

# Helpful Tips for Judges to Support the Implementation of an Infant Toddler Court Program



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JUVENILE AND FAMILY COURT JUDGES

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# Introduction

From birth to three, children rapidly develop the foundational capabilities on which all subsequent development builds.<sup>i</sup> Abuse and neglect during early development stages can permanently alter brain functioning – causing lasting effects into adulthood. In the last 10 years, the rate of foster care entries for infants and toddlers has far exceeded the rate of that for older children.<sup>ii</sup> Many jurisdictions have implemented Infant Toddler Court Programs (ITCP), such as the Safe Babies Court Team™ (SBCT) approach, to ensure timely permanency and support holistic well-being for the youngest children and their families.

This publication is intended to help judges launching ITCPs identify key components of the implementation process and embrace their leadership role off the bench to help support the effective implementation of ITCP programs.

## Implementation Tips

### 1. Foster a Family-Focused Court Culture

Emphasize and institutionalize a family-centered practice model that puts the family's needs, strengths, and choices at the center of the court process. Judges must prioritize engaging each family in the process.<sup>iii</sup>



### Embrace Your Leadership Role On and Off the Bench!

“The effective implementation of programs in dependency court necessarily involves leadership responsibilities: on-the-bench judicial leadership via strong judicial oversight of cases and off-the-bench leadership which involves working with court, system, and community stakeholders.”

Gatowski, S. & Gueller, M. (2017). *Sustaining the Change: Lessons Learned from Judicial Leaders*. Reno, NV. National Council of Juvenile and Family Court Judges.

- i. National Research Council (US) and Institute of Medicine (US) Committee on Integrating the Science of Early Childhood Development. *From Neurons to Neighborhoods: The Science of Early Childhood Development*. Shonkoff JP, Phillips DA, editors. Washington (DC): National Academies Press (US); 2000. PMID: 25077268.
- ii. Crouse, G., Ghertner, R., Madden, E., Radcliff, L. (2021). *Research Brief: Foster Care Entry Rates Grew Faster for Infants than for Children of Other Ages, 2011–2018*. Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services. <https://aspe.hhs.gov/sites/default/files/2021-08/infant-foster-care-brief.pdf>.
- iii. The NCJFCJ. (2019). *Resolution in Support of Implementing A Family-Centered Framework In Child Abuse And Neglect Cases*. <https://www.ncjfcj.org/wp-content/uploads/2019/08/resolution-in-support-of-implementing-a-family-centered-framework-in-child-abuse-and-neglect-cases.pdf>.

## 2. Collaborate with Child Welfare Agency Leadership

Partner to support alternatives to the usual processes and procedures, and identify and implement improvements. Intentional collaboration can be used to:

- a. Address overrepresentation of families of color in the court system–driven removals for poverty and neglect.
- b. Promote trauma–responsive care at all points of contact with children and families.
- c. Increase accountability and the use of early intervention services to strengthen families and keep them together.

“As a judge, having monthly hearings is where accountability lives... Meeting every six months doesn’t work! It just doesn’t. The greatest benefit to this approach from the bench is the frequency of hearings and a team approach which makes the case go much quicker.”

- Judge Paul Murakami (ret.),  
Oahu, Hawaii

## 3. Encourage Systemic Knowledge Attainment

Request and support learning sessions to help ensure there is a common understanding of the SBCT approach. This will support informed change throughout systems and allow time for team members to share questions as well as ideas about how the program could be successfully implemented in the community.

## 4. Convene and Lead the Active Community Team (ACT)

Judicial officers can convene and lead a collaborative group to champion positive system changes. The ACT should include the child welfare agency supervisors and workers, various system partners including legal, health, mental health, early intervention, parent partners, early education providers, and other community partners and leaders to plan and implement the changes.

- a. Identify and help convene partners who will implement the program.
- b. Support the Community Coordinator’s leadership and role as a champion of the work as they organize and facilitate the ACT meetings.
- c. Help the team identify and document the purpose, goals, and objectives to create a shared vision.
- d. Establish clear roles and responsibilities for all team members involved and identify how each member contributes to the shared vision.
- e. Identify how the court can support the program guidelines and performance measures (for example, determine what success looks like for families in the program and if there are eligibility criteria such as whether the program accepts in–home cases as well as cases where the child is removed).
- f. Strategize with the team to identify methods to ensure eligible families are referred to or identified by the program.

- g. Ensure there is a standard explanation for families to learn what to expect from the program.
- h. Support the shared analysis of trends identified with engaged families to inform service delivery that effectively mitigates crisis-related needs at home to reduce entry into care.

## 5. Meaningfully Engage Children, Families, and People with Lived Expertise

Meaningful and trauma-responsive engagement of families is crucial to achieving positive and timely outcomes. It is also helpful to engage parents and former foster youth who are community leaders in system change efforts.

- a. Set clear expectations for what information and updates you need from family team meetings (FTMs) to ensure you have the information you need to support children and families in your decision-making:
  - Consider using [Questions Every Judge and Lawyer Should Ask About Infants and Children in the Child Welfare System](#) to identify topics and questions you want to cover at every hearing. Share the information with the family teams so they can discuss them in FTMs and have reports ready during hearings. This can also help parent attorneys or parent mentors prepare parents to respond to these questions in hearings. Prepared questions can also ensure that team members know what to expect.

- b. Plan the infant-toddler court docket with trauma-responsive principles and collaboration in mind:
  - Use time-certain calendaring where each hearing is set for a specific time to limit long wait times for families.
  - Dedicate more time to safe-baby court hearings to ensure there is time for meaningful engagement and review of the holistic well-being of the children and parents.
  - Ask parents questions and provide opportunities for them to ask questions and be heard.
  - Welcome participation and voiced support from parent mentors/advocates as a part of proceedings.
- c. Identify opportunities to modify the physical environment of the courtroom and other areas that children and families may visit:
  - Consider promoting a family-centered atmosphere by coming down from the bench to sit at the same level as the family.

Create an inviting environment with art, books, and child-friendly toys. Consider using [Strategies for Engaging Youth and Families with Lived Experiences](#) to guide engagement in system change efforts.



## 6. Support the Community Coordinator in Building Robust Communities of Support

- a. Participate in resource-mapping activities to ensure the team understands community needs and gaps in evidence-based interventions and services.
- b. Ensure the court is represented in the workgroup by being an active member or asking a court administrator to be a member of the group.
- c. Use the ACT to stay current on available resources and partnerships that support access to services and foster opportunities for those partners to inform the court of progress with families.
- d. The National Council of Juvenile and Family Court Judges' (NCJFCJ) [Targeted Resource Mapping Toolkit](#) can be used to guide the mapping process and identify strategies to fill the gaps.

“I start by asking the parents ‘how’s it going?’ and they will tell you. It is the opportunity to hear how our best ideas and efforts are working out for the recipients of this work. It allows you to be proactive in addressing barriers, so I ask, ‘how can we fix that?’”

- Judge Paul Murakami (ret.),  
Oahu, Hawaii

## 7. Plan for Sustainability from Day One

The stakeholder team should consider how the work and practice changes can be institutionalized and determine how to fund program staff and improvement initiatives.

- a. Encourage the team to document what they are trying to sustain (for example, the vision, mission, and goals).
- b. Identify the data needed to ensure you can track progress and evaluate efficacy.
- c. Determine available services and trainings to support the approach and maintain it over time.
- d. Identify cross-training opportunities with all judges who support best practice and alignment with foundational pillars for implementation sustainability.
- e. Document program policies and procedures to help new team members learn the approach and continue the work as staffing needs may change.
- f. Develop and document transition strategies to support continuity in practice and case progression for judiciary absence and change.
- g. Work with the Court Improvement Program (CIP) and/or county to collaborate locally and across the state to determine if there are funding opportunities that can be used to support the work.





- h. Encourage the team to consider and seek funding from varied sources including foundation or nonprofit program support, grant programs, Child Abuse Prevention and Treatment Act funds, Family First Prevention Services Act, Promoting Safe and Stable Families program funds, Title IV-E waiver funding, and various state funding sources.

## 8. Participate in Trainings to Advance Trauma-Responsive Practices

System partners involved in child abuse and neglect cases involving the youngest children should share an understanding of early childhood development, infant mental health, parental mental health, parental substance use, trauma, early relational health, child and family engagement, and best practices for courts working with children and families.

- a. Work with your team and your ZERO TO THREE (ZTT) Regional Field Specialist to identify training opportunities or coordinate training with ZTT partner organizations.
- b. Identify training opportunities through your state's CIP.
- c. Share the E-learning modules on [\*Putting the Science of Early Childhood to Work in the Courtroom: A Series for Judges and Attorneys\*](#).

- d. Consider adopting training standards for system partners:
- Florida’s Early Childhood Courts (ECC) implemented standard training for ECC judges and can provide [an example of training topics and curricula](#) for any judges taking on this work.
- e. Collaborate to develop and use a continuous quality improvement plan and ensure data are reviewed often by teams:
- Request outcome data from the court and partners including service providers.
  - Lead a review and discussion of progress indicators with teams.
  - Seek feedback from families to understand their experiences with the court and services.
  - Provide space for team members to identify challenges to implementing changes.

“Common training and education across the various disciplines allow everyone to communicate well.”

- Judge Tom Broome, Rankin County, MS



# Additional Resources and Further Reading

- *The Safe Babies Court Team Evaluation Changing the Trajectories of Children in Foster Care*. American Institutes for Research (AIR) <https://www.air.org/sites/default/files/Safe-Babies-Court-Team-Evaluation-FINAL-092520.pdf>
- *Questions Every Judge and Lawyer Should Ask About Infants and Children in the Child Welfare System*. <https://www.ncjfcj.org/publications/questions-every-judge-and-lawyer-should-ask-about-infants-and-children-in-the-child-welfare-system/>
- *Infant-Toddler Court Program: Tip Sheet for Trauma-Responsive Courts*. [https://www.ncjfcj.org/wp-content/uploads/2021/05/NCJFCJ\\_ZTT\\_ITCP\\_Tip\\_Sheet\\_Final.pdf](https://www.ncjfcj.org/wp-content/uploads/2021/05/NCJFCJ_ZTT_ITCP_Tip_Sheet_Final.pdf)
- *The Core Components of the Safe Babies Court Team™ Approach*. <https://www.zerotothree.org/resource/the-core-components-of-the-safe-babies-court-team-approach/>
- *Strengthening Families with Infants and Toddlers: A Policy Framework for States*. <https://www.zerotothree.org/wp-content/uploads/2022/06/Full-Policy-Framework-Report.pdf>
- *Redefining Judicial Leadership: Stories of Transformative Practice*. [https://www.ncjfcj.org/wp-content/uploads/2020/12/NCJFCJ\\_Redefining\\_Judicial\\_Leadership-Final.pdf](https://www.ncjfcj.org/wp-content/uploads/2020/12/NCJFCJ_Redefining_Judicial_Leadership-Final.pdf)
- *Can I or Can't I? Extra-judicial Activity and Judicial Leadership*. <https://www.ncjfcj.org/publications/can-i-or-cant-i-extra-judicial-activity-and-judicial-leadership/>
- *The Enhanced Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*. <https://www.ncjfcj.org/publications/enhanced-resource-guidelines/>





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