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## A court without judgement

Siskiyou County's Family Dependency Treatment Court is keeping families who struggle with alcohol and drug addictions from losing their children through a mix of tough love, patched-together services and help rather than punishment.

A woman, with drawn cheeks and well into her forties, steps out of the juror's box and takes a seat before Judge William Davis in his Siskiyou County courtroom. She just had a relapse, another hurdle in a life-long struggle with drugs and alcohol that contributed to her son's entrance into foster care six years ago.

"I have support," the woman says while fidgeting, now seated at a table before the bench. "But something is missing here, and I know that."

"It's not a failure to say that you need something beyond what you are getting," Judge Davis says calmly. "That actually takes courage. I don't want to scold or berate you about using. I just want to help you."

"I know that," the woman says.

The jury box is almost full. Ten parents, all to children involved with this county's juvenile dependency system, come here as often as once a week as they fight the substance addictions that contributed to their children entering foster care.

In Siskiyou County these proceedings are called "Family Dependency Treatment Courts." In other jurisdictions they are called "Family Drug Treatment Courts (FTDC)," or other variations on the same theme. The prevailing philosophy driving the nation's 300 or more family drug courts is to offer families on the brink therapeutic support instead of the punishment and sanctions that courts typically dole out. Since the first Family Drug Treatment Court was started in 1993, the consensus among many leading family court judges is that they have been critical in positively changing the life trajectories of otherwise hurting families.

A four-site study on the effectiveness of FTDCs produced by the American Professional Society on the Abuse of Children stated that: "FTDC parents, compared to comparison parents, entered substance abuse treatment more quickly, stayed in treatment longer and were more likely to be re-unified with their children." The study revealed that "43 percent of FTDC children were re-unified with their parents as compared to 32 percent of those children from comparison parents."

While the report also showed that parents who didn't comply with drug treatment programs lost custody at higher rates than comparison parents, results like these and other studies showing cost savings have fueled a national effort to expand the courts.

"Drug court is one of the most wonderful innovations we have in our court system," says Judge Leonard Edwards, who retired as the presiding judge of Santa Clara County Juvenile Court in 2006. Edwards is widely regarded as one of the nation's top experts on juvenile courts and has been a prolific advocate of the efficacy of family drug courts.

"There is something about a human being coming before another human being - a judge who normally dispenses justice, punishes, has harsh things to say - but in this context has positive things to say," Edwards says of the unique judge-participant dynamic he has seen in his own Santa Clara drug court and in the years since his retirement spent working as a judge-in-residence for California's Administrative Office of the Courts helping improve juvenile courts in California's 58 counties.

While there is a cost associated with running the courts and ensuring participants have access to treatment, there is evidence that FTDCs save money by shortening the time children stay in foster care and preventing recurrences of abuse and neglect at the hands of otherwise untreated or under treated parents.

Judge Edwards and Judge James A. Ray cite three such examples in a report they co-wrote about the Family Drug Treatment Courts back in 2005. One example, the San Diego Dependency Court Recovery Project, created "58 percent cost savings" in comparison to "traditional child welfare models," according to the report.

On this Thursday in Yreka, each individual or couple is called up before Judge Davis, who talks to them about their treatment plans and the challenges they face in maintaining sobriety. At the end of each update, Judge Davis asks how many days the drug court participant has been sober. In all, the day's 10 participants celebrated 1,017 days of sobriety, many reporting regular employment and increasing self-esteem. Today's participants are parents to nine children involved with the foster care system. Many have additional children who are not involved in the system.

A father in his early thirties excitedly recounts what moments free from alcohol have meant for his relationship with his baby boy. "I lay him in his crib and then I lay down next to him," the man says with a wide grin on his face. "He puts his little hand up and I put my hand up, and then he goes to sleep."

Whether the judge deciding these cases, a service provider or parents struggling to maintain custody of their children, Siskiyou County's treatment court touches each party in a different way. But, the consensus among all participants is clear: the weekly sessions are critical in keeping families together.

A grant report submitted to the Office of Juvenile Justice and Delinquency Prevention in accordance with the requirements of a three-year \$320,000 grant to the Siskiyou County Superior Court credited the court with re-unifying 15 families since the start of 2010 out of 63 total treatment court participants.

Judge Davis, who worked as a Siskiyou County District Attorney for seven years, describes treatment court as a "draining" combination of "acting like a social worker, parent, disciplinarian and cheerleader."

In his spacious, book-laden chambers, on a quiet day between the weekly hearings, Judge Davis explains how difficult it can be to parse through the hard realities that have landed children and their parents in often-tragic situations.

"It weighs on you," he says. "Try to compare it with being a physician who works with children. If that physician gets too emotionally involved, he or she is useless."

While the decisions are ultimately the judge's to make, treatment courts across the country have been established to take into account the full perspectives of all the professionals who interact with parents. Before every treatment court session, Judge Davis sits down with social workers from the Siskiyou County Human Services and a coordinator from Alcohol and Drug Abuse Services to discuss the progress of each parent.

"Alcohol has been her demon for many, many years," says one of the social workers in Davis' chambers just before the session where the woman with drawn cheeks will admit to relapse.

The group works through the 14 cases on the docket quickly, but diligently. Taking time to discuss treatment options, possible obstacles in a particular client's progress and decide who deserves praise for success in maintaining sobriety or completing a program.

Michael Noda, director of Siskiyou County Human Services, says that treatment court is invaluable in "bringing home the message that they [parents] must complete the program to successfully maintain a relationship with their children. Without the court's close supervision, the treatment doesn't always effectively follow," Noda says. In a rural county with

services that do exist to the benefit of the parents cycling through treatment court.

"You [the parents] are only going to do what you have done if that is all you know," says the treatment court coordinator as the group prepares to enter the courtroom. "If you show them a different way of being, then they have a chance of actually being different."

The man, who smiled broadly before the judge when talking about napping alongside his baby, is now out front of the courthouse smoking a cigarette with his wife, the mother of the child he is so proud of. Both have fought substance abuse issues for the majority of their adult lives.

"Drugs and alcohol become a part of you, like eating and sleeping," says the man's wife. "The desire to use is so strong."

"But," she says with a smile, "getting clean and sober – getting your life back – is possible."

The two are holding two books used in Alcoholic's Anonymous – "Incentives," given to them by Davis and the treatment court team to celebrate the couple's combined 287 days of sobriety. They walk off down one of Yreka's quiet streets, proud, and on their way to somewhere better than where they have been.

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