



**National Treatment
Court Resource Center**



Beyond the Field

Connection

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National Treatment Court Resource Center
Wilmington, North Carolina

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Introduction

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The primary mission of the National Treatment Court Resource Center (NTCRC) is to help treatment court teams design, implement, and enhance programs with an eye toward improving participant outcomes. One way that we can achieve this mission is to produce materials that bridge science and practice. To this end, we publish a blog, *Beyond the Field*, which focuses on a wide range of topics relevant to every member of the treatment court team. These short and easily digestible summaries are designed to be thought-provoking and facilitate dialogue around strategies for improving program operations and outcomes. Periodically, the NTCRC will organize these blog entries into a compilation with a specific theme.

The theme for the this *Beyond the Field* compilation is **connection**. Martin Sheen & Melissa Fitzgerald (2023) eloquently argued that

“addiction is often described as the loss of connection; an unraveling of trust and untethering from community. For individuals and their loved ones, it is, indeed, the abyss...Recovery is a process of resilience and restoration, the rebuilding of human connection. Just as addiction impacts all in its sphere, recovery transcends the individual journey.”

Researchers (Clements et al., 2022) have also “found a significantly positive influence of the feeling of connectedness with people on the treatment of addictive disorders.” In an effort to translate research into practice, the entries in this compilation focus on the importance of connection to embodying the philosophy of therapeutic jurisprudence, why program structure and processes should facilitate connection, and how connection can improve outcomes for participants.

- In *The Importance of Social Connectedness*, Dr. Kristen DeVall encourages all treatment court team members to critically examine the ways in which their programs do (or do not) facilitates connection between and among participants, team members, and the larger recovery community.
- Dr. Jacquelyn Lee authored a three-part series highlighting how connection (to oneself and others) is essential to the treatment court model and the day-to-day work of team members. The series’ first entry *Connection: The Essential Practice for Therapeutic Jurisprudence in Treatment Courts*, highlights the relationship between collaboration—a central and hallmark feature of the treatment court model—and connection. Collaborative working relationships require us to be connected to each other, and this applies to court team members and participants alike. The second entry *Presence is the Foundation of Connection: The Essential Practice for Therapeutic Jurisprudence in Treatment Courts* outlines how the principles and practices of mindfulness might assist treatment court team members in living out the principles of therapeutic jurisprudence. In *Criminals: Offenders. Participants. People.: The Role of Our Beliefs in the Work of Treatment Courts*, Dr. Lee invites readers to use the principles of mindfulness as a framework for critically examining their own beliefs and attitudes. Greater self-awareness facilitates connection between ourselves and others, and connection is central to the principles of therapeutic jurisprudence.
- In *Compassion Fatigue*, Dr. Kristen DeVall explores the philosophy of therapeutic jurisprudence and the critical role of compassion. We all know that the work of treatment court professionals can be inspiring

and rewarding, while also challenging and emotionally exhausting. To this end, team members must be cognizant of the signs associated with compassion fatigue.

- So, what does therapeutic jurisprudence look like in practice? In *Therapeutic Jurisprudence & Empathy*, Dr. DeVall encourages team members to practice empathy when interacting with participants.
- In *Evidence-Based Relationships: The Science of Relationships that Work*, Dr. Sally MacKain reviews the best available research to identify the core components of effective therapeutic relationships. For example, agreeing on goals, tasks, and providing timely feedback are keys to promoting recovery.

Many of the resources mentioned in these Beyond the Field entries are available on our website (<https://ntcrc.org/>) or via links to the original source. In addition, other blog entries can be found on our blog page (<https://ntcrc.org/category/beyond-the-field/>). We hope you enjoy reading these entries, find the content useful to your work, and incorporate this information into your program's structure and processes.

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The Importance of Social Connectedness

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The importance of social connectedness among human beings has been well-documented. Researchers have found physical, emotional, and social benefits for individuals who are and remain connected to others. These same researchers have found profoundly negative outcomes associated with experiencing social isolation.

In these current times, the methods by which individuals connect with each other have taken on multiple forms (e.g., face-to-face, by phone, via cloud-based technology, etc). How is this notion of social connectedness relevant to the treatment court field? It is hoped that the information presented in the multimedia resources featured here will encourage you to examine the ways in which your treatment court program facilitates meaningful social connection between and among participants, team members, and the recovery community through program requirements (e.g., case management sessions, pro-social activities, court review hearings, etc.). It is vital that opportunities for participants to connect with others are maintained.

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Connection: The Essential Practice for Therapeutic Jurisprudence in Treatment Courts

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By design, the judicial system wields disconnection as a tool to gain compliance, police behavior, and execute punishment. Rules are standardized, personal histories often remain unconsidered, change is sought through punitive means, and people are, quite literally, numbers. Arguably, the dehumanization inherent in this approach perpetuates, at least in part, the very social problems it seeks to address.

As a movement, the treatment court model is itself an answer to the ineffectiveness of disconnection in promoting behavioral change for those who experience challenges with substance use and/or mental health. The philosophy of therapeutic jurisprudence, which underpins the treatment court model, emphasizes the potential for psychologically healthy outcomes when the legal system is structured as a “restorative, remedial, and healing instrument” (ISTJ, 2022; Kawalek, 2020, p. 2; Stobbs, 2019). Therapeutic jurisprudence is concerned with “the human effects of the law” and the promotion of practices to benefit the “emotional, psychological, physical, relational, economic, and social personhood” of participants (Kawalek, 2020, p. 1-2). Treatment courts offer an important opportunity to leverage the legal system to make meaningful changes in people’s lives.

Collaboration is perhaps the hallmark of treatment courts. In identifying best practices, the National Association of Drug Court Professionals (NADCP, 2018b) emphasizes the importance of an interdisciplinary approach as well as complementary treatment and social services. Best practice standards also underscore the need for predictability, fairness, consistency, and evidenced-based principles for behavior modification in the operations of treatment courts—practices that cannot be actualized without both interdisciplinary and professional-participant collaboration. The NADCP standards further acknowledge the critical nature of attention to equity and inclusion for participant success; addressing historical patterns of discrimination and inequity certainly requires sincere collaboration (NADCP, 2018a).

The thread of collaboration can be traced back even further to NADCP’s earlier efforts to outline key components of treatment courts. NADCP names the “non-adversarial approach” as crucial to encourage collaborative, coordinated efforts to support participants (NADCP, 2004, p. 3). Another essential component is “ongoing judicial interaction with each treatment court participant,” a standard that explicitly highlights the need for an “active, supervising relationship” in service of increasing the likelihood of participant success (NADCP, 2004, p. 15). Emphasis is placed on early engagement with participants, interdisciplinarity, and “forging partnerships among treatment courts, public agencies, and community-based organizations” (NADCP, 2004, p. 23).

Without question, intentional, focused, collaborative relationships are central to the mission of the treatment court model, and such meaningful collaboration requires connection.

While scholars within psychology offer various conceptualization, social connection may be simply described as a sense of belonging, which can be derived from the experience of acceptance, concern, empathy, and care (Seppala, Rossomando, Doty, 2013). Arguably, a uniqueness of the treatment court model is the opportunity for social connection including between participants and direct service providers (e.g., case managers, therapists), participants and others professionals (e.g., defense counsel, probation authorities, judges), as well as among the entire team of professionals collaborating with the participant. Notable to the treatment court approach is another, albeit a less obvious, opportunity for connection for participants—connection with self. That is, mental health service provision as well as case management services offer participants pathways to cultivating a sense of belonging to oneself through self-acceptance as well as concern, empathy, and care for the self. Lastly, treatment court professionals benefit greatly

from being in connection with the self, too, which is helpful for both their own wellbeing and positioning them to be present and skillful in working with participants.

Connection—whether it be with self, others, or larger systems—is the nexus of change.

When participants are connected with themselves, they are best positioned to understand the influence of the past upon the present, identify their needs and values, establish goals, and take meaningful, congruent choices to shape their lives. The connection between professionals and participants results in participants feeling seen, heard, understood, and supported—often catalysts to personal growth and change. A treatment court team member's own capacity to stay in connection with oneself results in the ability to embody professional values, utilize knowledge from their training, and effectively engage with participants. Further, professionals do not operate in a vacuum; *connected* collaborations, systems, and institutions result in *stronger* collaborations, systems, and institutions. The practices, processes, and policies of these larger entities matter—they can either reflect an investment in connection or disconnection. The ultimate goal of the treatment court model is to reduce recidivism through substance use and/or mental health treatment, and the means by which this goal is achieved is, in fact, staying in connection—perhaps the most essential, yet most unrecognized, practice necessitated by the treatment court model philosophy.

If connection is the birthplace of behavioral change, five primary questions emerge:

- How can treatment court practitioners stay in connection with themselves to be able to engage with participants skillfully?
- How can treatment court practitioners stay in connection with participants?
- How can treatment court practitioners support participants to stay in connection with themselves?
- What does a connected treatment court team look like? How can connection be cultivated and reflected in practices, processes, and policies?
- What does a connected criminal justice system look like? How can connection be cultivated and reflected in practices, processes, and policies?

In the *Connection* series, we will examine these questions as to untangle the rewarding, nuanced, and challenging aspects of working in treatment courts.

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Presence is the Foundation of Connection

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(This article is a part of the *Connection: The Essential Practice for Therapeutic Jurisprudence in Treatment Courts* series. Click [here](#) to read the introduction to the series.)

In the introduction to the series, the role of connection to ourselves and others was offered as an essential practice to live out the philosophy of therapeutic jurisprudence that underpins treatment courts. But, *how* do we stay connected to ourselves and others?

Connection requires us to make conscious choices. Active listening, asking questions for understanding, and identifying a participant's strengths are all examples of choices that can help us stay in connection with others. What keeps us from making these choices? How do we notice when we are in connection, and how do we sustain it? How do we notice when disconnection happens, and then, how do we take steps to reconnect?

The answers to these questions—and ultimately making deliberate choices—first relies on our capacity to *notice* what is happening in the mind and body. The *quality* of that noticing—*how* we do the noticing—is also important to balancing both effective communication with others and taking care of ourselves. The skill that supports us in this is called *mindfulness*.

What is Mindfulness? (And, What It is Not)

Mindfulness is paying attention to what is happening in this moment, without judgement or reaction to the thoughts, feelings, and physical sensations that arise (Kabat-Zinn, 1994). The practice invites us to adopt an attitude of openness and curiosity about what we are experiencing, with kindness towards ourselves, so that we are able to respond, versus react, to not only what is happening in us but also around us in the environment.

Said another way, mindfulness involves five A's: attention, acceptance, allowance, attitude, and action (Lee, 2020, 2021):

- **Attention:** intentional focus to the present moment
- **Acceptance:** recognition of the truth of what is happening in the mind and body (note: this is not resignation, simply acknowledging what is true at this time)
- **Allowance:** making space for the full experience of what is happening without pushing it away (unless it is skillful in the moment to have such boundaries)
- **Attitude:** bringing qualities of curiosity, non-judgment, openness, and kindness to witnessing and holding the inner experience
- **Action:** choosing deliberative responses (rather than automatic, habitual reactions) that are grounded in awareness of the present moment

Discussion of mindfulness is increasing culturally, which has resulted in the increased accessibility of learning and practicing opportunities. Yet, with the rise of attention to the practice comes, at times, misconceptions. These misconceptions include:

- **Mindfulness is about escaping, emptiness, zoning out, or “nothingness.”** In actuality, mindfulness is about “falling awake” to the life that you are actually living, versus escaping, numbing, or erasing parts of

it (Kabat-Zinn, 2018). Instead, mindfulness is the gentle noticing and befriending of *all* of the thoughts, feelings, and sensations that make up our inner world.

- **Mindfulness is “woo-woo” and is only useful for certain people.** Mindfulness is not woo-woo; it is a tradition that spans thousands of years and a variety of traditions. Over the past 40 years, a vast body of research has emerged and bares out the benefits of mindfulness-based interventions for wellbeing in a number of ways, including related to common experiences such anxiety, depression, and chronic pain (Khoury, Sharma, Rush, & Fournier, 2015). Mindfulness has been introduced in healthcare, clinical, educational, business, and legal settings to explore its usefulness; and research shows benefits for both clinical and non-clinical populations (Visted, Vøllestad, Nielsen, & Nielsen, 2015). The vast majority of people can potentially benefit from paying attention to their experience without judgement and with kindness, and the scientific community continues to explore mindfulness-based interventions.
- **Mindfulness involves having a blank mind and no thoughts.** The mind wanders, and this is *completely* natural—even during formal mindfulness practices like meditation. The practice of mindfulness is actually about the steady, consistent practice of *bringing the attention back* to the present moment when we’re lost in or overidentified with thinking. Overidentification is when we merge with our thinking in such a way that we don’t recognize thinking is happening. For example: “I am a terrible worker” is an example of being fused with a thought. A more mindful approach would be the observation “I am having the thought ‘I am a terrible worker.’” This observational stance can be incredibly helpful de-intensifying the impact of that thinking. Observation creates a pause that makes space for the awareness that *thoughts aren’t facts*.
- **Mindfulness requires you to meditate.** Formal meditation is the practice of concentrating on an “object;” examples can be the breath, sounds, thoughts, the body, or even the entire field of whatever arises in awareness. Formal meditation is an incredibly helpful approach to support your capacity to practice mindfulness in everyday moments of living. However, formal meditation is only one mindfulness practice. Any activity can actually be engaged in mindfully—driving a car, walking down the hallway, giving a friend a hug, or brushing your teeth. Bringing non-judgmental attention to *any moment* is a practice that is always available to us.
- **Mindfulness will erase stress and discomfort.** While it is true that the practice of mindfulness may at times result in less stress or discomfort, mindfulness is not centered around “arriving” to any particular state of being (e.g., calm, stress-free, happy), though arguably the practice does cultivate a greater overall sense of wellbeing over time. The practice is truly about being with *whatever is here*, which paradoxically can, in fact, help us experience the transient nature of all thoughts, feelings, and sensations. Yet, it is helpful to avoid beginning a mindfulness practice attached to particular outcomes; such an expectation to lead you to think you’re “doing it wrong,” if certain experiences are not different. Mindfulness will not erase stress and discomfort; mindfulness will support you having a different relationship with stress and discomfort.
- **Mindfulness is a “cure-all.”** Though the practice has become increasingly popular in various settings, it is important to note that mindfulness is not a panacea, and further research is needed to better understand where, how, and with whom it can be most helpful. While there is strong evidence to support its use, certain practices may be unhelpful or in need of modification if someone is experiencing certain symptomology (e.g., trauma symptoms). More research is needed about the mindfulness-based interventions and certain populations or mental health concerns (e.g., schizophrenia) in service of prioritizing safety and effectiveness with those with whom we are working. Facilitators of mindfulness-based interventions also do need to be trained in the intervention, and education about trauma-sensitive mindfulness practice is helpful regardless of the nature of the intervention (i.e., clinical or non-clinical).

Why Mindfulness?

Research suggests we spend approximately 50% of our time lost in thoughts about the past or future (Killingsworth, Gilbert, D. T. (2010) instead of the moment-to-moment experience we are having.

Consider the consequences of *not paying attention to at least half of the moments in your life*.

- What does that mean for how much energy you have to create the life you want?
- What does that mean for your wellbeing?
- What does that mean for your relationships?
- What does that mean for how you engage in your work?
- What does that mean for staying in connection with those you serve in your work?

While practicing mindfulness does not guarantee a particular “state” of being, noticing our experience with kindness and without judgement *does* position us to make more conscious choices. Those choices, if intentional, can better embody our values, meet our needs, reflect our knowledge, and allow us to exercise our skillsets.

So, What Could Mindfulness Look Like at Work?

We can practice mindfulness using formal practices (e.g., meditation) or informally through everyday activities. The purpose of formal practice is actually to support us carrying over what is learned to everyday life, both in personal and professional contexts. Everyday activities could include, for example, drinking your coffee in the morning at your desk. Using all your senses to bring you to the here-and-now, you may take time to notice its color, smell its richness, hear any noise it may make moving in the cup, and experience it through touch and taste when taking a slow sip. And, you can practice mindfulness when you interact with others.

Consider the following scenario: a participant has missed three sessions of a group treatment program you are running. What could be some of the automatic, habitual thoughts, feelings, and sensations that arise for you?

Let us say the following was your experience:

Thought: He doesn't even care. So disrespectful. Why do I even try? I'm tired of working harder than he is.

Feeling: frustration

Sensations: heat in the body, increased heart rate

Now consider what reactivity to this internal experience might look like, remembering reactivity is not intentional, deliberate behavior but rather more automatic and habitual reactions.

Reactivity might look like:

Reactivity: assuming your thoughts are “true,” complaining to a coworker about the participant, being short the next time you see the participant, or failing to see the participant's strengths due to ruminating on the “disrespectful” behavior

Were we to consider taking a mindfulness approach, how might you relate to the experience of the thoughts, feelings, and sensations outlined above? This might look like:

- **Attention:** *intentional focus to the present moment:*

- ▶ “I am having the thoughts that ‘He doesn’t even care. So disrespectful. Why do I even try? I’m tired of working harder than he is.’ I notice I feel frustrated. I can sense heat in my body and my heart rate rising.”
- **Acceptance:** *recognition of the truth of what is happening in the mind and body (note: this is not resignation, simply acknowledging what is true at this time):*
 - ▶ I don’t like it, but judgement, frustration, and internal heat really is around for me right now.
- **Allowance:** *making space for the full experience of what is happening without pushing it away (unless it is skillful in the moment to have such boundaries)*
 - ▶ giving permission for judgmental thoughts, the frustrated feeling, and the bodily sensations to exist; letting them be here instead of trying to push them away through distraction or busyness
- **Attitude:** *bringing qualities of curiosity, non-judgment, openness, and kindness to witnessing and holding the inner experience*
 - ▶ “It’s interesting I’m having these thoughts;” remembering judgment, frustration, and an activated physiological response are all normal; noticing with as much kindness towards yourself as you can
- **Action:** *choosing deliberative responses (rather than automatic, habitual reactions) that are grounded in awareness of the present moment*
 - ▶ deliberative responses such as taking a short walk before interacting with anyone, reminding yourself you do not have all of the information about the participant’s absences, reminding yourself of the participant’s strengths and the difficulty of the change process for all of us, active listening and asking questions to see understanding when meeting with the participant.

Certainly, many factors influence our automatic, thoughts, feelings, and sensations in response to the world around us. Perhaps our mood is low that day, we were just in an argument with a loved one two days before, the participant reminds us of a friend with whom we have a challenging relationship, or we have a pattern of interpreting participants’ absences as disrespectful to us personally—just as some examples.

No matter the explanation, we *will* experience automatic, habitual thoughts, feelings, and sensations. The key to being able to stay in connection with *ourselves* is to not abandon the experience we are really having. Connection with ourselves positions us to be able to take care of ourselves.

The key to being able to stay in connection with *others* is also not to abandon the experience we are having. Connection with others position us to make connective deliberate choices like listening, asking questions, and displaying empathy.

There is no greater sign of respect, no deeper signal of appreciation, no better gift than you can give yourself or others than your attention.

Each article in the Connection: The Essential Practice for Therapeutic Jurisprudence in Treatment Courts series will conclude by offering two features: Connection Questions to Consider and Connection Calls to Action.

Connection Questions to Consider:

- When are you most mindful at work? What helps that to happen?
- When are you least mindful? What gets in the way?
- When in your day could you commit to pausing for a short meditation? (e.g., when you first sit down to your desk, when transitioning between meetings, before potentially stressful interactions)

A Connection Call to Action:

This week, you are invited to engage in a connection call to action to try out using mindfulness practice to connect with yourself and others.

Connecting with yourself:

- **Engage in 5 minutes of formal meditation per day.** If you are new to meditation, guidance is very helpful. A wealth of free resources exist online, and you can also choose to explore guided meditations using apps (e.g., Waking Up, Headspace, Calm).
- **Engage in an “everyday practice” of mindfulness per day.** Choose an activity that you regularly do—brushing your teeth, walking the dog, washing the dishes, etc. As best you can, try to notice the experience of the activity (versus thinking about the activity), choosing to anchor your attention on physical sensations. When the mind wanders, as it will, gently escort your attention back to the body. Use your senses to connect to the raw, direct sensations of the experience.

Connecting with others:

- **Choose one conversation per day to practice mindfulness.** You do not need to mention you’re practicing to the other person. As best you can, focus your attention on the other person—what is being said, their body language, the emotional tone of what is shared. Notice when thoughts arise (e.g., planning what you want to say), and gently bring your attention back to the speaker. When you notice a thought, you might practicing “noting;” that is, simply saying to yourself “thinking,” which helps to avoid getting lost in the narrative the mind is creating. After noting, return to listening when the other is talking. Practice pausing and considering your words carefully. The importance of social connectedness among human beings has been well-documented. Researchers have found physical, emotional, and social benefits for individuals who are and remain connected to others. These same researchers have found profoundly negative outcomes associated with experiencing social isolation.

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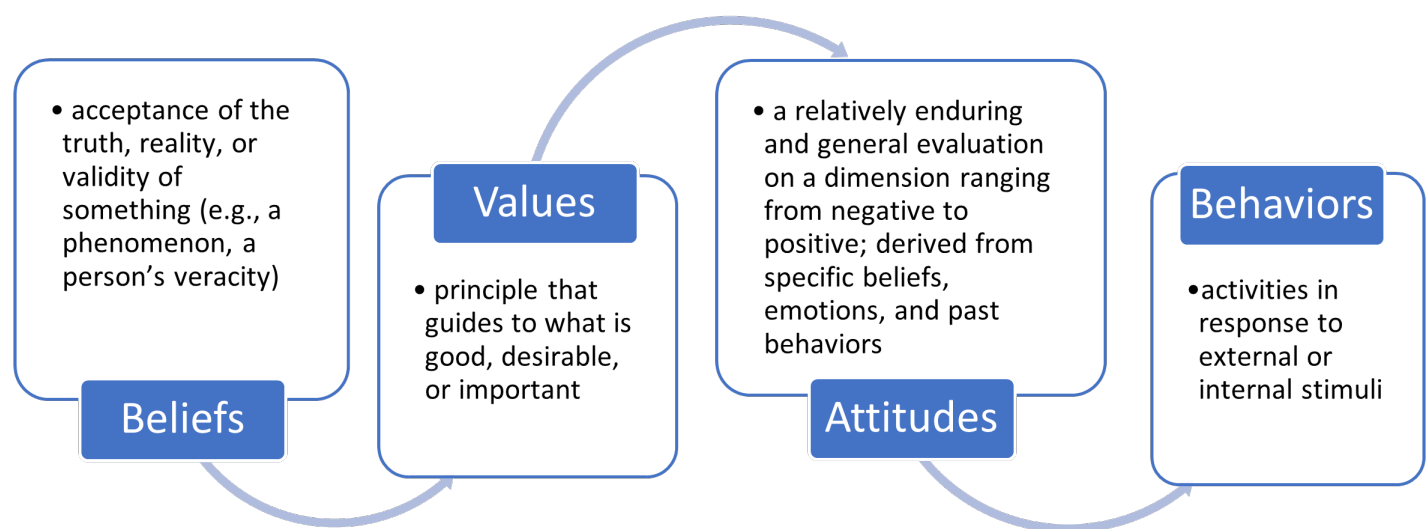
~~Criminals. Offenders. Participants. People.~~

The Role of Our Beliefs in the Work of Treatment Courts

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Connection is a through-line in the operating philosophy of therapeutic jurisprudence. Yet, the anatomy of connection and that of therapeutic jurisprudence is complex, and precise roadmaps for either are debated among scholars. However, perhaps a helpful framing to best work toward living out this philosophy is to consider four elements: **beliefs, values, attitudes, and behaviors**.



Source: American Psychological Association: <https://dictionary.apa.org/>

In the last article, the concept of *mindfulness* was introduced and defined as paying attention to what is happening in this moment, without judgement or reactivity to the thoughts, feelings, and physical sensations that arise (Kabat-Zinn, 1994). As we untangle the anatomy of therapeutic jurisprudence and connection, mindfulness practice allows you to notice what is happening in your mind and body. What thoughts, feelings, and sensations arise when you agree with an idea? When you disagree? Feel bored? When you dislike the idea, have unpleasant feelings, or uncover a judgment of yourself? The foundational skill of mindfulness invites you to stay curious about whatever comes up for you. Curiosity can make way for you to be kind towards yourself and – importantly – persistent in examining and reflecting upon the ideas ahead.

In unpacking the anatomy of connection and therapeutic jurisprudence, we will first focus on the role of beliefs.

Psychologists define beliefs as the “acceptance of the truth, reality, or validity of something, particularly in the absence of substantiation” (APA, 2022). Before we examine the role of beliefs in treatment court work, we must first familiarize ourselves with our own thoughts that are pertinent. You are invited to consider the following questions carefully and honestly:

- **What thoughts arise when I think about people involved in the treatment court system?**
 - It may be helpful to consider your ideas about their motivation, wants, needs, behaviors, capacity for / interest in change, etc.
- **What thoughts arise when I think about treatment courts?**
 - It may be helpful to consider your ideas about their purpose, design, utility, approach, effectiveness, etc.
- **What thoughts arise when I think about my role in the treatment court system?**
 - It may be helpful to consider your ideas about your knowledge, skills, preparedness, attitude, motivation, capacity to provide support / make change, desire to help, resources, etc.

Now that you have begun unfolding your own thoughts, we will outline beliefs that therapeutic jurisprudence invites practitioners to try on in treatment court work. These beliefs can include:

- **What do we believe about people involved in the treatment court system?**
 - All people have strengths, gifts, and talents.
 - People are not their circumstances, conditions, experiences, or choices. People are in circumstances, experience conditions, have experiences, and make choices.
 - People have a complex life story we know only a fraction about. It may include but is not limited to their involvement in the justice system.
 - People have needs and wants as well as hopes for their lives.
 - People are complex, and understanding them takes time, energy, and interest.
 - People can change.
 - People deserve support in their efforts to change.
 - People will naturally make mistakes in the process of attempting to change their lives.
 - All people regardless of identity or circumstance deserve to be treated with dignity and respect.
 - All people – regardless of race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status deserve the same opportunities as other individuals to participate and succeed in treatment courts.
- **What do we believe about treatment courts?**
 - The law can be leveraged to have a therapeutic effect, resulting in psychologically healthy outcomes.
 - A collaborative, non-adversarial approach is most effective to supporting people to change their lives.
 - Building relationships is necessary to positively impact treatment and court outcomes.
 - The opportunity for alcohol and other drug treatment and mental health services can make a meaningful difference in people's lives.
- **What do we believe about practitioners' roles in the treatment court system?**
 - The treatment court system works best with a connected, collaborative team.
 - All members can learn from one another.
 - All members of the multidisciplinary team bring a unique, necessary perspective and play an important role in participant outcomes.
 - Transitioning to a team approach from an adversarial approach can take time, patience, and intention.

Why might honestly examining your own thoughts matter? Are your thoughts your actual beliefs? When do these automatic thoughts arise? Are the thoughts you had consistent with the beliefs outlined above? Where did your thoughts come from, and how might you challenge those that are inconsistent with those connected to therapeutic jurisprudence? Under what circumstances might your thoughts shift? (e.g., when you witness positive change, when

your mood is low, when your body is activated, when your stress level is high, when you're feeling really energized, etc.) And, when are you most generous thoughts about yourself around – when are the least generous ones pleasant?

Our beliefs about ourselves, others, and the world around us are deeply connected to our values, shape our attitudes, and influence our behavior—both personally and professionally.

In this way, we cannot solely focus on practitioners' behaviors in cultivating a healthy, effective workforce. Yet, thoughts are not beliefs—unless we decide so.

We need to consider all aspects of the anatomy of therapeutic jurisprudence, starting with our actual beliefs about ourselves, others, and the work itself. Exploring our own thoughts means examining how we arrived at the ideas we have and the openness to challenges the ideas we hold. A part of the process also involves considering how our thoughts may automatically become beliefs without consciousness might affect our treatment of others.

Using the 5 A's of mindfulness, you can distinguish thoughts from beliefs and uncover your actual beliefs with intentionality— a process that is critical to engaging skillfully and effectively in your work. For example, imagine you have thoughts that label those with whom you work as “offenders” and “criminals.” In using mindfulness, the following could unfold:

- **Attention:** *intentional focus to the present moment:*
 - Noticing the labels of “offender” and “criminal” in your mind and conversations with colleagues
 - Noticing judgmental thoughts about actions and choices of those involved in the treatment court system
 - Noticing feelings of frustration, ambivalence, and an urge to disengage from helping
 - Noticing sensations of agitation in the body
- **Acceptance:** *recognition of the truth of what is happening in the mind and body (note: this is not resignation, simply acknowledging what is true at this time):*
 - “This is just what is happening right now – judgmental thoughts, frustrated feelings, and the urge to disengage.”
- **Allowance:** *making space for the full experience of what is happening without pushing it away (unless it is skillful in the moment to have such boundaries)*
 - giving permission for what is happening in the mind and to exist that is sometimes deigned to move us away from what is really happening
- **Attitude:** *bringing qualities of curiosity, non-judgment, openness, and kindness to witnessing and holding the inner experience*
 - “It’s interesting I’m having these thoughts; It’s understandable to have these thoughts – because I’m feeling extra stressed today, and this is the language that I hear all the time in society, too. All emotions are normal to feel.”
- **Action:** *choosing deliberative responses (rather than automatic, habitual reactions) that are grounded in awareness of the present moment*
 - Reminding yourself that thoughts aren’t facts and do not have to be representative of your actual beliefs because they arose in your mind. Our beliefs are our choices.
 - Reminding yourself that labels like “offender” and “criminal” are reductionistic, diminishing of someone’s humanity, and disconnecting; they are problematic because they label the entire person by a behavior and make us feel far and separate from that person (i.e., disconnected)
 - Choosing to reframe that language in your mind in speech—maybe even by simply thinking about the person by their name, dropping the label altogether. (i.e., *Sam experienced a substance use relapse* versus *An offender in the program relapsed.*)

- Taking care of yourself in the best way for you in response to the frustration/agitation that is around and possibly connected to automaticity of labeling (e.g., talking with a supervisor about a challenging interaction with the person)
- Taking a step to reconnect to that person, even if only in your mind and body (e.g., think of one thing you have in common with that person)

Thoughts are only mental experiences that we often mistake as facts or chosen beliefs; however, we can choose to buy into our thoughts or not. Beliefs are, in fact, choices. Bringing more consciousness to the ways in which we think about ourselves, others, and work positions us to stay connected—to ourselves, to others, and to our professional values, attitudes, and behaviors.

What we choose to believe directly impacts how we engage. How we engage directly impacts the lives of others.

And, we want to engage with the belief that those in the treatment court system are, in fact, ~~criminals, offenders,~~ participants people.

A Connection Call to Action:

This week, you are invited to engage in a connection call to action to try out the ideas discussed.

Connecting with yourself:

- **Examine your beliefs about yourself, focusing on your strengths.** Take a few moments each day to make a list of 5 of the strengths you demonstrate in your work.

Connecting with others:

- **Examine your beliefs about those in a participant role, focusing on identifying their strengths.** Take a few moments each day to make a list of 5 of the strengths you see in a person with whom you are / were working. Each day, choose a new person to think about. You are especially encouraged to focus on those people who brought up feelings of frustration for you or with whom you have / had a strained working relationship. The importance of social connectedness among human beings has been well-documented. Researchers have found physical, emotional, and social benefits for individuals who are and remain connected to others. These same researchers have found profoundly negative outcomes associated with experiencing social isolation.

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Compassion Fatigue

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Compassion is defined as “the ability to understand the emotional state of another person or oneself...and a desire to alleviate or reduce the suffering” (Engel, 2008). Given that treatment courts are an application of therapeutic jurisprudence (see Winick & Wexler, 2015) and seek to facilitate the rehabilitation process, all team members (e.g., prosecuting attorneys, defense attorneys, law enforcement representatives, case managers, probation/parole agents, etc.) should display compassion when interacting with participants.

We know that the work of treatment court practitioners can be both rewarding and challenging. On one hand treatment courts facilitate change within individuals who may have repeatedly cycled through the criminal justice system. However, asking team members to embody principles of therapeutic jurisprudence generally and compassion more specifically may run contrary to previous schooling and/or training. For example, Norton, Johnson, & Woods (2016) highlight the challenges lawyers may experience given their law school training (e.g., Socratic method) and the structure of the legal profession (e.g., adversarial system). This reality underscores the need to be mindful of a phenomenon titled “compassion fatigue” (or secondary trauma). Compassion fatigue has been defined as “the cost of caring’ for those in professions that regularly see and care for others in pain and trauma” (Grant, Lavery, & Decarlo, 2019:1).

Dr. Francoise Mathieu’s TEDx Talk “The Edge of Compassion” addresses strategies for sustaining both compassion and empathy for others. (<https://www.youtube.com/watch?v=IcaUA6A37q8>)

In order to maintain fidelity to the treatment court model, it is imperative that all team members are operating in accordance with the principles of therapeutic jurisprudence and are mindful of how compassion fatigue (or secondary trauma) manifests itself and what it “looks” like. This level of awareness among treatment court practitioners will allow for course correction should they experience the “psychological and physical effects of exposure to the pain, distress, or injustice suffered by clients” (Norton, Johnson, & Woods, 2016:988).

The importance of social connectedness among human beings has been well-documented. Researchers have found physical, emotional, and social benefits for individuals who are and remain connected to others. These same researchers have found profoundly negative outcomes associated with experiencing social isolation.

In these current times, the methods by which individuals connect with each other have taken on multiple forms (e.g., face-to-face, by phone, via cloud-based technology, etc). How is this notion of social connectedness relevant to the treatment court field? It is hoped that the information presented in the multimedia resources featured here will encourage you to examine the ways in which your treatment court program facilitates meaningful social connection between and among participants, team members, and the recovery community through program requirements (e.g., case management sessions, pro-social activities, court review hearings, etc.). It is vital that opportunities for participants to connect with others are maintained.

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Therapeutic Jurisprudence & Empathy

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It is widely acknowledged that therapeutic jurisprudence serves as the theoretical foundation for the treatment court model. This perspective “seeks to assess the therapeutic and anti-therapeutic consequences of law and how it is applied. It also seeks to affect legal change designed to increase the former and diminish the latter.” (Winick & Wexler, 2015, p. 479). Treatment court scholars and practitioners recognize that treatment courts stand in stark contrast to traditional criminal courts in how they are structured as well as how they operate. Winick & Wexler (2015) assert that “an important insight of therapeutic jurisprudence is that, how judges and other legal actors play their roles has inevitable consequences for the mental health and psychological well-being of the people with whom they interact.” (p. 481) One strategy for putting therapeutic jurisprudence into practice is through the practice of empathy. Empathy is defined as “the ability to see a situation from someone else’s perspective—combined with the emotional capacity to understand and feel that person’s emotions in that situation.” (Colby, 2012, p. 1945)

Drug Court Key Component #7 & Adult Best Practice Standard #3 highlight the critical role of judges in treatment courts and specifically the interaction between judges and participants during court review hearings. More specifically,

Judges...need to understand how to convey empathy, how to recognize and deal with denial, and how to apply principles of behavioral psychology and motivation theory. They need to understand the psychology of procedural justice, which teaches that people appearing in court experience greater satisfaction and comply more willingly with court orders when they are given a sense of voice and validation and treated with dignity and respect. (Winick & Wexler, 2015, p. 482)

While judges are integral to the success of any treatment court program, less is written about the specific role of other interdisciplinary team members (e.g. prosecuting attorney, defense attorney, case manager, law enforcement, etc.) in adopting the principles of therapeutic jurisprudence in their work. It is *vital* for all treatment court team members to practice empathy when interacting with program participants. The below-listed multimedia resources provide some additional insight into how to practice empathy within your work as a treatment court practitioner. According to scholar Jamil Zaki “empathy is like a skill. It’s like a muscle. We can practice it like any other skill and get better at connecting with people.” (Young, 2020)

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Evidence-Based Relationships: The Science of Relationships that Work

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The NADCP Adult Drug Court Best Practice Standards champion the use of evidence-based practices, based on the best available research. While research can tell us *what* models and interventions work, the *how* of their delivery is less often discussed. The most effective treatment court teams go beyond the “what” of their program’s offerings (*evidence-based practices*) and relate to participants in ways that support and promote recovery (*evidence-based relationships*).

A Task Force on Evidence-Based Relationships was formed by the American Psychological Association to analyze the best available research to identify the core components of effective therapy relationships (Norcross & Wampole, 2011). The Task Force concluded that the therapeutic *alliance*, *empathy*, and *gathering client feedback* are clearly linked to positive outcomes. The therapeutic *alliance* entails mutually agreed upon goals, agreed upon tasks, and a sense of collaboration and relational bond between the two parties. Multiple rigorous studies also indicate that therapists who can express *empathy* (understand and acknowledge the client’s perspective) and who actively *monitor* client’s perceptions and responses to treatment are more effective. Relationship behaviors deemed ineffective and potentially harmful include a *confrontational* style, therapist comments that are *hostile or blaming*, judging the *person versus their behavior*, and applying a *one-size-fits-all* approach that ignores individual and cultural differences.

Relevance to Treatment Courts

While most members of treatment court teams are not therapists, the Task Force’s findings detail what works and doesn’t work in relationships that target lasting personal change. The following can apply to every court team role:

- To enhance the relational alliance, treatment court team members should frequently discuss participants’ personal values and motivations, and collaboratively review program and client expectations.
- While these relationships must remain professional, expressing genuine caring for participants can help form bonds that are healthy, respectful and meaningful.
- Directly asking clients for feedback about the program and their experiences provides opportunities to improve collaboration, to modify approaches as needed, and prevent premature termination.
- Confrontation has historically been a problem in the addictions field. Interactions that are infused with motivational enhancement elements, such as rolling with resistance, reflective responding and active listening serve as antidotes to these all-too-human, but toxic reactions.
- Individualized treatment plans that consider the individual’s unique and diverse identities are a hallmark of treatment court Best Practices, and the Task Force’s findings confirm this. “Fair treatment” does not equal “identical treatment.” It means tailoring the program and services to match the evolving needs of each individual.

Treatment court involvement is essentially a series of human interactions, so relationships between participants and the team are central to recovery. Substance use and criminal behavior can be viewed as rooted in disturbed relationships, disconnection and alienation, and treatment court professionals have the opportunity to make lasting

impacts—not only via evidence-based techniques and operational models—but through meaningful, evidence-based connections.

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