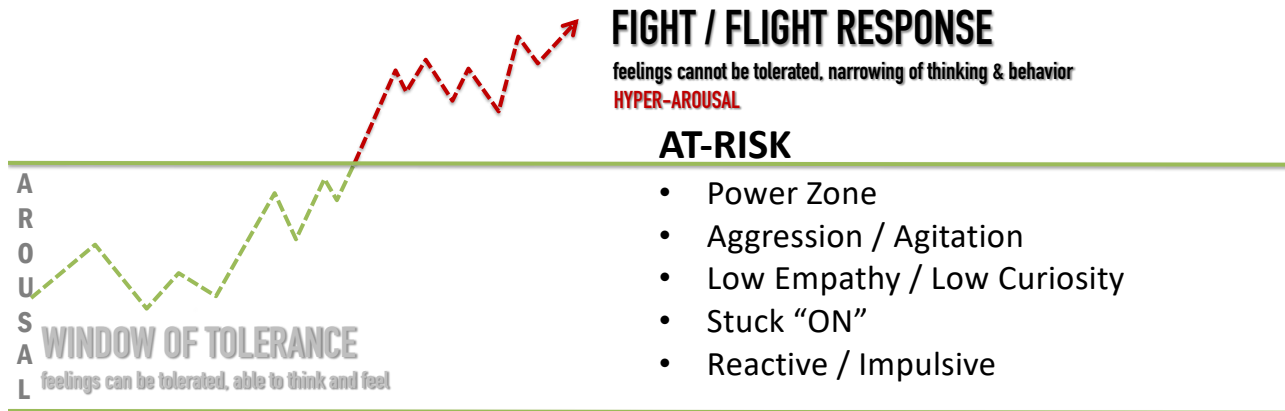


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Adapted: Foundation of Human Enrichment (2014)

**FREEZE / FOLD RESPONSE**  
 feelings cannot be tolerated, narrowing of thinking & behavior  
 Jon S. Ebert, PsyD



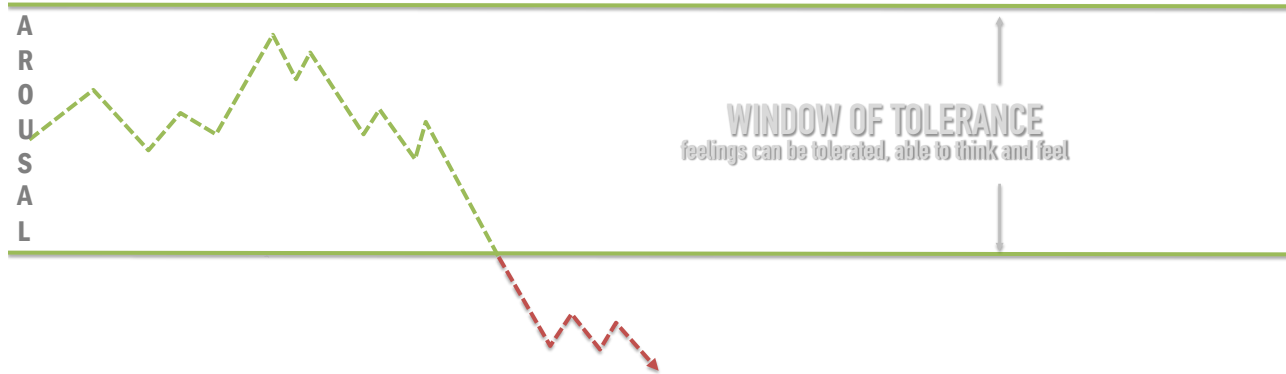
Adapted: Foundation of Human Enrichment (2014)

**FREEZE / FOLD RESPONSE**  
 feelings cannot be tolerated, narrowing of thinking & behavior  
 Jon S. Ebert, PsyD



## FIGHT / FLIGHT RESPONSE

feelings cannot be tolerated, narrowing of thinking & behavior



## FREEZE / FOLD RESPONSE

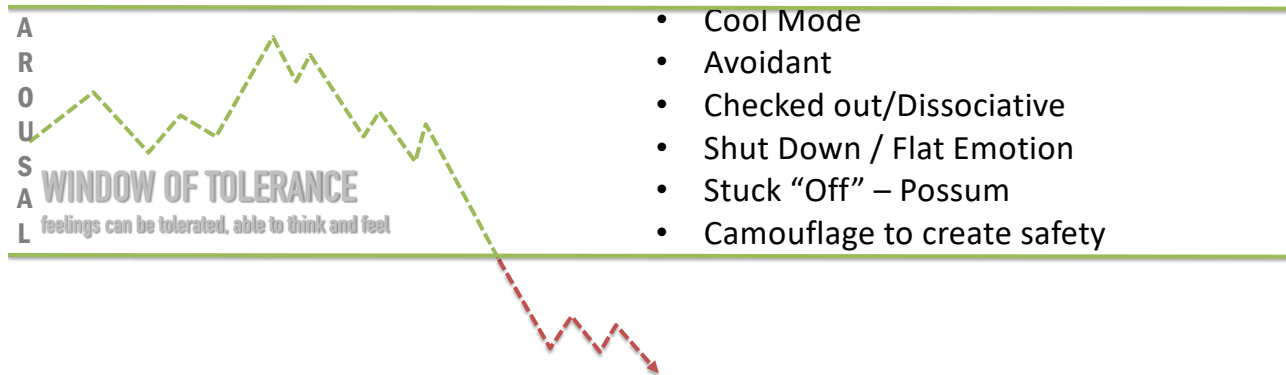
feelings cannot be tolerated, narrowing of thinking & behavior

Jon S. **HYP0-AROUSAL**

Adapted: Foundation of Human Enrichment (2014)

## FIGHT / FLIGHT RESPONSE

feelings cannot be tolerated, narrowing of thinking & behavior



### AT-RISK

- Cool Mode
- Avoidant
- Checked out/Dissociative
- Shut Down / Flat Emotion
- Stuck "Off" – Possum
- Camouflage to create safety

## FLIGHT / FOLD RESPONSE

feelings cannot be tolerated, narrowing of thinking & behavior

Jon S. **HYP0-AROUSAL**

Adapted: Foundation of Human Enrichment (2014)

## FIGHT / FLIGHT RESPONSE

feelings cannot be tolerated, narrowing of thinking & behavior

**HYPER-AROUSAL**

A  
R  
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S  
A  
L



## FREEZE / FOLD RESPONSE

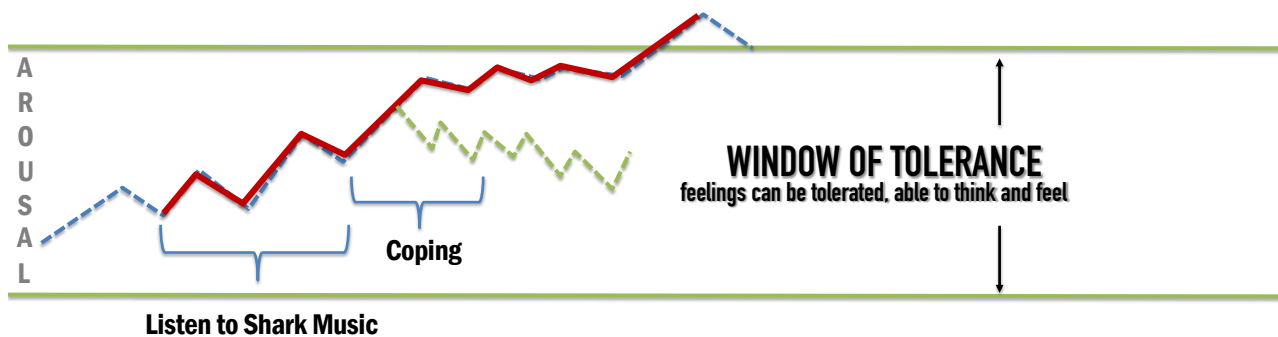
feelings cannot be tolerated, narrowing of thinking & behavior

**HYPO-AROUSAL**

Adapted: Foundation of Human Enrichment (2014)

Jon S.





Jon S. Ebert, PsyD





Trauma-Focused Cognitive Behavioral Therapy



## EMPERICALLY SUPPORTED

- ✓ TF-CBT, a treatment approach, developed and tested at the CARES Institute is the **most rigorously tested treatment available for traumatized youth.**
- ✓ TF-CBT's efficacy has been evaluated in over **36 published studies including 21 randomized controlled trials.**
- ✓ Evaluated with child sexual abuse, children exposed to domestic violence, Hurricane Katrina and 911 survivors, and war refugees.
- ✓ TF-CBT has been recognized as a **model program by the U.S. Department of Health and Human Services** and the standard of care for children who have suffered sexual abuse.
- ✓ TF-CBT is included on SAMHSA's National Registry of Evidence-based Programs and Practices (NREPP).
- ✓ TF-CBT received **the highest score for scientific rating and relevance to child welfare rating**, "1-well-supported, effective practice," in the California Evidence-Based Clearinghouse for Child Welfare.
- ✓ It is the only treatment to earn a "**well supported and efficacious**" rating, the highest category, in a review of 24 child abuse treatments funded by the Office for Victims of Crime

Jon S. Ebert, PsyD

**A**ssessment  
**P**sychoeducation & **P**arenting  
**R**elaxation  
**A**ffect Regulation  
**C**ognitive Coping  
**T**rauma Narrative  
**I**n Vivo Exposure  
**C**onjoint Parent Sessions  
**E**nhancing Safety

**T**rauma **F**ocused **C**ognitive **B**ehavioral **T**herapy

Jon S. Ebert, PsyD



Jon S. Ebert, PsyD



What has been your experience with therapists and collaborating to reduce stress / increase coping in court visits?

- Very Positive
- Somewhat Positive
- Neutral
- Frustrating
- Negative

### TF-CBT CLINICAL WORK

- A**ssessment of Trauma
- P**sychoeducation & **P**arenting
- R**elaxation
- A**ffect Regulation
- C**ognitive Coping
- T**rauma Narrative
- I**n Vivo Exposure
- C**onjoint Parent Sessions
- E**nhancing Safety

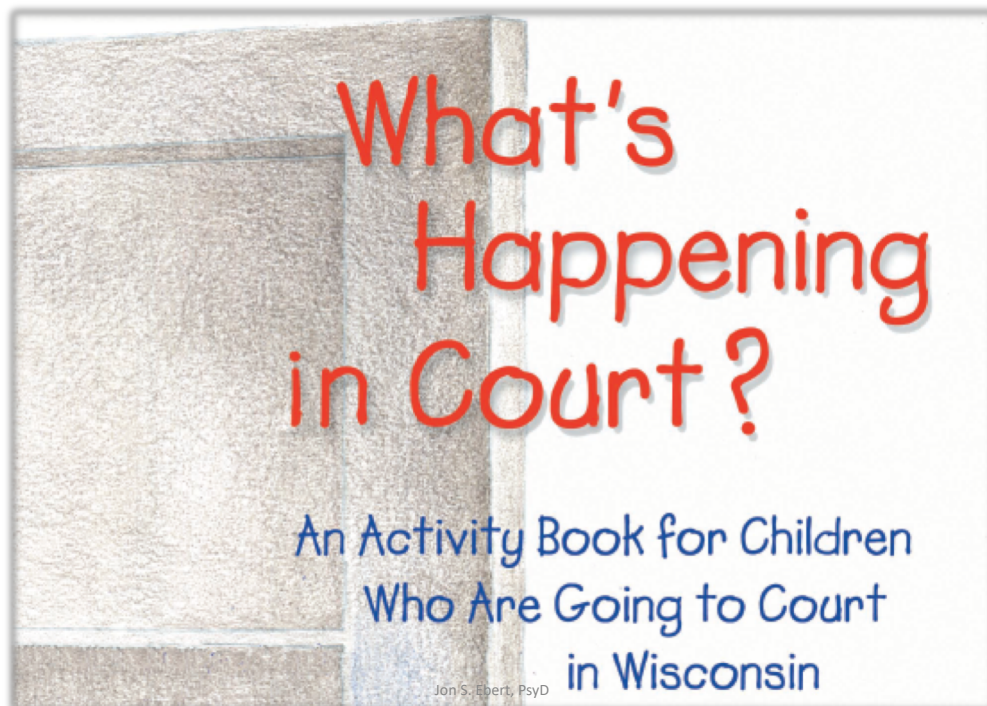
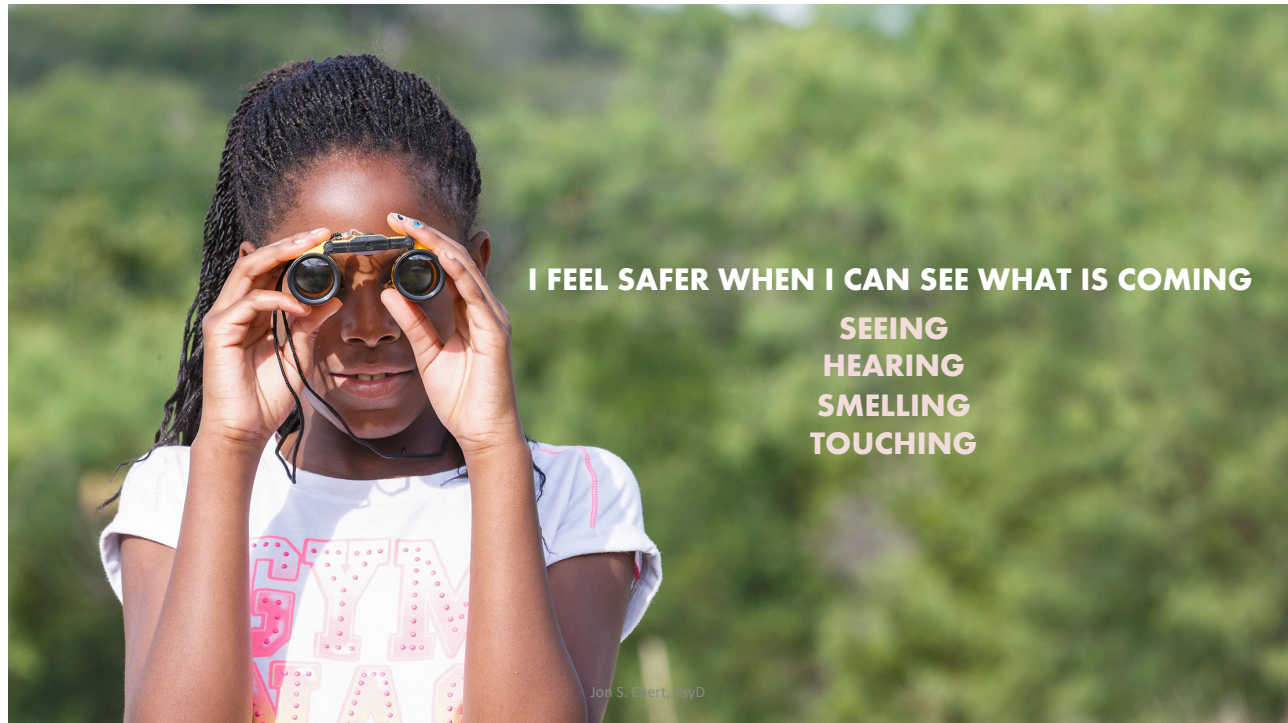
### TRAUMA & RESILIENCY FOCUSED COURT

- A**ssessment of Coping & Readiness
- P**sychoed **C**ourtroom & **P**rofessionals
- R**elaxation Tools In Court
- A**ffect Regulation In Court
- C**ognitive Coping In Court
- T**estimony & **T**raumatic Experiences
- I**n Vivo Exposure [Gradual]
- C**aregiver Support
- E**nhancing Safety

Jon S. Ebert, PsyD







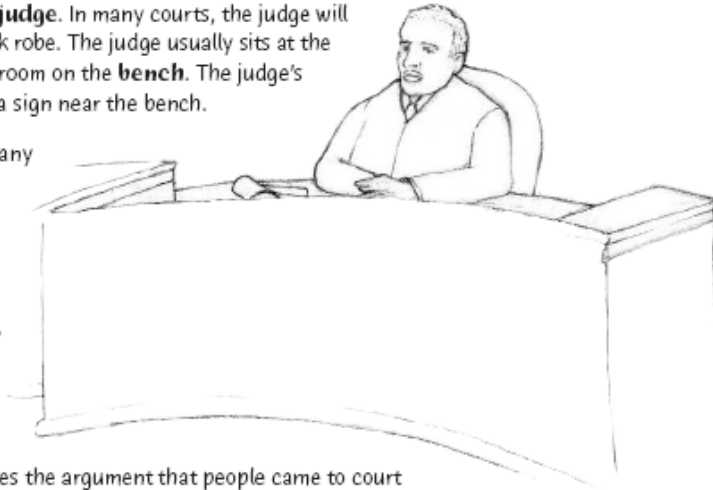
## Who Are the People in Court?

Many people work in a court. Everyone has a job to do.

First, there is the **judge**. In many courts, the judge will be wearing a black robe. The judge usually sits at the front of the courtroom on the **bench**. The judge's name is often on a sign near the bench.

The judge does many things. First, the judge is like a referee at a ball game. The judge makes sure that everyone plays by the rules.

Sometimes the judge is also the person who decides the argument that people came to court about. For example, if two people come to court because they disagree about money, the judge might be the person who finally decides who gets the money.



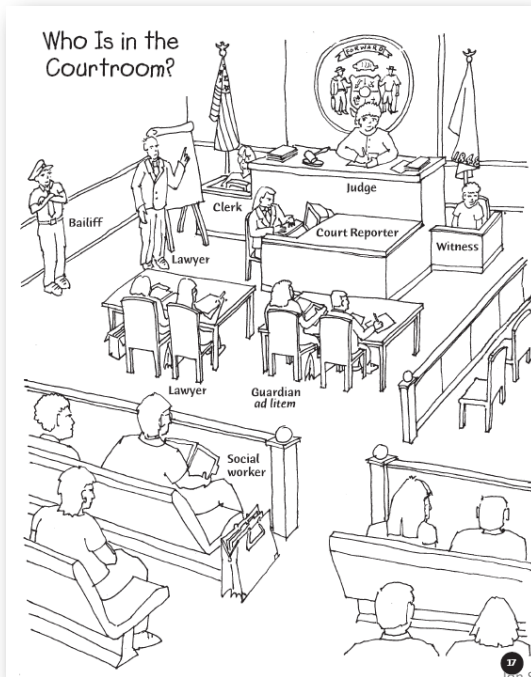
Now that you know about some of the people in a court, can you solve this puzzle? Draw a line to connect the name of the person with the job they do. Good luck!

- |   |  |
|---|--|
| Lawyers <input type="radio"/><br>or attorneys | ● These people come to court to tell the truth and talk about what they have seen or heard.      |
| Judge <input type="radio"/>                   | ● This person types everything that is said in court into a machine.                             |
| Bailiff <input type="radio"/>                 | ● This person organizes all the papers and keeps track of the judge's decisions.                 |
| Jurors <input type="radio"/>                  | ● This person translates what is said in court.  |
| Clerk <input type="radio"/>                   | ● This person's job is to make decisions and make sure that everyone follows the rules in court. |
| Witnesses <input type="radio"/>               | ● These people give advice and talk in court for the people who have disagreements.              |
| Court reporter <input type="radio"/>          | ● This person keeps order in the courtroom and usually wears a uniform.                          |
| Interpreter <input type="radio"/>             | ● These people listen to both sides of a disagreement in court and then decide who wins.         |

### How Should I Act in Court?

- Be on time.
- Dress neatly.
- Don't go in alone. Make sure an adult is with you.
- Show respect to the people who are there.
- Don't eat or drink in court.
- Don't chew gum.
- You can't listen to a Walkman in court.
- There may be other cases before yours. You have to be quiet and wait.
- You can read a book, or play quietly with this book while you wait.
- When you talk to a judge, call the judge "Your Honor" to show respect.
- Don't speak unless the judge or a lawyer asks you to.
- If you don't understand something, say that you don't understand. Someone will explain it again for you.

Jon S. Ebert, PsyD



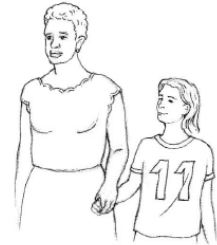
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**What Do Lawyers Do in Children's Court?**

On page 7 of this book, you learned about the job of lawyers, who are also called attorneys. People involved in a case usually have a lawyer to speak for them in court. The people in a CHIPS (child in need of protection and/or services) case who might have a lawyer are the social worker, mother, father, children, and sometimes others.

**What Does a Guardian ad Litem Do in Children's Court?**

The judge will assign a special attorney known as a **guardian ad litem** (GAL) to help with a CHIPS case. GALs help the court by talking to the people, especially children, and telling the judge what they learn. GALs spend a lot of time with the children they're assigned to. They listen to the children and tell their story to the court. The GAL also suggests to the courts what can be done to make the child safe and healthy. The GAL's only job is to try to help the court decide what is in a child's best interest.



**What Do Children Do in Children's Court?**

This book tells about witnesses on pages 8 and 12. A child might be a witness. If you are a witness, the lawyers and sometimes the judge will ask you questions. Of course, it is very important to tell the truth when you answer questions in court. You even have to make a special promise, called an oath, to tell the truth before you answer questions. It is also important to answer just the questions that you understand. If you don't understand a question, it is OK to say so and have the question explained to you.

If you're afraid to answer questions in the courtroom, be sure to tell your lawyer, if you have one, or the judge. They will do everything they can to make you feel more comfortable.

**What's Wrong with This Picture?** →

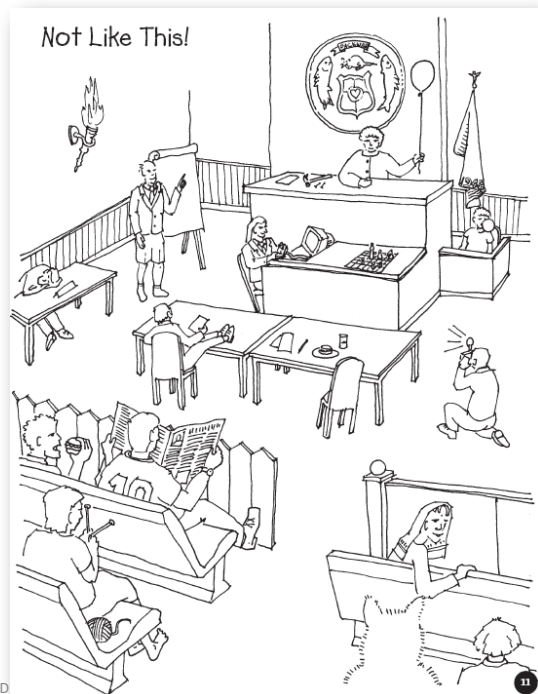
Circle the things in the picture that are wrong or that should not be happening in court. Or you can write them here:

\_\_\_\_\_

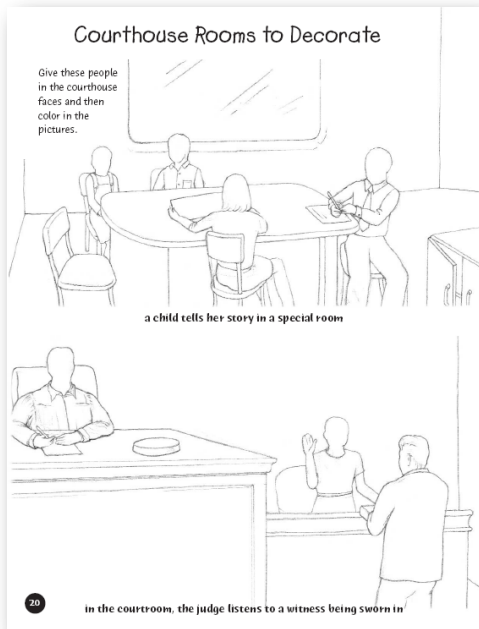
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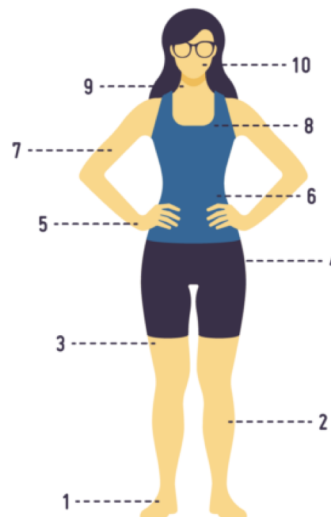
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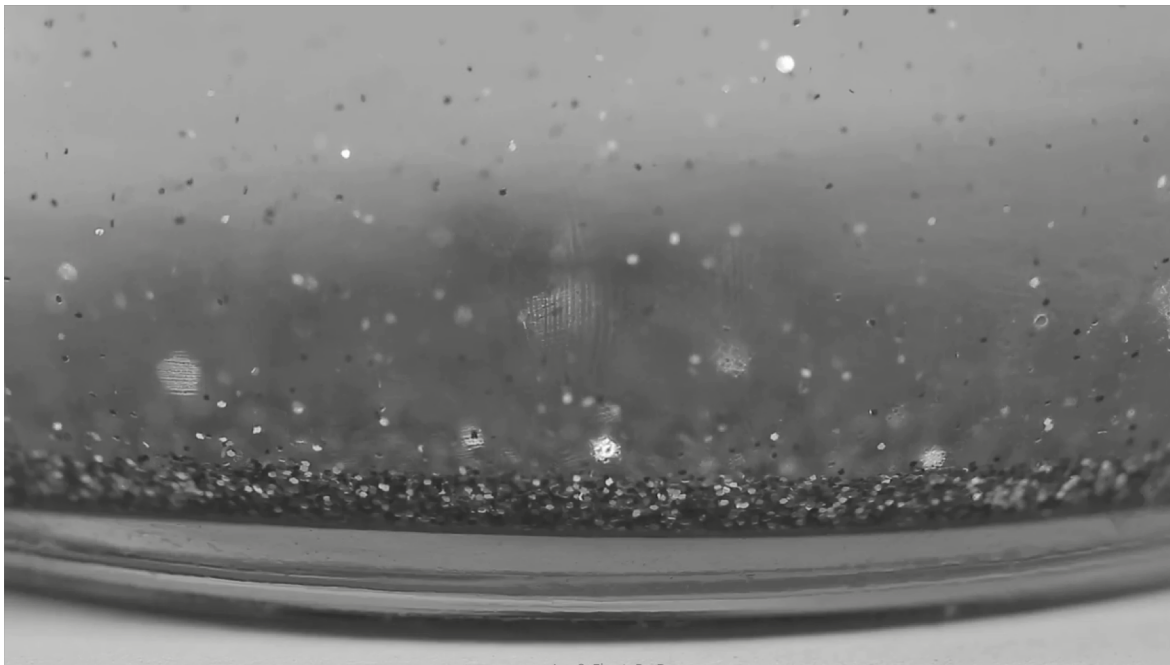
## RELAX YOUR MUSCLES GRADUALLY TO RELIEVE STRESS



Jon S. Ebert, PsyD







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COURTHOUSE DOGS  
FOUNDATION®

A close-up photograph of a black dog, likely a Labrador, wearing a blue vest with a logo. The dog is looking towards the right of the frame.

**Training people for successful  
partnerships with courthouse  
facility dogs**

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**COGNITIVE COPING IN COURT**

SHARING OUR THOUGHTS (EMPOWER)  
HURTFUL OR HELPFUL THOUGHTS  
POSITIVE SELF STATEMENTS  
SELF TALK MANTRA

Jon S. Ebert, PsyD





**TESTIMONY & EXPERIENCES**

AVOIDANCE IS NORMAL

QUESTIONS:

- VOCAL TONE / PACE
- GIVE TIME
- VALIDATE SAFETY / SUPPORT

GRADUALLY MOVE TOWARD  
MORE DISTRESSING QUESTIONS  
(PACING IS REGULATING)

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**IN-VIVO SUPPORT**

- TALKING/THINKING IN THERAPY
- TALKING/THINKING IN HOME
- GO TO COURTHOUSE PRIOR
- VIDEOS / PICTURES
- MEETING WITH VARIOUS
- PROFESSIONALS PRIOR

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## CAREGIVER SUPPORT

EMOTIONALLY REGULATED  
CONGRUENT EMOTION IS OK  
AFFIRMATION OF SAFETY  
AFTER COURT – POISED FOR PRAISE  
DEBRIEF

Jon S. Ebert, PsyD



Jon S. Ebert, PsyD



**Rational and Methods for Preparing Children for Success in the Courtroom**

**Summary:** The National Children’s Advocacy Center offers advice on supporting and preparing children to participate in the court process. Each year approximately 100,000 children testify in the United States either in criminal, civil or juvenile courts. Typically, these children may have been alleged victims of sexual or physical abuse or neglect, witnesses to a violent crime, or subjects in custodial hearings in civil court. As more cases are reported to the authorities and more marriages end in divorce, more children are being called as witnesses.

Unfortunately, abuse is often difficult to prove; eyewitnesses are uncommon, there is rarely definitive physical evidence, and when it exists, seldom points to a specific perpetrator. Thus the child witness’s testimony is an influential factor for the judge or jury when determining case outcome.

Testifying in court is a difficult process for any witness. This is true even for adults who generally have some knowledge of the legal system and the various roles of most, if not all, of the participants in a hearing or trial. The stress of testifying is intensified when the witness is a child.

Imagine a child in this situation—thrust into a process with adult language, rules and procedures, and repeatedly questioned about abuse or having to testify against one or both parents in a divorce or custody hearing. Pretrial delays, rescheduling and continuances, confronting the accused, harsh cross-examinations, multiple court appearances, and inadequate preparation are also unduly stressful for a child and create significant anxiety and emotional turmoil.

The attorney should understand the multiple challenges faced by children in court. Doing so will help reduce children’s anxiety regarding testifying in court and increase their ability to competently and effectively participate in the courtroom experience.

Children often do not understand courtroom procedures and have concerns about their role and the role of the different participants in the court. Attorneys frequently ask questions that are complex and confusing, use legal jargon which to a child is akin to a foreign language, and use language that is developmentally inappropriate. Children commonly have to testify against a parent or family member, whether in a criminal or civil court and they may feel a choice must be made between parents. Children may also feel responsible for the dissolution of the family unit if there are allegations of maltreatment. All of these situations place a high degree of stress on the child, which may decrease her ability to provide accurate and credible testimony.

Preparing a child for court reduces stress and helps the child be ready for the experience of testifying in court emotionally, physically and mentally. Adequate courtroom preparation can:

- Improve the child’s ability to answer questions in the most accurate, complete and truthful manner
- Maximize the child’s ability to be perceived as a credible witness
- Minimize the likelihood that the child will suffer court-related trauma

Following are some simple suggestions that will assist the child in being prepared for the challenges of testifying:

- Visit an empty courtroom and explain, using age-appropriate language, who will be in the court and their role in the proceedings
- Give the child the opportunity to take various perspectives in the courtroom by allowing them to sit at the prosecutor’s and defense counsel’s tables, the judge’s bench and the jury box
- Allow the child to sit on the witness stand and practice using the microphone
- Practice answering general questions (not pertaining to the child’s case) from the witness stand
- Teach the child how to respond to confusing, misleading questions and what to do if the child does not know an answer
- Have the child practice being sworn in (again, using age-appropriate language and if needed, visual tools, which can increase the perceived competency of the child)
- Explain courtroom-specific behaviors and terms, such as “objection,” “over-ruled,” and “please rise.”
- Go over the difference between the truth and a lie
- Give the child a realistic time frame of the court processes
- Discuss how the child should act on the stand

Court schools have been developed in jurisdictions across the country. In addition, programs such as “Home Court Advantage,” developed by the National Children’s Advocacy Center, can be used for individualized courtroom orientation and preparation. A child who has attended court school or who has participated in individualized orientation will be better prepared for testifying, which will aid the judge or jury in the ultimate goal of seeking the truth.

Jon S. Ebert, PsyD



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# PROMISING FUTURES PROMOTING RESILIENCY among children and youth experiencing domestic violence

Almost 30 million American children will be exposed to family violence by the time they are 17 years old.<sup>[2]</sup> Kids who are exposed to violence are affected in different ways and not all are traumatized or permanently harmed. Protective factors can promote resiliency, help children and youth heal, and support prevention efforts.

Research indicates that the #1 protective factor in helping children heal from the experience is the presence of a consistent, supportive, and loving adult—most often their mother!<sup>[1]</sup>

PROTECTIVE FACTORS THAT PROMOTE RESILIENCY

INDIVIDUAL	FAMILY	COMMUNITY
<p><b>Temperament</b> Individual temperament or sense of humor</p> <p><b>Relationships</b> Ability to form relationships with peers</p> <p><b>Understanding</b> Ability to make sense of their experiences</p> <p><b>Mastery</b> Opportunities to experience mastery</p> <p><b>Expression</b> Opportunities to express feelings through words, music, etc.</p> <p><b>Conflict Resolution</b> Development of conflict resolution &amp; relaxation techniques</p> <p><b>Culture</b> Strong cultural identity</p>	<p><b>Role Models</b> Adults who role model healthy relationships</p> <p><b>Supportive Relationships</b> Positive child-caregiver relationships</p> <p><b>Health</b> Healthy caregivers</p> <p><b>Networks</b> Relationships with extended family members and others</p> <p><b>Stability</b> Stable living environment</p>	<p><b>Access to Services</b> Basic needs, advocacy, health</p> <p><b>School</b> Positive school climate and supports</p> <p><b>Mentors</b> Role models &amp; mentors, i.e. coach, faith leader</p> <p><b>Neighborhood Cohesion</b> Safe &amp; connected communities</p>

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# Ashlee Sellars

*Restorative Justice Liaison in Juvenile Court*

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## Audience Questions

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**Most significant "Take-Away" from Reducing Anxiety & Fear Associated With Court Experiences**

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