Putting Families First

CIP

Tailored Dispositional Orders:

Promoting Positive Change

Tailored dispositional orders can promote the shared responsibility of the parents/youth, child welfare agency, court, and legal partners in meeting court ordered conditions successfully and expeditiously. In both child protection and youth justice cases, tailored conditions capture the specific behavior changes needed to ensure child and community safety, thereby aiding in families/youth successfully exiting the formal system.

What Works

Research supports that people change when expectations are clearly and plainly written (4th grade or below reading level), organized in a manner that defines behavioral and cognitive changes, and focuses only on the required changes necessary to end court ordered supervision.



Tailored dispositional orders include conditions that are:

- Tailored to the circumstances of the individual family
- Responsive to the culture, race, and/or ethnicity of the family
- Least intrusive so that the level of disruption to the family is minimized
- Attainable and realistic for parents/youth to successfully achieve
- Shorter and use simplified wording that will be less overwhelming for youth and families
- Prioritized and focused on underlying issues
- Behavior-focused, oriented towards observable conditions, and include services aligned with needs, as opposed to expecting compliance with a service
- Measurable, with transparent measurement criteria for youth and families

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Make it SMART

The SMART goals framework can be helpful in thinking through how to write conditions.

- **S**pecific: What behavior is the condition addressing? How is the condition related to the safety threat present in the home or safety of the community?
- **M**easurable: Does the condition make it clear what behavior needs to change and how to measure the success of the change?
- **A**chievable: Is it possible for the parent/caregiver/youth to successfully meet the condition?
- **R**ealistic: Is the condition written in a way that the parent/caregiver/youth can understand?
- **T**imely: Is the condition related to a behavior change that can begin or occur promptly?

Child Protective Services System

For parents involved in the child welfare system, conditions should be measurable, easily understood by the parent/caregiver and focused on safety threats, and how to develop protective capacities to ensure sustainable change.

- Conditions should focus on targeted behavior needed to change for successful reunification and be service-driven.
- It is important to differentiate conditions for return and conditions for supervision, by highlighting which conditions will end formal supervision by the CPS system.

Check out this **desk guide** for creating meaningful and achievable conditions for return.

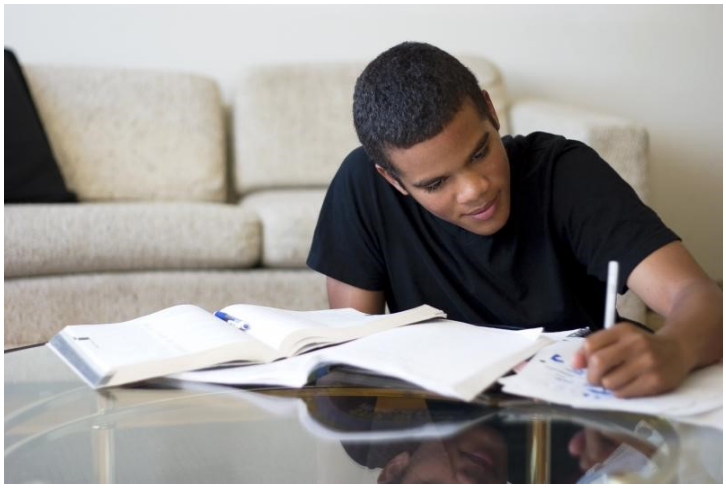
On the following page, the example conditions for return for parents involved in child protective services illustrate how to more effectively tailor conditions for change.



What Works

Not Tailored for Specific Behavior Change	Tailored for Specific Behavior Change
Attend all scheduled meetings and adhere to announced and unannounced home visits by the assigned case worker. **COMPLIANCE DRIVEN**	Develop the ability to regulate emotions and behaviors to non-violently resolve situations. **SAFETY AND BEHAVIOR DRIVEN**
Shall sign consent for treatment and any necessary release of information forms to obtain and share information with service providers for ongoing case management purposes. **NOT RELATED TO SAFETY**	Participate in individual and/or family services to address trauma and develop coping strategies that do not threaten the safety of the child(ren). **SAFETY, BEHAVIOR, AND SERVICE DRIVEN**
Shall not interfere with the placement of their children or with any of the services they are receiving, including respecting the rights of the foster home provider or other placement settings. Do not tell the children they can ignore/disobey the foster home/placement provider and do not make known false claims of harm/maltreatment against the foster home or placement provider as a means to disrupt the placement. **NOT RELATED TO SAFETY**	Maintain a bond with your child(ren), by staying in contact with the care provider, and ensuring physical and emotional safety of the child(ren). **SAFETY AND BEHAVIOR DRIVEN**
Participate in an AODA assessment and follow all recommendations. **COMPLIANCE DRIVEN**	Show understanding of how drug or alcohol abuse affects the safety of the child(ren) and manage recovery and sobriety by: • Participating in community drug or alcohol support groups • Friends and family supports • Participating in alcohol or drug therapy or program **SAFETY, BEHAVIOR, AND SERVICE DRIVEN**
Shall refrain from criminal activity and not associate with people engaging in alcohol or illegal drug use. **COMPLIANCE DRIVEN**	Identify situations and people who trigger you to participate in criminal activities, abuse drugs or alcohol, and demonstrate healthy decision-making skills over time. **SAFETY AND BEHAVIOR DRIVEN**
Shall participate in all scheduled team meetings and follow all recommendations made by the team. **NOT RELATED TO SAFETY**	Show you can respond in a calm manner in stressful situations that prevent the physical abuse of the child(ren). **SAFETY AND BEHAVIOR DRIVEN**
Shall attend all scheduled visitations to demonstrate their parenting capacities as well as maintain a bond with their children. **NOT RELATED TO SAFETY**	Show that you can meet your child's needs and maintain your bond with your children by attending scheduled visits, and contacting your child via phone calls, letters, and participating in any appointments for your child's health and/or well-being. **SAFETY, BEHAVIOR, AND SERVICE DRIVEN**
Shall participate in a mental health assessment, psycho-social assessment, or psychological evaluation. **COMPLIANCE DRIVEN**	Recognize mental health needs and show your ability to manage those needs by using healthy coping skills so that you are available to safely parent your child(ren). **SAFETY AND BEHAVIOR DRIVEN**

Youth Justice System



For parents and youth in the youth justice system, adolescent brain development research suggests tailored conditions reduce rates of incarceration for violations of conditions and reduce the length of supervision of youth. A combination of rewards and sanctions is best to promote success towards achieving goals, promoting incentives, and maintaining conditions that are certain, immediate, proportionate, and fair. The most effective conditions should be active, specific, enforceable, and clearly understood. This includes concrete, individualized goals related to community protection, accountability, and competency development. Tailored dispositional orders for youth should:

- Include only a few individualized conditions that highlight behavior changes
- Balance sanctions and rewards by focusing on incentivizing incremental progress
- Engage in procedural fairness in setting conditions and addressing violations to increase compliance and accountability

Moving Towards a Family First Approach

Current Approach		*Research-Based Approach*
A lot of conditions in every case	⇨	**A few standard conditions + A few (if any) appropriate individualized conditions**
Emphasis on sanctions for negative behavior	⇨	**Balance of sanctions and rewards; focus on incentivizing incremental progress**

Youth Justice System

These sample tailored conditions of supervision for a youth involved in the youth justice system illustrate how to more effective tailor conditions for specific change.

Non-Tailored Conditions

Uses legalese/language that is harder for youth to understand

Framed negatively

- ***Shall not*** violate any municipal, state or federal laws or ordinances. You will not receive any additional intake inquiries.
- ***Shall abide*** by parental house rules.
- ***Refrain*** from use of alcohol, tobacco, and other drugs and comply with urine testing upon request.
- Attend school daily. Follow all school rules and expectations.
- ***Refrain*** from violent behavior toward any person and/or object in any event whether at school, home, treatment, or in the community.
- Cooperate with all mental health professionals and any recommendations.

Tailored Conditions

Simple language that is easy to understand

Framed positively

- **Follow all laws, statutes, and ordinances.**
  Notify your case manager of any police contact within 48 hours.
- **Participate in developing a case plan that will help support your success.**
  This may require participating in assessments, treatment, programming and alcohol and/or drug testing.
- **Meet with your case manager regularly.**
  Meet at least monthly, or as directed by your case plan.

Incentivize Youth

If you successfully meet your conditions, your case manager may send a request for **early termination of your supervision.**

What You Can Do Next

1	Collaborate with your human service agency and other court stakeholders to discuss how TDO's will be incorporated into your practice.
2	Include and collaborate with families when creating tailored and effective court orders, including when families are in the courtroom.
3	Engage with DCF about its plans for youth justice system improvements and become a change champion.
4	Schedule a comprehensive training and technical assistance session with DCF and CCIP for transformation of your practice with youth and families.

Resources

Pennsylvania Bench Book, "Delinquency Dispositions in General," § 9-1, "Probation," § 9-7; "Probation Enforcement," § 10-2, § 10-3.

National Council of Juvenile and Family Court Judges (2017 Resolution).

Promoting Positive Development: The Critical Need to Reform Youth Probation Orders, National Juvenile Defender Center.

Reforming Juvenile Justice: A Developmental Approach. Washington, DC: The National Academies Press (2013), p. 185 & p. 192.

Fagen, J.A., and Tyler, T. (2005). Legal socialization of children and adolescents. Social Justice Research, 18(3), 217-241.

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