

The Juvenile Drug Court Judge and Lawyer: Four Common Mistakes in Treating Drug Court Adolescents

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A B S T R A C T

This article will present information gleaned from anecdotal experience of existing juvenile drug treatment courts regarding several common mistakes often made by those new to the drug court. The mistakes discussed include: 1) Believing the work and role responsibilities in a traditional juvenile court will not change significantly when entering a juvenile drug court; 2) Citing the "elimination of drug and alcohol use" as a final outcome goal when developing the mission statement for a juvenile drug court; 3) Believing that a juvenile drug court ensures "accountability" by keeping a close eye on participants and setting immediate consequences for any break in program rules; 4) Using vicarious learning to "teach a lesson"—making an example of an individual participant who has broken program rules in front of the large group. The goal of this article is not only to raise caution to these pitfalls, but also to help incoming judges and lawyers become aware of the changes that working in a juvenile drug court will demand.

I N T R O D U C T I O N

It is the rare judge or lawyer who has not experienced the satisfaction of being approached by a past defendant eager to tell a personal story of redemption—a less than desirable life or a miserable substance abusing situation seemingly made worse by an arrest and conviction. Yet as the story unfolds, the court appearance mysteriously becomes a catalyst for a positive turnaround. A negative life's trajectory has been changed. We revel in their gratitude and joy.

The formula to consistently duplicate these redemptive stories seems to elude our field. The field of addiction treatment has long had the desire and methodology to apply treatment for dissuading drug use and improving health. However, regardless of the expertise or commitment of these substance abuse staff, they have had to stand by and watch helplessly while many clients

have walked out the door and prematurely left treatment, muttering either indignation or indifference. Our court systems, serving goals of public safety and social control, could coerce mandated attendance and continuance of these same clients, yet courts never had the treatment services to extend with "in-house" autonomy and efficacy. I am reminded of Kuhn's (1970)

idea that new paradigms grow out of the mysteries of existing ones. It is not surprising, therefore, that the "marriage" between the court's mandated power and the treatment field's know-how would be brought together in a powerfully new combination within the drug treatment courts.

Adult Drug Treatment Courts

It appears the adage, "Necessity is the mother of invention" was the genesis for drug treatment courts. The first drug treatment court for adults started in the

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Dade County Circuit Court in Miami during the summer of 1989. With miles of remote shoreline, Florida was beset by drug traffickers during the cocaine "boom" of the 1980s. Lengthy sentences imposed for drug trafficking had clogged Florida's penal system, taking away detention space needed for violent and habitual offenders.

Florida was not alone. This influx of drug charges was also a burden across the country. Hora, Schma and Rosenthal (1999) report, "The 1984 Comprehensive Crime Control Act, the 1986 Anti-Drug Abuse Act, and the 1988 Anti-Drug Abuse Act, all expanded and increased federal penalties for drug trafficking and use. State legislatures followed suit by enacting similar laws that required mandatory minimum sentences with increased penalties for drug offenses. As law enforcement officials implemented the new drug laws, a wave of drug cases pushed into state and federal courts. The numbers of arrested drug offenders processed by our criminal justice system demonstrated this. Drug arrests nationally increased 134% between 1980 and 1989..." (p. 459).

To react to this large influx of drug cases, courts began trying to consolidate and expedite within the traditional criminal justice system. Hora et al. (1999) explain,

This method of consolidation developed into two general models for processing drug offense cases, both labeled drug courts—the Expedited Drug Case Method and the Drug Treatment Court. The term 'Expedited Drug Case Management' applies to those courts that still focus on standard means of punishment and probation or parole for drug offenders. EDCM courts emphasize case management and quick disposition of drug cases to eliminate or cope with the increases in drug cases. As an alternative to merely attempting to speed up the judicial process, some jurisdictions have taken a different approach. Instead of working on the symptoms of the increase in drug offenses (i.e., crowding of local court dockets), these courts looked for some method of curing the underlying problems of drug crimes—drug use and addiction. Now identified as 'Drug Treatment Courts,' this system of court-prompted and

supervised treatment for drug offenders aims at correcting the addictive behavior of the drug offenders who enter the courts. (p. 463).

Many jurisdictions rethought their approach to handling defendants charged with drug and drug related offenses. "Drug treatment court" or simply "drug court" programs began to emerge and function in tandem with the traditional adjudication process. Defendants referred to the drug court are generally non-violent offenders whose involvement with the criminal justice system is primarily due to their substance abuse or substance dependency (addiction). Defendants eligible for drug court programming are identified as quickly as possible after arrest. Referrals might also occur for those already adjudicated and receiving probation services if substance abuse problems are identified.

Once accepted into the drug court, intervention starts *immediately*. Drug court programming entails a multi-phase out-patient treatment program that involves weekly (often daily) contact with a treatment provider for therapy, counseling/education; frequent urinalysis (randomly assigned on a weekly basis), frequent progress review hearings before the drug court judge—generally occurring bi-weekly or very frequently within the early stage(s) of programming, and supportive services that might include vocational, educational, family, medical, or other rehabilitative services.

There is interest in increasing the target population. A recent report sponsored by the U.S. Department of Justice (1998) states:

Although, initially, many drug courts focused on first offenders, increasingly, jurisdictions are targeting more serious offenders for several reasons: (1) a recognition of the apparent futility of traditional probation and/or incarceration sentences which have already been imposed on many of these defendants and have failed to prevent continued drug use and criminal activity; and (2) a policy decision to use the limited resources available to the drug court for persons with serious substance addiction problems, rather than those with less severe problems who might be served through other programs (p.2).

The success has been dramatic. In a little over a decade, there have been almost 100,000 graduates from drug court programs. Drug court research (National Drug Court Institute, 2000) shows this service design provides closer and more comprehensive supervision of defendants than other forms of community oversight. The drug court modality offers a substantial cost reduction while substantially reducing drug use and criminality for defendants who are active in court programming. Criminal behavior is lower for those who have participated in drug court programs—much lower for successful graduates. There are over 280 adult drug courts in operation with 164 in planning process at this time. Adult drug courts have quickly become an innovative fixture within our criminal justice system.

Juvenile Drug Courts

With the success realized by the adult drug courts over the last 10 years, the application of drug court principles to the juvenile court population was the next logical step. The history of the juvenile drug court is brief as the first juvenile drug court was formed in 1995. Existing powers were simply extended and applied to encompass this new type of court. Cooper et al. (1998) reports, "Juvenile drug courts require no special legal authorization. The authority of the juvenile court is derived from the same source as that of the traditional judge" (p.18). Funding to support these courts can be found within Title V of the Violent Crime Control and Law Enforcement Act of 1994. The U.S. Department of Justice offers grant support and technical assistance to interested communities and jurisdictions. This assistance is coordinated by the Justice Department's Drug Court Program Office.

After several years of juvenile drug court implementations, more is now known about the foundation of knowledge and skills that is necessary for effective practice with adolescent substance abusers. This article will highlight two such qualifications for the judge, prosecutor and defense counsel. The first qualification involves a willingness to forgo traditional work roles and become aware of the unique demands of participation in the juvenile drug court team. A second qualification includes becoming more familiar with therapeutic methods and employing them for greater gains with juvenile drug court participants.

Four Common Mistakes

From my direct experience as a consultant, providing training and onsite technical assistance to juvenile drug courts, I find incoming court personnel often make four common mistakes as they join a juvenile drug court. These pitfalls include: 1) Believing the work and role responsibilities in a traditional juvenile court will not change significantly when entering a juvenile drug court; 2) Citing the "elimination of drug and alcohol use" as a final outcome goal when developing the mission statement for a juvenile drug court; 3) Believing that a juvenile drug court ensures "accountability" by keeping a close eye on participants and setting immediate consequences for any break in program rules; 4) Using vicarious learning to "teach a lesson"—making an example of an individual participant who has broken program rules in front of the large group.

1. Believing the work and role responsibilities in a traditional juvenile court will not change significantly when entering a juvenile drug court.

As with any procedural change in the work place, old habits die hard. So, too, with the traditional roles of the judge, prosecuting attorney, and defense counsel who enter a juvenile drug court. The roles from the adversarial (traditional) process have been honed for decades and are clearly defined. The judge is a detached and objective arbiter over the court, concerned with procedures and "correct" application of the law. The prosecuting attorney has a primary focus on the ("winnable") merits of a case and is concerned for the triad of conviction-punishment-public safety. The defense counsel stands vigilant to charges that should be dropped and presses for the full application of their client's legal rights, while ultimately concerned with minimizing the client's exposure to criminal sanctions.

Many enter the juvenile drug court with a vague understanding that their work role will be different, but may cling stubbornly to the status quo. Vague notions or minimal information simply do not transform behavior. There appear to be several reasons for this reluctance—being inundated with work load, having little time to prepare for the position transfer, lacking training or mentoring, and/or resisting feeling vulnerable in the face of

professional change and learning anew.

How different can this juvenile drug court really be? The answer may shock some who do not enter it with prior knowledge and the necessary personal commitment. Juvenile drug court judges relinquish the traditional detached arbiter role and are thrust into the central hub of a team effort. Judges develop new expertise by recognizing the nature of adolescent development and the nature of drug abuse behavior patterns. By far, the greatest change for the judge is the sensitivity and development of a one-to-one working relationship with the drug court participant. Although most juvenile court judges approach adolescents with this sensitivity and interest, there is an increase in personal connection and active mentoring to program participants by drug court judges. This relationship often becomes parent-like when the judge fully embraces the drug court role. Juvenile drug court judges have been known to attend a sports game or a program recital for an adolescent in critical need of a "boost." I have witnessed more than one drug court participant group refer to the judge with positive nicknames. I was impressed that these participants would use these positive nicknames not just within their own group, but openly throughout the program. Although these nicknames are recognized as terms of respect, they also belie a hoped-for reciprocity of caring and affinity. Hora et al. (1999) note, "Rather than moralize about an addict's character flaws, the judge must assume...the role of confessor, task master, cheerleader, and mentor" (p. 477).

The efforts of the prosecutor and defense attorney are similar to traditional roles at the start of a new drug court case, but there are important differences here as well. Prosecutors still enforce public safety, but do so by making sure each prospective drug court participant meets requirements and program eligibility criteria. They stay vigilant throughout a participant's stay in the drug court program, keeping an eye that requirements are being completed. Their power rests not only with the authority extended from their position, but also from the trust and respect gained from developing close relationships with the adolescents. It is not uncommon for graduates to ask the prosecutor to stand with them during the graduation ceremony or to ask the prosecutor to join in a family photo following the ceremony. However non-traditional this camaraderie may seem, these prosecu-

tor/participant alliances are very common within the juvenile drug court. Defense counsel also meets with a prospective participant and thoroughly reviews legal rights and procedural options. This is done, however, with a "treatment orientation." For those who qualify and choose to enter the program, the defense attorney reverses roles to foster honesty and engagement with the court. Their role changes are no less dramatic—to make all efforts to ensure a drug-free and healthy client, not necessarily a client who has been "protected" from the court.

Hora et al. (1999) state, "Instead of the adversarial nature of working a case 'for or against' a drug court participant, the prosecutor and defense attorney approach a case with the juvenile's recovery in mind" (p.478). I have known these two drug court team members to jump in a car and make occasional home visits to spark better performance from a participant who might be slipping. I have also witnessed defense counsel argue for consequences while the prosecuting attorney has advised a "wait and see" approach during a tense discussion within a weekly team meeting. These role reversals are not so hard to imagine when one considers the drug court obligation of "smart punishment," which uses the least amount of consequences necessary to continue and impel treatment. Hora et al. state, "Drug treatment courts' therapeutic orientation compels the court and its participants to pursue and utilize relationships, methods, and ideas which will reinforce and support the goal of getting the individual to stop using drugs." (p.470) The sole focus of a traditional juvenile court on wrongdoing and subsequent punishment is relegated to a minor role, while the mission of increasing health and advancing more responsible behavior takes "center stage" in a juvenile drug court.

2. Citing the "elimination of drug and alcohol use" as a final outcome goal when developing the mission statement for a juvenile drug court.

There is a problem with abstinence. Note that illicit drug use, albeit harmful, is not always construed as harmful by many impressionable adolescents as drugs also extend a "positive" experience of euphoria, excitement, and release from boredom and pain. When juvenile drug court youth are prompted to withdraw from alco-

hol and drug use, what will take their place? Cessation of alcohol and illicit drug use is a *primary* objective for juvenile drug courts, and these specialty courts are adept at compelling abstinence. Yet abstinence alone is shortsighted and should never be looked upon as an envisioned outcome or *final* goal. Any credible goal should be framed as the presence of a new behavior, not only the end to an undesirable prior behavior. Final outcomes for juvenile drug courts should be described as the presence of healthy activities rather than the absence of substance use. For this reason, strength-based practice (Clark, 1995, 1996a, 1996b, 1997a, 1997b, 1988, Nissen and Clark, in press) has become an important and successful approach to juvenile drug court programming. Strength-based practice considers the adolescent's developmental position and looks to assess and support prosocial proclivities—a youth's interests, passions, skills, and wants.

Juvenile drug courts that operate at advanced levels of strength-based practice will compel abstinence while they simultaneously assess and amplify interests. For example, I have seen cosmetology, dance, nursing studies, sports, graphic arts, and guitar lessons written into juvenile drug court case plans. This forms a winning tandem where the objective of abstinence is reached while interests are simultaneously developed. In striving for the final outcome, juvenile drug court teams consider the adage, "The good life is far more than removing what's wrong."

One poignant example of how adult drug court models do not make an effective leap to adolescent work can be found in the term "recovery." Change is needed with the concept of recovery because it does not apply favorably to the goals of the juvenile drug court. Even if applied to the minority of teens who are truly addicted, Richards (1993) cautions, "The term recovery processes [or process of recovery] is meant to denote several things. Initially, one might argue that, like the term rehabilitation, the word 'recovery' implies that the individual will return to his or her prior state. Here again we have the disease model implied [a return to health from the disease], but although in reality, returning to a prior state is often a very undesirable outcome for treatment" (p. 171). Richards notes the term "recovery" belies a return to a former state of health or responsible living, which is not always the case for the still-developing adolescent.

Juveniles do not necessarily need "recovery"; they need expansion and growth, choices, impact, and excitement. Most efforts will involve habilitation rather than rehabilitation as juvenile drug courts teach and build skills, interests (as designated by the youth), and careers to rival the excitement of drug use.

3. Believing that a juvenile drug court ensures "accountability" by keeping a close eye on participants and setting immediate consequences for any break in program rules.

The increased level of accountability that juvenile drug courts can realize is one of the defining accomplishments of this model. Following the initial hearing to establish program entry or acceptance, progress review hearings are set every week or every other week. Parental contact is maintained on a weekly basis to constantly gather the parents' observations and feedback. Drug screen urinalysis occurs frequently, and to avoid prior knowledge, samples are collected on a random schedule. Direct supervision by probation staff or case managers is coupled with a good deal of the juvenile's free time scheduled by treatment programming. All of this programming and oversight turns the drug court participant's life into an open book. Accountability is raised because the participant has little room to hide. This level of contact allows consequences to be set with much more immediacy. Evading court directions or shirking the necessary follow-through is made infinitely harder.

The common mistake involved in this conception of accountability for newly appointed team members is that staff believe this representation is complete. This mistake is especially troublesome for drug court work because no matter how thorough this explanation of accountability may seem, it is lopsided and fractional. Lopsided because it focuses solely on what is wrong, broken, missing, and flawed; fractional because this exclusive focus toward the negative can obscure healthy patterns and successful behaviors that could be utilized for building solutions.

The full notion of accountability is found in a "pound-for-pound" philosophy (Clark, 1985), which requires that the juvenile drug court team will consider equal amounts of positive behavior and troublesome

activity. A "pound" of strengths, past success, or aspirations will be considered for every "pound" of failure, mistakes, and problems. I have found that drug court teams who strive to be strength-based will work to integrate both strengths/aspirations and problems/shortcomings into the treatment planning process. They regularly search for *both* negative and positive elements as they assess an individual's recent behavior for an upcoming progress review hearing. The teams compose their response for that week to any participant by reviewing both compliments regarding accomplishments and suggestions/chastisements. Strength-based teams place conscious effort toward achieving a balance and will understand that (in some weeks) the hunt for a compliment might be difficult and require an "innovative" attitude. If a team session becomes too negatively focused regarding a drug court participant's situation, any team member will feel obliged to turn the larger discussion back into balance. These teams have purposely built into their process this turning back and finding a balance, whether they split the discussion by prior agreement (which eventually becomes habitual in the process) or whether they list both views (positive and negative) in staff meeting paperwork to ensure that the negative will not be allowed to dominate by simple omission. During progress review hearings, feedback from the judge and comments from the prosecutor and defense—from all the drug court team—will always include compliments and supportive banter. These compliments and support will be extended even while glaring slip-ups are being addressed.

Allowing this balanced view does not ignore or condone the problem, nor does it lend agreement to what chafes. Rather, juvenile drug court work never loses sight of what can further intrinsic motivation (the only true motivation that emanates from within) rather than force compliance and obedience. To consider the positives or potential does not negate the problems or concerns. Common sense must prevail. Anyone would welcome obedience when confronted by flagrant program violations or further delinquent behavior. Yet beyond any crisis situation, compliance makes a poor final goal for drug courts. Obedience is not a lofty goal. We can teach animals to obey. Strength-based practice and the pound-for-pound philosophy are constantly used to increase intrinsic motivation that will build sustainable *growth* that will contin-

ue far after the adolescent has finished our programming.

Adopting a more balanced and positive view is one of the tougher transitions for judges and lawyers who have long been inculturated in the pessimism and negative focus of the criminal justice system. A measure of understanding is needed. Lynn Johnson (Personal Communication, May 2, 1999) reports that in our culture criticizing is deemed academic and intellectual. Taking a critical look at any issue or aspect of a drug court or the participants certainly has its place—constructive criticism can validate ideas and improve planning. Yet the juvenile justice field suffers from a mutation of this form of examination. I believe the drain on the energy of any juvenile drug court team does not come from strategizing how to resolve a sizeable problem within a participant's case. Most drug court team members come into their positions with both the skills and enduring stamina for that. Rather, the drain on the team's energy and effectiveness comes from insistent harping from a negative mind set. The problem with all critiques is that they start out with a premise that something is wrong and it is in the best tradition of scholarship to find out what it is. This is part of the academic mind set; constructive criticism is a worthy endeavor. However, this helpful endeavor may swerve into negativity by juvenile drug court staff. An example is found in case review meetings where cases involving the adolescent and family are brought up for discussion and evaluation. These meetings can become toxic in content as only failure and flaws are reported and considered. Consider the Hazelden (1991) adage, "Criticizing may be a helpful first stage in learning, but it is seductive because it holds little risk and we feel safe doing it. In that comfort, we forget to go forward to create what we really want. Our negative energy, when we are seduced by it, creates negative results." Optimistic people or those who consider positive attributes are seen as shallow and "Pollyanna-ish" while negative or pessimistic people are seen as deep and intelligent as this outlook is often considered to have greater validity.

Juvenile drug courts take on a balanced demeanor. To be "strength-based" means simply that we take advantage of all resources. Nissen (Nissen & Clark, in press) cautions that strengths are believed to be the most commonly wasted resources in the juvenile justice system: strengths of the youth as well as the strengths of their

families. Problems are important and certainly call our attention, but wise juvenile drug court teams understand that *problems do not include directions on how to get us past the trouble*. Problems may get the "ball rolling," may start the process, but that is not the same as saying problems will finish the job. Strength-based practice believes only the adolescent's strengths and interests and the development of more positive mind sets within a juvenile drug court team will offer true help in building a pathway away from the problem.

4. Using vicarious learning to "teach a lesson"—making an example of an individual participant who has broken program rules in front of the large group.

Many adult drug courts use a group approach to help participants learn to abide by program rules. In many jurisdictions, participants who attend weekly progress review hearings are not immediately excused following their appearance and are required to sit through the hearings of all drug court participants. This group (usually sitting in the back of the courtroom) becomes a ready-made audience for each participant with the idea that all will benefit. The benefit comes from witnessing the compliments and program rewards extended to someone who has done well, as well as learning vicariously from the person who has broken program rules and receives court consequences.

As with many components of adult drug court models, this group learning model does not fare well with adolescent participants. When the developmental stage of adolescence is considered, the issue of "trust" and making sure that your juvenile drug court programming and procedures work to ensure trust is *critical*. A worthy guide for juvenile drug courts to follow regarding establishment of trust is found in the "components of trust" as established by adolescent development expert Michael Nerney (personal communication - July 12, 2000). Nerney lists these "trust components" as faith, reliability, and predictability.

Faith. It is within this first component of trust that the fourth common mistake is found. Juvenile drug courts would be wise not to replicate the adult court's "learning by example" where the rest of the group within a pro-

gram can watch (and hopefully learn vicariously) from the back of the courtroom as the court "makes an example" of one errant participant. This adult drug court arrangement backfires with adolescents if the Court admonishes the youth for too long in front of his or her peers. Adolescents believe that if the court would ridicule and make an example of one participant, it would just as easily ridicule them as well. With that belief, faith is broken and the hoped-for lessons are lost as the rest of the group moves to sympathize with the youth who is being chastised. The juvenile drug court team would do well to keep corrections short and to the point, avoiding demonstrative displays and long lectures. Research on adolescent development issues (Offer & Sabshin, 1984) calls on drug court team members - if at all possible - to make the attempt to take a teenager aside and *away from the group* to correct and castigate. Because adolescents have a drive for loyalty and an over-reliance on "belonging" with their peers, publicly admonishing them in front of a group will almost certainly evoke a defiant attitude and disrespectful behavior.

It is an easy assumption that drug court team members are not the first adults in authority positions to work with drug court participants. Consider that a majority of our drug court populations have run afoul of traditional community institutions. These teens have had a steady diet of angry adults, including many who personally have weak egos regardless of age or standing. With their character deficits, these "grown ups" have often wielded their adult power over adolescents in oppressive or vengeful manners. Because of these prior experiences, establishment of trust is often an uphill battle during the initial phase of treatment. It is also helpful if team members make all attempts to convince youthful participants that what is onerous and "must" be done (with them, to them) programmatically, is being done *for them* and is in their best interests. We must take extra time and effort to convince them that our intentions and actions are aligned with their best interests.

Reliability. Due to adolescents' cognitive limitations regarding abstract thought, drug court team members must take care to be as clear and concise as possible. When we make commitments to drug court participants, it is hard for a youth to sort through any qualifiers we might attach. For example, a drug court team mem-

ber might say, "If I can clear my afternoon calendar and if I can reach your mother by telephone at her place of employment, then I might stop by later today for a home visit." The qualifiers for the home visit are not heard as any adult might understand them. The statement is interpreted by the adolescent as, "I'll be stopping by later today for a home visit."

Reliability means it is also important to follow up (and follow through) on all program directions. I have provided on-site review and consultation to established juvenile drug courts, and I find it not uncommon to see inconsistencies regarding program requirements. In one instance, a court frequently mentioned the program requirement that all participants obtain a mentor that would be available to them through an adjunct community program. This was listed repeatedly in all printed material and informational handouts passed out to prospective youths and families. However, I found many youths who had reached their third month (or more) in the program but still had not secured a mentor. It became almost "routine" to ask about this program requirement during progress review hearings. Youth would offer a negative shrug, be admonished for their inattention, with the court failing to set up the specific, "who will do what, by when, and checked on by whom" to ensure effective follow-up.

Many would rightfully claim in self-defense that "no program is perfect," and point out many other requirements that are consistently pressed. Yet this lack of follow-through is especially troublesome with developing adolescents, even if not debilitating or considered "serious" in the eyes of program staff. Adults, who have developed abstract thought and are more advanced in moral reasoning, can understand this inconsistency but still conclude that even though the court may be lax on some requirements, other (and possibly more important) program rules will still be enforced with vigor. However, adolescents' moral reasoning is incomplete and it is highly probable that experiencing discordant rules could well lead them to the idea that "if they don't mean what they say about a mentor, then what about consistent sobriety?"

Predictability. A frustrating aspect of adolescents is that they develop their own values and morals by finding the discrepancies in any of the values espoused by mentor-

ing adults. In short, they find their own values by picking ours apart. With this developmental issue in mind, "walking the walk" and being predictable has great implications for juvenile drug court team members.

A second aspect of this component of trust involves trying not to lecture or place adolescents in a "one down" position that engenders resistance and rebelliousness. When working and interacting with this younger population, framing directions and instructions in more amenable "I" messages is extremely important for trust building. The adage, "disclose, don't impose" is often heard in juvenile drug courts as it bypasses the adolescent resistance that comes from "being told." Juvenile drug court team members have far more latitude than one might first believe to offer their "views" and personal experiences for teaching rather than dictating and strictly listing instructions as traditional roles would advise.

Some may bristle at this request for personal disclosure. For those trained within the legal profession and also those familiar with the adjunct helping professions, all have been taught that it is unprofessional to "open up" to clients regarding our personal lives. However, consider a contrasting position taken by Leigh (1998, p. 43). Leigh believes this entrenched advice against self-disclosure to be a byproduct of "deficit-based" approaches where staff are considered to be the "expert" and clients are seen as "damaged goods" and passive recipients to our expert advice. The status of staff and their ideas/beliefs were considered far superior to those of the client. Leigh considers the appropriate stance toward disclosure as one that will engender true rapport. This stance calls for much more openness on our part. If we should expect a greater level of intimacy from the defendant (as is the case in drug treatment courts), we should be ready to offer a greater level of intimacy from our lives as well. The treatment field has been taught to deflect a personal question with a question, while the juvenile justice staff have been taught to consider most personal questions as impertinent affronts that need to be confronted. Although professional relationships are not friendships, they are *relationships* nonetheless. Consider how ridiculous people would sound in their personal lives if they answered these types of questions posed by an acquaintance with responses of, "Why is that important to you?" or "We're

not talking about me!" How hard it would be to build any type of positive relationship with this kind of nondisclosure and distancing.

Leigh cautions one to be "transparent, not public," to discern the difference between opening up our lives to *respond* to a situation that arises when interacting with a teen, rather than offering up our experiences in an unsolicited and self-centered fashion. The value is found in imparting wisdom and teaching during a time of interactional opportunity, not for self-aggrandizement.

Summary

This article has been written with great compassion for the juvenile drug court team. All groups will move through group development stages (forming, norming, storming, performing) as is noted in group development literature, but this group stage of "norming" is not the type of conflict I speak of. These mistakes are not just impediments to reaching simple court objectives, but undercut the basic philosophy and vocation that drive this work. They are usually resolved **only** after they have caused much in-fighting and hardship between the team members themselves. These mistakes are as avoidable as they are common *if* one can pledge the effort to understand the nature of the developing adolescent and then adopt the therapeutic orientation so **intrinsic** to treatment courts.

For this reason, it is incumbent on judges and lawyers working in juvenile drug courts to recognize

and embrace this treatment environment. Set aside your comfort (and assumptions) for the procedures and process in a traditional juvenile court and look critically at the goals that constitute and define this specialty court. Then take a moment to consider further the population you will be working with. Careful maneuvering will be called for to navigate the teenage cognitive, moral, and identity issues. Beyer (1999) reminds us that "kids think differently than adults," and believes our behavior expectations for teens often surpass what they can developmentally deliver. She calls on juvenile justice professionals to be vigilant for adolescents' mistakes and then to use those moments to teach. This vigilance calls for teaching with a kind of patience that comes from **being truly compassionate** to the nature and limits of the adolescent.

In its bare essence, juvenile drug court work involves the coming out "from behind the desk" to establish *relationships*. Due to natural personality differences, the new juvenile drug court team members often must work through a range of personal discomfort with this increased closeness. Some purposely choose this assignment because they seek out this closeness and are energized by it, while the polar opposites are blind-sided by it and come to this intimacy much more cautiously and in more labored increments. However, all must be mindful that adolescents don't change in programs or with services, they don't change in interventions or with treatment, they change in relationships.

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