



**ASSOCIATION OF FAMILY  
AND CONCILIATION COURTS**

Improving the lives of children and families  
through the resolution of family conflict



MAY 2018  
VOL. 13 NO. 5

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## AFCC 55th Annual Conference

*Compassionate Family Court Systems: The Role of Trauma-Informed Jurisprudence*  
June 6-9, 2018, Washington Hilton Hotel

**Last chance to register** to join us at the AFCC 55th Annual Conference in Washington, D.C.! In addition to the 96 different workshops, excellent entertainment from the Capitol Steps, superb



## AFCC Annual Conference

*Compassionate Family Court Systems: The Role of Trauma-Informed Jurisprudence*  
June 6-9, 2018  
Washington Hilton  
Washington, DC

plenary speakers, the Silent Auction, dine-arounds, and other opportunities to network, **check out all the things you can do in Washington, D.C.** in just 36 hours!

Register today!

## Ask the Experts: Human Sex Trafficking

*Abigail M. Judge, Ph.D.*

Human sex trafficking happens throughout the United States. Trafficked children and adults present to family and juvenile courts for a variety of reasons, although the majority will neither identify as victims nor be identified as such by professionals.

Read more

## Donate to the Scholarship Fund

**There is still time to contribute to the AFCC Scholarship Fund!** The AFCC Scholarship Fund helps colleagues attend the annual conference, to hear from world renowned speakers in their field, and network with other professionals. This year, AFCC has awarded more than 50 scholarships to deserving applicants!

If you have not already given this year, please consider giving a gift today. **Thank you to all the AFCC members who have already donated,** know that your gift reaches many.

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## AFCC Chapter Conferences

[Australia Chapter Annual Conference](#)

August 16-18, 2018  
The Hilton Victoria Square  
Adelaide, SA, Australia

[Washington Chapter Annual Conference](#)

September 22, 2018  
Washington Athletic Club  
Seattle, Washington

[Florida Chapter Annual Conference](#)

September 26-28, 2018  
The Florida Hotel and  
Conference Center  
Orlando, Florida

The Association of Family and Conciliation Courts and Relate co-sponsored Modern Families, Modern Family Justice, a 24-hour consultation at St. George's House in Windsor, UK, February 12-13, 2018. Thirty family justice experts from throughout Europe examined programs, policy and practice related to family justice and relationship support. The final report, authored by AFCC members Janet Walker and David Marjoribanks, is now available!

[Read the report](#)

[Wisconsin Chapter Annual Conference](#)  
September 28, 2018

[Indiana Chapter Annual Conference](#)  
September 28, 2018  
The IndyBar Venue  
Indianapolis, Indiana

[Illinois Chapter Annual Conference](#)  
October 19, 2018  
Chicago, Illinois

[New York Chapter Annual Conference](#)  
November 18, 2018  
University at Buffalo School of Law  
Buffalo, New York



## AFCC Webinar Corner

[Register now](#) for next month's webinar:

### Evaluating Substance Abuse

Harry Somers, EdD

June 20, 2018, 2018 1:00-2:00pm Eastern time USA

**Save the date** for the July webinar, **Working with Personality Disordered Clients**, presented by Bill Eddy LCSW, CFLS, July 18, 2018 at 1:00pm Eastern time, USA. [Registration opens on June 20, 2018.](#)

If you missed this month's webinar, SAFeR Approach to Parenting Arrangements in Cases Involving Intimate Partner Violence, **AFCC members may access the recording for free, along with all other previous webinars** through the [Member Center](#) of the AFCC website. Not a member? Click here to [join today!](#)

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## Member News

**Justice George Czutrin** is being honoured by the Ontario Bar Association this month with the 2018 OBA Award for Excellence in Family Law. This award is well-deserved for his tireless dedication first as a family law lawyer and then as a judge. George served as AFCC President 2003-2004 and was awarded the John E. VanDuzer Distinguished Service Award in 2011. He currently serves as the Senior Family Justice of the Superior Court ( Ontario). Congratulations, George!

**Marcy Pasternak, PhD**, a forensic psychologist in New Jersey, is the recipient of the New Jersey Chapter of AFCC Philip N. Sobel Award. She has demonstrated an unwavering commitment to fostering settlement-based approaches to resolving family law disputes, keeping the best interests of children uppermost.

**Patrick Parkinson**, AFCC member from Sydney, Australia, was appointed as the new Academic Dean and Head of School for TC Berine School of Law at the University of Queensland.

## AFCC Chapter Challenge

Congratulations to the AFCC Colorado Chapters for the largest membership growth in 2017-18. Colorado increased their members by 30%, totaling 55 new members! The chapter was awarded \$5,000. Thank you all for participating!



## Family Court Review Writing Competition

The *Family Court Review*, the interdisciplinary journal of AFCC, published in cooperation with the Center for Children, Families and the Law at Hofstra University School of Law, held its 9th Annual Family Law Writing Competition. There were a total of 20 submissions!

First place winner: "Safe Haven Reopening: Lowering the Custody Modification Standard to Reopen an Initial Agreement in Cases of Domestic Violence" by Brittany Elise DeVries from George Washington University Law School. Be sure to say hello to Brittany at the 55th Annual Conference in D.C. this year!

Second place winner: "Creating the Trauma-to-Prison Pipeline: How the U.S. Justice System Criminalizes Structural and Interpersonal Trauma Experienced by

Girls of Color” by DeAnna Baumle from Fordham University School of Law.

Both winners will be published in the October 2018 edition of the *Family Court Review*!

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eNEWS

VOL. 13 NO. 5  
MAY 2018

## **Hidden in plain sight: Ten things court professionals should know about the commercial sexual exploitation of children and human sex trafficking in the U.S.**

*Abigail M. Judge, Ph.D.*

- 1. Human sex trafficking happens throughout the United States.** Trafficked children and adults present to family and juvenile courts for a variety of reasons, although the majority will neither identify as victims nor be identified as such by professionals. This article provides an overview of human sex trafficking (HT) in the U.S. to enhance awareness among professionals who work in family and juvenile courts, and also to help improve the multidisciplinary response to victims and families. Although HT occurs in the labor and commercial sex industries, this article focuses on sex trafficking and the commercial sexual exploitation of children (CSEC) given the unique psychological consequences of these crimes and particular nexus with family court.

The simplest definition of HT is the forced sexual exploitation of vulnerable individuals for a third party's financial gain. Trafficking affects the most vulnerable and socially marginalized individuals in our communities. In 2000 Congress defined child sex trafficking as the recruitment, harboring, transportation, provision of obtaining of a child under 18 for a sex act for which anything of value is received by any person. When an individual is over 18-years-old, the commercial sex act must occur under conditions of force, fraud or coercion to be defined as sex trafficking. Reliable prevalence estimates of HT/CSEC in the U.S. are difficult to obtain given the secretive nature of the commercial sex industry. However, in recent years' court professionals anecdotally report an increase in HT/CSEC cases seen in family and juvenile courts.

- 2. Many children and families affected by HT/CSEC are also involved with formal child-serving systems.** Risk factors for HT/CSEC overlap with the

reasons that families become court involved. This includes child abuse and neglect, foster/out-of-home placement, and adolescent truancy and running away, to name a few. Research suggests that as many as 50-90% of trafficked youth have histories with the child welfare system, including high rates of foster care placement and juvenile justice system involvement. A sub-population of sexually exploited youth and their families, as well as adults involved in the commercial sex trade, thus present to family and juvenile court even if the impact of HT is never disclosed or identified. Family and juvenile court professionals are therefore in a unique position to help identify victims and link families with assistance.

**3. The role of the family varies from case to case, and court professionals should be familiar with each of these scenarios:**

- Family members perpetrate sex trafficking. Research suggests this is more common in child welfare samples. The possibility of HT and CSEC should therefore be screened for in all child protection matters.
- Parental absence and compromised parenting are risk factors for children's vulnerability to being recruited into CSEC/HT. Parental adversity, whether due to untreated substance use disorder or mental illness or interparental conflict, can render parents less responsive to children's needs. This, coupled with other social and economic factors, can leave youth vulnerable to sexual exploitation by a third party. In fact, exploiters are extremely savvy about targeting vulnerable individuals, and may recruit at places near adolescent group homes, court houses, substance use disorder clinics, as well as through online interactions.
- Proximity to the commercial sex industry is a risk factor for involvement in HT/CSEC. This can be due to where one lives or one's family history. Pimping, prostitution and sex trafficking can be intergenerational and thus normalized, which can make self-identification as a victim extremely complex.
- Running away from home and homelessness are among the most robust risk factors for adolescents' involvement in HT/CSEC. Court professionals should therefore consider the possibility of HT/CSEC when juveniles present to Court due to a status offense (i.e., running away, truancy). Youth with histories of trauma and/or who identify as LGBT are at particular risk for CSEC. Unsheltered adults, especially those with untreated substance use disorders, are also at high risk.
- Girls and women may become pregnant during sexually exploitation, often times by their trafficker, who may then use the child as an instrument of coercion and control. The possibility of HT/CSEC should therefore be

assessed in custody matters, guardianship petitions and other cases where access and custody are disputed.

- In contrast to the above, the family can also be a resource for survivors in terms of recovery and reintegration. Family and juvenile court professionals may play a role in helping to reunify families after trafficking occurs, or in helping to prevent exploitation in the first place.

- 4. Possible indicators of HT and ways to ask.** Court professionals should universally screen for [HT/CSE](#). One of the most important things to understand is that individuals will rarely self-identify as a victim of HT/CSEC, even if the case has been adjudicated as such. Trafficking is legal language, and individuals have their own understanding and narrative for what has happened which will often contrast sharply from the law or the language of mental health professionals. Survivors often have good historical reasons to mistrust the court and other systems, which can also inhibit disclosure. Given these challenges with self-identification and disclosure, how can court professionals help?
- 5. Family and juvenile court professionals can help educate the court about the impact of HT/CSEC and spur the development of trauma-informed legal responses.** Forensic evaluators, probation officers, and attorneys can play an important role in educating the court about the role of HT/CSEC on a child or adult's presentation. For example, educating the court about the possibility of HT/CSEC could help the court understand a teenager's repeated elopements from a group home. Or, recognizing the possible history of HT could shed a different light on a custody dispute between an exploiter and his former victim. Improved awareness could also lead to more appropriately tailored, trauma-informed legal interventions. Professionals based in family and juvenile court are insiders in the legal system. This makes us well positioned to innovate trauma-informed, survivor-centered alternatives to detaining youth, to help prevent transfer of youth to adult criminal justice, and help create streamlined process for vacating related criminal records for adolescents and adult survivors.
- 6. Understanding intimate partner violence provides a starting point for courts to understand HT.** There are conceptual similarities between HT and intimate partner violence (IPV), and the latter is currently better understood in family and juvenile courts. Similarities include the complex relationship between exploiter and victim, traumatic bonding, the secrecy of the crime, heightened safety concerns/ perpetrator's lethality, survivors' reluctance to identify as victims, and the multiple attempts that individuals often need to exit an exploiter. Experts have suggested that the current level of awareness and services infrastructure for HT/CSEC is similar to that for IPV prior to the



1970s battered women's shelter movement. Important differences also exist, but their shared dynamics provide a starting point for systems with limited awareness of HT/CSEC.

- 7. Court professionals should use a trauma-informed lens to understand victim behavior.** Most survivors have had negative experiences with formal systems prior to and while being exploited (e.g., child protection, health care, law enforcement). Victims have “fallen through the cracks” of social safety nets and endured significant trauma, often times within the very systems poised to offer help. In addition, traffickers commonly vilify authority figures and others who offer help to victims as part of the exploitative process. Exploiters may involve victims in illegal activities in order to foster victims' culpability, dependence on the trafficker as well as to increase self-blame. Research suggests that when survivors do disclose HT/CSEC to professionals, survivors often feel judged. Thus, survivors are likely present to court feeling hypervigilant, anxious, and emotionally dysregulated. This can manifest in “difficult” behaviors (e.g. mistrust, evasiveness, anger) that are actually signs of traumatic stress. Court professionals should curb their assumptions about how they imagine a trafficking victim “should” act, and use a trauma-informed lens to help put challenging behaviors in context.
- 8. Know your state law and mandated reporting requirements.** The federal government defined HT in the Trafficking Victims and Protection Act of 2000 and through its subsequent reauthorizations. [Ever since, all 50 states have passed anti-trafficking laws that punish traffickers and support survivors.](#) Be informed about laws in your state, as they may contain new requirements for mandated reporting as well as provisions for services and local resources.
- 9. Educate yourself and your colleagues.** There is increasing interest and awareness about HT among professionals but empirical research is limited. There is also widespread misperception about the crime and a dearth of specialized services for survivors. Organizations like the National Child Traumatic Stress Network, Polaris Project and the UNH Crimes Against Children Research Center provide evidence-based information to inform practice.
- 10. Create response protocols that are based in partnerships among community agencies who work with HT/CSE survivors.** Once HT is disclosed or identified, there should be a protocol in place to help carry out an effective response and safe disposition. Ideally, protocols are in place before you identify your first HT case. Disclosure or identification without an appropriate response could be retraumatizing and result in re-trafficking. It is therefore paramount to create a response protocol that is grounded in multidisciplinary, cross-sector partnerships since no single professional, system or discipline can adequately respond to the range of needs among survivors and their families. This requires collaboration among probation,

mental health, law enforcement, the judiciary and survivor professionals. Organizations led and staffed by survivor professionals possess a sophisticated understanding of victims' needs – they are a critical voice in building a response protocol. Cross-sector partnerships are challenging to build but teamwork among groups not accustomed to collaboration is a vital part of an effective social response to HT. Resources like the [Office for Victims of Crime](#) can help you identify HT services and task forces in your area to help build collaborations.

*Dr. Abigail Judge is a clinical and child forensic psychologist who has been involved with children and adults affected by commercial sexual exploitation and human sex trafficking since 2009 as a clinician, evaluator, educator and expert witness. Dr. Judge has a private practice in Cambridge, MA and she is on staff at the Massachusetts General Hospital, where she is on the part-faculty at Harvard Medical School. At MGH, Dr. Judge leads a psychiatric clinic for adult survivors of commercial sexual exploitation and she also educates psychiatry trainees and faculty about engaging survivors in care. She is the editor of two books and many articles, and her current writing addresses the role of psychology in the multidisciplinary response to commercial sexual exploitation. Most recently Dr. Judge received a grant from the Radcliffe Institute for Advanced Study at Harvard University to lead an interdisciplinary meeting of international stakeholders to develop survivor-centered guidelines for the development of mental health services for survivors of sex trafficking (Listening to survivors: Building supports for women exiting commercial sexual exploitation through mental health and survivor professional collaborations). Visit Dr. Judge online at [www.abigailjudge.com](http://www.abigailjudge.com).*