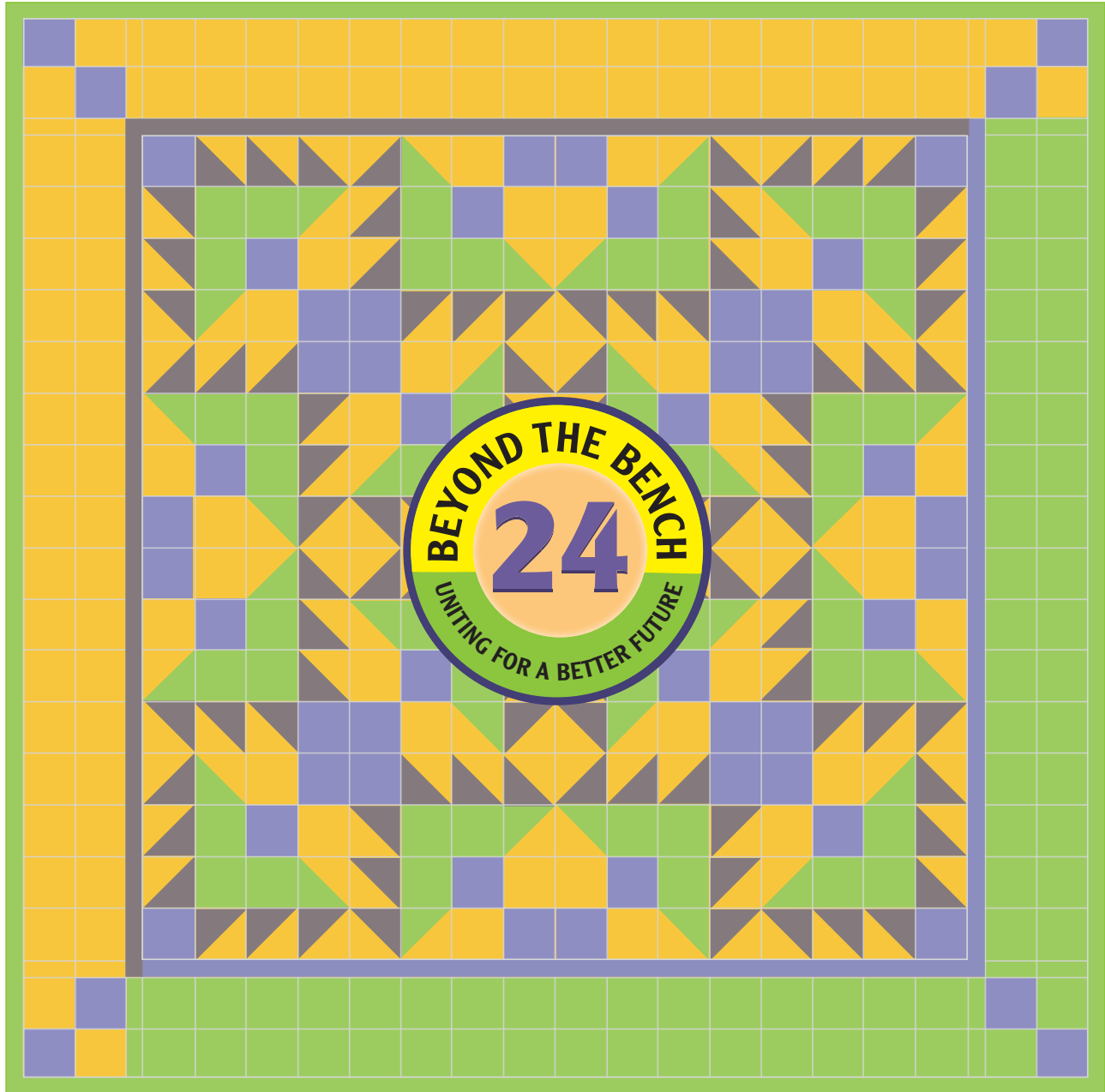


# BEYOND THE BENCH 24: UNITING FOR A BETTER FUTURE



December 18–20, 2017 • Manchester Grand Hyatt Hotel, San Diego



JUDICIAL COUNCIL  
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION

CENTER FOR FAMILIES, CHILDREN & THE COURTS



## **JUDICIAL COUNCIL OF CALIFORNIA**

Hon. Tani G. Cantil-Sakauye  
*Chief Justice of California and  
Chair of the Judicial Council*

Martin Hoshino  
*Administrative Director*

Millicent Tidwell  
*Chief Deputy Director*

Robert Oyung  
*Chief Operating Officer*

### **PROGRAM STAFF**

Charlene Depner  
*Director, Judicial Council's Center for Families, Children & the Courts*

Don Will  
*Principal Manager*

Penelope Davis  
*Supervising Analyst*

Audrey Fancy  
*Supervising Attorney*

Kelly Meehleib, Susie Viray, Oksana Zheltova  
*Program Analysts*

Cindy Chen, Monica Lim, Arlene Negapatan  
*Administrative Coordinators*

Anthony Villanueva  
*Resource Fair Coordination*

Alla Urisman, Pattie DiLauro, Susan Paul, Brandie Pilapil, Domenic Cornacchia, Brenda Chiles  
*Conference Planners/Logistics/Registration, Conference Support Services*

Peter Shervanick, Mark Scardello, Rob Daleiden, Bob Beavon  
*Audiovisual Infrastructure & Support, Conference Support Services*

Sheila Ng  
*Graphics Designer, Judicial Council and Trial Court Leadership Office*

## ***Special Thank You to Faculty, Planning Partners, and Staff***

Thank you to Jody Patel, the Judicial Council's Chief of Staff until December 1<sup>st</sup> of this year, for her leadership and guidance in the development of this program.

Thank you to all Judicial Council staff who contributed as faculty, content coordinators, monitors, media outreach, financial administration, graphics and design, audio-visual assistance, conference, technical, and administrative assistance, and registration staff for the time and effort to make this successful conference.

*Alfonso Acosta, Laural Ayala, Amy Bacharach, Irene Balajadia,Carolynn Bernabe, Zenaida Bernados, Paul Bibo, Nadine Blaschak-Brown, Beth Bobby, Chelsie Bright, Ray Butler, Francine Byrne, Karen Cannata, Vida Castaneda, Jenie Chang, Lisa Chavez, Emily Chirk, Christine Cleary, Shelley Curran, Jimmy Dang, Kim Du, Dwayne Eskridge, Maria Frank, Nicole Giacinti, Ann Gilmour, David Glass, Diana Glick, Bonnie Hough, Michael Jaffe, Octavio Jimenez, Scott Johnson, Tracy Kenny, Youn Kim, Emily Ladera-Rufo, Noah Lehman, Anna Lopez, Tara Lundstrom, Maribeth Magtoto, Anna Maves, Danielle McCurry, Angela Michael, Stephen Mitchell, Khanh Nguyen, Sue Oliker, Stacie Palma, Juan Palomares, Michael Quinones, Michael Roosevelt, Marymichael Smrdeli, Angelica Souza, Donna Strobel, Corby Sturges, Ben Talavera, Andrew Taylor, Nancy Taylor, Vida Terry, Larry Tolbert, Kathy Tyda, Kyanna Williams, Charina Zalzos, Xiaoyu Zhang, Carrie Zoller*

## ***Additional Acknowledgments***

This program is supported by a grant from the United States Department of Justice, Victims of Crime Act, 2016-A-GX-58; a grant from The California Endowment Foundation; and an allocation from the State Trial Court Improvement and Modernization Fund (IMF). This program is also supported by Grant No. 2016-WF-AX-0049 awarded by the Office on Violence Against Women (OVW), U.S. Department of Justice, and through Grant Award No. CW 16 15 1535 from the California Governor's Office of Emergency Services (Cal OES). The points of view, opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibit are those of the author/s and do not necessarily represent the official position or policies of the U.S. Department of Justice or of Cal OES. Cal OES reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use materials and to authorize others to do so.

## ***Accessibility***

The Judicial Council of California supports the Americans With Disabilities Act, which promotes public accessibility for persons with disabilities. If you require special equipment or services, please contact Judicial Council conference staff.

## ***Photography, Audio and Videotaping at the Conference***

Please note that conference staff will be taking photographs at the Beyond the Bench 24 conference. Certain segments of the conference may also be audio- or videotaped or broadcast later as recorded webinars for training purposes. Although audience members are not the focus of the audio- or videotaping, the images or voices of attendees may be recorded. By your presence at this conference, you consent to be photographed, filmed, or otherwise recorded, and to have your voice, image, and words broadcast or otherwise disseminated for training purposes. Please contact conference staff before the start of a session if you have any questions. Unauthorized photography or recording is not permitted. Video streaming and/or recording of presenters, attendees, and council staff without consent is prohibited at this event.

## ***Disclaimer***

The points of view expressed at the conference and in the conference materials are those of the authors and presenters and do not necessarily represent the positions or policies of the funders or the Judicial Council of California.

## CONTENTS

Education Units.....	1
VAWEP/VOCA Program for Judicial Officers.....	5
VOCA Program for Court Personnel and Interpreters.....	6
Collaborative Court Professionals.....	7

### **Pre-Conference**

#### **Monday, December 18, 2017**

Achieving Continuum of Care Reform Through the Quality Parenting Initiative: a Convening of Juvenile Court, Child Welfare and Probation Leadership .....	8
Juvenile Dependency Law & Process (Part 1).....	9
Recognizing Youth in Practice: Juvenile Delinquency Defense .....	9
I'm a Human Trafficking Victim! The New Affirmative Defense and Postconviction Relief for Victim-Defendants (Open to Judicial Officers) .....	11
Culture, Trauma, and Context: Strategies for Successful Case Outcomes .....	11
Expert Guidance on Responding to U Visa and T Visa Certification Requests (Open to Judicial Officers) .....	12
How to Make Victims Feel Heard in the Court Process Without Compromising Neutrality (Open to Judicial Officers) .....	13
Listening to Victims: How to Design Services that Better Meet Their Needs.....	14

#### **Tuesday, December 19, 2017**

### **Pre-Conference (cont'd)**

Continuum of Care Reform in CA: Overview and Implications for Local Partners .....	15
Juvenile Dependency Law and Process (Part 2) .....	16
Enhancing Communication Skills for Working with Victims.....	16
Promising and Cutting Edge Brain Science to Reduce Implicit Bias in Decisionmaking .....	17
The Poverty Workshop.....	18

## CONTENTS (cont'd)

Top 10 Ethics Issues for Juvenile and Family Court Judges (Open to Judicial Officers).....	19
Youth Track – The Misinformation Highway: Mapping the New Media Environment (Open to Youth).....	20
<b>Beyond the Bench Core Conference</b>	
<b>Lunch, Welcome and Plenary</b>	
Strengthening Foster Care Through Excellent Parenting.....	21
<b>Concurrent Workshops 1</b> .....	22
<b>Concurrent Workshops 2</b> .....	29
<b>Afternoon Plenary</b>	
Restorative Justice: a New Paradigm for Social Transformation .....	38
<b>Evening Event</b>	
Film Screening: <i>Tribal Justice</i> .....	38
<b>Wednesday, December 20, 2017</b>	
<b>Breakfast &amp; Plenary</b>	
Two Perspectives on the Prospects for Criminal Justice Reforms Affecting Young People....	39
<b>Concurrent Workshops 3</b> .....	40
<b>Concurrent Workshops 4</b> .....	48
<b>Lunch &amp; Plenary</b>	
The Intersection of Child Safety and the Judicial System .....	56
<b>Concurrent Workshops 5</b> .....	57
<b>Notes</b> .....	64





## Beyond the Bench 24, December 18–20, 2017

*Uniting for A Better Future*

### EDUCATION UNITS

#### Certificate Distribution

The Beyond the Bench Conference consists of several programs, each with different start and end dates and times. While some programs provide individual certificates of completion indicating the continuing education (CE) hours received, not all programs will provide this documentation. Please be sure to comply with the attendance requirements explained below for the type of education credit you are seeking.

**Please note:** For the type and number of CE hours available, please refer to the individual session details in the Beyond the Bench program agenda.

#### Judicial Officers and Trial Court Personnel

##### **Judicial Officers:**

The Beyond the Bench conference provides education credit for judicial officers pursuant to the applicable California Rules of Court, rule 10.461 *et seq.*

##### **Court Executive Officers:**

This conference provides credit for court executive officers pursuant to education requirements in the California Rules of Court, rule 10.473(c). A court executive officer who serves as faculty by teaching legal or judicial education to a legal or judicial audience may apply education hours as faculty service. Credit for faculty service counts toward the continuing education requirement in the same manner as all other types of education—on an hour-for-hour basis.

##### **Court Employees and Professionals Appointed by the Court:**

All conference workshops qualify for education credit for court employees and professionals appointed by the court pursuant to education requirements in the California Rules of Court, rule 10.474(c).

#### EDUCATION CREDIT PURSUANT TO APPLICABLE CALIFORNIA RULES OF COURT

A number of California Rules of Court include education requirements for judicial officers, court staff and court-connected professionals. Courses that satisfy those requirements are identified in this program with the appropriate rule number. A key to rules of court with education requirements follows:

Rule 5.210(f)(1)(A)–(B), (f)(2) Court-connected child custody mediators

Rule 5.215(j)(2) Domestic violence protocol for Family Court Services

Rule 5.230(d)(1)–(2) Domestic violence training standards for court-appointed child custody investigators and evaluators

Rule 5.225(d), (i)(1) Appointment requirement for child custody evaluators

Rule 5.242 Qualifications, rights, and responsibilities of counsel appointed to represent a child in family law proceedings

Rule 5.518(e)(3), (g) Court-connected child protection/dependency mediation

Rule 5.660(d)(3)(A) Attorneys for parties (§§ 317, 317.5, 317.6, 353, 366.26, 16010.6)

Rule 5.664 Training requirements for children’s counsel in delinquency proceedings (§ 634.3)

Rule 7.1101 Qualifications and continuing education required of counsel appointed by the court in guardianships and conservatorships

## Beyond the Bench 24, December 18–20, 2017

### *Uniting for A Better Future*

Rule 10.464 Education requirements and expectations for judges and subordinate judicial officers on domestic violence issues

Rule 10.478 Content-based and hours-based education for court investigators, probate attorneys, and probate examiners

Rule 10.481 Approved providers

### Continuing Education Legend

Because the type of education credit available varies based upon workshop content, please use the legend below to determine what kind of credit is offered for each of the sessions and program events listed in this agenda.

#### Symbol Legend:

◆ **MCLE** (*State Bar of California Mandatory Continuing Legal Education*): **Licensed Attorneys**

\* **BBS** (*Board of Behavioral Sciences*): **LMFTs (Licensed Marriage & Family Therapists) and LCSWs (Licensed Clinical Social Workers)**

◎ **PSY** (*American Psychological Association*): **Licensed Psychologists**

◇ **STC** (*Standards & Training for Corrections*): **Probation Officers**

✂ **CIMCE** (*Judicial Council*): **Certified Court Interpreters**

**CRC - California Rules of Court**

### PROFESSIONAL LICENSING EDUCATION CREDIT

#### **Attorneys (◆ MCLE: Education credit pursuant to California State Bar standards)**

The Judicial Council of California is approved as a Mandatory Continuing Legal Education (MCLE) provider by the State Bar of California, provider number 4781. Courses eligible for MCLE are designated with the symbol ◆.

**Important:** Attorneys—if you are seeking MCLE continuing education hours, please sign in for MCLE credit at each plenary and workshop session you attend.

#### **LMFTs (Licensed Marriage and Family Therapists) and LCSWs (Licensed Clinical Social Workers) (\* BBS: Education credit pursuant to requirements in California Board of Behavioral Sciences standards)**

The Judicial Council of California, Center for Families, Children & the Courts (CFCC), provider number 58804, is approved by the California Association of Marriage and Family Therapists (CAMFT) to sponsor continuing education for licensees of the California Board of Behavioral Sciences (BBS). CFCC maintains responsibility for this program and its content. Courses that meet the qualifications for continuing education (CE) credit for LMFTs, LCSWs, LPCCs, and LEPs as required by the BBS are designated with the symbol \*.

**Important:** LMFT and LCSW Professionals—if you are seeking BBS continuing education hours, please sign in for BBS credit at each plenary and workshop session you attend.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for A Better Future*

#### **Psychologists (☉ PSY: Education credit pursuant to APA standards)**

The Judicial Council of California is approved by the American Psychological Association to sponsor continuing education for psychologists. The Judicial Council of California maintains responsibility for this program and its content. Courses eligible for APA credit are designated with the symbol ☉.

The Judicial Council of California certifies that this conference has been approved for CE credit for licensed psychologists if participants attend qualifying sessions on all three days of the conference.

**Important:** Psychologists who wish to receive continuing education credit **must sign in *and* out** of each qualifying session they attend.

#### **Probation Officers (◆ STC):**

This conference offers Standards and Training for Corrections (STC) credit. Courses eligible for STC credit are designated with the symbol ◆.

Approved courses for STC:

1. Listening to Victims – How to Design Services that Better Meet Their Needs (*Pre-Conference*)
2. Culture, Trauma, and Context: Strategies for Successful Case Outcomes (*Pre-Conference*)
3. Continuum of Care Reform in CA: Overview and Implications for Local Court Partners (*Pre-Conference*)
4. Enhancing Communication Skills for Working with Victims (*Pre-Conference*)
5. Promising Cutting Edge Brain Science to Reduce Implicit Bias in Decision Making (*Pre-Conference*)
6. The Poverty Workshop (*Pre-Conference*)
7. California Department of Corrections and Rehabilitation Youthful Offender Program (*1A*)
8. College Resources and Support for Foster Youth: Turning Dreams Into Degrees (*1B*)
9. Delinquency Legal Update (*1C*)
10. Multidisciplinary Overview of Psychotropic Medication for Children and Youth in Foster Care and Out of Home Placements (*1G*)
11. Seeing the Invisible – Identifying and Meeting the Legal Needs of Youth Experiencing Homelessness (*1J*)
12. Using Civic Learning to Create Positive Outcomes for Youth (*1K*)
13. Collateral Consequences of Fines and Fees on Adults, Juveniles, and Their Families (*2A*)
14. Drug Courts: Where Will We Be in Ten Years? (*2B*)
15. Eliminating Racial Disproportionality in School Discipline (*2C*)
16. Engaging Youth and Families in Court: How Effective Communication Can Motivate Change (*2D*)
17. From Criminals to Victims: Los Angeles' Evolving Response to Commercially Sexually Exploited Children (*2E*)
18. Improving Outcomes for Dual Status Youth (*2G*)
19. Rapid Response Needed: Ensuring Access to Justice for Immigrant Families (*2H*)
20. Recognizing the Needs of Multi-Racial Children and Families in the Child Welfare and Juvenile Justice Systems: A Social Work/Policy, Medical, and Legal Perspective (*2I*)
21. Reducing Unplanned Pregnancy for Youth in Foster Care: New Rules and Tools (*2J*)
22. Staying Safe: Housing Rights and Challenges for Domestic Violence Victims (*2K*)
23. The Devil in the Details: Race and the Use of Algorithms to Guide Decision-Making (*2L*)
24. What Were They Thinking? The Nuts and Bolts of Adolescent Brain Development (*2M*)
25. Collaborative Courts Self Assessments: The Key to Survival (*3A*)
26. Ending Domestic Violence: Treating People Who Hurt Other People (*3B*)
27. Foster/Probation Toolkit for Professionals in Dependency and Delinquency Systems (*3E*)
28. Invisible Wounds: How Military Sexual Trauma Affects Family Life (*3G*)

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for A Better Future*

29. Juvenile Records Under WIC 827 and Related Laws: What Can You Get and To Whom Can You Tell? (3H)
30. Legalized Marijuana: What it Means for California (3I)
31. Partnerships for Serving People and Families Impacted by Incarceration (3K)
32. The Case of Kalief Browder: Continuing the Conversation on Race and the Justice System (3L)
33. What to do When a Youth May be Incompetent (3M)
34. Evolving Knowledge of the Implications of Extending Foster Care to Young Adults (4B)
35. From Punishment to Prevention: Ending Youth Incarceration and Investing in Youth Development (4C)
36. Helping Youth Overcome Barriers to Reentry: The Power of Juvenile Defenders and Legal Aid Attorney Joining Forces (4D)
37. Human Centered Design: Designing for Community Engagement (4E)
38. Many Victims: A Holistic approach to Victims and Victim’s Rights (4F)
39. Moving Toward Trauma Responsive Practice in Treatment Court Teams (4G)
40. Reducing Racial and Ethnic Disparity in Juvenile Justice Through Court Appointed Advocacy and Interagency Collaboration (4H)
41. Sealing Juvenile Offense Records – Policy Update and Challenges for Practitioners (4I)
42. Special Education 101: Early Intervention and Special Education Rights (4J)
43. Stepping-Up Initiative: Addressing Housing Needs for Individuals with Co-occurring Disorders or Involvement in the Criminal Justice System (4K)
44. Trafficking and Tribal Communities (4L)
45. Victims Reclaiming Technology: Becoming “Techsafe” in a World of Cyber-abuse, Harassment, and Hacking (4M)
46. From Vision to Reality: Achieving the Vision of the Continuum of Care Reform Through Engagement, Recruitment, and Support of Family (5A)
47. Hispanics and Latinos in Drug Courts: Cultural Strategies to Enhance and Sustain Recovery (5B)
48. Joining Current Court Practices with Medication Assisted Treatment for Substance Abuse (5D)
49. Lesbian, Gay, Bisexual, Questioning, Gender Nonconforming and Transgender Youth in California's Juvenile Justice System (5E)
50. Special Immigrant Juvenile Status: An Overview Emphasizing Recent Developments (5G)
51. The Changing Landscape of Juvenile Transfer in the Wake of Proposition 57 (5H)
52. Why Don't They Leave? Understanding Why Domestic Violence Victims Stay (5I)
53. Wielding the Sword in the Battle to Educate Juvenile System Youth (5J)

#### California Certified Court Interpreters (✂ CIMCE):

This conference offers credit for California certified court interpreters. The Judicial Council of California, Center for Families, Children & the Courts is approved to provide continuing education hours for court interpreters. For approved interpreter credit workshops, please refer to the program agenda. Courses eligible for CIMCE credit are designated with the symbol ✂.

#### **General Attendees**

This conference provides general education credit for all attendees.

## VAWEP/VOCA Program for Judicial Officers

To maintain eligibility for the VAWEP/VOCA grant program, each day you must attend at least one eligible course and sign-in during each session you attend.

Monday, December 18, 2017 (Pre- Conference)	Eligible Courses
Must attend at least one eligible course	<ul style="list-style-type: none"> <li>• Expert Guidance on Responding to U-Visa and Certification Requests (<i>Judicial Officers Only</i>)</li> <li>• I'm a Human Trafficking Victim! The New Affirmative Defense and Postconviction Relief for Victim-Defendants (<i>Judicial Officers Only</i>)</li> <li>• How to Make Victims of Crime Feel Heard in the Court Process Without Compromising Neutrality (<i>Judicial Officers Only</i>)</li> <li>• Listening to Victims: How to Design Services that Better Meet Their Needs</li> <li>• Culture, Trauma, and Context: Strategies for Successful Case Outcomes</li> </ul>

Tuesday, December 19, 2017	Eligible Courses
Must attend at least one eligible course	<ul style="list-style-type: none"> <li>• Restorative Justice: A New Paradigm for Social Transformation (<i>Plenary</i>)</li> <li>• Enhancing Communication Skills for Working with Victims</li> <li>• Domestic Violence in Dependency Court: What Judges and Attorneys Should Know (<i>1D</i>)</li> <li>• From Criminals to Victims: Los Angeles' Evolving Response to Commercially Sexually Exploited Children (<i>2E</i>)</li> <li>• Staying Safe: Housing Rights and Challenges for Domestic Violence Victims (<i>2K</i>)</li> <li>• Rapid Response Needed: Ensuring Access to Justice for Immigrant Families (<i>2H</i>)</li> </ul>

Wednesday, December 20, 2017	Eligible Courses
Must attend at least one eligible course	<ul style="list-style-type: none"> <li>• Ending Domestic Violence: Treating People Who Hurt Other People (<i>3B</i>)</li> <li>• Invisible Wounds: How Military Sexual Trauma Affects Family Life (<i>3G</i>)</li> <li>• Many Victims: A Holistic Approach to Victims and Victim's Rights (<i>4F</i>)</li> <li>• Trafficking &amp; Tribal Communities (<i>4L</i>)</li> <li>• Victims Reclaiming Technology: Becoming "Techsafe" in a World of Cyber-abuse, Harassment, and Hacking (<i>4M</i>)</li> <li>• Why Don't They Leave? Understanding Why Domestic Violence Victims Stay (<i>5I</i>)</li> </ul>

*This Project is supported with funding from the United States Department of Justice, Victims of Crime Act, 2016-VA-GX-58, and the Office on Violence Against Women (OVW), awarded through the California Governor's Office of Emergency Services (Cal OES). The points of view, opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibit are those of the author/s and do not necessarily represent the official position or policies of the U.S. Department of Justice or of Cal OES. Cal OES reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use materials and to authorize others to do so.*

## VOCA Program for Court Personnel and Interpreters

To maintain eligibility for the VOCA (Victims of Crime Act) grant program, each day you must comply with the attendance requirements as listed below and sign-in during each session you attend.

<b>Monday, December 18, 2017</b> (Pre-Conference)	<b>Eligible Courses</b>
Must attend at least one eligible course	<ul style="list-style-type: none"> <li>• Listening to Victims: How to Design Services that Better Meet Their Needs</li> <li>• Culture, Trauma, and Context: Strategies for Successful Case Outcomes</li> </ul>

<b>Tuesday, December 19, 2017</b>	<b>Eligible Courses</b>
Must attend the plenary session and at least one eligible course	<ul style="list-style-type: none"> <li>• <u>Plenary session</u>: Restorative Justice: A New Paradigm for Social Transformation (<i>must attend</i>)</li> <li>• <u>AND attend at least one of the following:</u></li> <li>• Enhancing Communication Skills for Working with Victims</li> <li>• Domestic Violence in Dependency Court: What Judges and Attorneys Should Know (<i>1D</i>)</li> <li>• From Criminals to Victims: Los Angeles' Evolving Response to Commercially Sexually Exploited Children (<i>2E</i>)</li> <li>• Staying Safe: Housing Rights and Challenges for Domestic Violence Victims (<i>2K</i>)</li> <li>• Rapid Response Needed: Ensuring Access to Justice for Immigrant Families (<i>2H</i>)</li> </ul>

<b>Wednesday, December 20, 2017</b>	<b>Eligible Courses</b>
Must attend at least one eligible course	<ul style="list-style-type: none"> <li>• Ending Domestic Violence: Treating People Who Hurt Other People (<i>3B</i>)</li> <li>• Invisible Wounds: How Military Sexual Trauma Affects Family Life (<i>3G</i>)</li> <li>• Many Victims: A Holistic Approach to Victims and Victim's Rights (<i>4F</i>)</li> <li>• Trafficking &amp; Tribal Communities (<i>4L</i>)</li> <li>• Victims Reclaiming Technology: Becoming "Techsafe" in a World of Cyber-abuse, Harassment, and Hacking (<i>4M</i>)</li> <li>• Why Don't They Leave? Understanding Why Domestic Violence Victims Stay (<i>5I</i>)</li> </ul>

*This Project is supported with funding from the United States Department of Justice, Victims of Crime Act, 2016-VA-GX -58, awarded through the California Governor's Office of Emergency Services (Cal OES). The points of view, opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibit are those of the author/s and do not necessarily represent the official position or policies of the U.S. Department of Justice or of Cal OES. Cal OES reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use materials and to authorize others to do so.*

## **Collaborative Court Professionals:**

The California Association of Collaborative Courts (CACC) collaborated with Judicial Council staff in the development of five collaborative court focused workshops:

- Lessons from Los Angeles' 18 and Up Court: Navigating the NMD Process and Serving Transition Aged Youth (1F)
- Drug Courts: Where Will We Be in 10 Years? (2B)
- Collaborative Court Self-Assessment: The Key to Survival (3A)
- Moving Towards Trauma Responsive Practice in Treatment Court Teams (4G)
- Hispanics and Latinos in Drug Courts: Cultural Strategies to Enhance and Sustain Recovery (5B)

### **CACC ANNUAL MEMBERSHIP MEETING**

CACC is hosting its membership dinner FREE to CACC members



**Tuesday, December 19, 2017  
5:45pm—7:00pm**

**SPECIAL GUEST:** Entertaining and inspirational speaker Terrence Walton, Chief Operations Officer, National Association of Drug Court Professionals will address "*Harm Reduction: Can You Handle It?*"

The California Association of Collaborative Courts has a table with information about the organization, member dinner, and available substance abuse disorder CEUs. Additional information about CACC is available at: <https://www.ca2c.org/>

**MONDAY, DECEMBER 18, 2017**

**10:00 A.M.–5:00 P.M.**

**ACHIEVING CONTINUUM OF CARE REFORM THROUGH THE QUALITY PARENTING INITIATIVE: A CONVENING OF JUVENILE COURT, CHILD WELFARE, AND PROBATION LEADERSHIP**

◆ MCLE \* BBS CRC 5.518

The Continuum of Care Reform (CCR) is a comprehensive effort to remake the foster care system in California to focus on the importance of families. CCR creates greater emphasis on permanence and relative placements, highlights excellent parenting as the most important intervention, limits the use of congregate care, and reorients the child welfare system to better meet developmental needs and provide the services needed to support youth in the system. Juvenile courts, child welfare agencies and probation departments are all challenged to change and adapt many of their processes to achieve the goals of CCR. Key to implementation is California’s Quality Parenting Initiative (QPI)—a partnership between Youth Law Center (YLC), the California Department of Social Services (CDSS), and the County Welfare Directors Association (CWDA) which strengthens foster care to refocus on excellent parenting as the most important goal for all children in the child welfare system. Bringing together judicial officers and county leadership to plan and monitor CCR implementation and focus on necessary system changes through QPI is essential to its success.

Learning Objectives—participants will be able to:

1. Identify in learner's own jurisdiction the existing barriers to ensuring excellent parenting for youth and implementing Continuum of Care Reform (CCR);
2. Relate strategies for re-orienting practice around system changes that support parenting, family connections and paths for transitioning from congregate care to the ongoing work in the Quality Parenting Initiative; and
3. Identify concrete steps to overcoming barriers to implementing CCR through systemic change, practice change, education and focusing available resources.

**Jennifer Rodriguez**, *Executive Director, Youth Law Center*



**MONDAY, DECEMBER 18, 2017**

**10:00 A.M.–5:00 P.M.**

**JUVENILE DEPENDENCY LAW AND PROCESS (PART 1)**

◆ MCLE [.5 hours MCLE/Bias] ✕ CIMCE CRC 5.518, 5.660(d), 7.1101

This course provides an overview of the dependency legal system. The course focuses on stakeholder roles, dependency law and process, and legally mandated timelines. This course meets the 8-hour requirement for attorneys seeking to accept court-appointed cases per California Rules of Court, rule 5.660(d), and qualifies for 9.5 total hours of MCLE credit, .5 of which qualifies as MCLE bias credit. This course provides 8.5 hours of MCLE credit at the conference and 1 hour of pre-conference self-study to be taken online. In order to obtain this MCLE credit, this course must be taken in its entirety and both conference days attended. Fewer MCLE credit hours will not be offered if only smaller portions of the course are taken.

Learning Objectives—participants will be able to:

1. Distinguish the legal requirements and standards of proof in dependency law and procedure throughout the dependency process;
2. Identify and summarize the roles in the dependency legal system;
3. Articulate knowledge of the timelines and legal mandates in a dependency case; and
4. Integrate available resources to assist them into their daily child welfare practice.

**Beth Bobby**, Attorney, Judicial Council of California, Center for Families, Children & the Courts

**Hon. Patricia Bresee (Ret.)**, Consultant/Trainer/Retired Juvenile Court Commissioner

**Jennifer Kelleher-Cloyd**, Directing Attorney, Legal Advocates for Children and Youth

**John Passalacqua**, CEO and Executive Director, Dependency Legal Services

**Shannon Sullivan**, Assistant County Counsel, Santa Cruz County Counsel

**MONDAY, DECEMBER 18, 2017**

**10:00 A.M.–5:00 P.M.**

**RECOGNIZING YOUTH IN PRACTICE: JUVENILE DELINQUENCY DEFENSE**

◆ MCLE ✕ CIMCE CRC 5.664

Since 2016, Welfare & Institutions Code section 634.3 and rule 5.664 have required attorneys appointed to represent youth in delinquency proceedings to have 12 hours of training or to be able to demonstrate competence in specified subject areas. Juvenile practitioners must also receive 8 hours of education on an ongoing basis. This training is designed to provide training on approximately half of the subject areas called for in rule 5.664; the remainder will be part of the core conference program. It is designed to be useful both to new practitioners and to those with long-standing practices who received their training a long time ago, or were never trained on the fundamentals of juvenile delinquency defense. Each segment of the course will

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

focus on relevant law and procedure, as well as strategic considerations. Throughout the course, subject material will be tied to adolescent development and working with young people.

#### Learning Objectives—participants will be able to:

1. Describe the unique philosophy of juvenile proceedings;
2. Describe the juvenile court process, relevant law, and cases every delinquency lawyer should know;
3. Recognize the ways that adolescent brain and social-emotional development affect behavior and decisionmaking for young people, and the impact of those processes on the case;
4. Recognize and understand the import of coercive custodial interrogation, issue spot for coercive interrogation, identify seminal cases on the subject, understand the research on what young people understand, and identify relevant legislation;
5. Analyze and effectively challenge juvenile competence to stand trial, understand what works and does not work in remediation, and learn about recent case law and legislative changes;
6. Develop an effective strategy for representing youth in transfer hearings using the child-focused transfer factors enacted in Senate Bill 382 and the dramatically more favorable standards enacted in Proposition 57;
7. Learn how to work with experts, write a transfer brief, and challenge orders for transfer;
8. Develop/improve skills for advocacy on probation conditions, including relevant case law, making a record for legal challenges, current conditions issues including gangs, GPS, phone and social media, fines and fees, and assuring conditions that can realistically be complied with. The session will also highlight collateral consequences that should be considered in advocacy, and provide an overview of recent laws on record sealing;
9. Advocate in cases considered “difficult” by the system, in which youth are being considered for out-of-home placement or detention (e.g., youth who are incompetent, have mental illness, have a developmental disability, are homeless, have violence in their background, or are sex trafficking survivors); and
10. Obtain tips on how to identify placements or community-based supports, and receive an overview of potential funding sources.

**Brian Blalock**, *Law and Policy Director, Tipping Point Community*

**Arthur Bowie**, *Attorney at Law, Pacific Juvenile Defender Center*

**Richard Braucher**, *Staff Attorney, First District Appellate Project*

**Sue Burrell**, *Policy and Training Director, Pacific Juvenile Defender Center*

**Hon. Roger Chan**, *Judge of the Superior Court of California, County of San Francisco*

**Rahn Minagawa, PhD**, *Clinical & Forensic Psychologist, Forensic Psych Consultants*

**Ji Seon Song**, *Thomas C. Grey Fellow and Lecturer in Law, Stanford Law School*

**Rourke Stacy**, *Trainer, Juvenile Division, Office of the Los Angeles County Public Defender*

**Kate Weisburd**, *Supervising Attorney, East Bay Community Law Center*

**MONDAY, DECEMBER 18, 2017**

**10:00 A.M.–12:00 P.M.**

**I'M A HUMAN TRAFFICKING VICTIM! THE NEW AFFIRMATIVE DEFENSE AND POSTCONVICTION RELIEF FOR VICTIM-DEFENDANTS (OPEN TO JUDICIAL OFFICERS)**

◆ MCLE CRC 10.464 [.5 hours]

Last year, the California Legislature passed several new laws aimed at protecting victims of human trafficking. This course will focus on the new Penal Code section 236.23 affirmative defense created by AB 1761, and the new Penal Code section 236.14 postconviction relief created by SB 823. Under these new statutes, defendants charged with certain nonviolent crimes can assert an affirmative defense, or if already convicted of a crime, seek to vacate and seal the conviction if they had committed the crime as a result of being a victim of human trafficking. A panel comprising judges, a prosecutor, a defense attorney, and a victims' attorney will highlight key aspects of the new provisions, followed by a moderated roundtable discussion using hypothetical scenarios to provide an opportunity for participants to work through potential issues when presented with a human trafficking affirmative defense or conviction relief motion.

Learning Objectives—participants will be able to:

1. Discuss the legal requirements for a human trafficking victim-defendant to assert an affirmative defense under Penal Code section 236.23 or postconviction relief under Penal Code section 236.14;
2. Recognize the different contexts in which a trafficking victim could be coerced to commit crimes; and
3. Apply the new laws to hypothetical situations in order to identify and address potential issues.

**Mary-Ellen Barrett**, Deputy District Attorney, San Diego District Attorney's Office

**Katherine Braner**, Chief Deputy, Development and Training, County of San Diego Office of the Public Defender

**Hon. Marian Gaston**, Judge of the Superior Court of California, County of San Diego

**Hon. Curtis Kin**, Judge of the Superior Court of California, County of Los Angeles

**Stephanie Richard, Esq.**, Policy & Legal Services Director, Coalition to Abolish Slavery & Trafficking

**MONDAY, DECEMBER 18, 2017**

**1:30 P.M.–5:00 P.M.**

**CULTURE, TRAUMA, AND CONTEXT: STRATEGIES FOR SUCCESSFUL CASE OUTCOMES**

◆ MCLE/Bias \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.215, 5.225, 5.230, 5.660(d), 5.664, 7.1101, 10.478

Culture is embedded in our language, behavior, interpretation, and institutions. Therefore, recognizing culture and its implications is crucial to ensuring justice in our courts. Families from various cultures that experience domestic violence, sexual violence, and all kinds of family violence and trauma engage with the cultures and procedures of our juvenile, criminal and family law court systems every day. Recognizing trends and avoiding

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

pitfalls in the interplay across cultural difference helps us prevent further traumatization of children and families when they enter our courthouses and engage with court services, amplifying trust and success in our cases. This course will discuss strategies for judicial officers, attorneys, court staff, and justice partners to successfully engage families and ensure equal access to safety through approaches that are culturally responsive and trauma informed.

#### Learning Objectives—participants will be able to:

1. Integrate the cultural demographics of California into an overall approach to court services;
2. Understand how culture affects our behavior and decision-making—in our daily lives and in the courtroom;
3. Identify how culture can be manipulated to justify domestic, sexual, and family violence;
4. Practice culturally responsive situational assessment;
5. Connect cultural responsiveness to trauma-informed practice;
6. Apply hands-on trauma-informed and culturally responsive strategies to support children and families in crisis; and
7. Explore standards of practice that institutionalize culturally responsive and trauma-informed practice to reduce revictimization and strengthen court engagement for families and children trying to overcome domestic violence.

**Orchid Pusey**, *Acting Executive Director, Asian Women's Shelter*

**MONDAY, DECEMBER 18, 2017**

**1:30 P.M.–5:00 P.M.**

**EXPERT GUIDANCE ON RESPONDING TO U VISA AND T VISA CERTIFICATION REQUESTS (OPEN TO JUDICIAL OFFICERS)**

◆ MCLE CRC 10.464

In 2000, Congress created the U visa and T visa as part of the Violence Against Women Act (VAWA). These visas are forms of relief that offer protection for immigrant crime victims that improves access to justice and justice system participation by immigrant victims. Over 75% of the immigrant victims who are granted U or T visas are victims of domestic violence, child abuse, sexual assault, stalking, or human trafficking. In order to file a U visa case, immigrant victims are required to obtain U visa certifications from a specified list of government officials (including judges) authorized to sign certifications. In a T visa case, certification is also helpful, but not required.

This half-day training will discuss the U and T visa programs, U and T visa certification by judges, and will cover both California law and federal laws, regulations, and policies regarding certification, including the requirements under the new California Penal Code sections 679.10 and 679.11. Topics that will be covered include: immigrant crime victim dynamics; legislative history of the U and T visas; judicial certification in civil

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

and criminal court matters; best practices for certification in pending and completed cases; an overview of U.S. Department of Homeland Security (DHS) regulations, policies, and training materials on U and T visa certification; considerations in creating and implementing procedures for signing certifications in civil and criminal cases; and reporting requirements under state law.

#### Learning Objectives—participants will be able to:

1. Recognize the purpose of the U and T visa programs and the judicial role in U and T visa certification;
2. Understand how to access legally correct information from the U.S. Department of Homeland Security on U and T visa certifications;
3. Discuss how judicial officers can implement procedures for signing U visa certifications in civil and criminal cases that are consistent with federal and state law; and
4. Identify persons who come before the court who may be eligible for and should receive information about immigration relief for immigrant crime victims.

**Hon. Susan Breall**, *Judge of the Superior Court of California, County of San Francisco*

**Sally Kinoshita**, *Deputy Director, Immigrant Legal Resource Center*

**Hon. Lora Livingston**, *Presiding Judge, 261st Civil District Court, Austin, Travis County, Texas*

**Leslye Orloff**, *Director, Adjunct Professor, National Immigrant Women’s Advocacy Project, American University, Washington College of Law*

**MONDAY, DECEMBER 18, 2017**

**1:30 P.M.–5:00 P.M.**

**HOW TO MAKE VICTIMS FEEL HEARD IN THE COURT PROCESS WITHOUT COMPROMISING NEUTRALITY (OPEN TO JUDICIAL OFFICERS)**

◆ MCLE

Judicial officers are faced on a regular basis with individuals who have been victimized or traumatized, whether in domestic violence courtrooms, criminal courtrooms, juvenile delinquency and dependency courtrooms, or as part of other proceedings. What can judicial officers do to improve their experiences within the bounds of judicial ethics? Are there steps we can take that don’t take a lot of time or money? In this course we will review recent research into victims’ perspectives on fairness and the court process that supports the need for victims to feel that they have a voice in the process and that their views are taken into account by the authority figures, as well as supporting the need for improved understanding of the process. Drawing from sources such as the best practices of a trauma-informed approach and the results of interviews with victims and families in juvenile delinquency courts, new perspectives on judging will be considered. The course will include practical solutions for enhancing the voice of victims without compromising judicial neutrality or the perception of neutrality. It will address the special needs inherent in various types of proceedings. The impact of judicial officers’ communication choices on the court participants’ immediate

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

experiences as well as the potential impacts on overall trust and confidence in the justice system will be examined.

#### Learning Objectives—participants will be able to:

1. Summarize research on victims' perspectives of the court experience and the importance of key aspects of procedural fairness to that experience, including voice, understanding, respect, and neutrality;
2. Discuss special considerations related to victims' voice in various types of court proceedings and for people from different groups;
3. Evaluate solutions for improving the court experience of victims while maintaining clear neutrality; and
4. Implement practical, ethical techniques for enhancing victims' voices in the court process.

**Kelly Tait**, *Judicial Branch Communication Consultant, KT Consulting, University of Nevada, Reno*

**Hon. David Suntag (Act/Ret)**, *Judge, Vermont Superior Court*

**MONDAY, DECEMBER 18, 2017**

**1:30 P.M.–5:00 P.M.**

## **LISTENING TO VICTIMS: HOW TO DESIGN SERVICES THAT BETTER MEET THEIR NEEDS**

◆ MCLE/Bias \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.660(d), 7.1101, 10.478

Victims come into contact with our legal system daily and face special challenges in dealing with the emotional impact of the crime that is being addressed—whether domestic violence, a property or personal crime committed by a juvenile or adult, or another offense. How can we offer more usable and user-friendly services that truly meet the needs of victims? How can we make their voices heard and assist them to deal with the impact of the crime? How do we address the challenge that many of those who perpetrate crimes are also victims? In this workshop, we will employ a user-centered design process developed at the Stanford Design School to reimagine how to engage laypeople with our services, and begin to prototype and test promising new concepts. This will be a hands-on session, aiming to equip participants with new tools from the world of design thinking and agile development, as well as to jump-start new initiatives for improving current services or creating new projects. The workshop will help participants learn to address their biases about client's needs.

#### Learning Objectives—participants will be able to:

1. Describe principles of user-centered design;
2. Identify ways to improve services for court users and victims; and
3. Utilize new tools from the world of design thinking and agile development.

**Margaret Hagan**, *Fellow, Stanford Law School Center on Legal Profession*

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

**TUESDAY, DECEMBER 19, 2017**

**8:00 A.M.–10:45 A.M.**

**CONTINUUM OF CARE REFORM IN CALIFORNIA: OVERVIEW AND IMPLICATIONS FOR LOCAL COURT PARTNERS**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.518

How can YOU support the core values of the Continuum of Care Reform (CCR)? This course will provide participants with an understanding of the principles of CCR and changes for group homes, providers, Resource Families, social workers, and probation officers, and will discuss how those changes may impact the court system. Participants will learn the fundamentals of child and family planning while incorporating the values of the Quality Parenting Initiative. Learn what tools and resources have been developed to support integrated and collaborative county-level systems of care.

Learning Objectives—participants will be able to:

1. Describe the core values and principles of Assembly Bill 403, the Continuum of Care Reform;
2. Identify the current requirements for group homes/Short Term Residential Therapeutic Programs (STRTP) and Foster Family Agencies (FFAs) to provide core services and mental health services;
3. Recognize the mandates of the Child and Family Team (CFT) including CFT meeting requirements, teaming best practices, and the importance of quality family engagement and individualized case plans;
4. Describe confidentiality and information-sharing practices within the CFT process designed to protect children and their families without creating barriers to receiving services;
5. Define the Resource Family Approval process, describe the placement options available prior to formal approval of the Resource Family, and identify the components and key steps in the Resource Family Approval assessment process;
6. Identify ways judges and court partners can support effective local practices required by CCR, RFA, Katie A, CFT, Interagency Placement, Interagency Management and Leadership, and adherence to the state's Integrated Core Practice Model; and
7. Integrate the vision and key values of the Quality Parenting Initiative (QPI) into each of these child welfare reforms.

**Lupe Grimaldi**, *Manager, California Department of Social Services*

**Richard Knecht**, *Integrated Services Advisor, California Department of Social Services*

**Sara Rogers**, *Chief, Continuum of Care Reform Branch, California Department of Social Services*

**Kim Wrigley**, *Program Implementation Bureau Chief, California Department of Social Services*

**TUESDAY, DECEMBER 19, 2017**

**8:00 A.M.–10:45 A.M.**

**JUVENILE DEPENDENCY LAW AND PROCESS (PART 2)**

◆ MCLE ✕ CIMCE CRC 5.518, 5.660(d), 7.1101

This course provides an overview of the dependency legal system. The course focuses on stakeholder roles, dependency law and process, and legally mandated timelines. This course meets the 8-hour requirement for attorneys seeking to accept court-appointed cases per California Rules of Court, rule 5.660(d), and qualifies for 9.5 total hours of MCLE credit, .5 of which qualifies as MCLE bias credit. This course provides 8.5 hours of MCLE credit at the conference and 1 hour of pre-conference self-study to be taken online. In order to obtain this MCLE credit, this course must be taken in its entirety and both conference days attended. Fewer MCLE credit hours will not be offered if only smaller portions of the course are taken.

Learning Objectives—participants will be able to:

1. Distinguish the legal requirements and standards of proof in dependency law and procedure throughout the dependency process;
2. Identify and summarize the roles in the dependency legal system;
3. Articulate knowledge of the timelines and legal mandates in a dependency case; and
4. Integrate available resources to assist them into their daily child welfare practice.

**Beth Bobby**, Attorney, Judicial Council of California, Center for Families, Children & the Courts

**Hon. Patricia Bresee (Ret.)**, Consultant/Trainer/Retired Juvenile Court Commissioner

**Jennifer Kelleher-Cloyd**, Directing Attorney, Legal Advocates for Children and Youth

**John Passalacqua**, CEO and Executive Director, Dependency Legal Services

**Shannon Sullivan**, Assistant County Counsel, County Counsel of Santa Cruz

**TUESDAY, DECEMBER 19, 2017**

**8:00 A.M.–10:45 A.M.**

**ENHANCING COMMUNICATION SKILLS FOR WORKING WITH VICTIMS**

◆ MCLE/Bias \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.518, 7.1101, 10.478

Most professionals in the justice system work on some level with persons who have been victimized or traumatized—whether in juvenile dependency and delinquency, domestic violence, or criminal justice. There is an overwhelming body of evidence supporting the positive consequences of providing a voice to people in the justice system. In this session we will consider the why and how of providing “voice” to those who have been victimized. What can you do in your role to try to improve the experience of victims in the system by helping them feel heard? Discussion will include what factors need to be taken into consideration to positively impact victims’ understanding of the system, the feeling they’ve been treated with respect, and the sense that their voice was heard without crossing the boundaries necessary for maintaining neutrality in a fair process.

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.



## Beyond the Bench 24, December 18–20, 2017

*Uniting for a Better Future*

### Learning Objectives—participants will be able to:

1. Summarize victims' perspectives of their experiences in the justice system in relation to whether they felt they had input, were heard, and understood what was happening;
2. Discuss what justice system professionals in various roles can do to improve the experience of victims in the system, particularly in terms of their "voice"; and
3. Plan practical solutions in your role to improve the justice system experience of victims.

**Kelly Tait**, *Judicial Branch Communication Consultant, KT Consulting, University of Nevada, Reno*  
**Hon. David Suntag (Act/Ret)**, *Judge, Vermont Superior Court*

**TUESDAY, DECEMBER 19, 2017**

**8:00 A.M.–10:45 A.M.**

## **PROMISING AND CUTTING-EDGE BRAIN SCIENCE TO REDUCE IMPLICIT BIAS IN DECISIONMAKING**

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.518, 5.660(d), 5.664, 7.1101, 10.478

In 2015, at the last Beyond the Bench Conference, the well-received workshop, "Understanding Unconscious Bias in Our Decision-Making Processes," was offered. This interactive session, divided into three parts, will focus on the types of decisions made by judges, court professionals, and justice partners, and what cognitive scientists have learned about how decisions are made and influenced by unconscious bias. The first part will be an overview of implicit bias; the second and third parts will cover de-biasing and the application of the new science of virtual reality.

### **Part I (1 hour)**

#### **Overview of Implicit Bias (Part I optional if prior exposure to the topic)**

Unconscious Bias (also known as "implicit bias") refers to the unconscious attitudes and stereotypes that each of us harbor. Operating on the subconscious level, these unintentional biases cause us to form positive and negative associations about other people based on a variety of characteristics, including race, gender, and age. These unconscious biases affect the way we perceive others who are different from us, how we interact with others, and assumptions we unintentionally make when interpreting everyday situations.

#### ***Pre-Course Activity***

Prior to the course, take the Black-White and a second race-related **Implicit Association Test** at <https://implicit.harvard.edu/implicit/takeatest.html>

### **Part II**

#### **De-biasing Strategies**

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

Research has demonstrated that de-biasing techniques or strategies might be useful in the short and long term in reducing the impact of bias. These techniques are most robust when applied consistently over time and when there's a system of accountability.

#### Part III

##### Virtual Reality

De-biasing or bias reduction strategies have not been broadly applied in the unique setting of the courtroom. Some jurisdictions are exploring innovative approaches to bring what we have learned about implicit bias to the court setting. This session will explore how virtual reality or VR, which immerses a viewer in an experience, might be used to help court professionals reduce bias.

##### Learning Objectives—participants will be able to:

1. Define implicit or unconscious bias;
2. Explore how unconscious bias may affect our interactions with court users;
3. Describe how unconscious bias affects decisionmaking;
4. Evaluate the use and application of cutting-edge science for the court/courtroom setting to reduce implicit bias; and
5. Identify strategies for learning about our own unconscious biases, and cutting-edge science for the courtroom to reduce implicit bias.

**Hon. Songhai Armstead**, *Judge of the Superior Court of California, County of Los Angeles*

**Song Richardson**, *Interim Dean and Professor of Law, University of California, Irvine, School of Law*

**Michael Roosevelt**, *Senior Analyst, Judicial Council of California, Criminal Justice Services*

**Natalie Salmanowitz**, *JD Candidate, Harvard Law School, Cambridge, Massachusetts*

**Joseph Sawyer**, *Director, Online Learning and Educational Technologies, National Judicial College*

**TUESDAY, DECEMBER 19, 2017**

**8:00 A.M.–10:45 A.M.**

**THE POVERTY WORKSHOP**

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.518

The Poverty Workshop is a unique training for judicial officers and court staff, attorneys, service providers, probation officers, CASAs, and others who are interested in learning about the challenges and situations that low-income people deal with day to day. It offers the chance to understand how to work more effectively with members of this community and to consider critically the ways in which we deliver services. The role-play simulates a one-month time frame with each week consuming a 15- to 20-minute period. Participants are divided up into “families” ranging in size from 1 to 5 persons. Each group is assigned a different life scenario, and volunteers live the life of that family for one month, trying to work and access benefits, buy food, and maintain housing. Other participants play the vital role of community resources, such as the bank, the employer, the doctor, and other resources the family members will interact with during the “month.” After

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

*Uniting for a Better Future*

the “month” is over, there is an extensive debriefing exercise on the issues that arose during the workshop and how we might design programs differently or work differently with clients in light of the workshop experience.

Learning Objectives—participants will be able to:

1. Apply the experience of being in a family in poverty to reconsider how to provide services;
2. Recognize the strategies and skills that litigants may use to cope with poverty; and
3. Identify solutions and services that could be helpful to families in poverty.

**Tiela Chalmers**, *Chief Executive Officer, Alameda County Bar Association*

**Hon. Erica Yew**, *Judge of the Superior Court of California, County of Santa Clara*

**TUESDAY, DECEMBER 19, 2017**

**8:00 A.M.–10:45 A.M.**

**TOP 10 ETHICS ISSUES FOR JUVENILE AND FAMILY COURT JUDGES**

***(OPEN TO JUDICIAL OFFICERS)***

◆ MCLE

The faculty will review 10 of the most frequently encountered ethical issues that juvenile and family court judges encounter both on and off the bench. Most of these issues are unique to the juvenile and family court assignments. For example, the faculty will discuss contacts with children and families when the judge is off the bench in a social situation.

Learning Objectives—participants will be able to:

1. Identify unique ethical issues they are likely to face in their careers;
2. Discuss ethical issues they will not learn about from the required ethics classes taught by CJA and CJER; and
3. Recognize situations they may not believe involve ethical issues.

**Hon. Leonard Edwards (Ret.)**, *Judge of the Superior Court of California, County of Santa Clara*

**Hon. Shawna Schwarz**, *Judge of the Superior Court of California, County of Santa Clara*

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

**TUESDAY, DECEMBER 19, 2017**

**8:00 A.M.–10:45 A.M.**

**YOUTH TRACK—THE MISINFORMATION HIGHWAY: MAPPING THE NEW MEDIA ENVIRONMENT (*OPEN TO YOUTH*)**

Today we are all media producers sending messages that can be heard around the world. Such opportunities also bring responsibilities, yet there is little opportunity to explore or prepare for the new media world we live in. Much of this media bombarding our youth is misinformation. But what exactly is misinformation and is it harmful? Why does misinformation spread so easily in today's digital environment? How can we navigate the online ecosystem? What skills do we need? Educators from across the country have had to confront the increase in misinformation and its influence, and are now teaching students media literacy and how to distinguish between fake and real news. This workshop will explore how journalists, educators, and the law are responding to and shaping the media world that we live in, each and every day.

Learning Objectives—participants will be able to:

1. Discuss media literacy and its importance in understanding news and news-making in today's global media culture;
2. Identify misinformation and its influence on youth;
3. Discuss ways in which to reduce false stories from spreading; and
4. Learn how your lifelong relationship with media can make a difference.

**Matthew Green**, *Producer/Editor, KQED Education*

**Michele Johnsen**, *Fellow, Center for Media Literacy*

**Jevin West, PhD**, *Assistant Professor, Information School, University of Washington*

**TUESDAY, DECEMBER 19, 2017**

**11:00 A.M.–1:00 P.M.**

**LUNCH, WELCOME, AND PLENARY**

## **Welcome**

**Charlene Depner**, *Director, Judicial Council’s Center for Families, Children & the Courts*

## **Opening Remarks**

**Martin Hoshino**, *Administrative Director, Judicial Council of California*

**Hon. Carolyn Caietti**, *Judge of the Superior Court of California, County of San Diego*

**Will Lightbourne**, *Director, California Department of Social Services*

## **Strengthening Foster Care Through Excellent Parenting**

◆ MCLE CRC 5.660(d), 5.664

The national Quality Parenting Initiative (QPI) works with states, counties, courts and communities to ensure that every child who is removed from home receives the love, nurturing, advocacy, and support he or she needs for healthy development. Key to QPI is increasing the number of committed families, including kin, who can parent these children, supporting excellent parenting and ensuring that every family can and does meet the child’s needs. In California, QPI has proven to be an effective tool in engaging the courts, child welfare, probation, and all partners in Continuum of Care Reform implementation and developing results-oriented approaches at the level of counties and communities.

### Learning Objectives—participants will be able to:

1. Define the roadblocks to implementing Continuum of Care Reform (CCR) in California;
2. Define the principles of the Quality Parenting Initiative; analyze the issues that CCR implementation faces in their communities; and
3. Understand the importance of engaging all stakeholders, including the courts, in implementation.

**Jennifer Rodriguez**, *Executive Director, Youth Law Center*

**TUESDAY, DECEMBER 19, 2017**  
**1:15–2:45 P.M.**  
**CONCURRENT WORKSHOPS 1**

**1A. California Department of Corrections and Rehabilitation Youthful Offender Program**

◆ MCLE ◆ STC ✕ CIMCE

On July 1, 2015, the California Department of Corrections and Rehabilitation (CDCR) established a Youthful Offender Program (YOP) which allows, through an assessment, youth entering the prison system an opportunity to participate in special programming which will help them successfully transition back into society. Youth in the YOP receive a lower security level or placement, permitting increased access to programs that encourage the youth offender to commit to positive change and self-improvement with the goal of successfully reintegrating back into society.

Learning Objectives—participants will be able to:

1. Describe special programs offered to in-custody youth by the California Department of Corrections and Rehabilitation;
2. Review the eligibility requirements for the Youth Offender Program; and
3. Discuss the effectiveness of the Youth Offender Program to reduce recidivism among young offenders.

*Lisa Ellis, Correctional Counselor II Specialist, California Department of Corrections and Rehabilitation*  
*Captain Chris MacDonald, California Department of Corrections and Rehabilitation*

**1B. College Resources and Support for Foster Youth: Turning Dreams Into Degrees**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.518, 5.664

It is well established that postsecondary education is a crucial gateway to financial security and overall well-being. This workshop covers all the need-to-know facts about how to guide and support foster youth to prepare for college, help them to understand the different postsecondary educational options, ensure they obtain maximum financial aid, and assist them in securing the substantial on-campus supports available to them. Many former foster youth are succeeding in obtaining college degrees and creating successful lives and with the information provided in this workshop, it is possible to ensure that every former foster youth succeeds.

Learning Objectives—participants will be able to:

1. Identify strategies for helping youth get on a postsecondary education track early to prepare them for college;
2. Explain the range of postsecondary educational options and accessibility for foster youth;
3. Identify legal statutes, legislation, regulations, and case law pertaining to foster youth and postsecondary education; and

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

*Uniting for a Better Future*

4. Perform strategies for connecting youth to campus support staff.

**Brendan Doyle**, *Student*

**Jessica Petrass, LCSW**, *Project Manager, John Burton Advocates for Youth*

**Daniella Tafoya**, *Student*

### 1C. Delinquency Legal Update

◆ MCLE ◆ STC ✕ CIMCE CRC 5.664

This session summarizes new case law relevant to delinquency and provides an overview of significant appellate and Supreme Court cases affecting delinquency law and policy.

Learning Objectives—participants will be able to:

1. Assess legislative changes and new case law;
2. Identify significant appellate and state Supreme Court cases; and
3. Describe significant legal changes in 2017.

**LaRon Dennis**, *Supervising Deputy District Attorney, Santa Clara County District Attorney's Office*

**Hon. Sean P. Lafferty**, *Judge of the Superior Court of California, County of Riverside*

**Hon. Mark Petersen**, *Judge of the Superior Court of California, County of Riverside*

### 1D. Domestic Violence in Dependency Court: What Judges and Attorneys Should Know

◆ MCLE \* BBS ✕ CIMCE CRC 5.210, 5.215, 5.225, 5.230, 5.242, 5.518, 5.660(d), 7.1101, 10.464, 10.478

Beyond substance abuse and mental illness, domestic violence is one of the most prevalent factors bringing a family into the dependency system. Because of the high incidence of domestic violence across the population, and because of the substantial correlation between domestic violence and actual abuse or risk of abuse of children, both dependency judges and dependency attorneys must frequently address issues of domestic violence. This course will focus on the important dependency cases addressing domestic violence as a basis for jurisdiction and removal, reasonable efforts to prevent removal, reasonable services, restraining orders issued under the Welfare and Institutions Code, and related issues. This course will also address advocacy and trial strategies when representing victims of domestic violence in a dependency case.

Learning Objectives—participants will be able to:

1. Discuss and compare significant dependency cases involving domestic violence as a basis for jurisdiction and removal;
2. Discuss and compare significant dependency cases involving the issuance of restraining orders pursuant to section 213.5 of the Welfare and Institutions Code;

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

*Uniting for a Better Future*

3. Analyze reasonable efforts/services in the context of domestic violence situations, and domestic violence in a dependency case; and
4. Identify advocacy and trial strategies to use when representing a victim of domestic violence in a dependency case.

**Hon. Leonard Edwards (Ret.)**, *Judge of the Superior Court of California, Count of Santa Clara*

**Anya Emerson**, *Staff Attorney, Family Violence Appellate Project*

### **1E. Indian Child Welfare Act: the California ICWA Compliance Task Force Report Findings and Implementation**

◆ MCLE ✕ CIMCE CRC 5.660(d), 7.1101, 10.478

On March 21, 2017, the California ICWA Compliance Task Force presented their final report to the California Attorney General. The task force report is the culmination of listening sessions, surveys, telephone interviews, and discussions with California and out-of-state tribal leaders and Indian Child Welfare advocates. The task force report identifies a number of areas of concern with respect to California's compliance with the requirements of the Indian Child Welfare Act and makes recommendations to address these concerns. In this session panelists will explore the task force findings and recommendations, and present different viewpoints on ICWA compliance in California. Panelists will discuss some of the ongoing challenges to ICWA compliance as well as options to address these challenges and concerns.

Learning Objectives—participants will be able to:

1. Explain areas of ICWA noncompliance in California;
2. Analyze their current practices to determine ICWA compliance; and
3. Demonstrate an ability to revise their practices to comply with ICWA requirements.

**Hon. Abby Abinanti**, *Chief Judge, Yurok Tribal Court*

**Heather Hostler**, *Director, Office of Tribal Affairs, California Department of Social Services*

**Hon. Mark Juhas**, *Judge of the Superior Court of California, County of Los Angeles*

**Will Lightbourne**, *Director, California Department of Social Services*

**Michael L. Newman**, *Director, Bureau of Children's Justice*

**Delia M. Sharpe**, *Executive Director, California Tribal Families Coalition*

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.



## **1F. Lessons from Los Angeles’ 18 and Up Court: Navigating the NMD Process and Serving Transition-Aged Youth**

◆ MCLE \* BBS ✕ CIMCE CRC 5.210, 5.225, 5.518, 5.660(d)

According to the National Council of Family and Juvenile Court Judges, transitioning out of foster care is challenging for young adults without a support system. These vulnerable young women and men disproportionately end up homeless, drug addicted, and/or in the criminal justice system. The Superior Court of Los Angeles County’s “18 & Up Court,” which has seen 2,500 youth in the first year, handles the majority of cases for the 18-to 21-year-old youth in extended foster care by collaborating with government agencies, the innovative Peer Advocate Program, and community and service organizations to provide services to help young adults successfully transition out of foster care.

Learning Objectives—participants will be able to:

1. Describe key components of the Los Angeles 18 & Up Court and services available in the community to Nonminor Dependents (NMDs);
2. Discuss the effectiveness of the specialized 18 & Up Court; and
3. Describe how NMDs are helped by extended foster care when cases are properly handled.

**Deborah Hale**, *Principal Deputy County Counsel, Los Angeles County Counsel’s Office*

**Hon. Margaret Henry**, *Judge of the Superior Court of California, County of Los Angeles*

**Jennifer Lorson**, *Supervising Attorney, Children’s Law Center*

**Rosalee Villalobos-Conger**, *Resource and Support Supervisor, Children’s Law Center*

## **1G. Multidisciplinary Overview of Psychotropic Medication for Children and Youth in Foster Care and Out-of-Home Placements**

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.660(d), 5.664, 10.478

This workshop provides a multidisciplinary overview of recent legislation affecting the use of psychotropic medications for foster children including perspectives of a dependency attorney, a juvenile court judge, a public health nurse, a former foster youth, and one of the sponsors of the legislation. Panelists from several counties will discuss implementation of the rules and new forms in their jurisdictions. Data—from Medi-Cal, CWS/CMS, and one or more county courts—assessing the impact of the implementation of the laws and rules on court authorizations of medication will be presented. The audience will be given sample JV-220 forms (Application of Psychotropic Medication) and some of the other new related forms, and asked to discuss the adequacy of the sample applications and identify ways in which the request might be improved. Methods for improving the oversight of children on the medications will be discussed.

Learning Objectives—participants will be able to:

1. Describe their own role and the role of other professionals in the court authorization process;

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

*Uniting for a Better Future*

2. Articulate the process by which foster youth are administered psychotropic medications, as well as drawbacks present in our current system;
3. Become familiar with the circumstances under which a foster youth is overmedicated with psychotropic medication, as well as the means through which such overmedication can be reduced; and
4. Analyze JV-220 forms for psychotropic medication authorization and identify areas for improvement.

**Hon. Jerilyn Borack**, *Judge of the Superior Court of California, County of Sacramento*

**Susan Bullard, RN, PHN, CLNC**, *Foster Care Public Health Nurse, Madera County Health Department*

**Jessie Conradi**, *Equal Justice Works Fellow, East Bay Children's Law Offices*

**Bill Grimm**, *Directing Attorney, National Center for Youth Law*

### **1H. Probate Guardianships 101**

◆ MCLE ✕ CIMCE CRC 5.242, 7.1101, 10.478

This workshop is an opportunity to be trained in the practice, procedure, and advocacy skills needed to represent a petitioner in proceedings to appoint a guardian of the person for a minor child (no estates). Guardianships are often needed when parents are deceased, uninvolved, incarcerated, or unwilling to continue to care for their child. The presenters will also give tips on representing or assisting a parent who objects to the appointment of a guardian for his or her child.

Learning Objectives—participants will be able to:

1. Identify and address legal and factual issues that arise frequently in probate guardianship proceedings by applying the appropriate legal standards for both contested and uncontested guardianship petitions;
2. Avoid the 5 most common errors made when completing Judicial Council forms for appointment of a guardian;
3. Identify the persons legally entitled to notice and service in the proceedings, and the appropriate methods of service; and
4. Draft a sufficient declaration of diligent search if a parent or other person entitled to notice cannot be located and served.

**Erikson Albrecht**, *Directing Attorney, Bet Tzedek Legal Services*

**Timothy Bischel**, *Staff Attorney, Superior Court of California, County of San Diego,*

*Family Law Facilitator's Office, Guardianship Assistance Program*

**Leslie Mackay**, *Staff Attorney, San Diego Volunteer Lawyer Program*

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **1I. Safety Organized Practice: Deepening Collaboration Between Court Partners and Child Welfare**

\* BBS ✕ CIMCE CRC 5.518, 5.660(d), 7.1101, 10.478

The workshop will provide an opportunity for an in-depth look at the language, strategies, and tools used in the implementation of SOP, and the steps taken to build collaboration among partners, particularly judicial staff, attorneys, and stakeholders.

### Learning Objectives—participants will be able to:

1. Implement effective strategies and science to support new practice in child welfare;
2. Recognize the value and outcomes of ongoing collaboration between court, stakeholders, and CWS staff;
3. Identify and learn to avoid gaps between implementation, training, innovation, and transfer of learning; and
4. Minimize stakeholder skepticism and build opportunities for stronger partnerships among all stakeholders.

**Pamela Grothe, MBA**, *Human Services Senior Program Manager, Ventura County Human Services Agency*

**Amoreena Jaffe**, *County Consultant, Academy for Professional Excellence, Public Welfare Training Academy*

**Lisa Witchey**, *Chief, Resource Development and Training Support Bureau, California Department of Social Services*

**Andrew Wolf**, *Attorney at Law, Law Office of Andrew Wolf*

## **1J. Seeing the Invisible: Identifying and Meeting the Legal Needs of Youth Experiencing Homelessness**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.518, 5.660(d), 7.1101, 10.478

This session explores how to better identify the often hidden population of court-involved youth experiencing homelessness and the civil legal resources available to better support them. The session will focus on applicable substantive law and practical tools available to better support homeless youth including how to build comprehensive civil legal services by leveraging publicly available funding streams and working collaboratively with court-appointed attorneys, civil advocates, probation and child welfare workers, the private bar, and the courts. Facilitators will also provide an overview of innovative best practices models using technology for data tracking, and to support screening and identification of both youth experiencing homelessness and the civil legal supports to which they are entitled.

### Learning Objectives—participants will be able to:

1. Define best practices regarding screening youth for homelessness;
2. Identify comprehensive civil legal services for homeless youth;
3. Recognize how technology can be leveraged to better serve youth experiencing homelessness; and

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

*Uniting for a Better Future*

4. Describe civil legal needs for homeless youth.

**Juliette Benton**, *Legal Operations Associate, Google, Inc.*

**Brian Blalock**, *Law & Policy Director, Tipping Point Community*

**Erin Palacios**, *Staff Attorney/Project Coordinator, Bay Area Legal Aid–Youth Justice Project*

**Angela Vigil**, *Partner and Pro Bono Executive Director, Baker & McKenzie*

### 1K. Using Civic Learning to Create Positive Outcomes for Youth

◆ STC ✕ CIMCE

This session will examine tools to engage youth in school and prepare them for life in the community. It will introduce research on civic learning, which is emerging as a valuable resource in working with youth. You will hear from judicial officers who are bringing more civic learning into their courts, their local schools, and their communities. And you will receive practical resources and tips for using civic learning in your setting. In addition, this is an opportunity to learn about the Chief Justice’s Civic Learning Initiative and how you can become involved.

Learning Objectives—participants will be able to:

1. Learn about research-based outcomes for youth involved in civic learning;
2. Learn about research-based best practices in civic learning;
3. Gain practical resources and tools for connecting youth with civic learning opportunities; and
4. Understand the Chief Justice’s Civic Learning Initiative.

**Hon. Kristen Lucena**, *Judge of the Superior Court of California, County of Butte*

**Hon. Charles Smiley**, *Judge of the Superior Court of California, County of Alameda*

**Hon. Joan Weber**, *Judge of the Superior Court of California, County of San Diego*

### 1L. What to Do When Judicial Misconduct Impacts Your Clients or Self-Represented Litigants

◆ MCLE ✕ CIMCE

The Commission on Judicial Performance investigates complaints of judicial misconduct and disciplines judges statewide. Learn more about what constitutes judicial misconduct, particularly in family and civil matters where people are self-represented, have language access barriers, or believe the bench officer is biased. What do you do as an attorney, social worker, or other service provider when working with clients experiencing these issues? What can you do as a judge to avoid these situations?

Learning Objectives—participants will be able to:

1. Identify what may be judicial misconduct;

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

*Uniting for a Better Future*

2. Identify appropriate referrals for a litigant who may have experienced judicial misconduct; and
3. Explain the basic process that the Commission on Judicial Performance uses for its review.

**Hon. Ignazio Ruvolo**, *Chair, Commission on Judicial Performance*

**Rick Simpson**, *Vice-Chair, Commission on Judicial Performance*

### **1M. Youth Track—Incarcerating Our Youth: the Case of Kalief Browder (*Open to Youth*)**

With no evidence to link him to the crime, Kalief Browder was accused of stealing a backpack in 2010. Despite the fact that there was no evidence to prove this crime, Kalief was sent to Riker’s Island where he spent over two years in solitary confinement, after which he was repeatedly assaulted by guards and other prisoners. Kalief was only 16 years old. Three years later, unable to find the complainant who initially accused Kalief, he was released from prison. After his release from prison and without receiving any services for the trauma he endured while there, tragically, Kalief took his own life in 2015.

As both activist and older brother, Akeem Browder has created the Kalief Browder Foundation, Demand Justice and continues to speak out around the country in the hope of changing the system and protecting against the harmful effects of youth incarceration.

Learning Objectives—participants will be able to:

1. Be aware of how race and poverty play a role in how decisions are made in the incarceration of African Americans;
2. Discuss the negative influence that prison has on youth who are incarcerated; and
3. Explore possible solutions to changing the system.

**Akeem Browder**, *Founder & Executive Director, Kalief Browder Foundation*

**Madison Laster**, *CAYC Youth Advisory Board Chair, California Association of Youth Courts*

**TUESDAY, DECEMBER 19, 2017**

**3:00–4:30 P.M.**

**CONCURRENT WORKSHOPS 2**

### **2A. Collateral Consequences of Fines and Fees on Adults, Juveniles, and Their Families**

◆ MCLE ◆ STC ✕ CIMCE CRC 5.664

Over the years, fines and fees for people involved in the juvenile and adult criminal justice system have increased, passing costs associated with local and state funding reductions to the poor and people of color. In addition to fines and fees, the cost of a phone call originating from within jails and prisons and travel to visit

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

an incarcerated family member adds to the financial burden. Recently, the unintended/collateral consequences of fines and fees has received media attention following the U.S. Department of Justice report from Ferguson, Missouri, which detailed the disproportionate burden of fees and fines on the poor and African Americans.

This session will explore the unintended consequences of fines and fees, and steps California courts and others have taken (or have planned) to address the issue and concern.

#### Learning Objectives—participants will be able to:

1. Identify the scope of fines and fees on adults, juveniles, and their families;
2. Explain the collateral and unintended consequences of fines and fees on the poor and people of color; and
3. Describe national and statewide efforts and initiatives underway to reduce or eliminate fines and fees.

**Beth Colgan**, *Assistant Professor of Law, University of California Los Angeles, School of Law*

## **2B. Drug Courts: Where Will We Be in Ten Years?**

◆ STC ✕ CIMCE

Since their inception in 1989, drug courts have evolved in a spectrum of judicially supervised treatment programs that serve addiction, mental illness, posttraumatic stress disorder, co-occurring disorders, family issues, juvenile needs, homelessness, and more. Nationally, a medical model approach is receiving more and more attention and prison reforms continue to be enacted. In California, collaborative justice courts have received legislative support and have experienced changes as a result of the state's voter initiative process. Throughout this time period, collaborative courts have refined standards, established best practices, and remained focused on outcomes that impact incarceration rates and crime statistics.

#### Learning Objectives—participants will be able to:

1. Review a brief history of what has taken place during the past 28 years;
2. Identify the pressures and trends that influence decisionmaking and resource availability for collaborative courts nationally and in California;
3. Focus on the core value and importance of therapeutic jurisprudence and how it will continue to be a key instrument of positive outcomes for our identified populations during the next 10 years; and
4. Develop strategies to prepare for the future.

**Carson Fox**, *Chief Executive Officer, National Association of Drug Court Professionals*

**Mack Jenkins**, *Senior Policy Advisor, The Council of State Governments Justice Center*

**Hon. Stephen Manley**, *Judge of the Superior Court of California, County of Santa Clara*

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **2C. Eliminating Racial Disproportionality in School Discipline**

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.660(d), 5.664

Public Counsel and the Loyola Marymount Center for Urban Resilience will lead participants in an engaging and interactive workshop discussing school discipline and the school-to-prison/deportation pipeline. Participants will explore data and research about racial disproportionality in discipline and learn about prevention-focused, nonpunitive school climate strategies that—when implemented with fidelity—reduce and eliminate racial disproportionality, engage all students, and improve life outcomes. Participants will receive a free copy of Public Counsel’s *Fix School Discipline Toolkit*, a comprehensive school climate guide that includes overviews of evidence-based frameworks—such as restorative practices, school-wide positive behavioral interventions and supports, social emotional learning, and trauma-informed strategies—tools for implementation, and case studies of schools/districts at varying stages of implementation.

Learning Objectives—participants will be able to:

1. Orient participants to the current landscape of school discipline practices and their impact on student outcomes;
2. Familiarize participants with alternative dispute resolution options; and
3. Empower participants to engage in positive shifts toward restorative alternatives to exclusionary school discipline policies.

**Schoene Mahmood**, *Restorative Justice Specialist, Loyola Marymount University Center for Urban Resilience*  
**Ashleigh Washington**, *Legal Fellow, Public Counsel*

## **2D. Engaging Youth and Families in Court: How Effective Communication Can Motivate Change**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.518, 5.660(d), 5.664, 7.1101, 10.478

Youth often reflect that their experiences in court and with the court process were traumatizing. This workshop will provide guidance and tools towards creating more effective communication in and out of court that considers and respects trauma indicators so that youth can begin healing. All court partners including judges, attorneys, social workers, and probation officers need to be open to restructuring their current practices to address the youth and family needs presented by a particular case. By developing shared agreements, court partners can create accountability for all participants and motivate change for system-involved youth and parents.

Learning Objectives—participants will be able to:

1. Identify how to create a trauma-informed courtroom experience;
2. Utilize evidence-based practices and assessment tools to assess and address root causes of behavior; and

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

*Uniting for a Better Future*

3. Explore effective techniques and programs that motivate behavior changes through the engagement of youth and families.

**Hon. Rebecca Connolly**, *Judge of the Superior Court of California, County of Santa Cruz*

**Jacqueline Murrillo**, *Volunteer/Intern, Anti-Recidivism Coalition*

**Valerie Thompson**, *Assistant Chief Probation Officer, Santa Cruz County Probation Department*

### 2E. From Criminals to Victims: Los Angeles' Evolving Response to Commercially Sexually Exploited Children

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.518, 5.660(d), 5.664, 10.478

This session will describe how California's system reform efforts and innovative local practices together have contributed to a comprehensive and holistic response to Commercially Sexually Exploited Children (CSEC) in Los Angeles. It will highlight the state's groundbreaking CSEC survivor Advisory Board tasked with shaping state policy. It will also explore Los Angeles' (1) specialized courts, (2) new protocols created to identify and serve CSEC in juvenile hall that may have fallen through the cracks, and (3) support to victim witnesses when testifying against their traffickers.

#### Learning Objectives—participants will be able to:

1. Understand how statewide system reform efforts and innovative local practices together have contributed to a comprehensive and holistic response to CSEC victims in Los Angeles;
2. Understand promising practices to identify and serve commercially sexually exploited children, including the collaborative DREAM and STAR Courts, Detention Protocol, Victim Witness Protocol, and First Responder Protocol;
3. Understand the significance of centering survivors in the policy process, and having a model for structuring such leadership in their own states; and
4. Have access to Los Angeles' protocols used to outline and memorialize interagency collaboration.

**Jenny Cheung Marino**, *Firm Director-CLCLA4, Children's Law Center of California*

**Josie Feemster**, *Human Trafficking Specialist, Member of the CSEC Action Team Advisory Board*

**Kate Walker Brown**, *Director of Child Trafficking, National Center for Youth Law*

### 2F. Human-Centered Design: Designing for Our Court User's Experiences

\* BBS CRC 5.210, 5.225

- Do you communicate with members of the public as part of your job?
- Do you ever help create flyers, informational brochures, court forms, or other written materials for the public?

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.



## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

- Do you work for the courts?

If you answered “YES” to any of the above questions, then this session is for YOU. The session, “Designing for Our Court User’s Experiences,” focuses on incorporating human-centered design thinking into the day-to-day work of all court-related professionals. The goal is not only to improve communication with court users, it is also to reorient our entire way of thinking about the justice system so that our habit is to start and end every decision with the court user in mind. “Designing for our Court User’s Experiences” is a fun, interactive session with videos, creative exercises, and opportunity to practice some of the new skills learned.

#### Learning Objectives—participants will be able to:

1. Explore the concept of human-centered design;
2. Consider the court user’s perspective in day-to-day interactions;
3. Discuss strategies for improving written communications with court users; and
4. Identify creative ways for communicating with lower-literacy court users.

**Kyanna Williams**, Attorney, Judicial Council of California, Center for Families, Children & the Courts

## 2G. Improving Outcomes for Dual Status Youth

◆ MCLE ◆ STC ✕ CIMCE CRC 5.518, 5.660(d), 5.664

The California State Auditor’s Report detailing the state’s failure to properly document and track dual status youth has reignited the conversation about how counties should address the population of youth who come into contact with both the child welfare and juvenile justice systems. This workshop will highlight approaches to improving outcomes for these youth in counties with dual status youth protocols as well as in those that have not adopted dual jurisdiction. In addition, presenters will discuss Assembly Bill 1911, drafted in response to the Auditor’s report, which directs a working group of juvenile justice and child welfare stakeholders to consider questions related to identification of dual status youth, what outcomes should be measured, and how that data should be collected. This workshop will emphasize how to build relationships among stakeholders to create robust, successful multisystem practices to better serve these youth.

#### Learning Objectives—participants will be able to:

1. Summarize both foundational and recent research regarding risk factors and outcomes related to dual status youth;
2. Recognize the unique statutory structure regarding dual status youth in California and the legislative history and recent developments aimed at improving outcomes for these youth;
3. Identify recommended practices for improving dual status youth outcomes in counties with a dual status protocol and in those without;
4. Consider challenges particular to dual status youth cases and understand strategies jurisdictions have employed to overcome these challenges; and

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

5. Assess their own jurisdiction's approach to dual status youth, recognizing areas for enhancement or new practice.

**Hon. Carolyn Caietti**, *Judge of the Superior Court of California, County of San Diego*

**Kevin Gaines**, *Digital Service Director, Child Welfare Digital Service, California Department of Social Services*

**Jessica Heldman**, *Associate Executive Director, Robert F. Kennedy National Resource Center for Juvenile Justice*

## 2H. Rapid Response Needed: Ensuring Access to Justice for Immigrant Families

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.215, 5.225, 5.230, 5.242, 7.1101, 10.464 [.5 hours], 10.478

This session will provide an overview of the challenges facing immigrant community members as they seek access to justice in California state courts in an environment of heightened federal immigration enforcement. The fear of immigration enforcement activities at local courthouses has made immigrant crime victims or witnesses reluctant to participate in the judicial process. Attendees will hear from members of a local court/community task force about measures available to ensure safe access to justice for all in California courts.

### Learning Objectives—participants will be able to:

1. Understand the legal and social challenges facing our immigrant community members in an era of increased enforcement;
2. Assess local efforts to provide access to justice for immigrant victims, witnesses, and other community members; and
3. Develop tools and strategies for increasing access to justice for immigrant victims, witnesses, and other community members.

**William Birnie**, *Deputy County Counsel, Los Angeles County Counsel's Office*

**Michael Kaufman**, *Senior Staff Attorney, American Civil Liberties Union of Southern California*

**Lindsay Toczylowski**, *Executive Director, Immigrant Defenders Law Center*

## 2I. Recognizing the Needs of Multiracial Children and Families in the Child Welfare and Juvenile Justice Systems: a Social Work/Policy, Medical, and Legal Perspective

◆ MCLE/Bias \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.518, 5.660(d), 5.664

Does a single race approach effectively meet the needs of multiracial children and families in the child welfare and juvenile justice systems? According to the United States Census Bureau, the last census in 2010 showed that people who reported multiple races grew by a larger percentage than those reporting a single race. For the first time in U.S. history, in the 2000 Census questionnaire, people were given the option to self-identify

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

with more than one race. The examination of data from the 2000 and 2010 censuses provides the first comparisons on multiple-race combinations in the United States.

#### Learning Objectives—participants will be able to:

1. Identify how standard racial classifications can adversely influence service delivery to biracial and multiracial youth and families;
2. Identify how phenotypical characteristics (how we look) can reinforce negative stereotypes and generalizations;
3. Be aware of how the cultures of organizations can impede interagency collaboration; and
4. Have an interactive discussion on the roles of attorneys, CASA volunteers, judges, medical professionals, social workers, probation officers, and other stakeholders, in meeting the unique needs of these children and families.

**Dara Nunn**, *Nurse Practitioner, Children’s Hospital, Los Angeles*

**Diane Nunn**, *Judicial Liaison, National Court Appointed Special Advocate Association*

**Joseph Nunn**, *Department Vice-Chair and Director of Field Education Emeritus, University of California, Los Angeles*

## **2J. Reducing Unplanned Pregnancy for Youth in Foster Care: New Rules and Tools**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.660(d)

By age 19, almost 50% of young women in California's foster care system will have been pregnant at least once; yet about 2/3 report their most recent pregnancy was not wanted. Foster youth can face barriers obtaining the sexual and reproductive health education and care to which they are entitled. In this workshop, the panel will present the latest data on sexual and reproductive health outcomes for youth and describe some of the historical barriers that have led to such outcomes. The panel then will review the newest law and guidance from CDSS and describe how some counties are responding. Finally, the panel will address the specific role that judges, caseworkers, caregivers, advocates, and others can play supporting youth so that they can realize their reproductive health decisions.

#### Learning Objectives—participants will be able to:

1. Describe the most recent data on unplanned pregnancy among youth in foster care in California;
2. Summarize new laws and key provisions of the new CDSS guidance regarding the obligations of and opportunities for different agencies and individuals to support provision of sexual and reproductive health services to foster youth; and
3. Describe innovative county implementation efforts and identify strategies stakeholders can play in supporting foster youth access to desired care and information.

**Hon. Gassia Apkarian**, *Judge of the Superior Court of California, County of Orange*

**Sarah Davis**, *Staff Manager, California Department of Social Services*

**Donna Fernandez**, *Children’s Services Administrator III, Los Angeles County Department of Children and Family Services*

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

*Uniting for a Better Future*

**Rebecca Gudeman**, *Senior Director, Health, National Center for Youth Law*

**Elizabeth Whitney Barnes**, *Consultant, EWB Consulting on behalf of the National Campaign to Prevent Teen and Unplanned Pregnancy*

### **2K. Staying Safe: Housing Rights and Challenges for Domestic Violence Victims**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.215, 5.225, 5.230, 5.242, 7.1101, 10.464

As real estate prices increase in California, victims of domestic violence are finding it increasingly difficult to find suitable housing that can mean the difference between staying in an abusive relationship and separating safely. In this session, participants will learn about: current housing challenges for domestic violence victims; federal housing rights and benefits available to domestic violence victims; and how informal and formal systems can act to help victims overcome barriers to safe housing.

Learning Objectives—participants will be able to:

1. Recognize the link between domestic violence and homelessness/threat of homelessness;
2. Identify challenges victims face in finding temporary and permanent housing;
3. Identify federal housing rights and benefits available to domestic violence victims; and
4. Discuss the role that informal and formal systems play in helping victims overcome housing challenges.

**Elizabeth Eastlund**, *Executive Director, Rainbow Services*

**Karlo Ng**, *Supervising Attorney, National Housing Law Project*

### **2L. The Devil in the Details: Race and the Use of Algorithms to Guide Decisionmaking**

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.242, 5.518, 5.660(d), 5.664, 7.1101, 10.478

This workshop will explore the growing popularity of algorithms as decision-supported tools for everything from criminal sentencing to assessing the risk that a child will be a victim of severe abuse or neglect. The use of algorithms in risks and needs assessment tools is generally touted as reducing biased decisionmaking and ensuring fair and equitable punishment; however, algorithms are not a panacea to bias based on race and socioeconomic status. Faculty will discuss the importance of understanding how algorithms are created and what criteria are used to determine risk.

Learning Objectives—participants will be able to:

1. Discuss how algorithms may lead to racially and socioeconomically biased outcomes;
2. Articulate how algorithms may improve sentencing and risk assessments; and
3. Formulate an argument against the applicability of an algorithm in a specific case.

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

*Uniting for a Better Future*

**Alexandra Chouldechova, PhD**, *Assistant Professor of Statistics and Public Policy, Heinz College of Information Systems and Public Policy, Carnegie Mellon University*

**David A. D'Amora, MS, LPC, CFC**, *Director, Special Projects, Senior Advisor, Council of State Governments Justice Center*

**Hon. Trina Thompson**, *Judge of the Superior Court of California, County of Alameda*

### **2M. What Were They Thinking?! The Nuts and Bolts of Adolescent Brain Development**

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.660(d), 5.664, 7.1101, 10.478

Few issues challenge a society's ideas about both the nature of human development and the nature of justice as much as serious juvenile crime. The unexpected intersection between childhood and criminality creates a dilemma that most people find difficult to resolve. Do we consider young offenders still to be children, despite egregious behavior, or do we declare that such behavior demands we redefine the offenders as adults? There has been a remarkable expansion of scientific knowledge relevant to adolescent development and juvenile justice over the past decade. The goal of this session is to provide a summary of what is known in developmental research and how it should influence juvenile justice practice and policy—specifically in the realms of brain development, cognitive development, and psychosocial/socio-emotional development.

Learning Objectives—participants will be able to:

1. Identify the developmental differences between adults and juveniles;
2. Recognize the ways in which underdeveloped psychosocial/socio-emotional responses contribute to delinquent behavior; and
3. Discuss developmentally appropriate consequences for juvenile offenders.

**Elizabeth Cauffman, PhD**, *Professor of Psychology & Social Behavior, University of California, Irvine*

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

**TUESDAY, DECEMBER 19, 2017**  
**4:45–5:30 P.M.**  
**PLENARY**

**Introduction**

**Millicent Tidwell**, *Chief Deputy Director, Judicial Council of California*

**Restorative Justice: a New Paradigm for Social Transformation**

◆ MCLE

Following the loss of his only son Tariq in 1995 to a senseless, gang-related murder, Azim chose the path of forgiveness and compassion rather than revenge and bitterness, leading to the establishment of the Tariq Khamisa Foundation. In this presentation, Azim will discuss how punitive justice gives way to “Restorative Justice,” a pathway that converts offenders into productive citizens and allows for the restoration of individuals rather than their continued punishment. Azim will also discuss how reformed offenders are a unique resource to society since they can teach younger people to make better, nonviolent choices.

Learning Objectives—participants will be able to:

1. Understand concepts and principles of the restorative justice model;
2. Identify how restorative justice benefits society and promotes non-violence; and
3. Understand how restorative justice works both to restore offenders and to heal victims through forgiveness and compassion.

**Azim Khamisa**, *Founder, Tariq Khamisa Foundation*

**TUESDAY, DECEMBER 19, 2017**  
**7:00–9:00 P.M.**  
**FILM SCREENING: *TRIBAL JUSTICE***

\* BBS ✕ CIMCE CRC 5.210, 5.225, 7.1101

*Tribal Justice* is a documentary feature about a little-known, underreported, but effective criminal justice reform movement in America: the efforts of tribal courts to create alternative systems of justice. There are more than 300 tribal courts across the country. In California, two formidable women lead the way. Abby Abinanti, Chief Judge of the Yurok Tribe on the north coast, and Claudette White, Chief Judge of the Quechan Tribe in the southern desert, are creating innovative systems that focus on restoring rather than punishing offenders in order to keep tribal members out of prison, prevent children from being taken from their communities, and stop the school-to-prison pipeline that plagues their young people.

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

Enjoy a screening of this highly acclaimed documentary and a panel discussion with Judge Abby Abinanti, Chief Judge of the Yurok Tribal Court, and Judge Claudette White, Chief Judge of the Quechan Tribal Court, the two tribal courts featured in the film, and Judge Juan Ulloa, Juvenile and Family Law Presiding Judge, Superior Court of California, County of Imperial, one of the state court judges who collaborate with them.

#### Learning Objectives—participants will be able to:

1. Recognize that tribes are sovereign nations;
2. Describe the similarities or differences between tribal courts and state courts;
3. Discuss the significance of tribal courts' traditional methods of healing, prevention, therapeutic programs, restorative justice, and importance within the tribal community;
4. Assess their own agency's practices for outreach and partnering with tribal communities; and
5. Recognize how to work with American Indian/Alaska Native families in a culturally respectful manner.

**Hon. Abby Abinanti**, *Chief Judge, Yurok Tribal Court*

**Hon. Juan Ulloa**, *Judge of the Superior Court of California, County of Imperial*

**Hon. Claudette White**, *Chief Judge, Quechan Tribal Court*

**WEDNESDAY, DECEMBER 20, 2017**

**7:00–8:00 A.M. BREAKFAST**

**8:00–9:00 A.M. PLENARY**

### **Introduction**

**Hon. Tricia Bigelow**, *Presiding Justice of the Courts of Appeal, Second Appellate District, Division Eight*

### **Two Perspectives on the Prospects for Criminal Justice Reforms Affecting Young People**

◆ MCLE

This unique two-part plenary brings together perspectives on criminal and juvenile justice system reform, with a particular focus on the impact on young people. The first part will provide a former prosecutor's view of the current approach to young offenders and a vision for a better justice system. The second part will be a dialogue on reform options and opportunities with a focus on race and the experiences of youthful offenders, informed by the concrete knowledge of someone personally impacted by the criminal justice system and now leading reform efforts.

#### **Part I**

##### **A Prosecutor's Vision for a Better Justice System**

In his TED Talk, Adam Foss, a former prosecutor with the Suffolk County District Attorney's Office in Boston, suggests that, when a kid commits a crime, the US justice system has a choice: to either prosecute to the full extent of the law, or take a step back and ask whether saddling young people with a criminal record is always

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

the right thing to do. Here, he makes the case for a reformed justice system that replaces wrath with opportunity, changing young people's lives for the better instead of ruining them.

#### Part II

#### **The Case of Kalief Browder: A Conversation on Race and the Justice System between Akeem Browder and Adam Foss**

The story of 16-year-old Kalief Browder—held for three years on Rikers Island for a crime he did not commit, due to his inability to pay bail—is illustrative of the need for a reformed justice system. Akeem Browder, Kalief's brother, and Adam Foss will discuss the role played by race, institutionalized racism, charging decisions, and poverty in the mass incarceration of young African Americans, and the possibilities for reform at the grassroots and in state and federal policy.

#### Learning Objectives—participants will be able to:

1. Describe steps to improve outcomes and prevent mass incarceration of young people;
2. Identify the collateral impact of arrests, housing youth with adults, charging decisions, and bail on families and communities;
3. Identify existing criminal and juvenile justice practices that exacerbate racial and ethnic disparities in experiences and outcomes; and
4. Discuss effective criminal and juvenile justice reform practices.

**Akeem Browder**, *Founder & Executive Director, Kalief Browder Foundation*

**Adam Foss**, *Founder, Prosecutor Impact*

**WEDNESDAY, DECEMBER 20, 2017**

**9:15–10:45 A.M.**

**CONCURRENT WORKSHOPS 3**

#### **3A. Collaborative Courts Self-Assessments: the Key to Survival**

\* BBS ♦ STC ✕ CIMCE

This session presents an overview of self-assessment tools that are used by Juvenile Drug Courts, Family Dependency Drug Courts and Recovery-Oriented Drug Courts. Using these tools that systematically look at program goals, challenges and successes, workshop leaders will address best practices and national standards and a review of the tools, technology (web-based) and structure needed to ensure positive outcomes including training needs and identification of valuable service system enhancements.

Each tool is unique and all contribute to identifying:

- current practices;
- types of training and technical assistance needed to improve practices and technology transfer; and
- changes and outcomes through the use of data and evaluation.

♦ MCLE \* BBS © PSY ♦ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.



## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

Time will be focused on both the process of conducting self-assessments and on how to maximize the resulting information to increase program outcomes and to educate team members, key players and the community at large regarding collaborative justice court effectiveness.

#### Learning Objectives—participants will be able to:

1. Recognize various self-assessment tools and peer review practices;
2. Tie the self-assessment process to nationally accepted Best Practice Standards and the Ten Key Components;
3. Garner information on how to use self-assessment tools to identify systems needs requiring attention;
4. Learn from collaborative court teams that have utilized self-assessment tools and the resulting outcomes;
5. Generate uses for self-assessment outcomes to communicate about collaborative court effectiveness with local elected officials and the general public; and
6. Develop strategies to implement use of self-assessment tools with their local collaborative court teams and strengthen local networks to support program participants.

**Phil Breitenbucher**, *Director, Children and Family Futures, Inc.*

**Noreen Plumage**, *Statewide Drug and DUI Court Coordinator, State Court Administrators Office, State of South Dakota*

**Terrence Walton**, *Chief Operating Officer, National Association of Drug Court Professionals*

### **3B. Ending Domestic Violence: Treating People Who Hurt Other People**

◆ MCLE/Bias \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.215, 5.225, 5.230, 5.242, 5.660(d), 7.1101, 10.464, 10.478

In the early 90s, California became the first state to mandate completion of a one-year batterer's intervention program for individuals convicted of domestic violence and eligible for probation. Now, batterer's intervention programs are used as a tool, not only by criminal judges, but also family law and juvenile judges to address domestic violence within a family. In this session, participants will learn about the basic components of a batterer's program, including: legal requirements of California's 52-week program, how clinical assessments are used as a tool, how certain elements of group therapy may be beneficial, and the difference between anger management and batterer's intervention classes.

#### Learning Objectives—participants will be able to:

1. Identify the goals of batterer's intervention programs and how they are accomplished;
2. Recognize the difference between anger management classes and batterer's intervention programs;
3. Discuss assessment techniques and how they are used to identify services that will address the individual's specific needs (e.g., mental health services, veterans' services, housing); and
4. Identify tools that judges and providers can use to assess the effectiveness of treatment.

**Alyce LaViolette**, *Psychotherapist/Trainer/Expert Witness/Consultant*

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

### **3C. Ensuring Equity and Protection for LGBTQ Youth in Juvenile Court**

◆ MCLE/Bias \* BBS ✕ CIMCE CRC 5.210, 5.225, 5.518, 5.660(d), 5.664, 7.1101, 10.478

This workshop provides, for child welfare stakeholders, practitioners or bench officers, a better understanding of the importance of considering youths' sexual orientation, gender identity, and gender expression in order to ensure equity for and protection of all youth who enter the child welfare system and how it impacts practice, system culture, and interaction with these youth.

#### Learning Objectives—participants will be able to:

1. Recognize a greater awareness that LGBTQ youth are entering the child welfare system, possibly without their awareness;
2. Learn to implement advocacy that will protect the youth's safety, due process, and rights to confidentiality by developing leadership among court partners in changing the culture of our system and practice; and
3. Apply best practices and decisionmaking to better represent and support LGBTQ youth.

**Hon. Denine Guy**, *Presiding Judge of the Superior Court of California, County of Santa Cruz*

**Rob Waring**, *Staff Attorney, East Bay Children's Law Offices*

### **3D. Entries to the Division of Juvenile Justice (DJJ): the Integrated Behavior Treatment Model**

◆ MCLE ◎ PSY ◆ STC ✕ CIMCE CRC 5.664

This workshop will discuss how DJJ incorporates the Integrated Behavior Treatment Model into the culture and continuum of care provided to youth committed to DJJ. The workshop will begin with a discussion of the role played by probation in preparing a youth for commitment to DJJ and will include discussion of the assessments and treatment provided by psychologists.

#### Learning Objectives—participants will be able to:

1. Describe DJJ's Integrated Behavior Treatment Model;
2. Discuss the steps the county probation department takes before commitment to DJJ;
3. Identify the components of DJJ's acceptance criteria;
4. Describe the individual treatment and services provided to youth; and
5. Discuss the steps the county Probation Department takes after commitment to DJJ, prior to release, and during community supervision.

**Chief Mark Bonini**, *Chief Probation Officer, Amador County Probation Department*

**Christienne Sanders**, *Associate Director, California Department of Corrections & Rehabilitation, Division of Juvenile Justice*

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

### **3E. Foster/Probation Education Toolkit for Professionals in Dependency and Delinquency Systems**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.518, 5.660(d)

After several years of successful implementation, and over 5,000 school district professionals trained with the Foster Youth Education Toolkit, the Alliance for Children’s Rights has developed a companion toolkit for use by all parties involved in supporting foster/probation youth educational success, including judges, social workers, probation officers, minor’s attorneys, public defenders, and attorneys for parents. For each subject area (for example, school of origin and immediate enrollment) the companion toolkit includes basics of education law, best practice guides, and sample tools such as hearing checklists, minute order and court report language, and informational worksheets which were all developed with input from the parties this is directed toward. This presentation will share highlights of the new toolkit, including an in-depth look at one section, as well as an inside perspective from a current judge and a foster youth about the need for tools like these in the courtroom and how to utilize them.

#### Learning Objectives—participants will be able to:

1. To access a new toolkit that will help them address the educational needs of youth they work with;
2. To identify the current laws and best practices in all key areas of education law as they pertain to foster and probation youth, with a particular emphasis on the rules of court that require certain actions to be taken regularly, but are routinely ignored; and
3. To put new sample language and forms into immediate use.

**Hon. Donna Q. Groman**, *Judge of the Superior Court of California, County of Los Angeles*

**Alaina Moonves-Leb**, *Education Attorney, Alliance for Children’s Rights*

**Former Youth**

### **3F. Immigration Law for Dependency Attorneys**

◆ MCLE \* BBS ✕ CIMCE CRC 5.210, 5.215 (.5 hours), 5.225, 5.230 (.5 hours), 5.518, 5.660(d), 7.1101, 10.464

This workshop will provide important information to dependency attorneys working with noncitizen clients (children and adults) in light of recent changes in federal immigration policy and enforcement priorities. We will focus on what happens when a parent is taken into custody by Immigration and Customs Enforcement (ICE), what responsibilities ICE has when detaining immigrants who have children in the U.S., and what responsibilities California child welfare agencies have when working with children whose parents have been detained. We will also discuss the potential immigration consequences to parents who have been involved in the child welfare system. Finally, we will review three common forms of immigration relief that may intersect with juvenile court involvement including (1) Special Immigrant Juvenile Status (SIJS), a form of federal immigration relief that depends on state judicial determinations about child welfare and custody; (2) U nonimmigrant status, a visa available for victims of violent crimes; and (3) T visas, a visa for victims of labor or sex trafficking.

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

*Uniting for a Better Future*

### Learning Objectives—participants will be able to:

1. Advocate with ICE and Child Welfare to ensure that children are protected to the maximum extent possible when their parents are detained by immigration enforcement authorities;
2. Advise parent clients of the possible immigration consequences of having allegations sustained in dependency court; and
3. Identify some common forms of immigration relief that children and parents in the child welfare system may qualify for.

**Rachel Prandini**, *Immigrant Youth Project Attorney, Immigrant Legal Resource Center*

**Cecilia Saco**, *Supervising Children’s Social Worker, Los Angeles County*

**Hayley Upshaw**, *Deputy Public Defender, San Francisco Public Defender’s Office*

### **3G. Invisible Wounds: How Military Sexual Trauma Affects Family Life**

\* BBS   © PSY   ♦ STC   ✕ CIMCE   CRC 5.210, 5.225, 5.242, 7.1101, 10.478

In 2016, according to the Department of Defense, 14,900 service members were sexually assaulted and suffered Military Sexual Trauma (MST). MST is sexual assault or repeated, threatening sexual harassment that a veteran experiences during military service, which is often goes unreported, undiagnosed, and untreated. Symptoms may present as depression and other difficulties that can negatively affect the victim, his or her military service, family, and future employment.

### Learning Objectives—participants will be able to:

1. Define Military Sexual Trauma (MST);
2. Describe the impact that the invisible wounds of war have on veterans’ family obligations, including the ability to maintain viable employment and the ability to parent; and
3. Identify how to best assist victims and their families.

**Hon. Eileen C. Moore**, *Associate Justice, California Courts of Appeal, Fourth Appellate District*

**Dwight Stirling, Esq.**, *Chief Executive Officer and Co-founder, Veterans Legal Institute*

### **3H. Juvenile Records Under WIC 827 and Related Laws: What Can You Get and to Whom Can You Tell?**

♦ MCLE/Ethics   \* BBS   ♦ STC   ✕ CIMCE   CRC 5.210, 5.225, 5.242, 5.660(d), 5.664, 7.1101, 10.478

This workshop will provide an overview of Welfare and Institutions Code section 827 and related confidentiality laws. Participants will learn how to access juvenile case files from different agencies or entities, including the court, child welfare agency, probation, law enforcement agencies, and school districts. The

♦ MCLE   \* BBS   © PSY   ♦ STC   ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

presentation will also identify specific types of information such as education, mental health, and medical records, that may be obtained and shared by and among specific individuals and agencies, such as caregivers, social workers, school personnel, and other agencies. Participants will apply their knowledge to case scenarios and give feedback on the challenges related to this code section.

#### Learning Objectives—participants will be able to:

1. Define who can access files under Welfare and Institutions Code section 827;
2. Describe different confidentiality laws that further impact access to files under Welfare and Institutions Code section 827; and
3. Apply this information to their daily work.

**Rebecca Gudeman**, *Senior Director, Health, National Center for Youth Law*

**Zepur Simonian**, *Attorney, Superior Court of California, County of Los Angeles*

**Alyssa Skolnick**, *Senior Deputy County Counsel, Office of the County Counsel, County of Los Angeles*

## **3I. Legalized Marijuana: What It Means for California**

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.660(d), 7.1101, 10.478

California's legal landscape will change dramatically on January 1, 2018, as Proposition 64, which permits the legal recreational use of marijuana for adults 21 and over, goes into effect. This session will provide a review of the biological action of cannabis, an overview of Proposition 64, and a discussion of its possible impact on court interactions with individuals and families in Dependency and Family Court settings, with an emphasis on practical application of the law and experiences from other states that have legalized marijuana.

#### Learning Objectives—participants will be able to:

1. Explain the effects of the use of marijuana biologically, and marijuana's potential impact on parenting capacity and individual and family functioning;
2. Describe Proposition 64 changes to state law, allowing adults age 21 or older to possess and use marijuana for recreational use, effective January 1, 2018;
3. Analyze the impact of the law on parents and families struggling with substance abuse issues; and
4. Identify at least three protocols that will need to change in sentencing, case planning, enforcement, and treatment practices.

**Hon. Amy Pellman**, *Judge of the Superior Court of California, County of Los Angeles*

**Kathleen West, DrPH**, *Lecturer/Consultant, Department of Social Welfare, University of California, Los Angeles*

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

### **3J. New Federal Indian Child Welfare Act (ICWA) Regulations and Guidelines: Changes for California Law and Practice**

◆ MCLE ✕ CIMCE CRC 5.518, 5.660(d), 7.1101, 10.478

In 2016, the federal government for the first time enacted comprehensive ICWA regulations and also issued updated guidelines for state courts. The new regulations and guidelines include some significant changes that will require adjustments in California practice. In this session a nationally recognized expert on the meaning and interpretation of ICWA will discuss with a leading California juvenile court judge the implications of the new regulations and guidelines for California practice as well as some of the ongoing challenges that California has experienced in complying with ICWA. Come get an overview of the key changes in the new ICWA regulations, and learn strategies to avoid appeals and improve compliance in California.

Learning Objectives—participants will be able to:

1. Recognize the requirements of the new federal ICWA regulations and guidelines, and be able to apply those requirements to California dependency cases;
2. Assess their current practices and procedures to determine whether they comply with the requirements of the new federal ICWA regulations and guidelines; and
3. Recognize the areas of potential conflict between the requirements of the new federal ICWA regulations and Guidelines and current California law and practice and recognize strategies for addressing those inconsistencies.

**Hon. Michael Clark**, *Judge of the Superior Court of California, County of Santa Clara*

**Hon. William A. Thorne, Jr. (Ret.)**, *Judge, Pomo/Coast Miwok Indian, Northern California*

### **3K. Partnerships for Serving People and Families Impacted by Incarceration**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.518, 5.660(d), 7.1101, 10.478

This session will bring together representatives from the San Francisco Unified School District (SFUSD), community-based organization Community Works West, and impacted youth to share the story of an unprecedented, county-wide collaboration among multiple stakeholders to lessen the impact of incarceration on children and families. From their work linking services in jails, schools, community-based organizations, youth, and their families, facilitators will share insight on the needs of children of incarcerated parents and how to take a collaborative, multipronged, partnership-based approach to supporting youth, families, and communities.

Learning Objectives—participants will be able to:

1. Review current data on children of incarcerated parents from Project WHAT! participatory action research reports, a unique initiative focused on an under-researched population;
2. Identify the advantages of a collaborative, multipronged, partnership-based approach to supporting the formerly incarcerated, youth, families, and communities; and

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

3. Describe effective practices for lessening the impact of incarceration on youth and families, and improving reentry.

**Hon. Leonard Edwards (Ret.)**, *Judge of the Superior Court of California, County of Santa Clara*

**DeAngela Cooks**, *Program Manager, Project WHAT!*

**Jakaela Foster**, *Program Facilitator, Project WHAT!*

**Emily Juneau**, *Staff Attorney, Root & Rebound*

### **3L. The Case of Kalief Browder: Continuing the Conversation on Race and the Justice System**

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.664

The plenary session was an opportunity to hear and learn about 16-year-old Kalief Browder, held three years on Rikers Island, due to his inability to pay bail, for a crime he did not commit. Using Kalief Browder's case as a jumping off point for discussion, this session is intended to be a deeper dive into the role played by race, institutionalized racism, charging decisions, and poverty in the mass incarceration of African Americans. Moreover, it will explore solutions and be an opportunity for participants to engage in dialogue with former prosecutor Adam Foss and Akeem Browder, who are, from very different perspectives, tackling those issues on the ground.

#### Learning Objectives—participants will be able to:

1. Describe the role of race and institutionalized racism in the mass incarceration of African Americans;
2. Identify the impact of mass incarceration on families and communities;
3. Discuss effective strategies to address institutionalized racism in systems that impact people in poverty and enmeshed in the justice system; and
4. Initiate and engage in a difficult conversation about racial disparities in adult criminal and juvenile system outcomes.

**Akeem Browder**, *Founder & Executive Director, Kalief Browder Foundation*

**Adam Foss**, *Founder, Prosecutor Impact*

### **3M. What to Do When a Youth May Be Incompetent**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.242, 5.660(d), 5.664, 7.1101, 10.478

The issue of how to handle juvenile justice youth who are declared incompetent to stand trial has long frustrated the delinquency system. In this workshop, participants will learn about the court process: who can raise a doubt, what is the burden of proof for establishing the lack of competency, what is the time frame for restoring the youth to competence, and what happens if the youth cannot be restored to competence. Faculty

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

will discuss the role of the court, probation, and other agencies in determining and restoring competence, as well as what to do when competence cannot be restored.

#### Learning Objectives—participants will be able to:

1. Articulate the current legal standard and court process for competency in a juvenile case;
2. Describe the court's role when it is determined that a child cannot be restored to competence; and
3. Discuss the role of child welfare and probation when the child cannot be restored to competence.

**Hon. Susan Gill**, *Judge of the Superior Court of California, County of Kern*

**Chief James Salio**, *Chief Probation Officer, San Luis Obispo County Probation Department*

**Tracy Schiro**, *Assistant Director, Department of Social Services, San Luis Obispo County*

## WEDNESDAY, DECEMBER 20, 2017

11:00 A.M.–12:30 P.M.

### CONCURRENT WORKSHOPS 4

#### 4A. Dependency Legal Update

◆ MCLE ✕ CIMCE CRC 5.518, 5.660(d)

This session summarizes new case law relevant to dependency and provides an overview of significant appellate and state Supreme Court cases.

#### Learning Objectives—participants will be able to:

1. Assess new case law;
2. Identify significant appellate and Supreme Court cases; and
3. Describe significant legal changes in 2017.

**Hon. Jerilyn Borack**, *Judge of the Superior Court of California, County of Sacramento*

**Hon. Anthony Trendacosta**, *Judge of the Superior Court of California, County of Los Angeles*

#### 4B. Evolving Knowledge of the Implications of Extending Foster Care to Young Adults

◆ MCLE \* BBS ✕ CIMCE CRC 5.210, 5.225, 5.518, 5.660(d)

This workshop will focus on outcomes for youth in extended foster care in California. Key findings from the CalYOUTH and “CalYOUTH in the Loop” study will be discussed in detail. This workshop will summarize findings from CalYOUTH on outcomes in early adulthood for youth eligible for extended foster care in California and the benefits of remaining in care into adulthood. The implications of study findings for policy and practice will be discussed, and participants will be able to ask questions to help determine how the outcomes of these

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.



## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

studies can be used to improve practice in their county. Additionally, we will discuss learnings from phase 2 of the CalYOUTH in the Loop feedback project, including lessons learned from testing methods to reach transition-age youth and the strategies that can successfully result in youth feedback loops and engagement.

#### Learning Objectives—participants will be able to:

1. Describe how youth aging out of foster care in California fare on key dimensions of well-being (e.g., education, employment, economic well-being and hardship, social relationships, and physical and behavioral health);
2. Describe the relationship between remaining in extended care and young adult outcomes; and
3. Apply this data to strategies to improve outcomes for youth in extended foster care in their local communities.

**Mark Courtney, PhD**, *Professor, School of Social Service Administration, University of Chicago*

**Laurie Kappe**, *President, i.e. Communications*

**Kamari (Kookie) Wells**, *Youth Perspective*

## 4C. From Punishment to Prevention: Ending Youth Incarceration and Investing in Youth Development

\* BBS ♦ STC ✕ CIMCE CRC 5.210, 5.225

Youth arrests and crime levels are at historic lows. Yet on any given day in California, about 6,000 youth are incarcerated in more than 125 state and county youth prisons, costing taxpayers more than \$1 billion a year. Studies show arrests and incarceration have a negative impact on young people's health and education, and since black and Latino youth are more likely to be incarcerated, even for similar offenses, incarceration has a devastating impact on communities of color. Furthermore, 75–93% of young people in the juvenile justice system have experienced trauma, and being locked up often exacerbates that trauma. In light of this growing body of research showing youth incarceration is ineffective, excessively expensive, and harmful, how are system leaders and communities coming together to reimagine youth justice?

How are communities holding young people accountable without incarceration? What support do youth and families need? This session will highlight successful models in place in California and across the country, and include a discussion of the potential outcomes of moving away from youth incarceration.

#### Learning Objectives—participants will be able to:

1. Summarize proven and promising alternatives to youth incarceration being used in other states;
2. Discuss innovative approaches to juvenile justice being developed in California counties; and
3. Describe the negative impact incarceration has on youth and their communities.

**Antoinette Davis**, *Director, Research and Action Center, Impact Justice*

**George Galvis**, *Cochair, California Alliance for Youth and Community Justice and Executive Director, Communities United for Restorative Youth Justice*

♦ MCLE \* BBS © PSY ♦ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

*Uniting for a Better Future*

**Deborah Hodges**, *Court Administrator, Lucas County Juvenile Court, Ohio*

**Chief Sheila Mitchell**, *Chief Probation Officer, Los Angeles County Probation Department*

### 4D. Helping Youth Overcome Barriers to Reentry: the Power of Juvenile Defenders and Legal Aid Attorneys Joining Forces

◆ MCLE ◆ STC ✕ CIMCE CRC 5.660(d), 5.664

Our youth face numerous barriers to successfully transitioning into adulthood when they have been involved in the juvenile court system, especially if they have been removed from their homes and/or communities. Participants and facilitators will examine how public defenders and civil legal aid attorneys can combine their expertise and create meaningful partnerships and projects to help youth overcome obstacles to education, housing, and employment. Public defenders have already built effective attorney-client relationships with youth in the juvenile justice system and have a keen understanding of adolescent development. Civil legal aid attorneys already provide representation in many of the areas that youth need representation: educational advocacy, debt collection, housing, disability benefits, public benefits, and sealing or expunging records, among others. Combining forces, defenders and legal aid attorneys can be a powerful force to empower and enable our youth to soar.

Learning Objectives—participants will be able to:

1. Identify the range of collateral consequences arising from a juvenile adjudication;
2. Identify the range of civil legal services that can mitigate the effects of these collateral consequences, including representation in education, housing, public benefits, and health care matters; and
3. Best practices and policies for building partnerships with legal and nonlegal partners in their communities.

**Brian Blalock**, *Law & Policy Director, Tipping Point Community*

**Sabrina Forte**, *Staff Attorney and Project Coordinator, Bay Area Legal Aid*

**Serena Holthe**, *Special Counsel, National Juvenile Defender Center*

### 4E. Human-Centered Design: Designing for Community Engagement

\* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225

Who engages with communities as part of their work? We all do. Whether you are a judge, probation officer, social worker, or other court-related professional, engaging with the community you serve is part of your work experience.

But there are often complicated power dynamics between court users and court professionals. Court professionals may come from a different racial, cultural, or socioeconomic background from the communities

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

they serve. Community members and court users may sometimes feel intimidated by or distrustful of our court system. These, and other factors, can make it challenging to effectively engage with the communities and court users we serve.

Using a human-centered design approach, session participants will: explore the dynamics of court/community relationships; consider how those relationships might be designed in a more equitable way; and prototype creative strategies for improving those relationships.

This will be a thought-provoking, creative, and highly interactive session. Conference attendees from all professional backgrounds and experience levels are welcome to attend.

#### Learning Objectives—participants will be able to:

1. Identify challenges with effectively engaging communities;
2. Explore how biases may impact their interactions with communities and court users;
3. Learn new tools and frameworks for designing equitable partnerships with communities; and
4. Practice applying human-centered design to a real-world problem.

**Julia Kong**, *Design Researcher, Reflex Design Collective*

**Julia Kramer**, *Graduate Student and Design Researcher, Reflex Design Collective*

## **4F. Many Victims: a Holistic Approach to Victims and Victim's Rights**

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 7.1101, 10.478

The victim's rights movement, which has achieved national recognition, advocates to ensure victims are protected and their voices heard. While legislation by victim's rights organizations/advocates and law enforcement agencies has established certain protections and supports for victims of crime, it has also, intentionally or unintentionally, led to longer criminal sentences and heightened racial disparities. Today, the definition of "victim" has expanded to include vicarious/collateral victims, family members, and children of the person who committed the crime. This workshop will explore the evolving definition of victim, including the psychological and mental health impact of being a victim. In addition, the workshop will address the following questions: how well does our current system support victims? How does Marsy's Law protect or enhance victim's rights? If we acknowledge that people convicted of crime are often victims, what needs to change? What should victim support look like? What creates safety in communities? And what brings about restoration?

#### Learning Objectives—participants will be able to:

1. Describe how Marsy's Law aims to protect victims rights and give them a voice in the criminal process;
2. Explain the unintended consequences of victim's advocacy on the criminal justice system;
3. Articulate how the concept of "victim" has evolved over the course of the last decade; and
4. Discuss the psychological impact suffered by victims and the supports available for victims.

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

*Uniting for a Better Future*

**Gena Castro Rodriguez, PsyD**, *Chief of Victim Services, San Francisco District Attorney’s Office*

**Tashante McCoy-Ham**, *Victim Advocate, Californians for Safety and Justice*

**Dionne Wilson**, *National Survivor Advocate, Alliance for Safety and Justice*

### 4G. Moving Towards Trauma-Responsive Practice in Treatment Court Teams

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.518

The majority of children and families who come into court have traumatic experiences in their backgrounds and often experience ongoing trauma just by being in “the system”. Using an approach that takes traumatic experiences into account in how court users are addressed; family, dependency, and juvenile courtrooms are managed; and how court teams ( e.g., psychologists, social workers, probation and parole officers) can effectively handle vicarious trauma, is exceedingly important in court settings that have the capacity to affect the intergenerational family.

This session will address why children and youth, and their parents are especially in need of trauma-informed care and what that would look like in practice in your courtrooms.

Learning Objectives—participants will be able to:

1. Identify what “counts” as traumatic exposures for children and youth ,and how it might explain some of their behaviors;
2. Explain why intergenerational trauma cycles are difficult to break and steps court teams ( e.g., psychologists, social workers, probation and parole officers) can take to effectively intervene; and
3. Identify at least three self-care strategies you can employ to improve your professional quality of life and model healthy trauma-informed practices for court users.

**Hon. Katherine Lucero**, *Supervising Judge of the Superior Court of California, County of Santa Clara*

**Kathleen West, DrPH**, *Lecturer/Consultant, Department of Social Welfare, University of California, Los Angeles*

### 4H. Reducing Racial & Ethnic Disparity in Juvenile Justice Through Court-Appointed Advocacy and Interagency Collaboration

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.664

This presentation aims to demonstrate how stakeholders in Santa Clara County are addressing disproportionate minority contact among African American youth on Deferred Entry of Judgment (DEJ) through a program called “Court Appointed Friend and Advocate” (CAFA). CAFA is an intervention that provides a court-appointed mentor to give support to the youth outside of the courtroom while also serving as a formal advocate for the youth inside the courtroom. The program will describe the framework for this collaborative, interagency advocacy approach to supporting youth of color on probation. It will provide an

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

overview of the process of creating CAFA, describe implementation of the program, and discuss the data collection that will continue to inform the innovation of the program.

#### Learning Objectives—participants will be able to:

1. Describe an effective framework for collaborative interagency advocacy for supporting youth of color on probation;
2. Articulate the value of using court-appointed mentorship as a program intervention for court-involved youth that will both support youth in the community and provide advocacy within the courtroom; and
3. List key points in developing, implementing, and evaluating the Court Appointed Friend and Advocate program.

**Cassidy Higgins, PhD**, *Director of Innovation and Growth, Fresh Lifelines for Youth*

**Ali Knight**, *Chief Operating Officer, Fresh Lifelines for Youth*

**Kathy Martinez**, *Deputy Chief Probation Officer, Santa Clara County Probation Department*

## **4I. Sealing Juvenile Offense Records: Policy Update and Challenges for Practitioners**

◆ MCLE ◆ STC ✕ CIMCE CRC 5.664

The law on sealing of juvenile offense records has evolved rapidly in California over the last few years. This session will update participants on recent sealing law changes, including auto-sealing, sealing by petition, and postsealing uses of offense records. Presenters will address contemporary issues and challenges faced by judges, counsel, law enforcement, and other practitioners as they adapt to new record sealing laws and court rules. Participants will be invited to comment on practice issues they face and on the broader policy challenge of how the juvenile record sealing law in California might further evolve to support youth reentry success in a context of public safety.

#### Learning Objectives—participants will be able to:

1. Identify current law and practice related to sealing of juvenile court records;
2. Demonstrate legal skills and advocacy methods when discussing the sealing of juvenile records; and
3. Discuss state and county-level challenges to effective implementation of sealing laws.

**Hon.Carolynn Caietti**, *Judge of the Superior Court of California, County of San Diego*

**LaRon Dennis**, *Supervising Deputy District Attorney, Santa Clara County District Attorney's Office*

**Rourke Stacy**, *Trainer, Juvenile Division, Office of the Los Angeles County Public Defender*

**David Steinhart**, *Director, Commonwealth Juvenile Justice Program*

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

#### **4J. Special Education 101: Early Intervention and Special Education Rights**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.660(d), 5.664

Nearly 1 in 5 children in foster care are classified as having a disability, and 30–50% of incarcerated youth have disabilities. The unique challenges that court-involved youth face such as mobility and trauma only serve to exacerbate the other challenges of serving youth with disabilities. This presentation will share the basic legal framework of early intervention and special education law. It will then share specific insights for addressing the special education needs of court-involved youth including key things to look out for to identify needs (including poor behavior that may mask underlying needs), processes for accessing assessments and services, designating and working with education rights holders, and requesting and monitoring the provision of appropriate services. It will also go into the early intervention needs of the youngest children—ages 0–3 and 3–5—and discuss the specific processes available to address those needs.

Learning Objectives—participants will be able to:

1. Enumerate the basic rights of disabled K–12 students under the Individuals with Disabilities Education Act;
2. Describe the education rights of the 0–5 population of students who require early intervention under the IDEA, and articulate strategies for appropriate intervention; and
3. Recognize the particular needs of court-involved youth who are also students with disabilities and acquire strategies to provide legal representation to students who are involved in multiple systems.

**Alaina Moonves-Leb**, *Education Attorney, Alliance for Children’s Rights*

**Lisa Winebarger**, *Attorney, Alliance for Children’s Rights*

#### **4K. Stepping-Up Initiative: Addressing Housing Needs for Individuals with Co-occurring Disorders or Involvement in the Criminal Justice System**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.518, 5.664, 10.478

Annually, there are an estimated 2 million people with serious mental illnesses admitted to jails across the nation. Almost three-quarters of these adults also have drug and alcohol use problems. Once incarcerated, individuals with mental illnesses tend to stay longer in jail and upon release are at a higher risk of homelessness and returning to jail or prison.

Almost 10 years after the recession, California continues to face a housing crisis, particularly for the poor and middle class; a crisis compounded for those with co-occurring disorders and a criminal record. While cities like San Francisco and Los Angeles are attempting to address housing affordability and homelessness, Santa Clara County, through a bond measure, will raise almost \$1,000,000,000 to address the complex housing needs of the homeless, low- and moderate-income individuals, formerly incarcerated, and people suffering from a mental health disorder or addiction.

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

This session will focus on what counties are doing to assist the homeless, and low- and moderate-income individuals with housing, and divert individuals from jail/prison into stable housing.

#### Learning Objectives—participants will be able to:

1. Describe county efforts to address the housing crisis;
2. Identify innovative approaches to address the housing needs of criminal justice-involved people; and
3. Identify how partnerships are critical to addressing the housing needs of vulnerable populations.

**Corrin Buchanan**, *Deputy Director, Office of Diversion and Reentry, Los Angeles County Department of Health Services*

**Garry Herceg**, *Deputy County Executive, Office of the County Executive, County of Santa Clara*

**Hon. Stephen Manley**, *Judge of the Superior Court of California, County of Santa Clara*

## **4L. Trafficking & Tribal Communities**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.518, 7.1101, 10.478

This workshop will provide background information that will include definitions of trafficking, a brief overview of historical trauma, factors that impact trafficking within tribal communities that can differ from other communities, model examples of trafficking prevention or programs created in tribal communities, legal information, resources available to Native American survivors of trafficking, and best practices when conducting outreach or partnering with tribal communities.

#### Learning Objectives—participants will be able to:

1. List definitions, laws, and models of tribal-specific procedures or codes pertaining to trafficking in tribal communities;
2. Describe California tribal communities;
3. Recognize factors within trafficking in tribal communities; and
4. Revise their practices for outreach and partnering with tribal communities.

**Lisa Ann Albitre**, *Tribal Representative/Government Analyst*

**Suzanne Garcia**, *Tribal Child Welfare Specialist, Capacity Building Center for Tribes*

**Lynda Smallenberger**, *Executive Director, Kene Me Wu—Native American DV/SA Program*

## **4M. Victims Reclaiming Technology: Becoming “Techsafe” in a World of Cyber-abuse, Harassment, and Hacking**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.215, 5.225, 5.230, 10.464

As the line between the physical and digital worlds blur, it’s increasingly important for service providers and courts to understand how technology can be used both to support safety and healing and, in other cases, to

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

*Uniting for a Better Future*

perpetrate harm. In this session, participants will learn (1) how technology can be used to perpetrate domestic violence, stalk, and harass; (2) tools and strategies to be “techsafe”; and (3) how to analyze apps and websites that are more or less likely to be helpful to litigants and clients dealing with trauma and stress.

### Learning Objectives—participants will be able to:

1. Identify commonly misused technologies;
2. Understand the impact of technology misuse, particularly for survivors of domestic violence;
3. Learn about how evidence of tech misuse is presented to courts;
4. Identify strategies to help protect personal information; and
5. Analyze what makes a tech solution more or less helpful for people dealing with trauma and stress.

**Ian Harris**, *Technology Safety Legal Manager, National Network to End Domestic Violence*

**Julia F. Weber, JD, MSW**, *Attorney/Consultant*

## **WEDNESDAY, DECEMBER 20, 2017** **12:30–2:15 P.M.** **LUNCH AND PLENARY**

### **Honoring Diane Nunn**

Recognizing Diane Nunn, founder of the Judicial Council’s Center for Families, Children & the Courts, for a career dedicated to improving outcomes for children and families in California’s courts, and for her leadership in building *Beyond the Bench* into the premier conference convening courts and justice partners to focus on hope, humanity, and healthy families.

**Charlene Depner**, *Director, Judicial Council’s Center for Families, Children & the Courts*

**Leora Gershenzon**, *Chief Deputy Counsel, Assembly Judiciary Committee*

### **The Intersection of Child Safety and the Judicial System**

◆ MCLE CRC 5.242, 7.1101, 10.478

Listen in on a conversation about the most important topic in child welfare: eliminating child abuse and neglect fatalities. Long-time friends and colleagues, Judge Michael Nash and Dr. David Sanders, will be discussing the best way forward to eliminating fatalities: in Los Angeles County, in California, and nationwide. When Dr. Sanders was director of the Los Angeles County Department of Child and Family Services, Judge Nash was presiding juvenile court judge of the Los Angeles Dependency Court. Their discussion will be informed by their years of working together and their recent partnerships on the Los Angeles Blue Ribbon Commission and the federal Commission to Eliminate Child Abuse and Neglect Fatalities.

### Learning Objectives—participants will be able to:

1. Learn about current efforts and best practices for eliminating child abuse and neglect fatalities;
2. Identify strategies to eliminate child abuse and neglect fatalities; and

◆ MCLE \* BBS © PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.



## Beyond the Bench 24, December 18–20, 2017

*Uniting for a Better Future*

3. Relate how the strategies, principles, and experiences discussed may be utilized to improve the learner's own work.

**Hon. Michael Nash (Ret.)**, *Executive Director, Los Angeles County Office of Child Protection*

**David Sanders, PhD**, *Executive Vice-President of Systems Improvement, Casey Family Programs*

**WEDNESDAY, DECEMBER 20, 2017**

**2:30–4:00 P.M.**

**CONCURRENT WORKSHOPS 5**

### **5A. From Vision to Reality: Achieving the Vision of the Continuum of Care Reform (CCR) Through Engagement, Recruitment, and Support of Family**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.518, 5.660(d)

Through an interactive discussion, participants will learn how to achieve the vision of reducing reliance on congregate care by focusing on improving efforts to engage, recruit, and support families, particularly kinship caregivers. Participants will learn about those aspects of CCR that impact family placements including an overview of Resource Family Approval, the new foster care rate structure, and county uses of Foster Parent Recruitment and Retention dollars to support kin placements. Participants will also receive the *Resource Family Approval Guide*, designed especially to assist families in navigating approval, as well as model practices, policies, and court orders that will assist in engagement and support of family placements.

Learning Objectives—participants will be able to:

1. Understand Resource Family Approval, what it means for kinship placements in particular, and gain access to tools and materials to aid families through the approval process;
2. Identify the gaps in services, benefits, and supports that may make recruitment and retention of foster families, and particularly kinship caregivers, more difficult and strategies to overcome or address those barriers;
3. Understand opportunities for foster family agencies and other community-based organizations to be leveraged to improve the support and services array available to families within your county, including families not directly approved by the foster family agency; and
4. Identify 2–3 model practices or innovations for recruitment and retention of families, and learn how to implement those reforms within your jurisdiction.

**Susan Abrams**, *Policy Director, Children's Law Center of California*

**Hon. Michael Nash (Ret.)**, *Executive Director, Los Angeles County Office of Child Protection*

**Elise Weinberg**, *Policy Attorney, Alliance for Children's Rights*

**Kim Wrigley**, *Program Implementation Bureau Chief, California Department of Social Services*

◆ MCLE \* BBS ○ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **5B. Hispanics and Latinos in Drug Courts: Cultural Strategies to Enhance and Sustain Recovery**

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.518

This session will provide a review of the scope of the problems that vary throughout states and how cultural humility principles can be integrated to work with participants' cultural perspectives to support and sustain their recovery process. It will also provide practitioners with culturally informed processes that can augment their skill sets and consequently outcomes for Hispanic and Latino drug court participants.

### Learning Objectives—participants will be able to:

1. Understand how Hispanic and Latino culture is layered within behavior;
2. Identify major components of cultural humility as a process for practice; and
3. Explain effective strategies currently used in drug courts with Hispanic and Latino participants.

**Hon. Rogelio Flores**, *Judge of the Superior Court of California, County of Santa Barbara*

## **5C. Intersection of Ethics and Due Process in Child Welfare Cases**

◆ MCLE/Ethics \* BBS ✕ CIMCE CRC 5.242, 5.518, 5.660(d), 7.1101, 10.478

Court hearings in juvenile dependency cases move quickly. In many cases, issues like notice, parentage, and right to counsel are considered and ruled upon quickly, with courts and counsel relying upon a sentence or two from a case-carrying social worker. This workshop will look at the obligations that agency, child, and parent attorneys have toward statutorily and constitutionally mandated issues, and how courts will receive input and rule on these issues in difficult situations.

### Learning Objectives—participants will be able to:

1. Discuss the substantive laws and mandates surrounding parentage, notice, and right to counsel in dependency cases;
2. Identify ethical dilemmas in dependency cases, and understand how and where to seek guidance; and
3. Apply these legal mandates to a variety of ethical situations and be able to provide input to courts to assist resolution of these issues.

**Traci F. Lee**, *Assistant County Counsel, Office of the County Counsel, Sacramento*

**David Meyers**, *Attorney/Chief Operating Officer, Dependency Legal Services*

## **5D. Joining Current Court Practices with Medication Assisted Treatment (MAT) for Substance Abuse Disorders**

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.518, 5.660(d), 7.1101, 10.478

California is undergoing dramatic changes in the treatment of addiction. In addition, compliance with treatment program requirements for Substance Use Disorders (SUDs) is a critical component of many parent and juvenile case plans in dependency, juvenile, and family court cases. This session will begin with a discussion of Medication Assisted Treatment (MAT) which has been shown to improve client retention in treatment for an array of reasons. MAT is especially relevant in the context of the opioid epidemic affecting our communities. This session will explain when, how, and why MAT works, some of the risks and benefits of using MAT, and how to monitor and manage MAT cases in reunification, visitation, and custody cases. This session will conclude with an overview of the emerging addiction treatment continuum, beginning with the parity of mental health and substance abuse treatment under the Affordable Care Act in 2010, California's participation in the Waiver Demonstration Project and the role that Medi-Cal will play in the delivery of treatment services. The presenter will outline the impact on the criminal justice system referral processes and access, the benefits and the challenges.

### Learning Objectives—participants will be able to:

1. Review the biological basis for physical drug dependence and characteristics of addiction;
2. Describe medications currently FDA-approved for substance abuse treatment—focusing on opioid dependence;
3. Identify the risks and benefits of MAT, key indications, contra-indications, and diversion risks with medications that treat opioid use disorders, as well as risks of *not* using MAT;
4. Discuss the “meaning” of MAT and its implementation in your courts, and evaluate the benefits and risks of MAT;
5. Understand the integration of the public AOD treatment system into the California Medi-Cal 2020 Waiver, known as the DMC-Organized Delivery System;
6. Outline the new county role as a PIHP in managing the provider network and access to services for beneficiaries including the new services, restrictions and enhancements; and
7. Determine the impact on custody and visitation, reunification, and juvenile probation issues and outline how these changes have impacted criminal justice system referrals and access.

**Elizabeth Stanley-Salazar**, *DMC-ODS Waiver Forum Manager, California Institute of Behavioral Health Strategies*

**Kathleen West, DrPH**, *Lecturer/Consultant, Department of Social Welfare, University of California, Los Angeles*

## **5E. Lesbian, Gay, Bisexual, Questioning, Gender Nonconforming, and Transgender Youth in California’s Juvenile Justice System**

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.664

Impact Justice and the National Center for Lesbian Rights developed a practice guide summarizing research showing that lesbian, gay, bisexual, questioning, gender nonconforming, and transgender (LGBQ/GNCT) youth are significantly overrepresented in the state’s juvenile justice system, and are at higher risk than their peers for a host of negative outcomes. Based on these findings and emerging legal and professional standards, the guide recommends policies and procedures to prohibit discrimination, prevent harm, and promote equitable treatment of LGBQ/GNCT youth. The authors of the guide will summarize the state data, and the applicable legal and professional standards.

### Learning Objectives—participants will be able to:

1. Describe data on the prevalence and experiences of LGBQ/GNCT youth in the state’s juvenile justice system;
2. Understand the legal and professional standards governing services to LGBQ/GNCT youth in the juvenile justice and system; and
3. Incorporate advocacy strategies into their work with this population.

**Angela Irvine, PhD**, *Principal, Ceres Policy Research*

**Shannan Wilber**, *Youth Policy Director, National Center for Lesbian Rights*

## **5F. Opioid Addiction & Drug of Choice: Shifting Priorities and Resources**

\* BBS ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.518, 5.660(d), 5.664, 7.1101, 10.478

High-profile attention to the opioid crisis is controversial among communities impacted by other drugs. From 8,400 opioid overdose deaths in 2000, the fatalities now surpass 33,000. White Americans made up 82 percent of those deaths in 2014; blacks and Latinos comprised just 8 and 7 percent, respectively.

People living in predominately African American communities believe recent attention to opiate addiction, a problem/crisis largely confined to whites, may shift focus away from communities of color where other drugs are more prevalent. Consequently, and in stark contrast to how the crack epidemic was handled, there are efforts underway to treat increased heroin use as a public-safety problem as opposed to a criminal justice matter left to police, prosecutors, and judges.

This session will explore opioid addiction, and racial differences and disparities in how opiate use is discussed and treated today by policymakers, law enforcement, treatment providers, and judges, in comparison to how crack addiction was treated.

### Learning Objectives—participants will be able to:

1. Identify the scope of the opioid crisis in California and nationally;

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## Beyond the Bench 24, December 18–20, 2017

### *Uniting for a Better Future*

2. Discuss whether prioritizing the opioid crisis will shift focus away from other drugs and communities; and
3. Describe racial differences and disparities in how opiate use is discussed today and treated in contrast to the crack epidemic.

**John Pugliese, PhD**, *Research Scientist, California Department of Public Health*

**Terrence Walton**, *Chief Operating Officer, National Association of Drug Court Professionals*

## 5G. Special Immigrant Juvenile Status: an Overview Emphasizing Recent Developments

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.225, 5.242, 5.518, 5.660(d), 5.664, 7.1101, 10.478

This workshop will provide a general overview of Special Immigrant Juvenile Status (SIJS), a form of federal immigration relief that depends on state judicial determinations about child welfare and custody. The discussion will address the various doors through which immigrant children may enter state court, the judicial findings needed to enable them to apply for SIJS, and the variety of factual scenarios in which these children may qualify for the legal protection that serves as the basis for the SIJS findings under evolving federal and state law. This workshop will also include important recent developments including limits on the number of available SIJS visas, recent changes in the processing and adjudication of SIJS petitions by the U.S. Citizenship and Immigration Services (USCIS), and highlights from the recently released USCIS policy manual.

### Learning Objectives—participants will be able to:

1. Identify children who may be eligible for SIJ status;
2. Analyze the relevant statutory provisions and legal precedents; and
3. Advise children about the application process in light of visa shortages and recent changes in processing and adjudication of SIJS petitions.

**Kristen Jackson**, *Senior Staff Attorney, Public Counsel*

**Rachel Prandini**, *Immigrant Youth Project Attorney, Immigrant Legal Resource Center*

**Hayley Upshaw**, *Deputy Public Defender, San Francisco Public Defender's Office*

## 5H. The Changing Landscape of Juvenile Transfer in the Wake of Proposition 57

◆ MCLE ◆ STC ✕ CIMCE CRC 5.664

With Proposition 57, the voters of the State of California did away with the prosecutor's ability to directly file serious juvenile delinquency cases in adult court. This workshop will consider the implications of Prop. 57 and Senate Bill 382, which suggest a societal shift in how we treat juveniles who commit serious crimes. Participants will explore the implications of this evolution and discuss how it fits into Supreme Court jurisprudence on sentencing juveniles who commit serious crimes. On the practical side, participants will learn

◆ MCLE \* BBS ○ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **Beyond the Bench 24, December 18–20, 2017**

### *Uniting for a Better Future*

about how Prop. 57 and SB 382 changed the transfer factors, burden of proof, and presumption of unfitness. Faculty will discuss how to approach and prepare for a transfer hearing, and provide the court's perspective on crafting a compelling hearing.

#### Learning Objectives—participants will be able to:

1. Articulate how Prop. 57 has changed the five transfer factors, the burden of proof, and the presumption of unfitness;
2. Describe how to prepare for a transfer hearing as a public defender and as a prosecutor;
3. Explain how Prop. 57 and SB 382 fit into Supreme Court jurisprudence on sentencing of juveniles who commit serious crimes; and
4. Discuss what information the court needs to make a decision on a transfer case, as well as how best to present that information.

**Sue Burrell**, *Policy and Training Director, Pacific Juvenile Defender Center*

**Hon. Sean Lafferty**, *Judge of the Superior Court of California, County of Riverside*

**Flavio Nominati**, *Deputy District Attorney, San Diego County District Attorney's Office*

**Shawnalyse Ochoa**, *Assistant Division Chief, Juvenile, San Diego County District Attorney's Office*

## **5I. Why Don't They Leave? Understanding Why Domestic Violence Victims Stay**

◆ MCLE/Bias \* BBS ◆ STC ✕ CIMCE CRC 5.210, 5.215, 5.225, 5.230, 5.242, 5.660(d), 7.1101, 10.464, 10.478

There is no "typical" victim of DV. A victim can come from any group regardless of education, income, culture, ethnicity, religion, ability, or lifestyle. There is also no single reason for staying or leaving an abusive relationship. The core of the abusive relationship is an intimate partner's (or former partner's) cycle of establishing or maintaining power and control over another. The abuser uses the victim's vulnerabilities, fears, and weaknesses to maintain power and control. This session will help participants understand the many psychological and emotional factors that prevent a victim from protecting themselves and others, including: perceived bias/bias in the legal system and social bias/attitudes of victims of domestic violence. The session will also identify strategies for attorneys, judges, probation officers, and other professionals who work with victims to help support victims to achieve safety.

#### Learning Objectives—participants will be able to:

1. Explain the cyclical nature of intimate partner violence;
2. Describe the factors that abusers use to maintain power and control;
3. Understand the psychological and emotional factors that prevent victims from protecting themselves; and
4. Define strategies for providing support, services, and resources that make change possible.

**Gena Castro Rodriguez, PsyD**, *Chief of Victim Services, San Francisco District Attorney's Office*

◆ MCLE \* BBS ◎ PSY ◆ STC ✕ CIMCE

Please refer to *Education Units* at page 1 for detailed information.

## **5J. Wielding the Sword in the Battle to Educate Juvenile System Youth**

◆ MCLE \* BBS ◆ STC ✕ CIMCE CRC 5.664

The presentation will first provide a framework to understand the education rights of youth in the juvenile system. The presentation will provide an overview of the prevailing law and processes: the Individuals with Disabilities Education Act (IDEA); section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act (ADA); Fourteen Amendment safeguards of equal protection and due process as enforced through 42 U.S.C. § 1983; and the applicable California Education and Welfare and Institutions Code provisions. Using hypothetical scenarios, the presentation will build on this framework to explore the interplay of the education and juvenile systems in real-world examples. The scenarios provide a roadmap to discover opportunities at each stage of the juvenile proceedings: from inquiry to case plan development. The exercise also exposes common difficulties and will elicit collective problem solving to overcome the barriers. The exercise will teach the attendees the respective obligations of the parties and agencies, and illustrate the authority within the juvenile court system to make and enforce the educational rights of these children.

### Learning Objectives—participants will be able to:

1. Explain the federal and state law, and the process governing the education rights of youth in the juvenile system;
2. Evaluate the legal mechanisms to achieve better educational outcomes for juvenile system youth;
3. Examine the power within the juvenile court system to make and enforce the educational rights of children; and
4. Explore the interplay of the education and juvenile systems, and discuss strategies to troubleshoot solutions in real-world examples.

**Elizabeth Pacheco**, *Attorney*

**Daniel Shaw**, *Attorney, Shaw Firm*





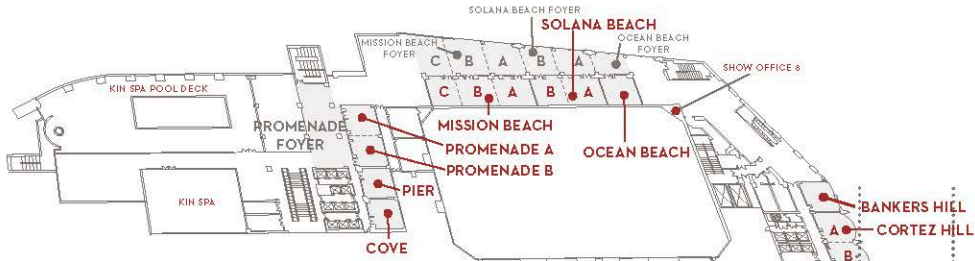






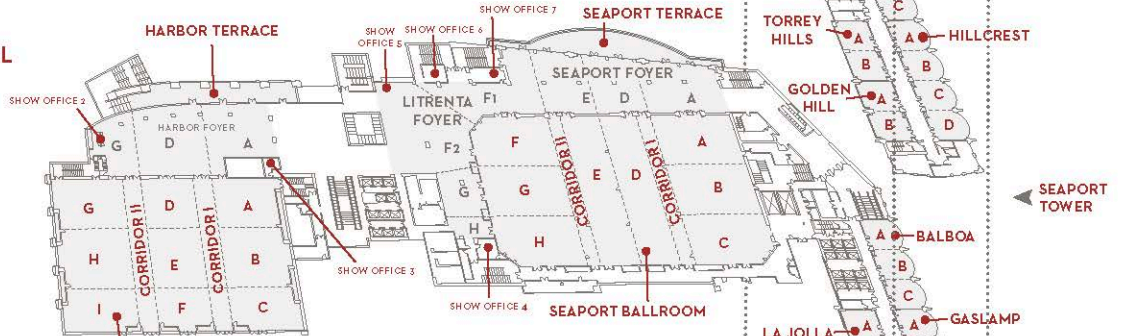
# FLOOR PLAN

## THIRD LEVEL



## SECOND LEVEL

HARBOR TOWER →



## LOBBY LEVEL

