

Effects of Trauma in Family Court

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FOCUS: HOW TO CREATE A TRAUMA-INFORMED COURT ROOM

- Stress of the courtroom environment may affect the ability of trauma survivors to communicate effectively
- As a therapist, my first encounter was VERY stressful even without history of trauma
- Imagine how much more stressful it is for families, especially a young child

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Some children are given the “Gag Order” by the perpetrator.

In her book: “I know why the Caged Bird Sings”, Maya Angelou speaks of being silent for seven years after being sexually abused by a family member. Her brothers beat the abuser to death. She was so traumatized by this, she gave herself the “Gag Order.”

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Child may worry that:

- Whatever they say may harm the parent or may be placed in jail
- He/she may be taken out of the home
- Adults need to be convinced of the truth

Under age 5, testimony may be written off quickly as child may be deemed not credible

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STEPS:

- Acknowledge the impact of trauma
- Create sense of safety, calmness, respect compassion and kindness
- Listen to understand, not criticize or retraumatize
- Ask what happened, not WHAT IS WRONG W/ YOU
- Obtain trauma assessment by a trauma-informed professional when needed

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Modify physical environment where possible:

- Soft lights, child testify by close circuit, in chambers *if unable* to face perpetrator
- visible security officers including females
- Judge comes down to child's level without robe to minimize perceived threat
- Train attorneys to avoid unnecessary cross-examinations – traumatizing

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- Availability of tissues, light snacks, small fidgets
- Animal assisted therapy dog for reassurance
- Child's favorite doll or stuff animal
- Avoid long wait periods, get child in and out in timely fashion

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Areas where families may feel unprotected:

- Unsupervised and overnight visits with the accused after testimony from various witnesses about abuse
- Release on bail with no protection for the victim or family

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To prepare child for court, therapist may use:

- **“Therapeutic Stories to Teach and Heal”**, stories that speak to the child’s unconscious mind to help child gain courage, feel safe and loved despite the trauma. These are based on actual cases.
- Nancy Davis, PhD, author with other contributors

The book is a wonderful resource to help children heal from trauma.

The story: ***RAGS/TAFFY AND THE INVISIBLE MAGIC BAND-AID*** helps a child let go of the “gag order” by the victim. It releases the power of the abuser on the child’s mind, helping the child reduce symptoms of PTSD for memory recall of the abuse.

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The following story:

- *“The Girl Who Lost her Voice”* is a very helpful story of how a child who must testify in court became so afraid that she could not talk about what happened.
- The message in the story is: Your voice is your power and your friend.

Therapeutic Stories That Teach and Heal

Nancy Davis, PhD. Illustrated by Valerie Slarz

Stories also by Karen Custer, LCSW and Marcella Marcey, PhD

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