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## Introduction

The commercial sexual exploitation of children (CSEC) has been growing in the United States and in California. Globally, there are approximately 5 million sex trafficking victims, not including forced marriages.<sup>1</sup> It is difficult to estimate the number of trafficking victims in any individual country, although it is estimated to be in the hundreds of thousands in the United States. Data on human trafficking have been difficult for researchers to collect because different agencies have different definitions of what constitutes victimization, as well as varying levels of data collection capacity. For example, some may characterize victimization narrowly, only including those who have been identified in specific cases related directly to trafficking cases, and some victims may never be identified as such at all. In addition, local and state prosecutors may ultimately prosecute a sex trafficking case under a kidnapping, pimping, or other statute, and the case would not necessarily be counted as a trafficking case. This all results in victims and survivors likely being undercounted, yielding potentially misleading data for researchers.

The data that are available paint a bleak picture. The National Human Trafficking Hotline has received nearly 200,000 calls since 2007.<sup>2</sup> Recent studies have shown that 1 in 5 homeless youth is a victim of sex trafficking, and 30 to 40 percent of homeless youth and transitional age youth reported engaging in the sex trade at some point.<sup>3</sup> California has the highest number of trafficking victims in the country,<sup>4</sup> and 72 percent are estimated to be American citizens.<sup>5</sup> Runaways comprise the majority of youth at risk for sexual exploitation, and the National Center for Missing and Exploited Children estimates that approximately one in seven runaways are likely sex trafficking victims.<sup>6</sup> Of those runaways, nearly 90 percent were in foster care or a group home when running away.<sup>7</sup> Between 80 and 90 percent of trafficking victims have a history of sexual abuse, and between 70 and 80 percent had prior involvement with the child welfare system.<sup>8</sup> A recent report showed that in Los Angeles, 85 percent of youth found in sex

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<sup>1</sup> International Labour Organization, *Forced Labour, Modern Slavery and Human Trafficking* (2019). Retrieved from [www.ilo.org/global/topics/forced-labour/lang--en/index.htm](http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm).

<sup>2</sup> National Human Trafficking Hotline (2019). Retrieved from <https://humantraffickinghotline.org/states>.

<sup>3</sup> L. T. Murphy, “Labor and Sex Trafficking Among Homeless Youth” (2018) and D. S. Wolfe, J. Greeson, S. Wasch, and D. Treglia, “Human Trafficking Prevalence and Child Welfare Risk Factors Among Homeless Youth: A Multi-City Study” (2018). Retrieved from [www.covenanthouse.org/homeless-issues/human-trafficking-study](http://www.covenanthouse.org/homeless-issues/human-trafficking-study).

<sup>4</sup> National Human Trafficking Hotline (2019). Retrieved from <https://humantraffickinghotline.org/state/california>.

<sup>5</sup> Polaris Project, *The Facts* (2019). Retrieved from <https://polarisproject.org/human-trafficking/facts>.

<sup>6</sup> National Center for Missing & Exploited Children, *Key Facts* (2019). Retrieved from <http://www.missingkids.com/footer/media/keyfacts>.

<sup>7</sup> Polaris Project, *supra*, note 5.

<sup>8</sup> K. Walker, “Ending the Commercial Sexual Exploitation of Children: A Call for Multi-system Collaboration in California” (2013). Retrieved from <https://youthlaw.org/publication/ending-commercial-sexual-exploitation-of-children-a-call-for-multi-system-collaboration-in-california>.

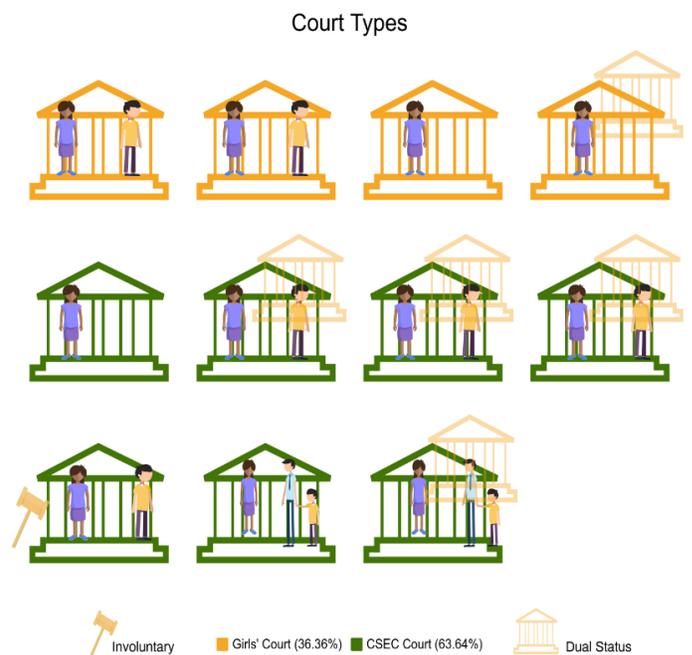
trafficking raids have a history with child protective service.<sup>9</sup> There are no estimates about how many girls in the juvenile justice system are trafficking victims or at risk of sexual exploitation. However, girls account for approximately 30 percent of juvenile arrests annually.<sup>10</sup> Anecdotal data suggest that nearly all girls in the juvenile justice system have been sexually exploited at some point.

In 2016, the California Governor signed Senate Bill (SB) 1322, which decriminalizes prostitution for youth under the age of 18.<sup>11</sup> This is due to the fact that youth under 18 cannot consent to sex and are thus automatically considered to be a commercially sexually exploited child. Under SB 1322, victims of suspected child sex trafficking are referred to the county child welfare department rather than arrested for a prostitution-related offense. The child welfare system provides the youth with access to support, shelter, care, and resources. Law enforcement may, however, take youth into temporary custody if it appears they are in any situation that poses an immediate threat to their health or safety.<sup>12</sup>

SB 1322 has not, however, decreased the number of trafficking victims in the juvenile justice system. That is because victims are often arrested for offenses that are not prostitution-related, such as petty theft, selling drugs, or fighting.

In an effort to provide the same support and resources in the juvenile justice system that youth in the child welfare system receive, courts began implementing girls' courts or CSEC courts. The first girls' court in the United States was opened in 2004 in New Mexico. The same year, Hawaii opened its girls' court. The first girls' court in California opened in San Mateo County in 2006.

As of 2020, there are 11 girls' courts in nine California counties. There is also one boys' court. Seven of the girls' courts in California are specifically for CSEC survivors, with one of the seven specifically for girls and the other six accepting eligible youth of any gender. The other four are more wide-ranging girls' courts, with



<sup>9</sup> M. Ackerman-Brimberg, K. Walker Brown, and A. Newcombe, “Los Angeles Law Enforcement First Responder Protocol for Commercially Sexually Exploited Children, What We’ve Learned: A Four Year Look” (2018). Retrieved from <https://lacounty.gov/wp-content/uploads/FRP-4-year-review-191120-FINAL.pdf>.

<sup>10</sup> C. Puzzanchera and S. Ehrmann, “Spotlight on Girls in the Juvenile Justice System” (2018). National Center for Juvenile Justice. Retrieved from [www.ncjj.org/publication/Spotlight-on-Girls-in-the-Juvenile-Justice-System.aspx](http://www.ncjj.org/publication/Spotlight-on-Girls-in-the-Juvenile-Justice-System.aspx).

<sup>11</sup> Stats. 2016, ch. 654.

<sup>12</sup> *Ibid.*

two accepting only girls and two accepting youth of any gender. These girls' courts generally accept youth who may have other gender-specific needs and are not necessarily CSEC or at risk for CSEC. Nine of the 10 courts examined accept anyone who is determined to be "at risk," which can be broad and include homelessness, family dysfunction, a need for counseling, and poverty.

As attention to the importance of gender-specific responses for these girls and public awareness of exploitation increased, so did resources and laws. The 1992 reauthorization of the Juvenile Justice and Delinquency Prevention Act required states to assess gender-specific services for youth, and laws and services began to reflect the growing epidemic of exploitation and human trafficking in the 2000s. One such service was girls' and CSEC courts.

In response to a growing interest in how best to handle victims of exploitation or who are at risk of exploitation in the justice system, the Judicial Council of California's Center for Families, Children & the Courts conducted a process evaluation of the girls' and CSEC courts in California. Unlike an outcome evaluation, which examines whether a program is working by looking at outcomes such as recidivism, a process evaluation examines how programs function and why a program may or may not have the desired impacts.

This report details the results of the process evaluation. The report covers an overview of what girls' courts and CSEC courts are, the existing literature about this court type, the methodology used in the evaluation, and evaluation results. It concludes with a set of recommendations for courts that might see victims of exploitation or that want to create their own girls' or CSEC court.

## **Overview of Girls' and CSEC Courts**

As court stakeholders recognized that the nature and causes of girls' delinquency is different from that of boys, they began to consider creative approaches to dealing with the differences. Researchers have found that gender-responsive approaches in juvenile justice work best for girls with histories of trauma and who have high levels of depression, anxiety, anger, irritability, and substance abuse.<sup>13</sup> There is also some evidence suggesting that abuse and neglect, particularly sexual abuse, are more predictive of delinquent behavior in girls than in boys,<sup>14</sup> and up to 95 percent of sexually exploited girls report being physically or sexually abused.<sup>15</sup> In addition,

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<sup>13</sup> J. C. Day, M. A. Zahn, and L. P. Tichavsky, "What Works for Whom? The Effects of Gender Responsive Programming on Girls and Boys in Secure Detention" (2015) 52(1) *Journal of Research in Crime and Delinquency* 93–129.

<sup>14</sup> P. K. Kerig and S. P. Becker, "Early Abuse and Neglect as Risk Factors for the Development of Criminal and Antisocial Behavior" (2015) in J. Morizot and L. Kazemian (eds.), *The Development of Criminal and Antisocial Behavior* (pp. 181–199). Springer International Publishing.

<sup>15</sup> R. Ijadi-Maghsoodi, E. J. Todd, and E. Bath, "Commercial Sexual Exploitation of Children and the Role of the Child Psychiatrist" (2014) 53(8) *Journal of the American Academy of Child & Adolescent Psychiatry* 825–829.

researchers have noted that girls in the juvenile justice system have higher rates of mental health disorders than do similar boys.<sup>16</sup>

Since juvenile court was designed for boys and does not traditionally take into account issues such as trauma, girls' courts may be better than traditional juvenile courts to serve girls impacted by trauma, such as trafficking victims. These gender-responsive models address girls' needs and can prevent the retraumatization that the juvenile justice system often triggers.<sup>17, 18</sup> Girls' courts address the specific trauma that girls in the juvenile system encounter, as well as the female-specific reactions to that trauma.

Girls' courts are juvenile courts that have a dedicated calendar and judge for female youth who may have been exploited or suffered trauma, or are at risk for these things. Some girls' courts are for any at-risk girl who enters the juvenile delinquency system, while others are specifically for girls at risk of being involved in CSEC and who have been arrested, especially for crimes related to their exploitation. The goal of a girls' court is to have an alternative track for these youth that recognizes their unique and gender-specific risks and needs. This track, like other collaborative courts, builds on their strengths and reconnects them with healthy relationships and behaviors.<sup>19</sup> The court focuses on providing services rather than on convictions or detentions.

Each girls' court may operate slightly differently from another, but all follow collaborative justice principles of combining judicial supervision with an understanding and empathetic judge, often on a weekly or biweekly basis, with intensive social and treatment services to at-risk girls or girls who have been victimized or exploited. These collaborative justice principles include a multidisciplinary, nonadversarial team approach with involvement from justice system representatives, mental health providers, specialized trauma services, educational advocates, and other support systems in the community. Many girls' courts offer evening and Saturday programs for girls to have group therapy or to discuss issues ranging from self-worth and body image to the legal system and the court process.

Like all collaborative courts, girls' courts use a continuum of sanctions for repeat offenses or not adhering to program rules. However, girls' courts are also aware that exploitation is similar to

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<sup>16</sup> E. G. Marston, M. A. Russell, I. Obsuth, and G. K. Watson, "Dealing with double jeopardy: Mental health disorders among girls in the juvenile justice system" (2012) in S. Miller, L. D. Leve, and P. K. Kerig (eds.), *Delinquent Girls: Contexts, Relationships, and Adaptation* (pp. 105–118). New York: Springer.

<sup>17</sup> P. K. Kerig and J. D. Ford, "Trauma among Girls in the Juvenile Justice System" (2014) National Child Traumatic Stress Network, Juvenile Justice Consortium. Retrieved from [www.nctsn.org/sites/default/files/assets/pdfs/trauma\\_among\\_girls\\_in\\_the\\_jj\\_system\\_2014.pdf](http://www.nctsn.org/sites/default/files/assets/pdfs/trauma_among_girls_in_the_jj_system_2014.pdf).

<sup>18</sup> K. Finklea, "Juvenile Victims of Domestic Sex Trafficking: Juvenile Justice Issues" (2014) Congressional Research Service. Retrieved from <https://fas.org/sgp/crs/misc/R43677.pdf>.

<sup>19</sup> W. Heipt, "Girls' Court: A Gender Responsive Juvenile Court Alternative" (2015) 13(3) *Seattle Journal for Social Justice* 803–855. Retrieved from <http://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1777&context=sjsj>.

domestic violence in that girls may go “AWOL” and return to their exploiter several times before leaving for good. See the box below for more information on this issue.

Some courts use detention as a sanction more than other courts, depending on the jurisdiction’s philosophy, politics, and culture. Although there is a movement to expand safe harbor laws, in which exploited youth are always treated as victims rather than criminals, concerns about the safety of youth in an unlocked facility remain. California is also one of the few states that permits the court to seal the records of exploited youth. Some girls’ courts in California seal the records of girls who successfully complete the program as a matter of course.

Many courts begin with certain guidelines and procedures and then change them over time as they learn what works best.

### *Power and Control in Trafficking*

The trafficking power and control wheel, shown in the figure below, demonstrates how different types of abuse related to exploitation continually occur, similarly to domestic violence. Exploitation is facilitated by patterns of behavior used to show power and control the victim. The “power and control” are in the center of the wheel. An exploiter uses threats, intimidation, abuse, isolation, and coercion to impart fear. These things are the spokes of the wheel. The exploitation that holds everything together is the rim of the wheel.<sup>20</sup>



<sup>20</sup> This wheel was adapted by the National Human Trafficking Resource Center from the Domestic Abuse Intervention Project’s Duluth Model Power and Control Wheel, [www.theduluthmodel.org/wheels/faqs-about-the-wheels/](http://www.theduluthmodel.org/wheels/faqs-about-the-wheels/).

Senate Bill 1322, passed in 2016, in part cements what some girls' courts around the state have been doing to focus on providing sex trafficking victims with support and services in lieu of criminalization for minors under the age of 18 who are arrested for prostitution. With this law in place, there was some question about the need for girls' courts; however, often, trafficking victims are arrested for crimes other than prostitution and thus still need the services and access to girls' courts. With this new law shifting the focus from prosecuting children to providing exploited children with support and assistance, these collaborative courts continue to play an important role in juvenile cases involving child sex trafficking.

### **Study Objectives**

Since girls' court and CSEC court are relatively new collaborative court models, very few evaluations have been done. The main objectives of this evaluation were to (1) describe the process of a girls' court and a CSEC court, (2) identify specific aspects of the court models that are particularly beneficial, (3) identify the aspects that stakeholders see as model practices for jurisdictions that are interested in program replication, and (4) attempt to gain insight into the experience of those using a girls' court.

## Review of the Literature

Due to the relative novelty of girls' courts, there has not been enough research to determine these courts' effectiveness. An evaluation of Honolulu's girls' court, which is a general girls' court not specific to CSEC, found positive results and encouraged its replication.<sup>21</sup> The researchers found that the Honolulu girls' court significantly reduced overall recidivism compared to a matched comparison group. Participation in the court also resulted in fewer incidents of running away between the period before starting the court program and after. Those who did run away spent significantly less time on the run than they did before starting the court program. Although the program did utilize secure confinement, the number of times it was used dropped between the pre- and postcourt periods, and the number of days in secure confinement also dropped.

In interviews and focus groups, participants also reported positive outcomes. For example, they talked about making connections with others who have had similar experiences and engaging in healthier behaviors. However, parental participation in the program is mandatory, and this created strain on parents who had to modify or quit their jobs to comply with the requirements. There was no conclusive evidence as to whether this had an impact on participation in the program. Since this program isn't specific to CSEC, it may be difficult to generalize to this population.

In another outcome evaluation of the Cuyahoga County (Ohio) "Safe Harbor Project" docket of youth who have been or are at risk of being trafficked, researchers determined that the docket had not been successful. However, that court defined success specifically as getting the girls to quit "the life."<sup>22</sup> The researchers suggested that this court docket's narrow definition of success and internal confusion about whether the girls were victims or delinquents impacted the results. In addition, the researchers noted their challenges in obtaining consistent quantitative measures and instead relied on qualitative data. They also pointed out that "politically, people want sympathetic, clear-cut victims. In practice, these youth's exploitation is enmeshed with the failures of our social safety nets." Thus, comprehensive, wide-ranging, evidence-based strategies to support these youth are integral to their success.

A comprehensive evaluation of the Los Angeles Succeeding Through Achievement and Resilience (STAR) Court is currently underway as of this writing. Initial descriptive results have shown that most girls participating in the court have extensive histories of child maltreatment, victimization, and child welfare involvement; behavioral health issues; and substance use. Early evaluation results showed a reduction in the number of citations received between entering and

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<sup>21</sup> J. Davidson, L. Pasko, and M. Chesney-Lind, "'She's Way Too Good to Lose': An Evaluation of Honolulu's Girls Court" (2011) 21(4) *Women & Criminal Justice* 308–327.

<sup>22</sup> M. Luminais, R. Lovell, and M. McGuire, "A Safe Harbor Is Temporary Shelter, Not A Pathway Forward: How Court-Mandated Sex Trafficking Intervention Fails to Help Girls Quit the Sex Trade" (2019) 14(5) *Victims & Offenders* 540–560.

exiting the court program. Results also showed that having an educational advocate decreased the likelihood of a court participant's dropping out of school.<sup>23</sup>

There are other programs and girls' courts offered around the state and around the country that, although not formally evaluated, have reported encouraging outcomes. The Second Judicial District Court in New Mexico offers the Program for the Empowerment of Girls, referred to as PEG. The program manager has reported low recidivism rates among girls who have participated in the program. They prefer to measure the program's success in a positive, rather than negative, way. For example, the program manager reported that the participants tend to stay in their educational programs, counseling, and substance use treatment.<sup>24</sup> The program takes into account the reality that many of the mothers of the participants have also been traumatized and victimized, and mandates parental participation with wraparound services and family treatment. Parents can be held accountable and sanctioned for their daughters' noncompliance with the program. This judicial purview is not the same in every state, however. For example, in California, the parent of a juvenile offender in court is generally not a party to the case. Although the court can order a parent to participate in services, the court does not have jurisdiction to enforce that order.

The Sacramento girls' court, called the "Friday Court," has also reported anecdotal positive results. Members of the court team noted that the court has resulted in better collaboration among the professionals who work with the youth. Several members also suggested that having a consistent team—the judge, defense attorney, prosecutor, and probation officer—increased trust in the system and allowed for stronger relationships between the youth and the court team. This in turn resulted in better identification of sexually exploited youth.<sup>25</sup>

The girls' court in Orange County, California, is unique in that it is part of the dependency system rather than the delinquency system. Administrators for this court found that participants had increased placement stability, fewer runaway incidents, and increased school success.<sup>26</sup> The number of placements after entering the program decreased by almost 42 percent compared to the number prior to entering the program. In the same time period, the number of girls who went AWOL decreased by 57 percent. The average GPA of the participants also increased from 2.36 to 2.52, with 58 percent of the girls improving their GPAs.

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<sup>23</sup> A. J. Bacharach, S. Godoy, D. Strobel, and E. Bath, "Research Update: STAR Court Study: Initial Results" (2020). Retrieved from <https://www.courts.ca.gov/documents/Research-update-star-court-study.pdf>.

<sup>24</sup> Telephone interview with Cindy Salazar, Special Programs Manager, Second Judicial District Court, New Mexico, Program for the Empowerment of Girls in Albuquerque, N.M. (Sept. 2016).

<sup>25</sup> B. D. Liles, D. M. Blacker, J. L. Landini, and A. J. Urquiza, "A California Multidisciplinary Juvenile Court Serving Sexually Exploited and At-Risk Youth" (2016) *Behavioral Sciences and the Law*, 34, 234–245.

<sup>26</sup> Superior Court of California, County of Orange, *Collaborative Courts 2015 Annual Report*. Retrieved from [www.cccourts.org/directory/collaborative-courts/reports/2015\\_Annual\\_Report.pdf](http://www.cccourts.org/directory/collaborative-courts/reports/2015_Annual_Report.pdf).

Despite the dearth in research on girls' courts specifically, there is some evidence that gender-specific court responses in general have a positive effect. For example, gender-specific programs have shown positive outcomes in the areas of education, employment, interpersonal relationships, self-esteem, self-efficacy, self-awareness, body image, and social development.<sup>27</sup> These are all things that empower girls and that have been shown to be particularly problematic for trafficking victims. Good programs that are not gender-specific seem to be effective in reducing recidivism for both boys and girls, however.<sup>28</sup>

Many girls' courts offer girls' groups to their participants as part of their service provision, such as Girls Circle and Girl Power. Researchers exploring the impact of these girls' groups found that although these groups do not necessarily affect recidivism, participation increased the likelihood that the girls would subsequently complete an evidence-based program. Participants also reported improvements in their interpersonal relationships.<sup>29</sup>

Other researchers have examined models of how women being prostituted leave the industry. One researcher noted that because they enter sex work in various ways, especially those who are under the control of a pimp, their method of exiting may also vary and be unique to their situation.<sup>30</sup> Although this research is on adult women, it could be applicable to girls in the juvenile justice system, helping girls' courts' multidisciplinary teams to implement treatment and services targeted to each girl's needs and experiences.

The limited current literature points to some lessons in developing a girls' court. Qualitative data from that evaluation suggested that firm graduation requirements and aftercare would be helpful. A major obstacle to developing the girls' court was finding probation officers who were willing to adhere to a unique approach to the court process and to gender-specific modalities.

Additional models have emerged for creating gender-responsive, trauma-informed programs:

They should be *holistic*, targeting girls' needs in multiple areas of life; *safe*, through building trust and using trauma-informed principles; *strength-based*, encouraging the development of confidence and competencies; *relational*, recognizing the ways the female development hinges on positive relationships; and *culturally responsive* by addressing girls' needs and risks in the context of diversity related to culture, race, ethnicity, religion, class, and sexual orientation.

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<sup>27</sup> M. A. Zahn, J. C. Day, S. F. Mihalic, and L. Tichavsky, "Determining What Works for Girls in the Juvenile Justice System" (2009) 55(2) *Crime & Delinquency* 266–293.

<sup>28</sup> *Ibid.*

<sup>29</sup> S. C. Walker and A. Muno, "Washington State Girls Group Evaluation" (2011) University of Washington, Department of Psychiatry and Behavioral Sciences. Retrieved from [www.courts.wa.gov/programs\\_orgs/gjc/documents/WashingtonStateGirlsGroupEvaluation.pdf](http://www.courts.wa.gov/programs_orgs/gjc/documents/WashingtonStateGirlsGroupEvaluation.pdf).

<sup>30</sup> A. N. Cimino, "A Predictive Theory of Intentions to Exit Street-Level Prostitution" (2012) 18(10) *Violence Against Women* 1235–1252.

In addition, unique concerns related to girls' sexual health—including the needs of girls who are pregnant or are already mothers—require special attention and accommodations.<sup>31</sup>

Others have highlighted the critical need for providing trauma-informed and culturally competent care. There can be various forms of this type of care, but the premise is care that addresses the consequences of any trauma to facilitate healing, which includes understanding vulnerabilities and triggers to avoid retraumatization or revictimization and focusing on supporting recovery and interrupting the trauma cycle.<sup>32</sup> Judges have recognized how common it is for girls in their courtrooms to have been traumatized and are concerned about appropriate treatment for them.

Several researchers have also noted the importance of including a mother-daughter relationship component in any girls' programming. Some have found that conducting mother-daughter groups had a powerful impact on the quality of both mothers' and daughters' interactions.<sup>33</sup> To the author's knowledge, no similar impact exists for father-daughter relationships; however, any family or other relationships in a girl's life are important and must be acknowledged. It is preferable for any important and positive adult to be involved in the program to strengthen those relationships since such a person will likely be in the girl's life and can help with continued success after she completes the program.<sup>34</sup>

Any program for girls must address physical and sexual abuse and neglect, and must respond to mental health problems such as depression, anxiety, and posttraumatic stress disorder. Family-centered programming can be helpful when dependable and trustworthy family members are available, particularly since a lack of family supervision and ineffective parenting practices are integral factors in girls' exploitation.<sup>35</sup>

An additional consideration for developing a girls' court is staffing. Since men are often the source of girls' trauma, girls' court participants may be more open to beginning treatment with the court's female staff, from the judge to the attorneys to the probation officers to the treatment providers. Later in the treatment, it could be useful to include male staff, such as treatment

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<sup>31</sup> As cited in P. K. Kerig and J. D. Ford, "Trauma Among Girls in the Juvenile Justice System" (2014) National Child Traumatic Stress Network, Juvenile Justice Consortium. Retrieved from <https://youth.gov/federal-links/resources-trauma-and-youth-juvenile-justice-system-trauma-among-girls-juvenile-justice>.

<sup>32</sup> Heipt, *supra*, note 19.

<sup>33</sup> D. Pepler et al., "Bridging the Gender Gap: Interventions with Aggressive Girls and Their Parents" (2010) 11(3) *Prevention Science* 229–238.

<sup>34</sup> Heipt, *supra*, note 19.

<sup>35</sup> M. A. Zahn et al., "Causes and Correlates of Girls' Delinquency" (2010) U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. Retrieved from [www.ncjrs.gov/pdffiles1/ojjdp/226358.pdf](http://www.ncjrs.gov/pdffiles1/ojjdp/226358.pdf).

providers, because participants can learn how to have relationships with men who do not want anything from them.<sup>36</sup>

Researchers have noted that measures of success for girls' court may vary with the courts' structure and implementation. Future research should take into account these various measures and examine not only recidivism, but also other measures related to success in this population.

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<sup>36</sup> As cited in W. Heipt, *supra*, note 19.

## Methodology

This evaluation followed a traditional process evaluation method, which included a content analysis of qualitative data collected. The evaluation followed the framework set forth by the Centers for Disease Control and Prevention, which is to look at ongoing activity over the life of a program. That is, this study examined how the court program is working rather than whether it “worked.”<sup>37</sup> This is in contrast to an outcome evaluation in which quantitative data are analyzed to determine whether a program is achieving its intended goals. This current process evaluation framework allows for an evaluation to be conducted at any time in the life of the court program. We shared a privacy statement with each court before visiting the court and, in some cases, signed a confidentiality notice. Focus groups and interviews were conducted between 2018 and 2019, with two exceptions for which multiple focus groups and interviews with one court were conducted between 2016 and 2018.

### Research Design

This evaluation focused on the process of girls’ courts and CSEC courts in California. With that in mind, the following broad research questions were addressed:

1. What was the implementation process of the court?
2. Who does the court serve?
3. How does the court serve its constituents?
4. What is the difference in case processing between the girls’ court and a traditional juvenile delinquency court?
5. How have changes to state laws impacted case processing?
6. What are cost-effective practices that the girls’ court uses?
7. What are the most promising practices used in the girls’ court?

To answer the research questions, researchers conducted site visits in 10 of the 11 courts in California. Two counties have two courts. One court did not participate.

- |                    |                   |
|--------------------|-------------------|
| 1. Alameda         | 5. Sacramento     |
| 2. Fresno          | 6. San Bernardino |
| 3. Los Angeles (2) | 7. San Diego      |
| 4. Orange (2)      | 8. San Mateo      |

During the site visits, researchers collected qualitative data via interviews and focus groups, as well as court observation; some data were codified to quantify. When available, researchers also collected collateral material, such as internal or external information about the court program, and data that the court is tracking.

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<sup>37</sup> Centers for Disease Control and Prevention, “Framework for Program Evaluation in Public Health” (1999) *Morbidity and Mortality Weekly Report*, 48 (No. RR-11; Sept. 17).

### **Interviews and focus groups**

In each of the 10 courts visited, researchers conducted interviews and focus groups with the court's multidisciplinary team. Most often, the team consisted of probation staff assigned to that court, the prosecutor assigned to that court, defense attorneys, court coordinators, and service providers. These service providers included education advocates, case managers, social workers, court appointed special advocates (CASAs), mental health and substance abuse treatment providers, health care providers, and, in the courts that are on the dependency side, county counsel. In some cases, the focus group included former judges of the court.

In nine out of the ten courts, the judge participated in the focus group rather than an individual interview. For the 10th judge, researchers conducted several individual interviews.

The interview and focus group questions were formed in collaboration with experts in juvenile collaborative courts, and after interviewing judges and other court stakeholders about what information would be most helpful. The questions also stemmed from other evaluations of collaborative justice courts, as well as the objectives of the girls' and CSEC courts. The goal was to get a complete picture of each court's implementation and processes. Individual interviews lasted approximately one hour while focus groups lasted two hours.

In addition, researchers conducted a focus group with graduates of one of the courts. The questions in that group were primarily about their experiences with the court, their overall impressions of the court, what about the court was most helpful, and how the court could be improved.

The questions in the interviews and focus groups are listed in the appendix of this report.

### **Court observation**

Researchers visited each court in session to observe how cases were heard. During the observation, researchers noted details about the court such as the location, the number of court team members involved, the number of participants present, the process of the court, and how participants reacted to the attorneys and judge. Researchers also observed the multidisciplinary team meeting preceding the court session. In some cases, the meeting was on the same day as court; in other cases, it was on a different day. The notes from those observations were incorporated into quantitative descriptive analyses.

### **Collateral material collected**

Researchers collected program manuals, memoranda of understanding, pamphlets or other advertising material, and annual reports when available. Researchers also collected participant data when available, such as descriptive data and aggregate outcome data on participants. Researchers received participant data from two of the ten courts and other collateral material from eight of the ten courts.

## **Data Analyses**

To gain a better understanding of the courts' processes, structures, services, and model practices, researchers conducted a content analysis of the focus groups, interviews, and collateral material. Observation notes were incorporated into the analyses.

In addition, the information collected yielded quantifiable data. For these data, descriptive analyses were conducted. The results of the qualitative and quantitative analyses formed the basis for the recommendations.

### **Qualitative analyses**

With permission from the participants, the focus groups were audio recorded and transcribed. Data from interviews were transcribed from notes taken during the interviews. Researchers used the analytic software Dedoose to identify overarching themes and to create a list of codes representing those themes.<sup>38</sup> The themes were relative to the broad research questions described in the research design above. The codes were then applied to excerpts in the transcripts. The following theme codes were used after finding commonalities across focus groups and interviews:

1. Appeal of working in this court type;
2. Challenges/needs of the court;
3. Goals of the court;
4. Court structure;
5. Data collection/measuring success;
6. Eligibility;
7. How court started/implementation process;
8. Incentives and sanctions;
9. Model practices of the court;
10. Referral process;
11. Services offered;
12. Specialized training needed to work in court; and
13. Supervision (court and probation).

### **Quantitative analyses**

Researchers compiled data into a chart to analyze frequencies and measures of central tendency to describe the data. These data are reported when relevant in the results section.

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<sup>38</sup> Dedoose Version 7.0.23, web application for managing, analyzing, and presenting qualitative and mixed method research data (2016). Los Angeles, CA: SocioCultural Research Consultants, LLC, [www.dedoose.com](http://www.dedoose.com).

## **Evaluation Results**

Results from qualitative and quantitative analyses are reported in the aggregate across all courts examined.

### **Qualitative Analyses Results**

Overarching similarities in Memoranda of Understanding and program guides show that girls' court programs' missions and values are centered around trauma-informed care in a collaborative environment. All courts also focused on educating and empowering the girls to enable them to achieve their potential.

The importance of collaboration and transparency, specialized training, and trauma-informed services were common threads through all courts we talked to in focus groups. These issues came up recurrently in the following general themes that emerged across all courts:

1. Important things to do when starting a court;
2. Things to consider in the court structure;
3. Policies for eligibility;
4. Processes for referrals to the court;
5. How incentives and sanctions work;
6. Uniqueness of court and probation supervision;
7. Importance of services offered;
8. Need for specialized training;
9. Aspects of the court that appeal to staff;
10. Flexibility with court goals;
11. Benefits of data collection;
12. Challenges that courts face; and
13. Model practices.

### **How court started/implementation process**

Like other themes, many talked about the importance of collaboration and transparency in planning and implementing a girls' court. One person pointed out, "An important place to start is bringing everyone together [and] trying to figure out what assets already exist in the community and who's already working on this [and who] is open to letting other people into confidential juvenile proceedings."

Many talked about how important the judge is in driving the process of starting and maintaining a court; however, participants cautioned against having only one person committed to the court. As one person noted, "You can't have an effective court dependent upon a personality." Illustrating this idea, the researchers of the Cuyahoga County Safe Harbor docket noted that "the

judge who ran the court was not re-elected and there is a good chance that if the program survives the transition, it may look radically different.”<sup>39</sup>

Most of the courts also talked about the importance of including survivors in the startup process. One person talked about really listening to survivors and being able to rely on their experiences to determine what’s helped and what hasn’t in developing a program. This person went on to say, “It’d be easy for us to say, ‘We know everything, we got it,’ [but] we’ve learned so much in the [time we’ve been operating] and it’s been very humbling.”

Most of the courts have changed their procedures and policies from when they started, and several are currently in the process of changing policies and procedures. One person described it as “still evolving.” Another person noted, “We just kept saying we were building the plane as we were flying it.” This is important to highlight because court stakeholders can feel like they are unable to start a new collaborative court model until everything is 100 percent ready. This study shows that these programs change and evolve over time as stakeholders gain additional knowledge and experience. When starting one of the girls’ courts, one stakeholder remembered thinking, “What can we do, and what can we implement as fast as we can to get this started? Because if we’re going to wait until we get the perfect alignment of the stars, it’s never going to happen.” Another person said, “We knew we were going to start when we didn’t feel completely ready. And we knew we were going to start with still work to do, and we still have work to do. But to wait until it was perfect would be to wait to never start.” Many also noted how the state of CSEC now is similar to where that of domestic violence was 30 years ago, in that general awareness and attention are just starting to grow.

As safe harbor and similar laws meant to protect victims from criminalization change, many participants talked about hearing a general concern in the broader court community that girls’ courts may not be needed anymore. However, as mentioned earlier, most of the participants across courts noted that the kids in their courts generally don’t get arrested for prostitution anyway; thus, none of the courts reported being impacted by laws such as SB 1322.

The courts in this study generally talked about four things to think about when starting this type of court model: touring other courts, thinking about roles and responsibilities, and support and buy-in. Participants also discussed how they were funded.

***Touring courts.*** At least seven of the ten courts reported doing a field trip to at least one other girls’ court in or out of California to see how they worked, and four of the courts specified visiting the STAR Court in Los Angeles. Participants talked about researching the concept of the court and how the courts are run, what types of services other courts provide, and who should be involved in the implementation process. In discussing why they have not toured as many courts as they would have liked, especially out of state, participants cited a lack of funding available for the travel.

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<sup>39</sup> Luminais, Lovell, and McGuire, *supra*, note 22.

***Roles and responsibilities.*** Participants also talked about the many players involved with starting their court. Many across courts discussed the importance of having as many people as possible at the table, both to start the court and to be on the multidisciplinary team (MDT). With so many people involved, many participants talked about the importance of taking into consideration and respecting everyone’s roles. This can take time, as one person noted, “I think one of the biggest challenges, especially in the beginning, was figuring out expectations and roles: What’s expected of me, what’s expected of [others], how does that overlap, where does the responsibility lie?” Another challenge that participants discussed was trying to do their job while also incorporating the collaborative, nonadversarial approach of the court. One person said, “Everyone needs to know their role, but they need to stay in their lane. The team is making decisions together.” And for those who were unfamiliar with this approach, the transition was sometimes challenging, too. One probation officer said, “Traditionally, probation has always been that authoritarian person who comes in and says, ‘You have to comply.’ So, it’s really been a learning curve for all of us.”

Another topic that came up across multiple courts was the gender of the MDT members and others inside the court, such as the bailiff. Participants had mixed feelings about whether men should be part of the MDT. Some courts have made it a point to have all-female staff in an attempt to relate to the girls and to not retraumatize them, as well as to empower them. One person said, “One of my favorite things is when you tell the girls, ‘Look around. These are all females. These are all strong females in the room, and they’re here to support you.’” Other courts decided to include male staff so that the girls can see what a male authority figure who isn’t out to exploit them looks like. One person said, “A lot of these girls are seeking attention from men. [It’s been good] to have good men, good attention. A good role model.”

***Support and buy-in.*** Participants across courts noted that collaboration and transparency were key to obtaining support from all of the relevant agencies. In some courts, support and buy-in took time while in at least four courts all stakeholders and agencies were on board from the beginning. For the latter courts, participants pointed out that early collaboration and relationship-building had a large impact. In one of the courts reporting no pushback or resistance to starting the court, participants noted that they had more than 100 people from 41 agencies attend the initial meeting to discuss the idea of that court.

Participants in at least two courts brought up resistance from their Probation Department. Participants in one court talked about how their probation department was resistant to assigning a probation officer to the girls’ court initially. One person noted, “There was definitely a cultural change that had to take place with probation, . . . putting the victimization [and exploitation] into it. I mean, they were still being charged with prostitution. So, there was definitely some resistance involved.” In another court, someone pointed out how probation may have been resistant at first because the girls were technically low-risk, which typically would not require much in the way of probation supervision, whereas the supervision level is much higher for the same girls in the girls’ court.

In another court, the judge pushed back for a year or longer for fear of the court causing more harm to the girls. This judge stated,

I didn't want to just start a calendar just to start a calendar . . . I wanted to make sure that I had had enough exposure, experience, training, working with colleagues around the state and the nation to understand how to best serve these youth before I was willing to put my name on it.

There were also unique challenges in gaining buy-in for these courts on the dependency side. In particular, there was initial resistance from parents' attorneys. One person noted, "I think in [parents' attorneys'] eyes, it was we're punishing the parents by having a dependency-court petition filed and sustained. The parents didn't do anything wrong for their clients to be trafficked." Another person said, "I know in the beginning, it was very difficult—the idea that parents are going to subject themselves to jurisdictions saying that they are at fault in order for their child to receive the services." Participants cited education as a major factor in getting attorneys on board. One person mentioned,

I think that the thought was that they would end up being reported to the Department of Justice and end up on a [Child Abuse Central Index] list, so if they applied for jobs, they would show up as a child abuser, and that was not the case. And that had to do with just educating [attorneys] about the investigative process of what happens within [Department of Children and Family Services], and so that is not the case in any of these cases.

In fact, in all cases, participants pointed out that education and training were key to developing the mindset supporting buy-in from the various agencies. One person stated, "[T]here was a lot of training about the changing of the way that we think about these kids, absolutely. That was mind-set change for . . . everybody." Several participants talked about how the idea of the court started to make more sense to people with more training, and started recognizing the "why." Participants also noted that even though it may have taken a few years, everyone now understands the importance of the court. However, some of the courts are still trying to get law enforcement on board, albeit slowly. One person said,

We're really struggling right now with working with law enforcement because these girls are victims and they're witnesses, but they're justice-involved with [their] own risks, and it's very murky, and we don't have any magic answers, but we can haggle it out.

Obtaining buy-in from girls themselves is also important. All but one of the courts in California are voluntary, so that buy-in is critical if the court is going to successfully serve the victim. Several participants discussed efforts they use to gain trust and buy-in from the girls. One person explains to potential girls' court participants the idea of the collaborative approach with the multidisciplinary team, letting them know, "Having a team on board means you have the entire

team, and all of their connections, too.” Another person talked about the importance of also talking to the girls’ parents or guardians in the courtroom, saying, “It’s really for them to know that they’re not alone, that we have a whole village here to help them.”

**Funding.** Many courts started with a one-time grant to support specific things such as a coordinator or data collection. One person noted, “We used to have a meeting every couple months and go over those statistics. But since the grant money ended, we don’t do that anymore.” The costs of operations for all of the courts, however, are funded through their normal funding source. For example, the judge is funded by the court, and the prosecutor, public defender, and probation officers are assigned to that court or caseload by their respective agencies. Several participants noted that the court or their agency doesn’t receive extra funding because they’re doing the same work, just in a different department. In one county, the court was backed by a specific agency’s funding, and when that was no longer available, the court shut down. They were able to open it back up after finding new funding sources.

For incentives and rewards, different courts have different sources. In one county, the faith-based community provides the incentives. In other counties, the probation department funds them, and they find that funding from various sources: from general funds to grants such as the Juvenile Justice Crime Prevention Act or other Department of Justice grants. Even with some funding, several probation officers talked about not having enough for their kids. One probation officer stated, “We can give bus passes, but when we have parents that don’t have cars or a means to get here, there’s only a certain limit to get transportation or vouchers of some sort.” Others also mentioned limitations to their funding. One social worker talked about just buying things for their kids regardless of reimbursement: “We will also buy things for our kids. Some things we’ll submit to have reimbursed, and some things we can’t or won’t.”

### **Court structure**

Most of the girls’ courts examined have a structure similar to other juvenile collaborative courts. However, there were also unique issues discussed, such as what the court is called. A common debate when starting the court was whether it should be voluntary. With all but one court voluntary, some people expressed concern about girls falling through the cracks. One person mentioned, “Because it is voluntary, sometimes a lot of the high-risk youth don’t see themselves as victims, and they feel that if they do participate in [the court], they’re going to be stigmatized as a CSEC victim.” Other details about the court structure included the roles of the MDT and the judge, the process and logistics, and the philosophy of terminating cases.

**Court name.** An important aspect to consider is what the court is called. Two of the courts were called a “girls’ court,” even if they accept all genders. Six of the courts had an acronym name (e.g., STAR Court, or Succeeding Through Achievement and Resilience; GRACE Court, or Generating Resources to Abolish Child Exploitation; and RISE Court, or Resiliency Is Strength and Empowerment). Two of the courts made the decision to remove any potential label or stigma from the court and call their courts simply “Friday Court.” As one person said, “[The kids] don’t want to be labeled anything. They are just them. And so it’s easier that way.” This can be

important because many victims of exploitation don't self-identify and don't see themselves as victims or as CSEC. As one person from a Friday Court stated, "Many of our youth don't understand or appreciate or agree that they have been exploited, so our vantage point and view of what their experiences have been is not theirs. [T]hat's another reason as to why, whether it's an acronym or a label of the court, that we not do that." Another person in the same court noted, "We can recognize that this is a court for people with all types of experiences that trickle down to the girls and doesn't provide a label that then [requires] extra engagement work to get them to participate in services."

***Multidisciplinary team.*** In four of the courts, the judge attends the MDT meeting while in the other six the judge gets an MDT update on each girl. However, participants in one of the former four courts talked about plans to move to a different model than their current one and hold the MDT meeting on a different day than court without the judge present. One person said, "There's too many things that a judge shouldn't ethically know that are of benefit to the team to discuss."

The MDT as a unit is the foundation of any collaborative court, and the girls' courts in this study were no exception. Nearly all participants talked about the importance of the relationships among MDT members, which are strengthened with collaboration, transparency, and open communication. One person stated, "The thing about this court is that everybody works together. And you don't see that everywhere." In talking about how the MDT works together, another person said,

We get the benefit of having the same eyes on the case and tracking the case from the inception until the end, and it's helpful to know their history, the strides that they made, [and] their past challenges so that we can take all of that into consideration as we move forward.

And in talking about the importance of the MDT, one person said, "It helps because we make informed decisions for the youth as a team. It's not just one person deciding for them. It's all about trying to do what's best for them, which is everybody's priority."

Collaborative approaches to working with the girls was echoed across courts. One defense attorney mentioned, "It's nice to see everybody working toward the same goal rather than I being the lone wolf advocating for the youth—this is more of a team that's on the same page." That doesn't mean that MDT members agree all of the time, however. One person pointed out, "There are still times when we disagree, but I think we see each other's point of view and really respect where [the other person] is coming from. Another person summarized this theme by saying, "We're all a team. The car doesn't move without four wheels rotating in the same direction."

The girls seem to appreciate this collaborative approach as well. Graduates talked about how the MDT and the judge are "like a little family." One graduate pointed out that it's not just the judge who is so clearly looking out for them. She talked about how the attorneys are also looking out,

pointing out that it's not just their own attorney, but also the other attorneys asking how they're doing.

Like in other collaborative courts, the consistency of the MDT is also important, perhaps more so with this vulnerable population. MDT members, as well as judges, have to build trust and rapport with the girls, which takes time. That is harder to build when members or judges rotate out of the girls' court assignment. One person noted, "They're seeing the same people . . . So it's not a scary place to go, and nobody's chopping off anybody's heads in court because we're all there to support this girl." The consistency helps build trust on both sides, as one graduate pointed out that the judge and MDT members not only earned the girls' trust, but [they] also felt trusted by the judge and MDT members.

Consistency is also important from a training and education, as well as a service provider, perspective. Most MDT members have had specialized training in CSEC and trauma. In talking about why this matters, one probation officer stated, "Instead of working with multiple probation officers, we have one that really specializes and understands these needs." In another court, a participant pointed out, "There's one judicial officer that they constantly have contact with that knows their case, their family history, or social history. I think it makes them more receptive to be open to receiving services and talking." Several other participants talked about how best to get the girls receptive to treatment, and how building those relationships through consistent contact is a big factor. One person mentioned, "For someone who's been in the system, when some little thing goes wrong, it just reinforces how everything is bad." When the girls feel hopeless, it can be more challenging to help them.

Several MDT members noted how they have to wear multiple hats in the girls' court assignment. One person mentioned, "I think it's a constant struggle and challenge, and constantly having to remind ourselves which hat." Another person stated, "I think it really does take special people to be able to make these kinds of courts successful and to really work smoothly in all the best interests of the youth."

These "special people" seem to be noticed by everyone. Most people we talked to mentioned how MDT members in this type of court are among the most dedicated they've seen. One person pointed out, "We can call the judge at any time if we need something. Everyone's pretty much always on call and always available. It speaks to the commitment of the partners. But I just think it's really key."

**The judge.** Participants repeatedly suggested that the judge is one of the most important components of a girls' court. This population needs a judge who genuinely cares about the kids and is 100 percent bought into the ideas and principles behind the nonadversarial, collaborative court process. One participant described how judges in the girls' courts are special: In other courts, "You can come up with a whole plan with the attorneys, everyone's on board, but you can bring that to a hearing officer, and they're like, 'Yeah, no. We're not going to do that today.'" The collaborative nature of girls' court allows the girls to see how everyone is on the

same page trying to help them, which lends credibility and authority to each individual representative in the court and service provision process. As a probation officer noted, “If the judge in front of the kids doesn’t support what we’re saying, everything we said kind of goes out the window.”

In addition, participants across courts suggested that the judge must have a clear understanding about the dynamics of trafficking and trauma. The judge is the key to ensuring that the girls feel empowered to express themselves and to embrace the services provided. One person highlighted this by saying, “It makes a huge difference because [the judge’s] interactions with the youth are so valuable in [the girls’] experience and building trust.” That trust creates the sense of empowerment for the girls that is so important for this court model. As one person noted, “They’re having conversations, they’re building relationships with their judge, they come in with a list of things that they want and need. They feel heard in this setting.”

Graduates confirmed this in talking about their judge. One graduate, in describing her experiences, said,

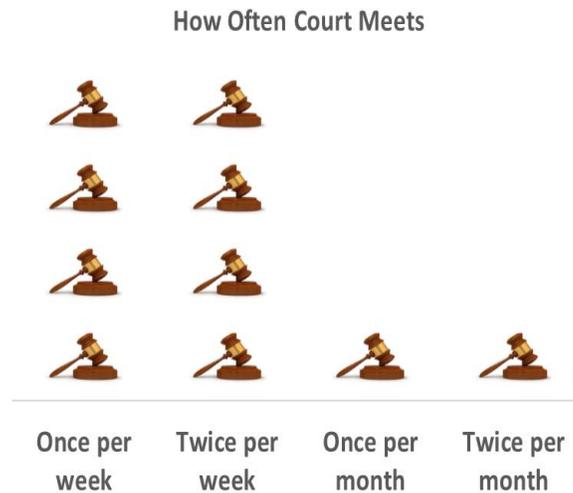
With any other judge, I was just like, oh, the system, they don’t care about me. I’m just going to do what I want to do. I don’t care if I’m going to jail or whatever. But with [the girls’ court judge], it was different.

This graduate went on to talk about how her judge made placement and service suggestions based on what she needed. This prompted the graduate to think, “I want to change, I want to be better.” Another graduate mentioned that her judge was like a mom, saying, “She’s not the type of person to look at you and judge you.” When asked what specifically made them think that the girls’ court judge cared about them while other judges didn’t, one person pointed out that the girls’ court judge has knowledge and education about what they’ve gone through.

The idea of empowerment, a feeling of safety, and having the girls feel like they have some control over their own fate were brought up across courts. One person pointed out that in their courtroom, the judge comes down from the bench. This person said, “I think that opens up the youth [to think], ‘I feel safe, I feel comfortable.’” Another person also talked about feeling safe and said, “I think there is a certain amount of safety that they feel in this courtroom that they may not have. I think there’s less fear coming to court than there might be in another courtroom.” Others noted how the girls are made to feel comfortable being honest with the judge and letting the judge know what they need.

Some participants noted that it’s hard to find judges who fit this description, and that this requires judges to give up some power, which they’re not often willing to do. One example is power over the court itself. One judge noted that the court does not have another judge cover that calendar if the judge has to be out; the court remains dark because the importance of the consistency and relationship with the judge is that important. Others talked about burnout, which is discussed later in this report.

**Court process.** Seven of the courts do not have phases in their programs while three courts each have three phases to their programs. On the delinquency side, programs lasted an average of a year while on the dependency side the program length varies depending on reunification or finding a family. One court said that most of their dependency participants stayed in the program until they turned 21. Most of the courts meet weekly while two of the courts meet monthly. The chart below shows the frequencies of the 10 courts' hearings.



Many participants noted the frequency of court hearings as a promising practice of their court due to their ability to check in on the girls and address needs as they occur. Girls in the court have review hearings an average of every four to eight weeks. In one court, however, the girls want to come back every two weeks, which the court accommodates. One participant mentioned,

We had initially thought we'd have them come in once a month, but then if they're doing well, we'll push their review hearings out so that they don't have to come back to court so quickly. And they don't want that. They want to come back to court because they come in here and there are a dozen people who know who they are and think they're special and know things about them that make them special and can articulate those things for them. So, when they walk through this door, they are seen.

In another court, the participants talked about wanting to increase the frequency with which the girls come to court for review hearings. One judge noted, "I want a little more accountability [because] I only see the girls once a month."

Most of the courts called cases individually like other confidential juvenile proceedings. However, two of the courts had all the girls on the calendar arrive and sit in court together. Reportedly, the purpose of this was to have the girls learn from each other. One of the courts that did this has a nontraditional court program in which the "calendar" is more of a service program in which presenters speak about various topics with an opportunity for the girls to ask questions.

The program begins with an opportunity for the girls to highlight their achievements for rewards. After that, the judge comes off the bench and the presentations begin. In this court, the girls are technically still under the jurisdiction of the delinquency court with another judge, and the girls' court judge has little authority over the case. At this court, one person said, "I think there's a therapeutic component to having everybody there, listening to the other girls. They learn from one another, because the proceedings aren't really legal, in the sense."

At the other court where cases are called together, one person mentioned the social aspect of the court's process, pointing out, "I think that a really important part for CSEC girls is to develop social relationships with other girls their age because that population of girls is taught to fear, compete, [and] hate."

In all of the courts, participants pointed out that their court process is unique partly because of how the judge and the team treats the girls. One person stated, "They're talked to like a person and not necessarily someone that's coming to delinquency court." A graduate confirmed this, saying, "One thing I appreciate is that they called us by our names and we weren't just numbers." Former girls' court participants also discussed the differences in court process between their traditional delinquency court experience and the girls' court. One graduate said,

I feel like [in the girls' court], they don't treat you like you're a slave to the system. Like, in other courts you are a slave to the system. Even in the juvenile halls it's like you feel like cattle [and we're] just moving in lines like it's a slave mentality . . . And [in girls' court], they don't treat you like that. They treat you like there's hope at the end to get you out of the situation you're in.

***Terminating cases.*** Girls' court cases are not terminated the same way other collaborative courts sometimes terminate cases. In all of the courts, the girls stay in the program until they age out of the system, are off of probation, or otherwise choose to not participate anymore. In some cases, this could mean terminating a case of someone who has been AWOL the entire time but has aged out. One person stated that even when a girl is AWOL, "we keep them [on the calendar and in the program] with the hopes that they will come back." For those who no longer want to participate, several focus group participants talked about doing whatever they can to encourage them to stay. Participants in most courts talked about the importance of completing the girls' court program. One person stated,

None of the girls really complete something until they complete this program, and it feels great. They got their high school diploma, they got a job, and just everything that comes at the end of it, which is hard for them to see because they don't know that they can actually accomplish anything until the very end.

The exception is the one court that is not voluntary; the specialty court is just another delinquency calendar that happens to only hear specific types of cases. In that court, there is no program or graduation; "successful completion" is getting off of probation.

## **Eligibility**

As previously mentioned, different courts have different criteria in gender eligibility. Some accept only girls and some accept youth of all genders. Nine of the 10 courts accept anyone who has risk factors associated with being exploited, which can be very broad and include things like homelessness, family dysfunction and a need for counseling, and even poverty. One person highlighted this by saying, “Participation isn’t [only] because they have an established history of sexual exploitation; we’re looking broadly at the types of factors that could contribute to that.” However, participants in one court discussed the challenge of accepting referrals for at-risk youth when the only service providers available are limited by their grants to serve CSEC only.

In all of the courts, participants talked about trying to include everyone they could. One person suggested that there wasn’t anything that would make someone ineligible for that court. In another court, someone said, “We essentially say we’re not going to take strikes, but I think we have, or have at least talked about it.”

Sometimes there are exclusions, though. The most common exclusions mentioned were those kids who were actively recruiting. One person said, “[If someone] started recruiting girls, that is a serious safety issue, that’s not a kid I would be taking back into this population that’s so fragile anyway, and I don’t think anyone would refer them.” Other exclusions are those whose needs wouldn’t be met by the court, such as girls with mental health issues that would be better served by the juvenile mental health court.

Of the courts that do have exclusions, all of them talked about making exceptions. One person said, “We do make some exceptions depending on the individual case, but it really would be the team to discuss as to whether or not the participant would be a good fit for our court.”

## **Referral process**

In nearly all of the courts, anyone can refer a youth to the court program. Typically, the referral is done by probation. Other referrals may come from the police department, social services, and the defense attorney. In one court, a participant described one way that youth are referred when law enforcement or the Department of Children and Family Services identifies someone as a victim of trafficking and then “those all automatically come into our court.”

At least half of the counties’ probation departments and Departments of Children and Family Services are using the Commercially Sexually Exploited Identification Tool (CSE-IT) at intake or in custody to screen for exploitation. In addition, in some counties, minors’ counsel is also using the tool on the dependency side. Participants also talked about how implementing the CSE-IT has helped various stakeholders identify risks. One participant said, “All of our attorneys are now trained to look for certain cues because of the CSE-IT.” The participant went on to point out,

Just the training of the attorneys [to know] what the flags are and who to go talk to [is helpful]. The CSE-IT has really helped to train them to recognize [possible CSEC] even before they sit down to do the assessment themselves.

Although participants in counties that use the CSE-IT reported that the tool is helping to identify and refer more youth, almost all participants across courts reported believing that there are at least some youth who are eligible for their court but not being referred for various reasons. One person said that there are “probably hundreds that could use the resources, and they just don’t get referred. There are some that [might] have private counsel that aren’t connected to this group, [or] they retained someone that might not be aware of those resources.” Another person said, “I think there is opportunity to add [to the program], especially because we do know that there [are] these unaccounted for girls and young women who could be served differently.” Someone else suggested that a lack of a collaborative similar to the MDT in other systems could cause youth to fall through the cracks, saying, “I think that number [of those who are eligible but not referred] is huge because I think a lot of those people are coming through the dependency system, and there’s not this type of collaboration on that side [in this court].”

Participants in one court, however, believed that the percentage of girls who would otherwise be eligible but aren’t getting referred is small. In that court, participants described how most of the cases are through the public defender rather than private or conflict attorneys, and the attorneys in the public defender’s office make a clear effort to refer potentially eligible cases for assessment.

On occasion, a girl may be referred but chooses to not participate. This is usually for one of a few reasons: She doesn’t want to change her social worker, she doesn’t want to put in the time or effort required of the girls’ court, she doesn’t want extra scrutiny, or she just says, “Eh, this isn’t for me.” This could be because many girls don’t identify as someone who is being exploited, and some may not want the stigma of being in a special court.

### **Incentives and sanctions**

Like other collaborative courts, girls’ courts use both incentives and sanctions. However, they are often different from those in other courts because of the nature of the population.

***Incentives.*** With the exception of the nonvoluntary court, all courts incorporate tangible rewards as incentives and positive reinforcement when girls have any achievement or something positive happens in their life, as well as gifts for their birthday. Of those who give rewards, all include gift cards for various things such clothes, food, and nail or hair salons. A few people talked about how important it was to provide girls with the things that their pimps had always provided. In some cases, the rewards are personalized or unique. As one example, a participant in one court talked about how a faith-based organization provided a guitar for one of their girls who played but had to borrow one. One participant said about rewards, “These kids are so excited about it, and they bring their [achievement information], and . . . they want to be here to get their reward.”

In addition to tangible items, some courts also offer intangible incentives such as informational interviews or hearing presentations about various information. One participant noted,

I get it. Hey, everybody wants a little gift card, and that picks them up. But the ones that really can make the difference [are] those sorts of contacts . . . They may not realize it immediately, but they will realize, ‘that was the greatest thing that I got to meet somebody in something that I want to do.’

Some courts also have trips to amusement parks or the movies, and two courts specifically mentioned having outings such as a hike or overnight camping trip. These things also help build trust and rapport, discussed more below.

One court mentioned also giving large gifts at graduation, such as a laptop. Almost all courts give some kind of certificate or plaque to the girls when they successfully leave the program. One person noted, “A lot of times, this is the only certificate that they will ever get. [Or] maybe it’s the first certificate that they’ve ever gotten, and the excitement is just, it’s so surreal.”

**Sanctions.** Most courts use a standard graduated continuum of sanctions ranging from writing an essay to community service to GPS monitoring. In one court, participants talked about using behavioral modification contracts; if the girl breaks the contract, she goes back to court. One participant talked about how there are also intangible sanctions such as the burden of having let down their case manager, or not achieving something that they know they can achieve, or a natural consequence such as not graduating when they expect to. One person pointed out, “They’re not really meant to be sanctions. I mean, this is just a part of the type of rehabilitation.” This person talked about wanting to get to the root cause of a violation, such as a girl using drugs because she has an addiction that needs to be addressed. Another person described the sanctions as, “There’s a consequence, but nobody’s giving up on you.”

However, one judge noted that there are no escalating sanctions, that there’s nothing they can do to motivate the girls because nothing a judge can do is worse than what the pimp will do. This judge talked about engaging on a different level with more flexible definitions of progress.

Of the nondependency courts examined for this report, all but one court do use detention as a sanction. All participants described using detention for safety reasons. This is aligned with the guidelines set forth by the Human Trafficking and the State Courts Collaborative, which states that any “decision whether or not to place a juvenile into detention may be based on trafficking involved factors, particularly if there is a need to separate the juvenile from a trafficker or evidence that delinquent acts may have been coerced by a trafficker,” while balancing victim

safety and the need to treat victims with compassion.<sup>40</sup> See the box on the next page for more information on the varying opinions about this issue.

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<sup>40</sup> Steven Weller and John A. Martin, *A Guide for State Courts in Cases Involving Child Trafficking Victims Coerced into Criminal Behavior* (2015) Human Trafficking and the State Courts Collaborative. Retrieved from [http://www.htcourts.org/wp-content/uploads/150923\\_HT\\_ChildVictims\\_Coerced\\_v05WEBversion.pdf](http://www.htcourts.org/wp-content/uploads/150923_HT_ChildVictims_Coerced_v05WEBversion.pdf).

### ***Using Detention as a Sanction for CSEC***

There are varying thoughts about the use of detention as a sanction in girls' courts. Some suggest that having an option for a secure, locked setting is integral for the youth's safety, and that there are no safe placement alternatives to juvenile hall detention. Advocates feel that there need to be safe placement options to conduct assessments of those identified as potential victims. In addition, some agencies argue that without a safe place to detain victims, the victims could end up in "ill-equipped group homes" or being referred to an inappropriate mental health hold.<sup>41</sup> Many times a victim does not self-identify as such and just wants to be with her "boyfriend." In these cases, some feel that the use of detention coupled with counseling and treatment can help victims recognize their victimization and avoid returning to the pimp.

While safety is a primary concern for those using detention, the trade-offs can be increased trauma and risk for further recruitment. Many services for CSEC, including those for trauma, are often not available or accessible while in detention.<sup>42</sup> Many CSEC are arrested for charges other than prostitution and may not be eligible for funds or services until and unless they are identified as CSEC. Researchers have, in fact, argued that detention is inconsistent with best practices for treatment at all.<sup>43</sup> It is often in a youth's best interest to receive services in the community. This may be especially important for CSEC, as a locked detention facility can confirm for the victim everything that her trafficker warned her about, such as how law enforcement will not help her and will treat her as a criminal or mentally ill, which can create additional resistance to service engagement.<sup>44</sup> Additionally, group homes and other placements for CSEC are prime recruiting grounds for pimps, who often use their victims in those placements to recruit for them, although this certainly happens in juvenile hall as well.<sup>45</sup>

Safe harbor laws, those that are designed to decriminalize victims of sex trafficking and provide legal protection and adequate services for those victims, are meant to divert CSEC from the justice system. Some have suggested that these laws are a "strong statement of policy against detention of girls who are victims of CSEC."<sup>46</sup> Others have also made strong statements. Experts have stated that "one of the grimmest examples of the sexual abuse to prison pipeline is the detention of girls who are bought and sold for sex."<sup>47</sup>

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<sup>41</sup> The Annie E. Casey Foundation, *Making Detention Reform Work for Girls* (2013). Retrieved from [www.aecf.org/resources/making-detention-reform-work-for-girls](http://www.aecf.org/resources/making-detention-reform-work-for-girls).

<sup>42</sup> Amber Farn and Michael Umpierre, "Creating an Integrated Continuum of Care for Justice-Involved Youth: How Sacramento County Collaborates Across Systems" (2017). Center for Juvenile Justice Reform, Georgetown University McCourt School of Public Policy. Retrieved from <https://cjjr.georgetown.edu/resources/publications>.

<sup>43</sup> Francine T. Sherman and Lisa Goldblatt Grace, "The System Response to the Commercial Sexual Exploitation of Girls," ch. 16 in *Juvenile Justice: Advancing Research, Policy, and Practice*, eds. Francine T. Sherman and Francine C. Jacobs (Wiley, 1st. ed 2011).

<sup>44</sup> Child Welfare Council CSEC Action Team, *Improving California's Multi-System Response to Commercially Sexually Exploited Children: Resources for Counties* (2015). Retrieved from <https://youthlaw.org/wp-content/uploads/2015/11/Improving-CA-Multi-System-Response-to-CSEC-v2.pdf>.

<sup>45</sup> U.S. Department of Health and Human Services, Administration for Children, Youth and Families (ACYF), *Guidance to States and Services on Addressing Human Trafficking of Children and Youth in the United States* (2013). Retrieved from [www.acf.hhs.gov/sites/default/files/documents/cb/acyf\\_human\\_trafficking\\_guidance.pdf](http://www.acf.hhs.gov/sites/default/files/documents/cb/acyf_human_trafficking_guidance.pdf).

<sup>46</sup> Sherman and Goldblatt Grace, *supra*, note 43.

<sup>47</sup> Malika Saada Saar, Rebecca Epstein, Lindsay Rosenthal, and Yasmin Vafa, "The Sexual Abuse to Prison Pipeline" (2015). Retrieved from [www.law.georgetown.edu/poverty-inequality-center/wp-content/uploads/sites/14/2019/02/The-Sexual-Abuse-To-Prison-Pipeline-The-Girls%E2%80%99-Story.pdf](http://www.law.georgetown.edu/poverty-inequality-center/wp-content/uploads/sites/14/2019/02/The-Sexual-Abuse-To-Prison-Pipeline-The-Girls%E2%80%99-Story.pdf).

One participant stated,

I'm not asking you to go to wherever because I'm trying to be mean or I think that you need to be punished, but I think that where you are in your life, this is an opportunity for you to get better services. And that better services may truly be at the juvenile facility. And maybe it's because of your safety. Or maybe it's because of the drug issue, or there is a certain program at juvenile that can give you better tools than out and about.

Graduates of girls' court we spoke with had an understanding of how detention is sometimes necessary. One person talked about how the court gives perhaps too many chances and described how a friend died because she was released from detention, and how she believes that she herself would have overdosed had she not been in juvenile hall. When asked about this issue, someone said, "I almost died because I was running away so much. If they would have kept my ass in jail, I wouldn't have gone through the shit I did." Another person pointed out, "Sometimes we just find ourselves in situations that we can't handle, because we're too immature or we don't know really how to live."

### **Supervision**

Although girls' court supervision is similar to that in other collaborative courts with frequent hearings, probation supervision is unique in some respects. Like in other juvenile collaborative courts, supervision is more frequent and often more service-intensive than in traditional delinquency court. In many of the courts examined in this study, probation officers and case managers have smaller caseloads than in delinquency court and even in other juvenile collaborative courts. One person pointed out, "We get to spend more time with the youth, and I think that that really makes a big difference [in] building relationships and trust."

**Contact with youth.** These courts and the probation officers assigned to them have more frequent hearings and more contact with the youth than in traditional court. All participants across courts talked about the importance of frequent meetings in a positive way. Most people talked about how often they're able to see their girls. One judge said that most kids will have daily contact with someone, whether it's their probation officer, attorney, or advocate. This judge talked about how probation officers were expected to see their girls twice a month, but they have contact more like every three days. One probation officer noted,

We're required to see [the girls] once a week, but we practically see them every day, and we're involved in just about every aspect of their life: their schooling, their counseling, their home life. And, you know, we work very closely with each girl and their families and the counselors of the schools.

Probation officers in particular noted how time-consuming it is to give the girls the attention that they need. One person summed up the overarching theme by saying, “[the time] becomes really meaningful to the youth and kind of helps them get back on track and reestablish their goals.” Many also talked about how the girls who they supervise stay in touch even after the program ends. One person said, “Even once they graduate, they’re still contacting our offices. They know we’re still going to be there for them, so they come to us for help.” Another person also noted, “Sometimes it’s like a year down the line and we’re not working with the client anymore. But they call us back: ‘Hey, I finally graduated!’”

**Case management.** Participants across courts talked about how much more involved and intensive case management is in this court type versus traditional court, particularly for probation officers and advocates. Important components of successful case management include having clear and consistent expectations and using positive reinforcement. One person said, “Some of the girls come into the program expecting people to not be consistent with them. And I find them constantly surprised with all the involvement that they have with the probation officer and with the advocates.” One of the advocates noted, “They’re not expecting their advocates to get so involved, to reach out for them, to ask for them . . . because they’re so used to the adults that have been in their life to not be consistent.” The consistency is also noticed by the girls. One graduate said, “It was cool that I had an advocate and a [probation officer], so just in case she can’t come see me, they can come see me.”

Most participants also talked about the importance of fully supporting the girls. That support is integral in case management, as one graduate pointed out, “I feel like in order for you to fully get out of it, you got to have that full support. Like, if you fall down, you got to have somebody pick you up.”

Participants also talked extensively about the amount of patience needed when working with this population and how it’s important to be more than “just a probation officer” to the girls, to show the girls that they really care about them and want to help them and aren’t just working “to collect a check.” This idea is common among girls in these courts, as well as among youth in the juvenile justice system as a whole. As one of the graduates stated, “I feel like it’s some people out there that just try to get more kids in the system to get money.” To highlight the importance of patience, one person said, “The patience is what they’re craving. They’re craving people to be tolerant of ups and downs.” Another probation officer mentioned,

We’re really patient, [and] they have really bad days with emotional outbursts and we’re all just like we breathe and wait and see you next time and kind of just build on that. And so I think that they’re probably not used to adults overall reacting that way and giving them space to just do that, and then not punish them and not immediately respond.

This style of case management does not go unnoticed by peers. All of the participants were proud of the role of all of the team members. As one person said of probation officers, “She’s

almost like another advocate. She IS another advocate, she just works for probation, which is really cool and I'm very thankful about." Another said, "I think it really does take special people to be able to make these kinds of courts successful and to really work smoothly in all the best interests of the youth."

It also takes a large amount of rapport and trust-building. One probation officer noted of the girls, "If you're scared to trust a PO or talk to them or scared you'll be violated," [that probably wouldn't be an effective relationship with this population]. The trust comes into play especially when it comes to AWOLs and helps make "coming back a soft landing," as one participant described returning. Another stated, "They're starting to turn themselves in on Monday afternoons because they want to see the eyeballs in this room, because they know that everyone is going to say, 'Thank you so much for turning yourself in. We're so glad you're safe.'" Others talked about how their girls will call or text them when they AWOL just to let them know that they're safe.

In order to gain that trust, everyone also talked about the importance of transparency and open communication not only with each other, but also with the girls. As one probation officer affirmed, "They can read right through it. A lot of my kids are like, 'I know the people who really cares, and who's here just for a paycheck.'" One of the graduates echoed this by saying, "I feel like [there are] some people out there that just try to get more kids in the system to get money." Another probation officer said, "You cannot mislead these kids, because so many people have misled them." This is also true of the judge. One graduate noted how her judge always kept her word: "And so every time she was like, 'Are you going to do this?' And I would tell her, 'Yeah, I'm going to do it,' and I did everything I was supposed to. So, it's like, we earned that trust with her, we gained that trust from her, and it was vice versa."

The overarching goal in case management is empowerment. One probation officer summed this up by saying,

We try to empower the girls a lot, because by the time that we meet them, they've been through a lot. One of the things we try to do with the girls too, is try to have fun with them, you know. We try to make them laugh. We try to do activities that they like. We try to support some of the hobbies that they are interested in.

Participants across courts talked about how empowerment is a key to helping the girls feel like they have control over their own destiny. One defense attorney explained about putting them in a position of power:

They get so excited when I explain to them [that they are] my boss and not their mom . . . [and] the client is the most important person in the room. And empowering that way extends back in the courtroom. They know that everyone is there for them.

Another participant said, “I think there’s a really nice balance of giving them some of the control and responsibility and understanding that they’re coming from challenging circumstances.” Graduates reported feeling that sense of understanding, too. One graduate highlighted the judge’s and MDT members’ understanding as the most helpful part of the court. Among the graduates, the goal of empowerment and support also came through. One graduate said, “In [girls’ court], they make me want to be, like, how can I get more involved, how can I do better.” Another graduate pointed out, “I kind of learned how to be in control even though I wasn’t in control.”

### **Services offered**

All of the courts emphasized the importance of trauma-informed and gender-specific care and services. One judge talked about trauma-informed care being the lens through which the court operates. This approach is especially important with this population since there are many layers to get through. As one person noted, “Once you get to that place of hopelessness, you have to break through that before you can start engaging in services and seeing the benefit and value to yourself so that you can be empowered.”

A common point of discussion was about the challenge in finding or creating the services needed, particularly gender-specific services. One person talked about how that court was asking for services that didn’t exist. Another participant said that at the time the court started, “There weren’t a lot of really girl-focused things, and [we] really wanted it to be sensitive to the special needs that a young female population would have.” Others noted specific differences. In one example, a participant noted that most of their girls weren’t necessarily as delinquent as boys, but they have more specific problems that lead them to victimization, such as serious family problems. One participant pointed out a court’s “hands-on approach to ensure that the services really are designed to mitigate those particular risk factors.”

Because of this, many courts provide wraparound and family-focused services in addition to the services specifically for the girls in the court, such as family therapy, family nights, and multifamily groups. One person described that court’s Parents Empowerment Program and how they make it as easy as possible for parents to attend: “There’s transportation, a gourmet chef cooks them food, there’s childcare, [and] we have them in Spanish.” At another court, a participant said, “There are a lot of parents that come through, and that’s been really cool . . . We all get to have conversations sometimes, and we’ve been able to see parents change the way that they view their kids a lot.”

An additional point made across courts was the importance of a broad range of services specific to the CSEC population. The chart below shows the various services that the courts reported offering. Participants noted several services that they are proud to offer, such as record expungement, life skills, health, and mental health/trauma services. A participant in one court noted, “We have a clinic . . . where they can go for medical care even when they’re AWOL.” Others mentioned shelters and housing as something they are proud to provide, especially since this remains one of the greatest challenges with this population. In another court, the MDT works with the National Center for Missing and Exploited Children when any girl is AWOL.

In addition, participants highlighted their advocates, who attend court with victims testifying against their traffickers or school orientation if a parent isn't available. One participant stated,

We have a lot of kids that testify against traffickers, and we attend those court dates, all of them, and we'll sit on the stand with them and make sure that they are feeling as comfortable as possible, and explain the whole process to them and to their families.

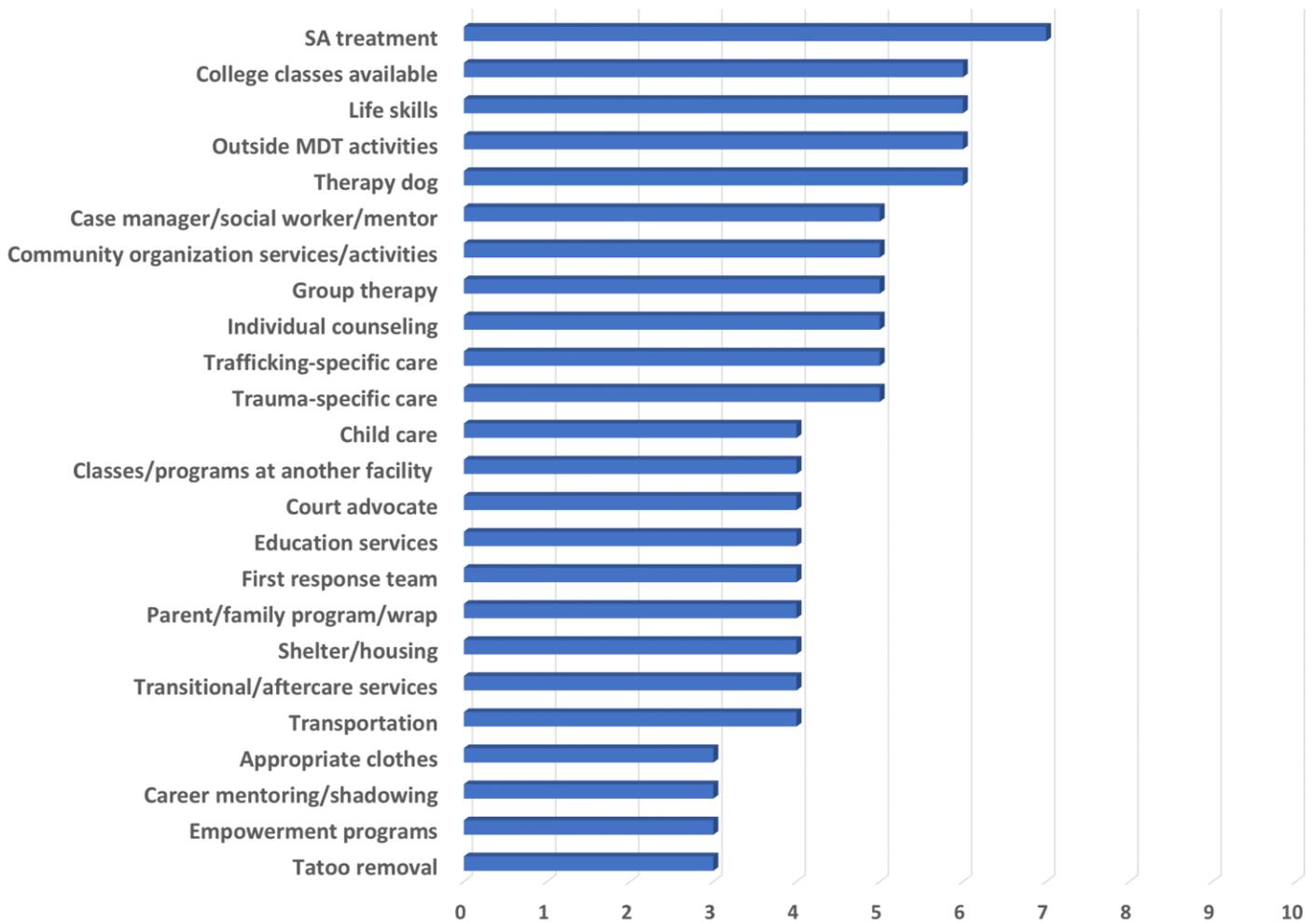
Many also highlighted the educational assistance their court focuses on, such as attending and securing Individual Educational Plans (IEPs) and creating graduation plans. One person stated that the "majority of what we provide to youth in the court is education advocacy," including both general and special education.

Several courts also provide services that may not necessarily be described as services but are important for this population. For example, some offer opportunities for the girls to meet with or shadow people in different careers that they might want to explore. One person described that as "experiences they wouldn't have otherwise." Participants in multiple courts described annual camping retreats with other survivors, weekend yoga events and hikes, as well as self-defense classes, as beneficial "services" they offer. Another participant emphasized the relationships that the court built with agencies to offer services, such as the Y, boxing studios, and other gyms.

Many talked about the importance of transitional care and aftercare—including partnerships with community and nonprofit organizations—to provide housing and ongoing mental health and trauma care. One person mentioned,

[The girls] have a huge support system when they're in the system and in [the court program]. But as soon as they're taken off probation, they're really on their own. And most don't have supportive families to help them in that process, and so [community organizations] and probation officers are really good at making sure that they're aware of their rights through [Assembly Bill] 12 and foster care and helping them go through that application process and get things set up before that cord is cut.

Other transitional services mentioned were helping girls seal their juvenile records and expunge any adult records, as well as connecting girls to employment and housing resources.



Participants across courts talked about how much the girls notice and appreciate the services offered. One person said that the feeling she got from the girls was, “It’s not about being in the system. It’s not about all these adults. It’s actually about me and what do I want for myself.” Girls’ court program graduates confirmed this. One graduate said, “It’s like [they’re] the hotline; you know? It’s like they really were, like, helping you, supportive, all the time. Like, ‘Call me if you need me.’” Other graduates mentioned how beneficial the group therapy sessions were. One stated,

[The groups] made me hear other people. Before, I never heard about nobody else’s experiences. So, it made me feel like, okay, I’m not alone, it’s more people and I have support. And once they put me in that group, that’s when they started taking me to, like, the empowerment events and everything, and then that made me, like, oh, wow, it’s more people, now I have a support. I didn’t feel like I had my support system until after the events, because then I started meeting people, talking to people, gaining friends . . . That’s when I started, like, meeting new people, actually talking to people, and it made me, like, before, I didn’t really care, I didn’t want to work or nothing. And now all I think about is working and

bettering myself, saving, trying to buy a house and everything. So, I think the groups and the events and stuff, that really helped me.

Participants in several courts suggested that the collaborative nature and comprehensive services of the girls' court would be beneficial for all courts. One person recommended that the successful services offered in girls' court should be duplicated across the juvenile justice system. In some courts, the positive effects of the girls' court does, in fact, reach other courts. One person stated, "The great thing about this court and this collaborative is it has pushed our county significantly to become more trauma-informed as a whole, not just for the CSEC but for [everyone]." And a graduate proclaimed, "There should be a [girls'] court in every court building there is."

### **Specialized training needed to work in court**

Another overarching theme across courts was the importance of training. In four of the courts, specialized training for MDT members is mandatory while in the other six courts the training is voluntary. However, almost all participants talked about receiving at least a CSEC 101 training, even if not immediately when starting with the court. One person mentioned,

When you come in here, you do have to learn on the fly, but I think with all the different team members you have here, you learn pretty fast what the needs of the young girls are and what the end goal is with these young girls. And I think it's beneficial to have everybody here that can train each other in the court activities. And then, we can always try to learn on our own by going on the internet or researching the new laws.

Several people noted that a unique aspect of the girls' court is the trauma-informed care that comes from being trained to address the specific needs of this population. One participant pointed out, "There's so much more research coming out every day, and staying on top of that is really critical." The training also helps with the cohesiveness and success of the multidisciplinary team. One person stated, "Not only are we all moving in the same direction in terms of how we want to see this youth safe . . . , but we all have a commonality in terms of experience and training, as it relates to trauma and youth that have been exploited."

Almost everyone mentioned how they're still battling traditional methods and personalities, as well as the general approach toward juvenile court. Many participants discussed how everyone involved must rethink their perception of and approach to the girls involved in the court, and how that often necessitates culture change, which must include specialized training. This can shift how everyone looks at these girls—as victims and not just offenders—and create at least a basic understanding of the psychology of trafficking. One person recognized that not everyone may be able to get training, "but the more you train, the more it will trickle down," and the training will facilitate greater and deeper dialogue among stakeholders and family members. Another person noted, "The more people you have trained, the more you have folks [knowing

that] they really are victims, and they create a dialogue for other community members that may have not gone to the training. So I think that it helps.”

Many also talked about the importance of training for others for whom it may not be apparent. For example, the bailiff and court security need to understand the nature of the court and not allow any “random uncles” in the court. One person pointed out, “We didn’t even notice that some of these pimps were coming into court; we believed, ‘That’s my uncle.’” One judge said, “Pimps learned that they could find girls on the day of court. We had to train security and have new security measures and ask for identification.”

Other first responders should also be trained in CSEC. Some participants mentioned how their law enforcement officers are having challenges because they’ll find kids who are being prostituted and exploited, but they’re unsure about what to do because prostitution has been decriminalized under SB 1322. They’re trying to come up with another legal ground to approach and detain them, not understanding that they can and should get services on the dependency side.

Probation officers noted the relationship between their agency and Department of Children and Family Services (DCFS). One said, “I try to establish a relationship with the DCSF worker and we try to work on the same path, as opposed to working in silos.” Training for DCSF workers is important because “it’s a different shift; maybe a DCFS worker who hasn’t had the training yet and then when you give them [some training], they’re like, hmm, [I’ve] seen this in another girl.” Another probation officer mentioned having a better alliance with DCFS workers “as they’re getting trained because a lot of the girls they have dealt with for years that didn’t have any police contact are some of the same girls; they didn’t recognize that they were victims, why they ran away.”

One probation officer talked about why training is so important by recounting hearing others call the girls “hoes.” She asked them not to talk about the girls that way, but recognized that she herself didn’t always have the training and education to know any better. Another participant pointed out,

For many years, there were no CSEC cases. Not that they didn’t exist, but we weren’t aware of this phenomenon and how prevalent it is. So, once we were trained in it, I started looking back at my cases over the years, and [realized how many trafficking victims I had.] We didn’t know about trafficking then, so my conversations with those clients were more about [trying to get her to] move on from that and get domestic violence counseling. [They were] trafficked victims, and I know that now.

### **Appeal of working in this court**

In spite of the additional training and more intense caseloads, all of the participants across courts talked about how much they enjoyed working in the girls’ court and with “their” girls. One person noted, “I love helping them. I love getting them to a place where they’re healthy and

they're safe. But the necessary paperwork and stuff that goes along with that sucks." Another person pointed out, "[The girls have] been through so much, but they show us how brave and resilient they are. I think we are doing great work. We're saving lives. We're making differences in their lives, and any small success is a huge success."

Many talked about how they enjoyed connecting with the girls and being able to help them or be one small part of their journey from victim to survivor. Others talked about the joy they feel in seeing the girls succeed and celebrating their successes. One person said that the best part of working in the girls' court is when "you see them graduating from high school, and you see them sealing their case, or you see them start to have better relationships with other girls." Sometimes they leave "the life" altogether. One person noted that "those are rare, but when you get them, it's a really great moment." Several people also noted about the long-range joy as well. One probation officer said, "I see it as planting little seeds within them. We don't always get to see their successes." The probation officer went on to say, "Sometimes it's years later we'll hear from them [and] they're finally like, 'hey, I'm able to make this one step,' and that's great."

People mentioned other benefits, too. One prosecutor said,

As the DA, we're usually looked at as the bad guy, but I think here, it gives the opportunity for the girls to get to know the DAs on a more personal, intimate level. They get to understand what we are doing, what our job is, and that at the end of the day, in this court, it's about helping the girls, and it's not about punishing them. And I think it helps them understand that not everybody is out to get them.

A probation officer had a similar sentiment and said,

A lot of times, we're looked at as the bad guy. But it has been an absolutely great experience here because I have the ability to build that relationship with them and have them call me for support, not just, "Hey, are you gonna arrest me today?" No. That's not what we're here for.

Many people also brought up the uniqueness of the collaboration among all girls' court stakeholders as a special aspect of the court. Others also talked how spending more time with the girls makes a real difference in building relationships. Those relationships were consistently mentioned as one of participants' favorite parts of working for the girls' court.

The girls in the court also prefer the girls' court to traditional court. When asked whether they thought the system is fair, one graduate said, "No, but I think this one shows the most justice."

### **Court goals**

The specific language of courts' goals may be worded slightly different, but all courts had the same overarching goal of keeping the girls safe and improving their lives, however that's

defined. One judge defined that as “getting them to their 18th birthday alive with the belief that they can do something with their lives, and they have a choice in the future.” Another person noted, “We’re literally saving their lives and keeping them safe, which was the initial goal.” In another court, participants talked about more traditional collaborative court goals. One person described the primary goal of the court as a way “to intervene or prevent any sexual exploitation” with a secondary goal of having them successfully complete probation. To do that, this person mentioned that it’s important to mitigate whatever risk factors are present. Another person mentioned how the court strips away things that “otherwise would be regular terms and conditions of probation” as a last thought while focusing on “stability and placement, sobriety, and trauma.”

Even those who focused on these traditional goals, however, also noted the importance of providing stability and services so the girls can be successful in their lives. One person mentioned,

Because this is such a difficult population, [a goal] is to get them to a place where, once they do age out, they’re able to function and be productive, which means bolstering everything from their education to their self-esteem to their mental well-being.

Others also talked about their goal of trying to help the girls avoid involvement in the justice system once they age out. One person said that an important goal is to make sure that the girls get support and learn about “what the consequences will be if they continue to go down this path.” Many also talked about goals to provide as many services as possible while the girls are there so they are prepared to age out of the system, including prioritizing trauma-informed clinical care and education. One person stated one of the court’s goals is to “get them educated, to get them to a place where they can be employed, then hopefully further their education so that they can be productive when they age out.” In addition to services, participants talked about wanting to provide opportunities for the girls that they might not otherwise have. Other outcomes that people described as goals included connecting the girls to a strong, consistent, and positive community with healthy relationships. One person described the girls’ court as a “foundation to make better choices.”

An additional common goal across courts is to empower the girls, as one person said, “to give them the tools and resources so that they can then step out and, without the services, at some point, know what they need to do to be okay.” Several participants talked about giving girls tools to deal with their own risk factors as they come up in the future, as well as to give them hope for the future. Included in that empowerment is enabling the girls to set their own goals for success, too. One person stated, “One of our goals is for our youth to have goals.” This is so that when the judge asks them where they see themselves in a year or what they want to do with their future, they have an answer, which can lead to the individualized services that enable them to reach those goals.

Another common goal we heard across courts is to give the girls an opportunity to just be a kid. One person said, “Not everything has to be about them being CSEC or being trafficked.” Many participants across courts included in their goals taking care of the girls to give them opportunities. One person stated, “It’s like raising them like we raise our own children to . . . just be successful in their lives.”

All courts had an overwhelming focus on collaborative work in the best interest of the girls. One person summed it up by saying, “In a regular court room, there is more focus on whether the youth is going to admit or deny the charges, whether there’s going to be a disposition in the case, or whether it’s going to proceed to a trial. Here, it’s more of, ‘What can we do to help the girls?’” Another added, “The system is adversarial. That’s what it’s supposed to be. But you don’t really see that in [this] court. Everybody’s really on the same page about, ‘We need to find a way to help keep this youth safe.’”

All of this comes across clearly to the girls in the court. One graduate talked about why the girls’ court was so important:

They wanted to make something where people would be more understanding, because you go to a regular court, the judge is going to judge you, no matter what. I was judged the moment I walked into the first court, and I felt all the stares.

Several graduates noted how different the girls’ court judges and MDT members made them feel, and how the court made them feel like they were deserving of help and support and care rather than just prostitutes or “bad” kids.

### **Data collection and measuring success**

The first step in measuring success is collecting and tracking data, which is a challenge in most courts due to a lack of resources regarding data collection. Only two courts are actively collecting data, and another two courts have outside agencies collecting some data. In at least one court, the judge is informally keeping track of some descriptive data. Some suggested that they had previously collected data, but their data collection ended when it was no longer required by a grant that they had previously received.

Despite an inability to collect data, most participants said that they were interested in learning more about girls’ court-related data. Several talked about specific outcome measures that may be interesting to know, such as how many girls reoffend after two years, as well as whether there are gaps in services and how services differ between kids in the delinquency system and those in the dependency system.

In addition to the challenges collecting data, many discussed challenges in measuring success with this population, which may preclude them from attempting to self-evaluate their programs even if they would like to learn about specific outcomes. Although courts sometimes measure success by traditional measures—decreased recidivism and VOPs, increased graduation rates,

decreased number of AWOLs—those we talked to stated that success in their court is most often measured in nontraditional ways using nontraditional methods with this population. One person summarized this as, “What we’re trying to do is give them back their future. And that’s just impossible for us to have any quantifiable number on.” Another person similarly asked, “When I think about the girls who have graduated from high school, the girls who aren’t using meth anymore, how do you measure how much that saves the system in not having an adult case?” When asked how they measure success, one person said, “We’re still figuring that out.” Another said, “We define success every day or we wouldn’t achieve any.” Many mentioned how having vague and unmeasurable goals makes collecting and measuring data difficult, although they said they would like to do so.

Since CSEC is similar to domestic violence in that victims often go back to their exploiters many times before developing the self-worth and confidence needed to believe in their own independent success; small, incremental accomplishments are viewed as big wins. Because of this, as one person suggested, positive outcomes are hard to define and may take a long time. Courts should take this into consideration if they would like to include self-evaluation of outcomes in their program.

Participants across courts discussed certain measures by which they judge success for everyone, such as healthy relationships with caring adults, a reduction in AWOLs, educational achievement, and employment; however, most people talked about success being fluid. One person mentioned, “The goal is to help them get out of the life [and] for each client it’s different. But I think it’s really for them to feel that there are people here to support them.”

In all courts, success is mostly determined on an individualized basis depending on a girl’s risks, needs, and history, as well as their personal goals. One person said, “It’s kind of challenging to measure goals. A goal for one person might be different. For one, it might be, can you just stay in school? For another one, can you just consistently see your therapist?” Someone else echoed that sentiment by saying, “An achievement that may not really seem to be an achievement could be huge for a particular youth who we’ve been watching from the inception.” Another person stated,

We measure [success] as the individual child and where they are in that moment, and we just meet the needs where they’re at, and we try to roll with them, and uplift them with their goals, and even if they do AWOL and come back, we meet the client where they’re at, and we don’t pass judgment.

This idea of meeting kids where they’re at was common. Another person said, “You’ve really got to recognize that these kids are traumatized and come at it from that standpoint and meet them where they’re at.”

Success is also measured incrementally. The multidisciplinary team is looking to see if problem behaviors are decreasing rather than being eliminated. As one person summarized, “If a kid is

struggling in school and we get them to go to school maybe three days from not going at all, that's a success." Another described a success this way: "This kid is still running, but they've gone from being gone for three months to being gone for two days." In another example, a participant suggested, "Maybe they had ten AWOLs and now they only have seven AWOLs." Others gave examples about girls who had been AWOLing on a regular basis and then have longer stretches of time between AWOLs. These incremental successes and achievements are given as much celebration as any other large success.

Several people also talked about how their own work and well-being are implemented into their goals. One person said, "As a community, we take every day as a success. That we got through it, that we maybe helped one person . . . Every day, we're just trying to make somebody's life better, and each other's life better."

### **Challenges/needs of the court**

Most participants talked about the need for a culture shift in juvenile justice stakeholder agencies, as discussed above, as well as a lack of resources in general, including funding and training. However, some courts have unique challenges due to their structure or county resources. As one example, one of the courts does not have dual jurisdiction, which several people mentioned restricts their ability to serve kids who could benefit from the trauma-informed services. One person mentioned, "The attorneys representing kids in dependency court for whatever reason decline to participate out here with those same kids." On the other hand, this person added, "We have some attorneys who would want to participate, but they're not necessarily the dependency attorney for this child."

Many also mentioned a challenge with accessing youth who could use the services provided by the court. The main cause of this challenge was noted as a lack of knowledge of law enforcement, who believe that they can no longer approach a youth since SB 1322. However, as one person pointed out, "When a minor is out at midnight, you have a reason to approach the minor." An additional challenge to accessing youth is their misunderstanding or refusal to believe that they've been exploited. This is particularly true with boys, who typically do not want to participate in programs or the court. As one person said, "They want to stay confidential. They'll disclose for medical purposes but that's it. The court has a stigma that it's just for girls."

The primary challenges participants across courts most consistently brought up were (1) finding specialized services for court participants, (2) finding housing for victims/survivors, (3) discovering girls in the program recruiting other girls, and (4) recruiting and retaining staff who are committed to the nonadversarial nature of the court.

**Specialized services.** There is a gap in service providers who are specially trained in trauma-informed care with exploited girls. One person mentioned, "Girls who have exhibited certain risk-factor behaviors or have been trafficked or been in that life need different specialized services, and they're not always available." Many mentioned that although they may have access to generally trained clinicians or interns, specialized training specifically for CSEC is important.

Several people also mentioned gaps in services for girls with substance abuse, as well as for anger management services and mental health services for both the girls and their parents.

Many talked about a gap in services that include the family, particularly transitional services. One person said, “One of the biggest challenges is transitioning the kids back home and making sure that they’re still stable.” While in the program, however, the girls’ moms were highlighted as a challenge on occasion. One participant noted,

Sometimes these youth are doing great and then we have their moms come in. [They] are super triggering and start talking to one another and all of a sudden moms are talking about inappropriate things and disclosing trauma and things that they shouldn’t be. [It’s] really hard to facilitate those conversations.

**Housing.** There continues to be a housing gap, especially for pregnant girls or those with babies. One person noted, “We still don’t have placements that are really designed for this particular type of youth.” Several people mentioned that the group homes that are available may not take CSEC, and when a placement is available, it may not be local. In addition, potential foster families are unlikely to have knowledge of or training in CSEC. Finding suitable housing for survivors completing girls’ courts is also a challenge.

**Recruiting.** Several courts talked about the challenge of girls who are recruiting other girls for their pimps, both in the juvenile hall and in group home placements. Participants in several of the courts noted that recruiting is technically grounds for termination from the program, although few courts have actually terminated girls for doing so. One person said that they learned, “Really high risk and actually in the life are two different categories, and we don’t want to have our court be the recruiting grounds.” There is general consensus that girls who are recruiting are still victims and would benefit from the specialized services the girls’ court offers. One person mentioned, “I don’t think there’s enough yet, study-wise, of how to treat the victims that then turn into exploiters, and still address their own victimization, because that’s going to be a cycle.”

**Commitment and burnout.** Everyone talked about the high level of commitment it takes to work in this type of court and with this population, which can be challenging to find and, when you do find it, can lead to burnout quickly. One person mentioned how “everyone’s pretty much always on call and always available.” That speaks to people’s commitment and dedication, but also leads to burnout. One person exemplified that by saying,

It’s like when you’re treading water. If you’re in the pool in the deep end, you can tread water, you’re just swimming. You can probably do it for an hour if you needed to. But if you were holding someone over your head while you’re treading water, it’s a lot harder, and so we are just collectively [with] all of our arms up together trying to hold each of these kids up, and it’s exhausting. Mentally and emotionally.

Another reason it's challenging to retain staff is the nature of the court, as one participant pointed out by stating, "Burnout is a problem [because the court] requires probation and judges to give up power." Some court stakeholders aren't interested in the collaborative nature and prefer a traditional hierarchy. In addition, one person pointed out, "The attorneys know that this is a long process; that this is not a quick turnaround and you don't have a six-month successful graduation date [and they] don't want to commit the time."

The challenge of burnout and turnover is not limited to the immediate court team. Several people talked about how the regularly rotating service provider and community organization staff greatly impact the girls. One person pointed out that trust-building takes a long time, and while advocates, for example, really connect with the youth, "they are in transition, too, [and] it's tough to overload them because . . . they get spread thin."

Several courts have tried addressing burnout in various ways. One court moved from hearing cases all day on one day to spreading it out over two days. Another court tries to get the team together a couple of times a year to talk about how the work affects them, how to deal with secondary traumatic stress and vicarious trauma, and self-care.

These challenges are difficult for courts because the consistency is as important as the commitment of multidisciplinary team members and service providers who are working directly with the youth. One participant noted, "We're all this one big unit, and you take away one piece, and it hurts the team."

Despite the challenges, participants reported confidence in the court and its goals. One person said, "I've seen . . . more positive results with this court than I ever thought were possible."

### **Model practices of the court**

There are several themes that came up across all courts that the focus group participants identified as a promising or model practice of their court. Everyone talked about the importance of collaboration and relationship-building, open communication, having realistic expectations, implementing comprehensive specialized training, establishing trust and rapport, including family, using screenings and assessments, providing trauma-informed services, and incorporating continuous quality improvement with data collection.

***Collaboration and relationship-building.*** Participants cited collaboration and mutual respect among MDT members as integral to their success as a court. Collaboration was deemed especially important when starting the court to establish buy-in and support, as well as for drafting protocols and MOUs and determining who should be on the team. Collaboration and relationships are also important for establishing the trust needed to successfully empower the girls. One person noted,

Collaboratives take time, and they take trust. You can't simply duplicate or replicate [this court model] if partners don't have an honest, open, candid working

relationship. That doesn't mean everyone needs to be friends and go out to lunch or to dinner, but it means that there has to be a working relationship where you're able to trust the sharing of information, you're able to have different people seated at the table, and there's an underlying premise that we are all focused on the well-being of this youth [and] headed in the same direction.

This person went on to say, "You can't just duplicate certain court structures in other places, because, particularly with the [confidential nature of juvenile court], it's really about the relationships; you have to have this relationship before you can demonstrate a trusting relationship to the youth." Those relationships with open dialogue also facilitate information sharing, which is important to providing the appropriate resources and services. As one participant mentioned, [strong relationships within the MDT] show the youth the support systems that are around them and that everybody here is really looking at [their] best interest."

The open dialogue that strong relationships foster is especially important for providing trauma-informed services. One participant pointed out, "Making sure that if one person understands there's trauma or trigger, the rest of the team can understand so we're not just assuming the worst with a probation violation, but really understanding the context and the background."

**Communication.** How people communicate is as important as what they're communicating. Many people brought up their model practices of transparent communication with each other, reaching out to girls early, and keeping communication lines open for the girls.

CSEC tend to have unique and constant challenges. Most participants talked about transparent and regular communication within the MDT and with service providers as a model practice. One person said of constant communication, "There's no missing piece of the puzzle. Whenever something goes on with the girls, everybody lets everyone [know] who needs to know, to either support or intervene, whether they're in placement or whether they're at home." Another person pointed out,

There's this direct contact with other parties who have an invested interest in this youth . . . The best part about it is that I don't have to call you. I'm sitting across the table from you, and I know that every week I'm going to sit across the table from you and I can follow up on something.

Participants in several courts brought up their practice of connecting with the girls as soon as possible once they've been identified as CSEC. One person pointed out, "We see the girl in the hall or within 24 hours of getting into a group home." Case managers and advocates talked about being first responders and making sure they connect with anyone identified as CSEC within 24 hours.

Many people also identified as a model practice the manner in which the judge talks to the girls respectfully and makes sure that they feel like they have a voice and are heard. One person

mentioned, “Our kids feel very comfortable talking to the judge. They have the freedom to express how they feel.” That idea of allowing the girls’ voices to be heard was noted as a model practice in most courts, in conjunction with the importance of empowering the girls as discussed above. One person noted,

More than any of the courts that I have ever worked in . . . , I’ve never heard or seen such a youth voice presence. And the judge always gives the youth the last voice, the last chance to speak before we close out the hearing, and I think that that’s critical, and I think that contributes to them feeling safe in the courtroom.

Several participants mentioned that the girls typically have never had an opportunity to have their voice heard. One person pointed out that “that really matters [when] we allow them to advocate for themselves, and it goes a long way.”

In addition to general self-advocacy, the judges and MDT members translate “legalese” into language the girls can understand. One person pointed out,

Normally, you go to a court, you don’t know what the judge is saying, like it’s a whole other language. [The judge] breaks it down and makes it in terms they can understand, and then they have all of us backing it up. As we grow and learn, they’re learning and growing, as well, so they’re able to speak up for themselves.

By communicating to the girls in a way they understand, they are better able to advocate for themselves and may be more likely to be successful. Several participants pointed out that this open communication has empowered the girls to write letters to their judge to express how they’re feeling and what outcomes they want to see or goals they want to accomplish.

Several participants also noted how important it is to not only communicate with the girls, but to actively listen to them. This was noted as helpful in both empowering the girls and in strengthening the court program. One person mentioned, “Listening to our kids, because they’re survivors, too, and really taking from them what’s helped them and what hasn’t, is something [important to know].”

**Consistency.** The girls need consistency with their team members and with the flow of services in and out of detention or placement. One person noted, “the consistency of the court partners helps with the communication.” This highlights the importance of frequent hearings. One probation officer said,

I think it shows these kids that we give a shit . . . to say we need to know how you’re doing. If you’re not coming in, we want to know. We’re checking. We are invested in you. We want to know you’re successful, and we want to know that you’re okay, as opposed to, “Oh, I’ll see you in six months.”

The need for consistency also speaks to a preference for longer rotations or permanent positions. Most participants talked about the importance of the girls seeing the same people throughout the court program, including service providers. Many mentioned the need to keep the girls connected to their community of support. As one person stated, “Even though this not the community they necessarily want to be a part of, keeping them connecting to something outside of their perpetrator, outside of their experience of exploitation, [is important and provides them] other consistent adults in their life; oftentimes, the court is the most consistent adult in their life.”

This is especially true for girls’ courts on the dependency side. A few participants talked about the benefit of consistency when girls come into the system at a very young age, and the MDT members have a long-term view of their case and life.

Consistency is a challenge, however, as MTD members and court partners often come and go. One person noted that one of the biggest challenges is the consistency of all the players: “We’ve had people being promoted, move, whether it’s the probation officers, I mean it’s so difficult, because we’re all this one big unit, and you take away one piece, and it hurts the team.”

***Realistic expectations.*** Most participants talked about the importance of everyone having realistic expectations. One person pointed out that they have to let the girls know they are there for them, “but not make promises that they know they can’t follow up on,” and being “as hopeful as possible but also realistic because they’re going to have to learn how to navigate systems and it’s not easy.” Realistic expectations are applicable both to what the girls are able to accomplish, what the MDT members are able to handle, and what the program criteria and responsibilities are. For example, one person learned throughout the life of the girls’ court that it may not always be realistic for the girls to assimilate back into school or not have a cell phone. As an alternative, this court uses a contract with the girls to agree on how cells phones are used and who is paying for them.

In addition, many talked about the importance of celebrating small victories, both for the girls and for the team members. One person stated, “[the girls] need to bask in small successes because we fail a lot, and our failures are big, and they hurt really hard.” Another pointed out, “As a community, we take every day as a success. That we got through it, that we maybe helped one person.”

***Training.*** To facilitate realistic expectations, MDT members must have a solid understanding of CSEC. Everyone talked about how integral their comprehensive training for everyone is for working with this population. One person pointed out, “For probation officers and attorneys, it’s important to understand trafficking to understand the girls.” Many proudly talked about their practice of ensuring that everyone from the judge to the probation officers to the attorneys to the service providers to the bailiff and security in the courtroom are trained in CSEC. One person talked about why this is so important, saying, “Everybody involved has to do a better job at looking at the red flags, because it couldn’t just be done by one agency. We all have to be trained and be better.” Training was described by many as critical to the longevity of the court.

**Trust and rapport.** The ideal is to build trust and rapport with the girls, which is integral to success, but not easy. One probation officer said, “Building a good rapport with them is very hard. [The] kids are very intuitive, and they know if you’re not genuine.” But the rapport and trust help with everything, including and especially when the kids AWOL. A probation officer said,

I’d recommend getting some kind of phone or some way for the kids to check in when they AWOL so that we don’t all breathe off the top two inches of our lungs constantly worrying about where they are. And I think it helps build that trust and that pattern of them knowing, if we issue that warrant, it’s not because we’re mad at you. It’s not that we are wanting to hurt you. It’s because we are terrified about what is going to happen. And I think they are starting to believe us.

The consistency discussed above was noted as being a helpful practice for many things, including building trust and rapport. One person stated, “knowing who they’re going to see every month helps.”

A model practice pointed out for building trust and rapport is to have some kind of activity with the kids and the entire team outside of court. One team does an annual camping trip. Another team does a hike. Of the hike, one person talked about how surprised the kids are to see the judge in regular clothes. This person said,

I think that’s so important they see that. It gives them a measure of ‘I’m important. Nobody’s looking down on me right now. I’m just part of this group, and the judge is part of this group.’ And then at the end, they’re literally sitting next to Probation, sharing a piece of pie like it was family.

**Family involvement.** If there’s family involved, it was recommended that services include them. One person said,

If they’re involved, they’ve been able to really change their perspective on what CSEC is and why their kids got involved, and they have a little more compassion for their kids, and that’s really helped because the families as a whole have been a little healthier when they’re leaving.

Others talked about the importance of letting the family know that the MDT is there to help the whole family so that they don’t feel like they’re on their own. This, of course, is with the understanding that most of the girls have a history of family dysfunction. Participants in one court highlighted a Parent Empowerment Program to fill what was described as a frustrating gap. This program was described as “one of the best services to have come out of the court [because before] the parents didn’t really have a reliable service because there just weren’t any out there that were being accessed.” Without involving family, courts were sending girls back home to “parents that didn’t understand,” which was described as a “lose-lose situation.”

**Screenings and assessments.** Many talked about the use of screenings and assessments as a model practice to identify the kids who could use the court program and to identify trauma that needs to be addressed. One person pointing out, “The CSE-IT is now capturing more of the population that we were once missing.” Screenings and assessments are also good practices to identify mental health and other needs that girls may have. One person talked about the importance of gaining an accurate picture of the girls’ mental health and trauma needs so they can be treated appropriately.

**Trauma-informed services.** The importance of trauma-informed services was stressed in every court we went to. Many people talked about most or all of the girls having some kind of trauma that needs to be addressed. One person noted, “A lot of our youth are affected by trauma of one form or another. But when girls are exhibiting those particular risk factors and have experienced sexual exploitation, the trauma takes on a different form and life experience.”

Many talked about having a clinician as part of the MDT as a model practice. Some participants talked about how a lot of the girls are misdiagnosed coming into the court program, and how trauma-informed clinicians on the team were able to provide more accurate diagnoses, which informs treatment plans.

An additional model practice mentioned across courts is including survivors in discussions about trauma-based services provided. Many talked about gender-specific services, including having survivor-led programs and getting survivor feedback on the court.

As important as it is to recognize trauma and ensure that trauma is considered in services, a model practice mentioned was to not focus on that trauma. One person said, “Let’s not just talk about your trauma,” and pointed out, “We try not to [talk about it in] court most of the time unless we absolutely have to. But we do talk about ‘What do you want to do? What services do you need?’”

In one of the courts, one person suggested that their court emphasizing trauma-informed care has pushed the entire county to become more trauma-focused for everyone. Several talked about how beneficial it would be to expand the training about trauma-informed care across all the delinquency and dependency systems, with one person noting, “I think [we] can do that, we’re just not there as a system.”

**Continuous quality improvement.** Getting regular feedback to improve the program is always a good practice. With so few of the courts collecting data, this is an important practice to emphasize. One example mentioned was creating a youth advisory council with graduates of the program to make sure the program incorporates what survivors need.

## Quantitative Analyses Results

The researchers compiled descriptive data whenever possible. The average number of current participants in the girls' courts statewide is 78. Six of the courts reported being under capacity, and three courts reported having no capacity limits. On average, the girls' courts meet twice a month.

In addition, two courts conduct regular data collection and had aggregate data available. Below is an example of one court's first year of operations. These data are helpful for knowing who the court is serving and how, as well as for applying for grants.

	Annual Average	Total
Active participants	14	166
Participants placed on calendar	12	148
Total cases heard	17	208
New referrals	4	40
Referrals screened	6	68
Accepted	3	27
Not accepted	1	6
Opted out	2	9
AWOLed	1	3
Terminated	1	1
Graduations	1	3
Successful completion of probation	1	4

## **Recommendations**

A review of the evaluation data resulted in eight recommendations for jurisdictions interested in starting a girls' or CSEC court. Focus group participants talked about specific recommendations based on their own challenges and successes. However, everyone recognized that some courts have more or fewer resources than other courts, as well as different cultures, and collaborative courts in general cannot have a one-size-fits-all approach.

### **1. Involve all relevant stakeholders and community organizations, as well as survivors, in initial planning**

The theme of collaboration and transparency was ever-present across courts and even across topics. Getting stakeholder buy-in is an important component to long-term success for any collaborative court, but especially for a girls' court in which so many stakeholders are involved and in which confidentiality issues require strong memoranda of understanding. Including survivors is important to ensure that the girls will receive the relevant trauma-based services that can be specific to those who have been or are at risk of being sexually exploited. One person highlighted this importance by pointing out, "It's very easy to feel like you know everything and that you're saving people, [but] we're not saving our kids. We're trying to empower them." This person went on to talk about how in order to do that, they must seek out survivors and others who have had the same experiences to be involved in the collaboration.

### **2. Ensure coordination and communication between the delinquency and dependency systems, as well as across all stakeholders in each system**

The vast majority of CSEC have a history with the child welfare system. Now that California has decriminalized young people being prostituted, there may be more chances for CSEC to be misidentified and fall through the cracks, especially if there is any lack of awareness among first responders about what to do with youth who they find on the street. In addition, most CSEC in the delinquency system have been arrested for offenses other than prostitution, so would not automatically be diverted to the dependency system. It would be beneficial for the court, stakeholders, and service providers on both sides of the juvenile system to keep communication doors open and collaborate.

This is especially important for dual-status youth or a dependency court-based girls' court. In jurisdictions that have both a dependency and a delinquency girls' court, there should be overlap and communication among stakeholders so that none of the girls fall through any cracks.

### **3. Incorporate a good data collection process for continuous program improvement**

At minimum, courts should have basic descriptive data about who and in what way the court is serving. It could also be beneficial to understand any differences in services provided by the delinquency and dependency systems, especially for dual-status youth. Other measures that some girls' courts collect include days in custody, days in foster care, failures to appear, and, less formally, education data, and where youth run when they AWOL. A participant in one court mentioned the value in measuring the gaps in services and service providers, as well as the effectiveness of services. Others talked about the importance of looking for any trends or whether eligible youth are not being served.

In addition, collecting these basic data about the court can be beneficial in describing the court, whether for funding or other reasons. It would be good for courts to have basic statistics available, such as how many participants are referred, accepted, denied, graduated, terminated, etc., on a monthly basis.

### **4. Provide initial and ongoing training relevant to CSEC to all juvenile court stakeholders and stakeholder agencies, including law enforcement, to enable greater identification and facilitate culture change**

Participants across courts specified the integral need for CSEC training for anyone who comes into contact with youth in the juvenile justice system, on either the dependency or delinquency side. Many described looking back at their cases over the years and recognizing red flags for CSEC after they've had training. Training should include those directly involved with the court proceedings, such as the judge and the MDT members, but also should include the bailiffs in the courts, first responders such as law enforcement, and service providers. It would also be beneficial to offer or require training for foster parents of CSEC, as well as group home staff. One graduate pointed out that even very young kids often talk about abuse and exploitation, but it seems that no one is listening or believes them.

### **5. Consider extended or semipermanent rotations for judges and multidisciplinary team members who may prefer to stay in girls' court**

Often, judges, probation officers, prosecutors, and defense attorneys come into a juvenile or collaborative court as part of a rotation that lasts a specific amount of time.<sup>48</sup> Some prefer traditional court cases or only adult cases. This is sometimes particularly true for prosecutors, whose advancement and promotion opportunities can be dependent on the number of jury trials they've tried. Since juvenile court and juvenile collaborative courts don't have jury trials, some may want to get through that rotation as quickly as possible. On the other hand,

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<sup>48</sup> Center for Families, Children & Courts, Admin. Off. of Cts., *Juvenile Delinquency Court Assessment*, Vol. 1 (2008). Retrieved from <https://www.courts.ca.gov/documents/JDCA2008CombinedV1V2.pdf>.

many who have expertise and experience in a specific population, such as CSEC, prefer to stay in a rotation in which that expertise can be best utilized.

MDT members in California's girls' courts had rotations between a few months and a few years. Some have had the opportunity to stay in their girls' court assignment for as long as they would like. Most stated that a longer rotation is important with this population to establish the trust and rapport necessary to be influential and empower the girls. Longer rotations are also helpful in keeping the MDT cohesive.

## **6. Make sure all services and placements are trauma-informed, victim-centered, strengths-based, survivor-informed, and specific to CSEC**

Although many services and placements are generally therapeutic in nature, few address the specific needs of CSEC. Experts have stated that CSEC “require intensive engagement and a victim-centered and strengths-based approach to develop trust and establish rapport with treatment providers.” They also noted that the trust could keep youth from resisting services.<sup>49</sup>

Many participants in this evaluation also pointed out that CSEC victims need specific, trauma-based services, as well as placements with staff who are trained in CSEC. In addition, it would be helpful for foster care families taking CSEC to have specialized training, as well as more oversight. This could also be helpful in building trust and empowerment with the girls, since many who we talked to believed that most foster families are “in it for the money” and are more harmful than good.

The court itself should have a trauma-informed layout. For example, graduates talked about their discomfort with waiting in the juvenile hall tank with male youth. One graduate said, “Every time you walk out of the tanks, those guys act like they ain't never seen a female in their entire life.” Others expressed concern that the boys would know that they were in a girls' court and stigmatize them outside of the hall or, worse, seek them out.

## **7. Ensure that services include wraparound and other family-inclusive options**

For the girls who do have family connections, it is important to include family members, especially parents or guardians, in the treatment plan. One of the risk factors and commonalities of CSEC is family dysfunction. Several participants pointed out that those who do have family connections will be returning to that family, so it is most beneficial for the root of the family dysfunction to be addressed.

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<sup>49</sup> Child Welfare Council CSEC Action Team, *supra*, note 44.

**8. Have providers and services available in the courtroom rather than having to go to another location in the courthouse to get information about how to obtain services.**

In some girls' courts, the MDT includes representatives from a myriad of services and advocates. However, in others, service providers are not part of the team and are not in the courtroom. Many participants talked about the importance of having service providers available in the courtroom and after court to direct the girls to the services immediately. One person said, "We do not have any other providers in the courtroom . . . It's 'go down to window one and they will give you a list of phone numbers.'"

## Summary and Conclusion

With the growing awareness of CSEC, an increasing number of jurisdictions are establishing girls' courts to divert victims from the juvenile justice system. Although these courts are a type of collaborative or problem-solving court, they differ in many ways due to the population they're serving. There is little empirical or other research published about girls' courts. This study sought to gain an understanding about how girls' courts work and what jurisdictions may want to consider if implementing their own girls' court.

In this process evaluation of 10 of the 11 girls' courts across California, researchers conducted focus groups and interviews with judges, multidisciplinary teams (MDT) members, service providers, and advocates, as well as graduates of one girls' court program. Results included overarching themes related to court structure, eligibility criteria, referral process, the use of incentives and sanctions, supervision style, services offered, and goals, among other areas. Participants in the qualitative research also discussed the implementation process of their courts, what they enjoy about working in the court, challenges their courts face, and model practices of their courts.

The themes of collaboration, trust, and empowerment were threads running through all courts in this evaluation. In addition, the importance of specialized training in CSEC for everyone involved in the court, as well as for law enforcement, was overarching across courts. Participants in all courts also emphasized the need for trauma-informed services and placements, as well as the importance of including survivors in discussions about which services might be most beneficial.

Like other collaborative courts, data collection and measurement are important to know who the court is serving and where any service gaps are. Measuring outcomes is more challenging in a girls' court, however. The definition of "success" is different with the CSEC population than other populations. CSEC often return to their trafficker several times, similarly to the domestic violence cycle of power and control. Thus, "success" is fluid and individualized and is based on meeting each girl where she is and working toward improvement from that place. Although girls' courts have traditional goals of reducing recidivism and AWOLs, they also have nontraditional and incremental goals such as keeping the girls safe and ending their exploitation. To accomplish this, the court must empower girls to set their own goals and feel that they are capable of achieving them. Like previous researchers have noted, it is important to capture "any positive change," including incremental progress rather than predetermined milestones.<sup>50</sup>

This evaluation resulted in eight recommendations for jurisdictions that wish to implement their own girls' court. As one participant stated, "If every child could have the same experience [as in girls' court], I feel like we would probably have children leave our system sooner."

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<sup>50</sup> Luminais, Lovell, and McGuire, *supra*, note 22.

As this report is published in 2021, many changes in the area of juvenile justice and COVID-19-specific changes have occurred in the courts that may impact how courts operate in the future. In following up with judges from these courts, the COVID-19 pandemic appears to have had many negative impacts on the girls in these programs. For example, the youth in these courts were already struggling with school, and distance learning has made it challenging for them to catch up. In addition, one judge pointed out that girls in that court have been more likely to self-medicate with drugs and alcohol to cope with circumstances they find themselves in during the pandemic. Like other youth across the country, there has also been an increase in depression, anxiety, and suicidal ideation in girls' court participants. Other impacts of the pandemic have included greater accessibility of these girls for their traffickers, which has resulted in an increase in girls returning to their traffickers.

Courts have found innovative ways to continue providing services during the pandemic, however, by holding virtual hearings and services. One judge reported that having virtual review hearings has been more convenient for the girls. This has resulted in an increase in the number of times the girls wanted to see their court team, which led to the court increasing the frequency of their review hearings. On the contrary, another judge stated that holding the program virtually has been difficult for the youth at times since they can't have any contact with their friends. In addition, it has been difficult particularly for those in placements or detention.

All of this shows that there is still a great need for these courts and services as the COVID-19 pandemic continues.

In addition, Senate Bill 823, signed into law by the Governor in September 2020, has created juvenile justice reform that will further shift resources from state juvenile detention centers to county-level programs, services, supervision, and reentry strategies to provide suitable rehabilitation and supervision services.<sup>51</sup> In addition, the law created a new Office of Youth and Community Restoration in the California Health and Human Services Agency, whose mission is to “promote trauma responsive, culturally informed services for youth involved in the juvenile justice system that support the youths’ successful transition into adulthood and help them become responsible, thriving, and engaged members of their communities.” These changes could provide additional resources to girls’ and CSEC courts to provide the trauma-informed services necessary for youth to be successful.

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<sup>51</sup> Stats. 2020, ch. 337.

## **Appendix**

### **Interview and Focus Group Questions**

#### **Program Implementation and Details:**

1. When was this court created?
2. What was the impetus for starting the court?
3. What was the implementation process? Who was involved and what were their roles? Describe any challenges faced and how those challenges were addressed. Was anyone here involved?
4. Describe the level of support the program received during the planning and implementation phases from the following: court, attorneys, BOS, service providers, probation, anyone else?
5. How is the court funded? Has funding changed over time?
6. What is the current capacity of the court? Has that capacity changed over time? Is capacity reached?
7. In thinking about cost-effectiveness, what do you think are the biggest benefits of this program?
8. Do you have any cost data that you can share with us?

#### **Roles of Girls' Court Team Members:**

9. Who is on the girls' court team and what are their roles?
10. Are there others who you feel are key to the court's process or success who are not on the team?
11. Generally, are the court's staffing needs met?
12. Please describe the program meetings. How often does the team meet? What is primarily discussed?
13. When did you become involved in the court? Were you provided any training?
14. What are your most favorite and least favorite parts of this calendar/court?
15. How often do rotations occur? Do you have any say in them?
16. How long does the program typically last? Are there phases?
17. Have any court practices or processes changed since it started due to something not working or someone requesting a change or new research? Or some other reason?

#### **Court Process:**

18. How are the court policy decisions generally made?
19. Specifically, how does this court program differ from traditional case processing? What services are provided and who provides them?
20. Does the program provide tangible rewards? If so, what kind? Who pays for those?
21. What kinds of sanctions are imposed, if any?
22. What do you see as the main goals of this court? Do you measure those goals in any way?

23. What do you look for to determine whether a participant is successful or doing well?
24. What assessments are performed? By whom and at what point?

### **Program Referrals and Participants:**

25. What are the eligibility criteria?
26. What are the criteria that would exclude someone from girls' court? Are exceptions ever made? Under what circumstances? Who makes the exceptions?
27. What are the circumstances under which someone who is technically eligible would not be referred?
28. How many court users do you think are eligible for girls' court but don't get referred?
29. If they're not referred here, where do they typically go?
30. How are participants identified and offered the program? How often do people refuse and what reasons do people give for refusing? What are the incentives to complete the program?
31. What are the characteristics of the average participant?
32. What are any reasons for program termination?
33. If a participant is terminated from the girls' court, what happens next?
34. What are the requirements for graduation or successful completion? What percent of participants graduate vs. terminate?
35. What happens after successful completion?

### **Aftercare:**

36. Is there aftercare?
37. Please explain what aftercare services are offered and how.
38. How is aftercare funded?

### **Other Important Questions:**

39. Have recent state laws impacted the calendar? Prop. 35 or SB 1322?
40. How does this court differ from other girls' or CSEC courts?
41. What do you think are the most promising practices of this court?
42. What are some of the biggest challenges this court faces?

### **Data & Data Collection:**

43. Do you have any statistics or reports on your participants? If so, can we have copies?
44. Is there a system for tracking individual-level data on outcomes? Is it electronic?

### **Ending the Interview:**

45. Is there anything else that you'd like to add about all the questions I've asked you? Is there anything that you think I've missed?