The Santa Clara County Greenbook Story: From Theory to Transformation

By Judge Leonard Edwards (Ret.) and Judge Katherine Lucero*

ABSTRACT

This article is an overview of the past 20 years, from a judicial perspective, of how a discreet selection of Greenbook recommendations were implemented in Santa Clara County, California. This historical overview shows that it is possible to take a guidebook written by national experts from many jurisdictions and tailor the intervention to a particular location with the assistance of local leadership. We applied a theoretical framework to government agency interventions and to the very real needs of families, and that process resulted in a profound transformation of practice.

Key words: Collaboration, domestic violence, child welfare, juvenile court, law enforcement, co-occurrence, Greenbook, systems change, best practices, implementation, safety planning, accountability.

PROLOGUE

It was a typically warm day in San Jose the Spring of 2000 when the press conference about the good news of having been selected as a Greenbook site was held. Everyone with political stature was present. The chief of police, the district attorney, the presiding superior court judge, the county board of supervisors, the directors of at least two major domestic violence agencies and the Department of Family and Children’s Services director were among the VIPs present. Of course, the press was there along with lawyers, social workers, and community members with an eye on all of us, as well as a whole host of

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I. INTRODUCTION

It is a startling fact that approximately 30-60% of cases involving domestic violence also involve child maltreatment. This overlap has resulted in tension between two sets of professionals: social workers and domestic violence advocates. Social workers are concerned that victims of domestic violence are not adequately protecting their children from violence in the home. As a result, they frequently remove children from homes in which violence takes place. On the other hand, some domestic violence advocates see social workers as abusing the parent victim for the second time. First, the parent victim is beaten at home, and then the children are removed from the parent victim’s care. Nowhere is this tension more evident than in the juvenile dependency court where children appear in legal proceedings after being removed from a violent home.

It was the ineffective and sometimes harmful response to domestic violence in our nation’s courts that led Merry Hofford, director and creator of the Family Violence Department of the National Council of Juvenile and Family Court Judges (NCJFCJ), to...
launch several studies in the 1990s. These studies led Ms. Hofford to conclude that the tension between social workers and domestic violence advocates resulted in harm to children and non-offending parents. She proposed a significant national study bringing together social workers, domestic violence advocates, juvenile court judges, federal officials, and others to develop a policy guide including best practices when there is a co-occurrence of domestic violence and child maltreatment. The initial funding for the project came from the David and Lucille Packard Foundation. When the U.S. Department of Health and Human Services (DHHS) learned of the project, they engaged several federal funding programs to collectively support Greenbook implementation.

In addition to juvenile court judges, social workers, and domestic violence advocates, the national project included representatives from the NCJFCJ, the Child Welfare League of America, the Children’s Alliance, the Chicago Children and Family Justice Center, the National Institute on Domestic Violence in the African American Community, as well as law professors and service providers. The principle consultants to the project were Jeffrey Edleson, a professor at the University of Minnesota; Susan Schechter, a professor at the University of Iowa; and Lonnie Weiss, a consultant working in Pennsylvania.

The goal of the national project was to develop a policy manual containing best practices for professionals working with victims of domestic violence and their children. The project aimed to address issues such as: How can communities protect non-offending parents and their children and hold perpetrators accountable for their violence?

After more than two years of work, including numerous meetings around the country and intensive sessions between professionals who, at first, did not trust each other, the participants created a policy manual: *Effective Interventions in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice*. The publication, known as the Greenbook, was completed in 1998, published in 1999, and approved by the board of trustees of the NCJFCJ in February 1999.

The Greenbook was an innovative step-by-step guide which outlined 67 strategies to change systems in a jurisdiction. The goal of the Greenbook was to change systems by changing culture and attitudes among major stakeholders including social workers, domestic violence advocates, and juvenile court judges in order to improve outcomes for families and children experiencing domestic violence and child maltreatment. It was new, it was bold, and these were cutting edge suggestions.

The federal government, through DHHS, participated in all of the Greenbook meetings and was so impressed with the book that several federal agencies financially supported


7 These federal funders included the Office of Child Abuse and Neglect, the Children’s Bureau, the U.S. Department of Health and Human Services, the Office of Victims of Crime, The Office of Justice Programs, and The U.S. Department of Justice. Additionally, two foundations, the David and Lucile Packard Foundation and the Walter S. Johnson Foundation contributed to the project.

implementation. It selected six sites to implement the Greenbook recommendations including San Francisco and Santa Clara Counties, California; El Paso County, Colorado; St. Louis County, Missouri; Grafton County, New Hampshire; and Lane County, Oregon. The sites received federal grants, technical assistance, and other support to implement the Greenbook principles and recommendations over a 5-year demonstration period.

The results of the project at all sites included (1) major collaborative efforts aimed at improving outcomes for children and families; (2) changes in practice regarding direct services for families and children; (3) changes in policies at child welfare agencies, domestic violence service providers, and juvenile dependency courts, and (4) better working arrangements with key participants in the justice system including law enforcement, batterer intervention programs, and other branches of the court. As Judge Mike Clark sitting in Santa Clara County reflected: “...child welfare professionals and domestic violence advocates were able to come together with an attitude toward cooperation for the first time in local history.”

This paper will focus on many of the changes that took place in Santa Clara County as a result of the Greenbook Initiative and the ways in which the Greenbook continues to impact local practice 20 years later. Other jurisdictions may benefit from our Greenbook experience by getting a sense of how one jurisdiction adapted the manual. The reader will also learn how difficult it is to implement systems change even when a governmental system partnered with community-based organizations and all participants really wanted to improve practice. This work is hard, it is slow, and it is fragile. However, in the end, as you will read, it is worth it.

II. SANTA CLARA COUNTY GREENBOOK INITIATIVE

Santa Clara County started the Greenbook work early with a grant from the David and Lucile Packard Foundation in 1999. The early team was led by the juvenile court. Key leadership, particularly from the judiciary, identified influential participants from each of the stakeholder domains and held regular meetings for months prior to the start of the official federal grant. Much of what was discussed among these thought partners was how to become a viable jurisdiction to apply for the Greenbook DHHS grant in the future. We had to show that we were ready to hit the ground running if we were selected as one of the six sites to implement the Greenbook recommendations. We began using the language of collaboration and system accountability long before the actual request for proposals came out for the DHHS grant opportunity. This preliminary work would later become an invaluable staging for our culture shift. The same team of high-level thought partners easily transitioned to the Greenbook executive team in 2001. Moreover, as you will see later in this article, Santa Clara continued “Greenbook work” years after the federal grant ended.

10 L.M. Clark (personal communication, June 17, 2017).
In 1999 our first task was to persuade the five domestic violence advocacy groups to join our project. Judge Len Edwards, then presiding judge of the juvenile court, approached these agencies about the Greenbook. The advocates were concerned about working with the Department of Family and Children’s Services (DFCS) and the courts, but they were interested in the opportunities the project offered, including enhanced relationships across agencies, more children staying with the non-violent parent, and more legal assistance and safety planning for victims of domestic violence.

Santa Clara County had created a domestic violence council in 1991, a council that included leaders or their representatives from most governmental agencies, domestic violence advocates, service providers, and interested citizens.\(^\text{11}\) The domestic violence council had helped to develop good working relationships between the advocates, law enforcement, and the courts. The advocates said they were willing to work with social services, the courts, and the Greenbook project. The national Greenbook did not include law enforcement as one of the key partners, but we in Santa Clara County believed that they had to be brought to the table to make lasting changes. Santa Clara County is a socially progressive jurisdiction with a conservative orientation when it comes to law enforcement. The stakeholders knew that including them in the policy development to keep victims safe was critical. Therefore, Santa Clara County had four major partners: the courts, child welfare, domestic violence advocacy agencies, and law enforcement. Additionally, we invited representatives from the probation department, the family court, the victim-witness program,\(^\text{12}\) the district attorney’s office, the county counsel’s office, the superior court administration, service providers, attorneys, and several other interested persons and agencies.

A. The Structure

Implementation oversight was provided by the Project Oversight Committee (POC), comprised of senior representatives from the juvenile dependency court, the DFCS, and the five non-profit domestic violence organizations (Next Door Solutions to Domestic Violence, Support Network for Battered Women, Community Solutions, Asian Americans for Community Involvement, and MAITRI). The POC was created during the year before the beginning of the federal grant and made many of the important early decisions about the structure of the project.

There was also an implementation team comprised of about 70 representatives from the above agencies as well as from other organizations. Finally, as with each of the local demonstration sites, a local research partner was contracted to facilitate research and evaluation for the local pilot project, as well as to carry out cross-site evaluation activities designed by the national evaluation team led by Caliber Associates. In Santa Clara


\(^\text{12}\) The California Legislature passed legislation that created a fund for victims of crime. Working with the local Victim-Witness Office, we were able to persuade the office that children who were the subject of proceedings in the juvenile dependency court should be entitled to money from that fund. See Cal. Penal Code §§ 13835 et. seq. (West, 2018).
County, the local research partner was Applied Survey Research (ASR), a Watsonville-based social research firm.13

We selected a community-based organization called Kids in Common as the project manager and neutral convener for the initiative.14 This was an excellent decision by the POC in that the tension that is described above was palatable, and no icebreaker could have alleviated the intense mistrust that the child advocates had towards the domestic violence advocates and the domestic violence advocates had towards the social workers and the courts. Child advocates mistrusted the domestic violence advocates because they did not think that the domestic violence advocates cared as much about child safety as they did about adult victim safety. Domestic violence advocates knew at that time what we now know, that victims of domestic violence often place their child’s safety above their own safety, even at their own risk. Thus, there was inherent misunderstanding at the outset about why victims of domestic violence would stay in a violent relationship and about how protective they actually were of their children. Over time all of that misinformation would be debunked, and we would all learn the truth about the strength and protectiveness of the parent victim and come to develop a system to protect both the parent victim and the child, rather than separate them.

Until we could all develop common understandings as a multi-agency system, a safe zone was designed to allow all of the players to come together meeting after meeting and month after month to peel back the hardened assumptions about one another and to allow a new perception to be built on the reality of what we all wanted: safe, healthy families. Kids in Common provided that space and that emotional safety that could not have been there if it had been the judge, the DFCS director, the district attorney, or a domestic violence agency director in charge. Neutrality in our approach needed to be seen, heard, and felt. We physically met out in the community and not at the courthouse or another government building. Discussions were led by the staff of Kids in Common and not by the same old entrenched power structure of elected or appointed government officials.

In their role as local evaluators, ASR conducted hours of interviews with a variety of stakeholders, including agency leaders, agency line staff, and other community members.15 ASR filed a number of evaluation reports containing data and analysis. They also came up with the following theory of change.16

This simple theory of change guided us in determining which of the 67 Greenbook recommendations we would tailor and adopt to meet the needs of our county. We divided up the prioritized recommendations into eight project areas, each with a subcommittee to spearhead the work. Then we expanded the theory of change to include each of the eight projects, the short-term system outcomes for each, and the desired outcomes for the families.

13 For further information concerning ASR, see www.appliedsurveyresearch.org.
14 For more information about Kids in Common, visit http://www.kidsincommon.org/
15 ASR also attended all of the numerous Greenbook meetings.
Shortly after starting our implementation project, the federal government published a document outlining its expectations for each of the sites. (These expectations are listed in Appendix A.)

We met often. There were plenary meetings, project meetings, POC meetings, and other meetings. At the plenary meetings, everyone working on the Greenbook project was invited, often resulting in meetings with as many as several hundred people. At these meetings, we invited experts to educate us on critical issues relevant to implementation of the Greenbook recommendations. We had experts on child development, on the impact of domestic violence on children, on working with perpetrators of violence, and on other related topics.

B. The Eight Projects

We assigned a team of stakeholders to each of the eight projects we had identified. We made certain, with each project, that we had the right people on the working team. At project meetings, the team figured out how to translate policy into practice. We learned through that work that policy is easy to declare, but transforming policy into daily practice can be challenging.
Project 1: Development and training of domestic violence advocates: Santa Clara County did not have enough advocates to meet the needs of domestic violence survivors. Therefore, a key area of focus of this project was to address this shortage. We knew we needed a more robust infrastructure to provide domestic violence advocacy to our families in the child welfare system. We knew that domestic violence agencies struggled for funding and that we should develop funding streams that would allow the domestic violence agencies to assist our families 24/7. Critical to our vision was making sure that when a victim was identified in the field, she or he was given support every step of the way through the court process. As all of the other partners were well-funded government agencies, we knew we needed to ensure the participation of the much less-funded domestic violence agencies. Goals for this project included increasing funding for domestic violence agencies and ensuring that these agencies had an equal voice at the collaboration table.

Project 2: Cross training and building internal capacity: Keys to this project were: (1) understanding each other's role; (2) building system protocols that took into account the co-occurrence of domestic violence and child maltreatment and kept the children safe without blaming the victim; and (3) developing better screening tools to keep more money available for families to be served.

children with the non-offending parent or if removed, to get them home as quickly as possible.

In 2001, prior to starting the other Greenbook projects, we began with cross-agency training and cross-agency dialogue meetings. Each participant wanted to learn about the work of the other partners. Someone called it “walking in someone else’s shoes.” Social workers and judges went to domestic violence shelters. Social workers and advocates sat through dependency hearings. Social workers, domestic violence advocates, and judges went on “ride-alongs” with law enforcement. We also started a series of facilitated cross-system dialogues. They were courageous conversations for us to talk plainly with one another about perceptions, assumptions, and emotional triggers that one group of service providers might have for another. Examples included discussions about “failure to protect” and “why does the parent victim go back.” It was not uncommon to have moments of frustration and tears when one professional described to another how their client had been failed time and time again by the chaotic system response.

These conversations were courageous because before the Greenbook Initiative no one said what they were thinking because to do so would have alienated system partners and resulted in a breakdown in communication. People had to speak up and be brave in order for the issues to come out and then be dealt with, named, and healed. These topics often included larger social issues like race, poverty, shortages in mental health services, and housing shortages. This undertaking was very difficult for a county that prided itself on professionalism and polite conversation. Sometimes the conversations were so uncomfortable that people teared up or started yelling. In the end, however, these conversations made us all braver and more willing to air difficult topics and helped us begin to heal our systems so that we could heal our families. We called these cross-systems dialogues.

A cross-system dialogue was a highly structured process in which “hot button” issues in the community related to child maltreatment and domestic violence would be discussed in a safe, productive, and solution-oriented manner. Each of the individual sectors developed and presented papers on difficult topics such as children witnessing domestic violence or mandated services for domestic violence victims. The goal of these discussions was to identify philosophical differences and agreements and determine how to manage the different approaches of each individual sector. These dialogues were solution-oriented and an excellent way to promote cross-sector collaboration.

Additionally, throughout the project, cross-agency trainings took place on a regular basis, bringing participants together to better understand the dynamics of domestic violence and child maltreatment, to gain information about each other’s policies and practices, to build strategies for collaboration on cases, and to learn about services available to adult and child survivors. The trainings involved approximately 700 staff.

18 Schechter & Edleson, supra note 7, Recommendation 11 at 25: “Every community must cross-train its child welfare, domestic violence and juvenile court personnel and provide written materials to them on identification, assessment, referral, and safety interventions with families experiencing child maltreatment and adult domestic violence.”

19 “Failure to protect” refers to social workers holding the mother accountable for failing to protect her child from domestic violence. Many legal petitions use that language to justify intervention by the state to protect the child.
representing law enforcement, courts, social workers, and community-based organizations. We invited experts from around the state to lead some of these cross-agency trainings.

Results from these trainings included:

- Participants knowledge about the co-occurrence of child maltreatment and domestic violence increased dramatically during the project, according to self-reports.  
  \[20\]
- We learned how to screen/assess for domestic violence, how other systems worked, what resources were available, and how to make referrals to them.  
  \[21\]
- The numbers of children removed from their homes dropped by 23%, and children placed at the children’s shelter decreased dramatically.  
  \[22\]
- After a domestic violence incident, domestic violence victims were more likely to receive a phone call from an advocate, offering crisis intervention and resources.  
  \[23\]

DFCS also developed protocols and practices that reflected recommendations in the Greenbook. For example, DFCS created a model safety plan protocol for victims of domestic violence and their children.  
\[24\] The agency hired a victim of abuse to advise social workers and created a unit specifically devoted to domestic violence cases. We also recognized that having separate service plans for each parent was a best practice. So, based upon discussions among judges and representatives from DFCS, DFCS began creating separate service plans for each parent.  
\[25\] DFCS also reported that, based upon their new protocols, families coming to the agency were more likely than in the past to be screened for domestic violence.  
\[26\]

**Project 3: Perpetrator accountability and services:** The main objective of this project was to ensure that perpetrators of violence were held accountable and had access to timely evaluations and treatment interventions that were gender specific and culturally responsive. We also wanted to make sure survivors had immediate access to restraining orders, law enforcement assistance, and timely prosecutions. DFCS developed its own 52-week batterer intervention program. It was certified by the probation department and became the primary referral from the juvenile dependency court when men who batter were identified in court proceedings. DFCS also created a new parenting class called “Parenting Without Violence.” The class was taught by experts in the dynamics of domestic violence.

\[22\] *Id.* at 59.
\[23\] *Id.* at 60.
\[24\] Schechter & Edleson, *supra* note 7, Principle X at 62: “Child protection workers should develop service plans and referrals that focus on the safety, stability, and well-being of all victims of family violence and that hold domestic violence perpetrators accountable.”
\[25\] *Id.* Recommendation 20 at 64-65: “Child protection services workers should make every effort to develop separate service plans for adult victims and perpetrators – regardless of their legal status vis-a-vis the child,” and Recommendation 61: “The juvenile court should work with child welfare and social service agencies to ensure that separate service plans for the perpetrator and the victim of domestic violence are developed.”
\[26\] *Id.* Principle X at 62.
violence and was an important part of educating parents about the impact of violence on children.

**Project 4: Multidisciplinary response**: The desired outcomes of this project were 1) to create a multi-disciplinary domestic violence response team (DVRT) consisting of a law enforcement officer, a social worker, a domestic violence advocate, and others, as appropriate, to provide immediate, next day, or follow-up responses when domestic violence and child maltreatment were detected; and 2) to ensure that DVRT clients and their families were provided with support, information, and resources to help ensure their safety, ultimately diverting victims and children from the child welfare system whenever possible.27

Building co-located teams of social workers, police, and domestic violence advocates to respond to reports of domestic violence with children present was critical to the vision of removing the perpetrator of violence and keeping the children at home with their non-offending parent. Domestic violence advocates would also follow up the next day to see if the victim was safe or if she needed anything. Another goal of this project was to have a location in the community where domestic violence victims could walk in and receive an array of services from the co-located agencies.

To further emphasize that responses would not be one size fits all, we brought in other agencies needed to problem-solve on these very complex cases. These cases often involved other issues in addition to domestic violence. Often the families were struggling with substance abuse, mental health issues, poor housing, and other issues. We sometimes also needed help from the probation department because of parents’ involvement in the criminal justice system.

**Project 5: Change DFCS agency policy and worker practice**28: This project included training social workers to understand domestic violence dynamics and to screen for domestic violence. Training on the array of services that were available to keep the non-offending parent and the children safe was the primary goal of this project. Moreover, the juvenile court made certain that funding for victims of violence, both children and adult victims, was provided by the victim-witness program.29

As part of this project, we also wanted to reduce the number of children removed from their home when domestic violence was the only issue that brought the family to the system. We recognized that separating the children from the non-offending parent could result in more trauma than working out a plan to keep them together. So we wanted to find community resources for the family so that the non-offending parent and the child could stay together. In addition, we wanted to promote conversations among social workers and survivors, perpetrators, youth, and children to create effective case plans.

In order to accomplish these goals, DFCS established several internal goals:

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28 DFCS is the Department of Family and Children’s Services, the social service agency in Santa Clara County.

1. Every social worker will screen for domestic violence and do further assessments as needed.
2. Every family member will participate in a dialogue with staff about their needs.
3. Clients will have a greater understanding of system services available for these families.
4. Staff will create service plans that respond to client’s needs, are relevant to the client’s culture, are focused on problem resolution, are attainable by the client, and are coordinated, differentiated, and manageable for the social worker.
5. Staff will follow up on client service plans and ensure seamless transition to other DFCS units or services.
6. Every family member will receive interventions or counseling services (such as victim-witness services, for example).

Figure 3 shows how the work of this project resulted in improved practices in domestic violence cases. Figures 4 and 5 show how improvements in staff training and the development of improved protocols produced better results for children and victims.

30 Applied Survey Research, supra note 15 at 36-37.
Policies will keep the non-offending parent and child together whenever possible, hold the perpetrator accountable, identify service needs of all family members, and create clear detailed visitation guidelines which focus on safe exchanges and safe environment for visits.  

As part of the Greenbook project, in 2003 we decided to conduct a Praxis Safety and Accountability Audit. Several POC members were aware of the outstanding work that Ellen Pence had been producing in Duluth, Minnesota through an audit there. We concluded that an audit could improve our work. An interagency team of individuals drawn from each of the four sectors involved in the Greenbook Initiative dedicated 64 hours to conduct this audit. The team, with support from the Praxis consultants, produced a report with specific recommendations related to needed change in organizational structures to increase safety for victims and children and increase perpetrator accountability.

Schechter & Edleson, supra note 7, Recommendation 57 at 93: “Where there is domestic violence in child protection cases, judges should make orders which (a) keep the child and parent victim safe; (b) keep the non-abusive parent and child together whenever possible; (c) hold the perpetrator accountable; (d) identify the service needs of all family members, including all forms of assistance and help for the child, safety, support, and economic stability for the victim; and rehabilitation and accountability for the perpetrator; (e) create clear, detailed visitation guidelines which focus upon safe exchange and safe environments for visits.”

accountability. The report included suggestions for changes in technology and resources, rules and regulations, administrative procedures, system linkages, and needed training that fostered improved safety and accountability. The audit concluded in September of 2003.

The juvenile court judges worked with the attorneys representing DFCS and asked them to modify their legal petitions when domestic violence was present in the families they encountered. Instead of alleging that “the parents engaged in domestic violence” or “the non-offending parent failed to protect the child,” the agency attorneys began alleging specific behaviors and identifying primary aggressors and victims.

The advocate community volunteered to train every social worker and probation officer in the dynamics of domestic violence. This offer was so popular that other county and city agencies asked for and received the same training. Law enforcement departments had already been working with advocates to develop a protocol when they

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34 Schechter & Edleson, supra note 7, Recommendation 58 at 93: “The petitioner in child protection cases should allege in petitions or pleadings any domestic violence that has caused harm to the child.”

35 Id. Recommendation 31 at 78: “Domestic violence organizations should support and organize regular cross-training activities with the agencies and groups that deal with child welfare.”
responded to a domestic violence disturbance. That protocol was modified to include best practices when children were present, and that led to the development of a joint response protocol.36 When law enforcement arrests a parent and no alternative placement for the child is immediately available, the protocol requires law enforcement to call DFCS so that a social worker can take custody of the child or children. DFCS agreed to do so within an hour of the call so that law enforcement could continue with their work.37 The probation department developed a policy manual for dealing with cases involving domestic violence and created a separate unit of probation officers who investigated and supervised cases involving domestic violence. The probation protocol is still updated regularly.38

Project 6: Integrated courts: The goal of this project was to develop court protocols so that the dependency court could fashion restraining orders for the family that came before it, so the family did not have to go to another courtroom for an order needed to keep the family safe. This project was done in coordination with the domestic violence council subcommittee on court systems.

In dependency court, the law office providing parent representation hired an attorney who was an expert in domestic violence law, having served as counsel for the Support Network for Battered Women for several years. She trained all the attorneys and judges on the dynamics of domestic violence.39 In 1996, the juvenile court presiding judge had drafted a proposed statute that was adopted by the California legislature permitting juvenile court judges to issue restraining orders from the bench based on the reports provided to the court at the detention hearing.40 The average number of restraining orders issued by juvenile court judicial officers was over 70 a year.41

Also, in 1996, a domestic violence advocate who was a licensed therapist appeared daily in juvenile dependency court.42 She met with victims of domestic violence after the initial hearing and provided both individual and group counseling to them. DFCS recognized its responsibility for providing these services and paid for them during the Greenbook project. That advocate helped clients access safety planning, immigration legal

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37 For more details concerning joint response in Santa Clara County, visit https://www.sccgov.org/ssa/opp2/02_assess/2-2.html#points.
38 Santa Clara County Probation Department (2018). Procedures manual: Domestic violence supervision standards. San Jose, CA: Author; Santa Clara County Probation Department (2012). Standards for batterers programs and certification. San Jose, CA: Author. Both documents are available from the authors: Judgeleonardwards@gmail.com and KLucero@scscourt.org.
39 Schechter & Edleson, supra note 7, Recommendation 47 at 90: “The juvenile court should ensure that all participants in the court system are trained in the dynamics of domestic violence, the impact of domestic violence on adults and children, and the most effective and culturally responsive interventions in these cases including safety planning.”
40 Cal. Welf. & Inst. Code § 213.5
41 Schechter & Edleson, supra note 7, Recommendation 55 at 92: “Juvenile courts should have specific powers to enable them to ensure the safety of all family members.”
42 The presiding judge allowed the Victim Advocate to review all new cases prior to the hearing.
services, and other resources as needed. The advocate later founded the Domestic Violence Intervention Collaborative (DVIC), which still exists in the county’s dependency court. The juvenile court judicial officers made certain that every victim of domestic violence and every child exposed to domestic violence received victim-witness funds for counseling and other supports. Access to this funding was possible because the leader of the victim-witness program had been an active participant in the Greenbook Initiative from the beginning. He educated everyone on the process of obtaining those funds, and he agreed to have a member of the victim-witness program located at the social services agency to make it easy for social workers to apply for those funds.

Greenbook partners developed counseling resources for children and youth who were exposed to domestic violence, counseling resources that were informed by the research showing that individual, parent–child, and group counseling for these children was effective. A victim support group was developed, and victims of domestic violence could be court mandated to attend these classes so that in a compassionate and supportive setting, they could better understand the impact of domestic violence on their children. The class was led by domestic violence experts and often former clients of the agency who had lost and then had regained custody of their children.

The juvenile court worked with advocates and DFCS to create services for perpetrators of violence. The court appointed a separate attorney for the perpetrator and insisted that the case plan focus on any danger to the other parent and the child. The case plan included a provision that the perpetrator must complete a batterer intervention program and parenting classes that focus on the impact of violence on children, and also included other services available to parents such as housing, substance abuse counseling, and employment assistance. The court would also order that the perpetrator have supervised visits at a visitation center at least until unsupervised visits could be considered safe.

Recognizing that remedies were not one-size-fits-all for our diverse population, the Latino community developed a family dinner night where family members could have dinner together even after court orders had separated the perpetrator from the rest of the

43 For more information about the Domestic Violence Intervention Collaborative (DVIC), visit https://dvintervention.org/. For an interview with Nancy Marshall, the founder of DVIC, see the article entitled “Advocacy Perspectives on the Greenbook: Interviews with Domestic Violence Advocates from Three Federally Funded Greenbook Sites” by Lucy Salcido Carter in this journal issue.


45 Schechter & Edleson, supra note 7, Recommendation 61 at 93: “The juvenile court should work with child welfare and social service agencies to ensure that separate service plans for the perpetrator and the victim of domestic violence are developed.”

46 Id. Recommendation 66 at 93: “Judges should appoint separate attorneys for each parent in dependency cases involving domestic violence. In compliance with the requirements of the Child Abuse Prevention and Treatment Act (CAPTA) a GAL or attorney should be appointed for the child as well. The court should set standards for competent, well-trained attorneys.”
family. These dinners were a way to acknowledge that forcing family members “underground” to see one another was not safe.

**Project 7: The Respect Culture and Community Initiative (RCCI):** The Respect Culture and Community Initiative focused on bringing the talents, resources, and skills of people in the community together to increase their collective power and work for social change for families experiencing the co-occurrence of domestic violence and child maltreatment.

It also aimed to improve systemic responses to domestic violence and child maltreatment by connecting systems with the community’s feedback for their improvement. The goal of this project was to work together with faith-based and culturally specific organizations to develop resources and solutions, by hearing from them the best ways to support their families rather than by telling them how to solve their problems. An additional goal was to encourage communities to hold themselves and systems accountable for the development of solutions.

This project addressed the unique needs of the various cultures in our diverse community. Several meetings were held where community leaders from non-profits, churches, temples, and mosques were invited to come and voice their concerns about how law enforcement and DFCS handled cases of alleged domestic violence that involved children. This effort reached out to the Vietnamese, Ethiopian, Indian, Korean, African-American, and Latino communities and included them in the discussions and the solutions. Each of these communities and many more had been touched by the separation of families after a domestic violence incident, and there were growing concerns about how each community needed to partner with the governmental agencies to the extent possible to keep victims and children safe and in their own communities. (See Appendix B for additional information regarding the work of RCCI.)

**Project 8: Partnership project:** The goal of this project was to ensure that providers and professionals working in the system had increased understanding of how each other’s systems responded to specific cases, where threats to safety or wellbeing occurred, or how support could be enhanced. Providers would respond by making tactical policy changes that affected the day-to-day practice of serving clients. These high-level systems changes could only be done at the POC level.

For example, the juvenile court held trainings regarding the “reasonable efforts” requirement of the federal law and how it should be implemented in cases involving domestic violence. Reasonable efforts is a term created in federal law in 1980 through the Adoption Assistance and Child Welfare Act. The term refers to the obligation of social workers to provide services to prevent removal of a child from parental care and to assist families to reunite with their children should they be removed by the juvenile court. With regards to domestic violence cases, reasonable efforts may require the social worker to contact law enforcement in order to remove the offender, ask the judge

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47 Schechter & Edleson, *supra* note 7, Recommendation 56 at 92: “Judges should use their judicial powers, including utilizing the ‘reasonable efforts’ requirement of state and federal law, to see that social services provide adequate efforts to ensure safety for child and adult victims of domestic violence.” Also see Edwards, L. (Winter 2012). Domestic violence and reasonable efforts at the detention hearing, *The Bench*, 7-8, which also is available at judgeleonardedwards.com.


immediately (by telephone) for a protective order, place the victim and the child in a safe place, and provide other supports for the victim and child. Juvenile court mediators developed a protocol for mediating cases where domestic violence was present and required all mediators to have specialized training in the dynamics of domestic violence.50 County counsel, the law office that represented DFCS, authored a white paper opining for the first time in this county that a child witnessing domestic violence was not sufficient reason to remove the child.51

One area of interest was the traumatic impact on children who were removed from their caretaking parent. The goal was to reduce the number of children removed from their non-offending parent. The graph below (Figure 6) indicates the progress made as a result of this project.

As this graph demonstrates, children became less likely to be removed from the nonoffending parent during the course of the Greenbook Initiative. During the implementation period, law enforcement and DFCS developed a joint response protocol (described above).52 The protocol led to a dramatic reduction in children being placed in

![Figure 6. Admission to the Children’s Shelter During the Greenbook Project](image)

**Improved Initial Response**

**Children who may have been exposed to violence are now less likely to be removed from their homes and placed in shelter:**

The number of children removed from the home and brought to the Children’s Shelter has decreased since 2001

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50 Schechter & Edleson, *supra* note 7, Recommendation 48 at 90. The writers of the Greenbook incorporated the Santa Clara County mediation protocol into Recommendation 48.

51 Clark, L.M. (2003). _When to contact child protective services (CPS) in domestic violence cases: A guide for mandated reporters_. San Jose, CA: County of Santa Clara Office of the County Counsel. Copies are available from the authors: Judgeleonardedwards@gmail.com and KLucero@scscourt.org.

52 See *supra* notes 35 and 36 and accompanying text.
the children’s shelter from several hundred children in the shelter per day to fewer than 20 and then to zero.53 The Greenbook Initiative actually led to the closure of the shelter a few years later. Today Santa Clara County has a receiving center to get children moved to relatives or foster homes within 23 hours.

III. LIFE AFTER GREENBOOK

Over the Greenbook grant years, we developed our goals, tailored our outcomes, and changed things. We really did. We uttered phrases and questions that had never been uttered out loud in public, such as “Remove the perpetrator and not the child” and “Who is really failing to protect?”. We talked about continuums of domestic violence, reintegration of the perpetrator, and cultural differences. We opened up the airwaves to discussions that had never been promoted in the past. We organized the community and held forums, developed tool kits, and got buy-in from priests, pastors, and rabbis. We worked across agencies to change the system’s responses to families experiencing domestic violence. Figure 7 highlights the “climate change” we created as a result of our Greenbook work.

Legal petition language changed; a specialized domestic violence unit was formed at DFCS; and we trained hundreds of professionals and citizens on the overlap of child maltreatment and domestic violence. We completed all the federal expectations for the site-based

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Greenbook work. (See Appendix A.) We took the Greenbook as far as we could with the changes we planned to make and the changes that we made along the way. In our role as the Greenbook implementation team, we let ourselves be led by the community, and we were comfortable using a new lens to view an old problem. The jurisdiction was transformed. We were successful. We did it all. We were in a Greenbook frenzy for five glorious years.

In the aftermath after the dust settled and the money ran out, we began to reflect on what actually did change and on what we could sustain. We recognized that as team members retired or moved, new personnel might not understand the changes we had made, might not appreciate the collaborative nature of our work, and might fall back into old habits.

A. Specific Changes

We discussed how to embed our changes into everyday practice in our county. Our main strength was that we had made a difference in Santa Clara County. Advocates and social workers built alliances that were not just based on personalities. The Greenbook process created friendships and understanding between these two groups that previously had criticized each other. The presence in DFCS of domestic violence advocates and social worker experts on domestic violence gave case workers immediate access to professionals who could mentor them in domestic violence cases and explain the dynamics of domestic violence. All law enforcement agencies in the county refined their responses to cases involving domestic violence to be consistent with Greenbook recommendations.54 Similarly, those same agencies updated their child maltreatment protocols to be consistent with the Greenbook.55 The San Jose Police Department created one of the most effective and innovative family violence centers in the country.56 Today children are rarely, if ever, brought into protective care for the sole reason of domestic violence. Restraining orders are now available in juvenile court so that they can be issued readily when necessary. Judges are trained, and a judicial domestic violence coordinating committee meets monthly to ensure that judges are coordinating their court orders.

In 1998 California voters approved an additional tax on cigarettes. This tax funded programs throughout the state to provide services for children five years of age and under. Called First Five, the organization continues today.57 During our implementation grant, our local First Five focused on domestic violence issues that impact young children and provided services unavailable from DFCS.58 Working with the Office of Women’s Policy (OWP)59, First Five co-located domestic violence advocates at their family

54 Domestic Violence Protocol, supra note 35.
56 For more information about the San Jose Police Department Family Violence Center, visit www.sjpd.org/boi/fvc/
57 For more information about First Five California, visit www.ccfc.ca.gov
58 For more information about First Five Santa Clara County, visit https://www.first5kids.org/
59 The Santa Clara County board of supervisors created the Office of Women’s Policy years before the Greenbook project. The OWP advised the board of supervisors about all issues involving women.
First Five also partnered with the Health Trust on a federal grant to help domestic violence victims with children avoid homelessness and worked with parents in jail and with their children’s caregivers. Their efforts continue today.

The county board of supervisors learned of our implementation project, understood the importance of the Greenbook efforts, and invested heavily in domestic violence prevention and intervention efforts in the county. They created the Intimate Partner Violence Project which includes funding for services for children and non-offending parents in families impacted by domestic violence. The Greenbook helped shape the recommendations that Cynthia Hunter, the domestic violence prevention coordinator for the county, presented to the board of supervisors in 2012 regarding mental health services for children and non-offending parents.

B. Lasting Impact

The board of supervisors currently funds six domestic violence agencies: the YWCA, Community Solutions, Next Door Solutions to Domestic Violence, Asian Americans for Community Involvement, Maitri, and the Katherine and George Alexander Community Center. The board also funds the three family justice centers in partnership with the district attorney’s office.

Some of the original Greenbook team members have, since implementation, been concerned that a few of the practices implemented during Greenbook have fallen away in favor of a more integrated model. However, these changes have been positive, building on what we had learned and improving what we had created. Greenbook was a starting place. Twenty years ago we had a much different landscape when it came to government response to domestic violence cases. The Nicholson case from New York was decided during our Greenbook project. Domestic violence used to be considered a private family matter, and victims of domestic violence were pathologized for staying or returning to the perpetrator of violence. We have changed that perspective because laws have changed, practice has changed, and people and agencies are working together in new ways. Now a trauma-informed response from the government for all system-involved families is the new research-based mission. We are all trying to keep children with their families because we now understand how devastating it is for children to become separated from a non-offending parent.

The specialized domestic violence unit at DFCS was disbanded in 2017. Today every social worker receives training about safety planning, domestic violence assessments, and the overlap of child maltreatment and domestic violence. Now these issues are addressed in the everyday work that all social workers do. We always wanted

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60 Family Resource Centers are located throughout the county.
61 For more information about the Health Trust, visit https://healthtrust.org/
62 Santa Clara County has a five-member board of supervisors that governs the county.
63 See supra note 4 and accompanying text for a discussion of the importance of the Nicholson cases.
Greenbook to become more like air than like an oxygen tank. To now have every social work trained seems that we have accomplished something, especially given how under-reported domestic violence is in the child welfare arena. These lasting changes certainly indicate a climate shift.

And there are other indications of this lasting climate shift. For example, after indicating to the board of supervisors that we needed an ongoing neutral facilitator to be funded to continue to coordinate domestic violence services, DFCS responses, and protocol development, the board created a position at the county executive level for a county-wide domestic violence coordinator. Cynthia Hunter, who was one of the key Greenbook team facilitators working with Kids in Common, was selected as the first county-wide domestic violence coordinator.

In addition to the new services and supports provided by the board of supervisors, the OWP just completed 20 years of service to the community as part of the county executive’s staff. Over the course of the past two decades, some of the significant developments that occurred as a result of the Greenbook include cross-systems collaboration to increase support for families experiencing domestic violence. The OWP played a key leadership role in supporting those collaborations. Every issue that impacts women and girls in Santa Clara County is addressed at the highest levels of county government through the OWP.

As one of the six Greenbook implementation sites, Santa Clara County has leveraged the positive changes from the project and the initial financial investment to secure additional funding from the county. Domestic violence prevention and intervention is now an important and respected part of Santa Clara County government.

IV. CONCLUSION

These are some of the changes that resulted from Santa Clara County’s participation in the Greenbook. Now almost 20 years later, some of these practices remain in place while others have given way to the development of new projects that accomplish Greenbook changes more effectively. For example, the county has adjusted some interventions to take into account research findings on Adverse Childhood Experiences and the need for trauma-informed practices, as well as an acknowledgement of the significant role that gender, culture, and race play in all the work we do. The Greenbook process has been the source of many continued collaborative changes in Santa Clara County. These changes have resulted in the improved protection of and services for victims of domestic violence

65 Perhaps one of the most significant steps that OWP took in order to look at systems alignment for families to thrive and children to stay safe is the recently concluded report and recommendations of the Intimate Partner Violence (IPV) Blue Ribbon Taskforce that brought together system partners, community-based organizations, and survivors for a two-year project to learn about IPV and to secure a commitment from the county to address it. A significant part of the work of this taskforce was to shed light on systemic gaps that impact families and included a specific track on children exposed to IPV as part of its theory of change. In June 2017 the board of supervisors accepted the recommendations of the taskforce and in June of 2018, voted to increase the funding for IPV services from approximately $420,000 to $6.5 million. The OWP played a lead role in this increase, which the supervisors and county executive’s office committed to continue growing. While the Greenbook exposed the failures of systems that don’t collaborate for sustainable outcomes, it created a roadmap for communities committed to protecting children and families with lasting solutions and intersectional services.
and their children.\textsuperscript{66} Relationships among professionals and service providers working with children and families have been altered for all time due to the Greenbook, and for that improvement we are eternally grateful.

The view from the bench over these past 20 years has been breathtaking. It has been a full-scale turnaround to go from, in the past, separating children from non-offending parents solely because they were seen as failing to protect to now recognizing the non-offending parent as the child’s champion and an expert on how to survive a violent relationship. It almost seems like we thought the world was flat, and now we know different. Having worked with and been educated by the wisdom of people with decades of research, experience, and vision has been a remarkable journey. Systems change is difficult. It requires all of us to remain open to the possibility that things can be different. It is also slow. Yet it is possible. The Greenbook work showed us that truth. From a hundred different points in an otherwise hardened bureaucratic network made up of government rules and agency limitations, the light got in so that change could occur. We all did something good here.

\textbf{EPILOGUE}

It was April 15\textsuperscript{th}, 2019, twenty years after we started work on Greenbook implementation. We visited the board of supervisors’ chambers for a community meeting. Twenty-three county leaders met with the community to discuss recommendations regarding responses to sexual assault and domestic violence. The county sheriff, the district attorney, the public health director, the chief of police, and elected officials from both the city (San Jose) and the county presided over the public hearing to address domestic violence and sexual assault.

Several hundred citizens heard panels of experts discuss what they are doing to prevent and intervene in cases involving sexual assault, domestic violence, and sexual trafficking. Then the leaders spoke about their goals to continue the work we started two decades ago. The most remarkable aspect of the two-hour meeting was that all of the leaders were new — they had not been a part of the Greenbook project — yet they were doing Greenbook work. The legacy of the Greenbook is that it created a way for collaborative cross-systems strategies to be part of the Santa Clara County culture.

The final citizen spoke at 9:30 p.m. People stayed for three and a half hours to tell the local leaders about personal experiences and the gaps that they saw in services to address domestic violence and sexual assault. The Greenbook always honored and expected the community voice to be present when formulating solutions. What is different now is that we have so much more information about the intersections of sexual assault, domestic violence, and human trafficking. We know about trauma, brain development, and the impact of domestic violence on children. The issues are so complex. A consciousness has been attained in the county that was not there before. We just didn’t have the language 20 years ago in the way that we do today to unravel what we are seeing in the exploitation of women and girls by people who are supposed to know and love them. Greenbook was only the beginning — the foundation of what was to come.

\textsuperscript{66} After the Greenbook grant ended, we applied for and received another grant and started a Family Wellness Court with a DV/Child maltreatment overlap lens. Much of how we got $6 million dollars over three years was due to the Greenbook success, which was recognized by the federal Department of Health and Human Services.
It is clear, from the event on April 15, 2019, that we will keep evolving and that there is no going back.

APPENDIX A

FEDERAL EXPECTATIONS OF THE GREENBOOK INITIATIVE

Approximately six months after Santa Clara County had identified its local theory of change and desired outcomes, the national Greenbook management team developed broad outcome areas, called the “Federal Expectations,” around which the national evaluation would be structured. These expectations were quite similar to the local outcomes, and were as follows:

1. Each community will develop a collaboration to plan and implement Greenbook recommendations. The collaboration:
   a. Will establish and maintain a governance structure composed of, at a minimum, the three primary systems that will provide leadership to the project, and
   b. Will establish and maintain a collaborative process that sets local goals, recommends policies and ways to implement the goals, and leads to agency buy-in.

2. Each of the primary systems (child welfare, domestic violence service providers, and the dependency courts) will make changes to policies and procedures to improve the safety and well-being of battered parents and their children.

   This would include at a minimum:
   a. Improving screening and assessment policies and procedures as appropriate for the three systems and for other community providers;
   b. In the context of information sharing, instituting policies and procedures to ensure appropriate confidentiality and enhance the safety of family members;
   c. Improving information sharing between different courts in the jurisdiction that deal with battered individuals and perpetrators;
   d. Instituting policies and procedures that result in improved safety planning for battered mothers who are involved with any of the three systems;
   e. Instituting policies and procedures that lead to improved advocacy for battered mothers involved with any of the three systems;
   f. Increasing knowledge of judges and program staff through joint training about domestic violence, child maltreatment, and ways to more effectively address cases where co-occurrence is an issue; and
g. Instituting or improving policies and procedures by domestic violence service providers that clarify when and how staff report child maltreatment to the child protection agency.

3. The members of the partnership will take actions to improve the ways their organizations work together to address particular cases involving battered women and their maltreated children to improve their safety and well-being.

Regarding individual cases, there will be evidence of:

a. Case screening and assessment,

b. Multidisciplinary case planning,

c. Improved access to a wider range of services necessary to address domestic violence and child maltreatment,

d. Safety planning, and

e. Greater empowerment of battered women in decision-making.

4. The child welfare agency in the local collaboration will institute policies and procedures that minimize blaming the non-offending parent by not using designations that inappropriately imply the mother’s failure to protect her children, maintain children with their non-offending parent, and create plans for the perpetrator designed to curtail further abuse if he/she chooses to remain involved with the children.

5. The partnership will improve ways of holding batterers accountable.

6. Policy and practice reform should be informed by community service providers, community members, and former clients of child welfare and domestic violence programs.

7. The Federal initiative will create a sustainable set of cooperative relationships among the participants to continue working on Greenbook issues when Federal funds cease.

APPENDIX B

RESPECTING COMMUNITY AND CULTURE - SANTA CLARA COUNTY GREENBOOK INITIATIVE POSITION PAPER

Greenbook White Paper notes from June 25, 2004 Meeting

The RCCI Gatekeepers have been meeting for approximately 18 months. Forty community leaders were identified by the core members of the RCCI committee. That number has grown to include about 80 Community Gatekeepers. The criteria for being named a Gatekeeper is that you are an individual that works on a day to day basis with the families and children in our diverse communities and that you have
access to large numbers of people who trust you and may not otherwise know about the Greenbook Project.

The purpose of this paper is to inform the Santa Clara County Greenbook Project about what is still lacking in the practice of intervention with families that must interface with the different systems due to crisis of domestic violence and/or child abuse.

**Question #1**
Do you believe that victims of domestic violence are willing to call the police or are they hesitant? Why or Why not?
- Hard for the Police Department to determine dominate aggressor; batterers are sophisticated and know how to get their victims arrested
- Victims have been punished by reporting (by batterers or Policeman blaming victims)
- Based upon past experiences, some communities of color don’t trust the police
- Police don’t always follow up on reports
- Need for community policing or alternative approaches
- Victims don’t call the police because there is a fear of deportation
- It is hard to create outreach to victims because they are so isolated.
- Suggestion that outreach should target victims who are isolated by, i.e. laundry mats, stores
- People see limited ways to get involved

Victims contact the Police Department as a very last resort. Even when a victim contacts a DV agency for help it is a common request for the DV agency to not inform the police.

- There is a lack of timely response from the time a Police report is filed
- Neighbors who are willing to contact the police if they are witnessing or hearing DV do not do so because the neighbor often times does not have the information that is required in order to make a report.

**Question #2**
Do you know victims who have gone through Child Protective Services (CPS)? If so, what was their experience with the system? What was their relationship with the social worker like? What was their experience going to the court? What was their accessibility to their caseworker?

- There is a lacking opportunity to get the whole family together to identify their needs and begin to heal. There needs to be an effort to preserve the family bond.
- There is a lack of resources for families to stay together (or to not be broken apart).
- A need to tailor the services to the individual family
- A lack of credibility exists for the systems
- There is a lack of non-traditional approaches
- How can a community member intervene when their neighbor (victim) speaks a different language?
Question #3
Are victims you come into contact with satisfied with how the community holds batterers accountable? Are batterers arrested? Do they go to jail? Are they prosecuted? Do victims file restraining orders against them? Do batterers attend classes?

♦ Are the 52-week programs working? The 52-week program effectiveness is based on the batterer and not on the length of the California State Mandate of a 52-week program.

♦ The 52-week BIP focuses on belief systems. It takes at least 6 months for batterers to identify their beliefs and understand who (the batterers) are.

♦ Maintenance after the BIP 52 week programs
Victims have more classes than batterers per week
♦ How can the family (preservation) be integrated into BIPs without making the victim and children safe?

♦ Batterers are sophisticated and know how to use the systems against victims, i.e. getting the victims arrested.
  - Advocated should be calling Rolanda if victims are wrongly arrested

♦ Batterers must be accountable by and to the system
♦ If batterers don’t go to required programs, they go to jail. When they get out of jail they go back into the same systems

♦ Current interventions are not very effective. There needs to be a look at new intervention programs while not losing the criminal justice system response.

♦ Batterer intervention programs don’t work for some people.

Question #4
Are you aware of alternative batterer accountability methods that victims prefer?

♦ It is a burden for victims when they want to change the no-contact order to a peaceful-contact order.

Question #5
Are you aware of how victims think children are affected by violence in the home? Do you know if victims are able to get services for their children?

♦ Victims become aware of the impact once they see their child acting out or the child’s behavior starting to change

♦ Victims might not be aware of the emotional harm to their child

♦ When children approach victims crying and saying, ‘Why did Daddy hit you?’ women realize they need to leave. They are not leaving because of the violence they are leaving for their children.

♦ We are not giving women enough credit and instead we are re-victimizing women.

♦ We need to give more resources to women so they understand the resources for kids. We need more resources for kids to heal, i.e. a program for kids zero to five years in age that have experienced trauma.
Timing for women is key. Develop programs to heal the parent with the child and to continue the bond instead of creating separate programs for each member of the family.

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