

# Checklist

## A JUDICIAL CHECKLIST for Children and Youth Exposed to Violence



*“Children Reflect What They See”*

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SAFE START

**NCJFCJ**  
NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES  
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**OJJDP**  
Office of Juvenile Justice and  
Delinquency Prevention

# CHECKLIST

## for Children and Youth Exposed to Violence

### Exposure to Violence & Type of Exposure

✓ **Have risk factors for exposure to violence been identified?**

Risk factors include, but are not limited to:

- Chronic violence in the community from which the child was removed or currently resides (e.g. The following occur on a regular basis in the community: shootings, stabbings, homicides, muggings, drug deals, gang violence, etc.)
- Domestic (family) violence in the home from which the child was removed or currently resides (e.g. physical violence, threats, coercion or intimidation between parents, a parent and an unrelated par-amour, a sibling towards a parent)
- Substance abuse and/or alcoholism by parent(s) or primary caregiver(s)
- Violence or ongoing bullying in the school that the child attends or has attended
- Physical or verbal abuse in a teenage 'dating' relationship
- Involvement in a gang or close ties to anyone in a gang
- Child/youth has spent time living on the streets as a runaway or homeless youth

✓ **Are there indicators that the child has been negatively impacted by exposure to violence?**

Indicators may include:

- Physical violence towards people or animals
- Withdrawn or lack of affect or emotions (depression)
- Overly excitable behavior
- Aggressive behavior
- Difficulties regulating behavior (e.g. poor impulse control)
- Anxiety or hyper-vigilance
- Substance abuse and/or alcoholism by child or youth
- Risk taking behaviors (e.g. sexual promiscuity, drug use)
- Suicide attempts or other self-destructive behavior (e.g. self-mutilation or cutting)
- Difficulty paying attention
- Problems in school (e.g. truancy, poor grades, detentions, suspensions, expulsions, bullying—victim or perpetrator, etc.)
- Difficulty with peers and appropriate social interactions (e.g. fighting, unable to make friends)
- Diagnosis of Post Traumatic Stress Disorder (PTSD)

- ✓ **If known, what type of violence was the child/youth exposed to (e.g. community violence, domestic violence, teen dating violence, school violence)?**

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- ✓ **How was the child exposed to violence (e.g. heard the violent incident, saw the violent incident, was told about the violent incident, saw the aftermath of the violent incident - stitches, broken bones, bruises in parents or family members)?**

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- ✓ **Was the violence an isolated incident or were there multiple incidents?**
  - If multiple incidents, was the perpetrator the same each time or different?
  - If multiple incidents, for how long has the child been exposed to violent incidents?

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- ✓ **Does the child/youth have a significant relationship with the perpetrator?**

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- ✓ **Does the child/youth have a significant relationship with the *direct* victim of the violent act or acts?**

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- ✓ **Where did the violence take place?**
  - The child/youth's home with biological family
  - The child/youth's placement (foster care, relative, non-relative)
  - In the community/neighborhood
  - At school
  - At a friend's house
  - Other

## Legal System Responses

- ✓ **If the juvenile court has jurisdiction over the perpetrator and/or the victim of the violence, has a court order been entered regarding contact between the perpetrator and the child/youth and/or the victim and the child/youth (e.g. supervised, unsupervised, therapeutic, no contact)?**

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- ✓ **If the juvenile court does *not* have jurisdiction over the perpetrator is a protective order necessary to protect the child/youth?**
  - If so, is a protective order in place or is one being sought in the appropriate venue?
  - Who will assist or is assisting the child/youth and/or adult victim in seeking the restraining order?

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- ✓ **Can the child's/youth's current caregiver protect him/her from further exposure to violence?**
  - Is the caregiver afraid of or threatened by the perpetrator (if known)?

- Is the caregiver willing and able to enforce any restraining orders?
- Does the caregiver live in a neighborhood with a high likelihood of exposing the child/youth to acts of violence in the community? If so, see additional questions related to children's exposure to violence?

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✓ **Was/is law enforcement involved during or after the child's/youth's exposure to violence?**

- If not, is it appropriate to contact law enforcement now?
- If so, were police reports generated and was the perpetrator arrested?

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✓ **Is the perpetrator being prosecuted?**

- If so, is the child/youth a witness and/or victim in the case?
- Does the child have a victim/witness advocate?
- Is a protective order necessary to minimize or prevent additional trauma?

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✓ **Has the advocate for the child/youth inquired into the availability of crime victim compensation through state and/or federal entities?**

## Therapeutic Interventions

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✓ **Has the child been referred for or undergone a psychological and/or developmental evaluation that specifically addresses whether the child was exposed to other forms of violence in addition to the issues that brought the family before the court?**

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✓ **Have recommendations been made by a licensed clinician regarding the necessary therapeutic interventions for the child/youth?**

- Have the recommendations taken into consideration the age and developmental stage of the child/youth?
- Have these recommendations considered the cultural background and gender of the child?

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✓ **Have referrals been made to the recommended therapeutic interventions?**

- Do the interventions take into consideration the age and developmental stage of the child/youth?
- Are the interventions specifically tailored to the cultural background and gender of the child?

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✓ **If currently involved in treatment, are the child's/youth's current treatment and service providers aware of his or her exposure to the violence described above?**

- Are these interventions age appropriate and developmentally appropriate?
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## Additional Questions to Ask About Children and Youth Who Have Been Exposed to Domestic Violence

- ✓ **Has the adult victim been provided an opportunity to seek an 'injunction for protection,' 'no contact order,' or 'protective order'?**
  - Is injunctive relief available within the juvenile or family court system?
  - Does the injunction for protection include orders regarding the perpetrator's contact with the children?
  - Has the injunction been made a part of the court record?

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- ✓ **Has the safety of the adult victim been considered when deciding matters regarding the well-being and protection of the children?**
  - Have visitation orders specifically addressed issues such as safe exchange and the confidentiality of the adult and child victims' residence?

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- ✓ **Are court hearings held in a manner that is safe for both the child and adult victims of domestic violence?**
  - Do the parents and child(ren) have separate attorneys and/or advocates?
  - Is it possible to have separate hearings for the batterer and the victims?

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- ✓ **Are child welfare professionals and domestic violence advocates coordinating their efforts to the extent it is feasible to do so?**

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- ✓ **Have both the child and adult victims been offered domestic violence related therapeutic and supportive services that are culturally sensitive?**

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- ✓ **Have the child and adult victims been linked with a community-based domestic violence advocate?**
  - Has the advocate provided information and education about domestic violence, the impact on children of exposure to domestic violence and safety planning?

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- ✓ **Does this court have jurisdiction over the batterer?**
  - If so, has the batterer been required to attend a certified batterers' intervention program, or similar quality service, and has the batterer's attendance and progress been closely tracked?
  - If not, have the parties and the court worked with the criminal justice system and the victims to ensure that the batterer is held accountable for his/her actions (i.e. criminal prosecution of domestic violence, seeking a civil injunction for protection, prosecuting violations of probation or injunction)?

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- ✓ **If an injunction is in place, has the batterer been in compliance?**
  - If not, has the adult victim contacted law enforcement regarding violations of the injunction?

- ✓ **What community and/or domestic violence shelter-based programs are available to assist child and adult victims of domestic violence with basic needs (food, clothing, shelter) as well as supportive and therapeutic services, including domestic violence advocates?**
  - Has a working relationship been developed between these programs and the court?

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- ✓ **Are there any community-based prevention and awareness educational efforts specifically aimed at educating families and professionals about the effects on children of exposure to domestic violence?**
  - Is the court coordinating with these educational campaigns to ensure that court-related professionals are informed about domestic violence and children?

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- ✓ **Have formal relationships been developed between the court, child protective services and the domestic violence community to enhance cooperation, coordination and effectiveness?**

## Additional Questions to Ask About Children and Youth Exposed to Community Violence

- ✓ **Are community policing or similar efforts underway in the child's current community or the community in which he or she will be placed?**
  - If so, have the victim's advocates linked with community police to discuss the victim's experience with community violence and possible safeguards that can be put in place?
  - If not, has anyone connected with local law enforcement to institute a similar type of program?

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- ✓ **Is the victim's current placement in a 'safe' community or one that is known to be fraught with violence?**
  - If the victim is not in a 'safe' community or a 'gun free school zone,' what efforts are being made to identify a safer living environment with either the same or different caregivers?

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- ✓ **Has anyone helped the victim to identify a 'safe haven' in the community (i.e. school, community center, church, relative) that can provide a safe, supportive environment for the child?**

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- ✓ **Have therapeutic trauma-focused group interventions or services (i.e. school or community peer support groups or bereavement counseling) been offered to the victim?**

✓ **Is an appropriate caregiver or parent available to develop a “competent, caring, positive” relationship with the child to assist and support the child in coping with and overcoming trauma from community violence?**

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✓ **Is the victim able to identify a perpetrator of the community violence?**

- If so, has law enforcement been contacted?
- If not, what efforts are being made to ensure that the perpetrator is brought to justice?

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✓ **Are there any grassroots, community-based efforts being made to eradicate violence, especially gun violence, from the child’s community?**

- If so, have legal system advocates connected with these organizations or leaders to identify ‘safe havens’ for children and youth living in violent communities?
- If not, how can the legal system work with community advocates and leaders to work to minimize the violence and its effect on children, youth and families?

