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# THE BRONX CHILD AND ADOLESCENT WITNESS SUPPORT PROGRAM: A MODEL INTERVENTION FOR YOUNG VICTIMS AND WITNESSES OF VIOLENCE AND ABUSE

Justice requires more than punishing the guilty. It must also seek to make whole those whose mental well-being has sustained injury, either as a victim of or witness to physical or sexual abuse, domestic violence or homicide.

—Robert T. Johnson, Bronx County District Attorney

## INTRODUCTION

Each year in New York City, thousands of children are either victims or witnesses to crime. Many have been sexually abused or exposed to domestic violence. While the criminal justice system has grown increasingly responsive to the complex needs of adult victims and witnesses, it has not adequately addressed the mental health needs of these children many of whom face long term mental health difficulties including depression, anxiety, aggression and post-traumatic stress. For a young victim or witness, coping with the criminal justice system can be a painful and overwhelming experience.

Recognizing the need for mental health support for children and adolescents, the Center for Court Innovation, in partnership with the Bronx District Attorney's Office, created the Child and Adolescent Witness Support Program. The program has succeeded in engaging hundreds of children in services designed to reduce the negative impact of violent crime exposure and reduce re-traumatization during legal system involvement. This paper describes the program's planning, implementation and clinical strategies and offers lessons for other jurisdictions interested in piloting new programs for vulnerable populations.

## THE PLANNING PROCESS

In the late 1990s, the New York State Unified Court System, in collaboration with the Center for Court Innovation, began to develop specialized domestic violence courts in Bronx County. One of the judges involved in the effort, Ira Globerman, noticed that many of the victims of domestic violence had children who witnessed

the violence but were not receiving therapeutic services to help them cope before, during or after case disposition.

The extent of children's need for services in the Bronx is underscored by statistics from the Bronx District Attorney's Office, which handles an estimated 350 new domestic violence cases each month, the vast majority of which involve families with multiple children.<sup>1</sup> Despite the non-abusive parents' best efforts, studies indicate that children experiencing domestic violence in the home commonly see, hear and intervene in the domestic violence.<sup>2</sup> In addition, the Bronx District Attorney's Office sees approximately one thousand children annually where physical or sexual assault is alleged.<sup>3</sup>

It is well established that exposure to violence can have a negative impact on a wide range of functioning, including emotional, behavioral, cognitive, social and physical health. Children's responses to violence can vary depending on the severity of the violence, their proximity to the violence, their caretakers' response to the violence, their age and developmental stage at the time of exposure and their personal coping style, among other factors. An October 2009 Office of Juvenile Justice and Delinquency Prevention Juvenile Justice Bulletin describes how "all too often" children exposed to violence experience lasting harm such as "difficulties with attachment, regressive behavior, anxiety and depression, and aggression and conduct problems." The bulletin further states that exposed children "may be more prone to dating violence, delinquency, further victimization, and involvement with the child welfare and juvenile justice systems. Moreover, being exposed to violence may impair a child's capacity for partnering and parenting later in life, continuing the cycle of violence into the next generation."<sup>4</sup>

Early planning efforts for the Child and Adolescent Witness Support Program focused on a deceptively simple question: how can the criminal justice system do right by these children? Initial plans envisioned a court-based school that would educate child witnesses about the judicial process. However, after conducting a needs assessment and holding on-going discussions with the Bronx District Attorney's Office, it became apparent that the greatest gap in services was in helping children overcome the negative mental health consequences of the violence itself.

We must remember that children come to the D.A.'s Office to testify or answer questions related to a violent crime experience. This task can take a heavy emotional toll on a child because they have often been traumatized by the violence. The children need emotional support to cope with the immediate crisis and its long-term consequences.

—Beth Ann Holzhay, Director, Crime Victims Assistance Unit,  
Bronx District Attorney's Office

While the Bronx District Attorney's Crime Victims Assistance Unit had a well established therapy program for adults, it did not offer therapeutic services for youths under the age of 16. Additionally, there were few

resources available in the community that provided specialized therapeutic services to child victims and witnesses, and the resources that did exist often had long waiting lists, a problem that persists to this day.

For the past ten years, our center has been providing specialized evaluation and treatment for children and families affected by physical and sexual abuse. Unfortunately, the demand for specialized trauma focused mental health services supersedes the availability and Bronx families who need these services often encounter waiting lists.

—*Olga Jimenez, Director, Family Advocacy Program, Jacobi Medical Center*

Planners from the Center for Court Innovation began by examining existing intervention models and decided to incorporate elements found in Child Advocacy Centers, Court Schools and the Child Witness to Violence Project in Boston, Massachusetts.<sup>5</sup> Planners identified three types of services that young crime victims could benefit from on-site at the District Attorney's Office. The most pressing need was for ongoing therapy to address the short and long-term mental health consequences of the violence exposure. Young crime victims/witnesses also needed emotional support through the court process to reduce the stress associated with activities such as repeatedly recounting the violence to various criminal justice system officials, having to confront the perpetrator in court and coping with varied court outcomes. Lastly, planners realized that during visits to the District Attorney's Office for routine legal matters, young victims and witnesses sometimes arrived in crisis and needed a skilled mental health professional for immediate consultation.

After identifying these service needs, the Child and Adolescent Witness Support Program was created to address two main objectives:

1. To support the healthy emotional development of children and adolescents following a violent crime during the investigative, pre-trial, trial, and post-trial phases of the criminal justice process.
2. To enhance the criminal justice system's ability to respond to the mental health needs of children and teens and prevent re-victimization by the system.

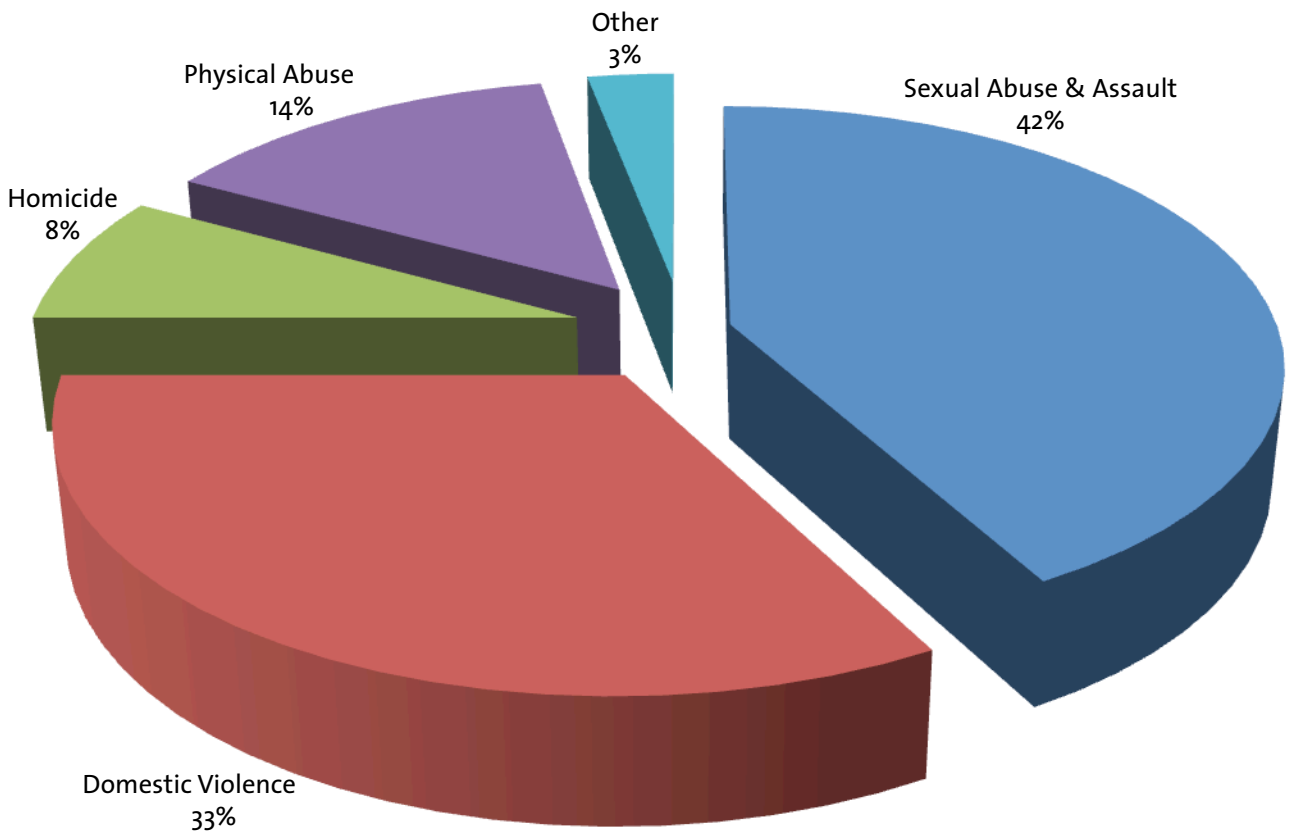
The Center for Court Innovation and the Bronx District Attorney's Office launched the program in 2004. In the months that followed, the response was overwhelming, with fifteen to twenty young victims and witnesses being referred each month. With only one part-time staff member and as a result, limited available therapy hours, the volume of referrals exceeded the program's capacity. With additional support from private foundations and the New York City Council, the Child and Adolescent Witness Support Program later expanded to include two therapists and a graduate student intern.

### THE MODEL

The Child and Adolescent Witness Support Program serves children, ages 3-15, who were victims or witnesses to violence such as sexual abuse and assault, intimate partner violence, homicide and physical abuse and assault. Approximately 70 percent of referrals to the program come from the District Attorney’s Office Crime Victims Assistance Unit,<sup>6</sup> while about 20 percent of referrals come directly from assistant district attorneys and 10 percent come from other sources such as Family Court, foster care agencies and hospitals.

Referrals to the Child and Adolescent Witness Support Program can be made for the purpose of ongoing therapy, emotional support through the court process or crisis intervention. Therapists work with the caretakers of referred children, conducting intake interviews and collecting a history of the child’s social, emotional, physical, familial and academic functioning as well as the caretaker’s perception of the violent crime and how it has impacted the child. Each child is unique: there is no “typical” case. However, the following example highlights the complexity of the issues the program is attempting to address.

### TYPES OF CRIMES LEADING TO REFERRAL



Paul (a pseudonym), a twelve-year-old boy, was referred for services after witnessing his stepfather stab and bludgeon his mother to death. In addition to abusing his mother, Paul's stepfather also physically and emotionally abused Paul and his siblings and he sexually abused Paul's younger sister.

As a result of the homicide and his chronic exposure to violence, Paul exhibited numerous cognitive, behavioral, emotional and physical symptoms. Paul was receiving special education due to developmental delays and he was frequently engaging in fights with peers. He was having crying episodes over the loss of his mother and he was suffering from nightmares. Paul was consumed with anger and spoke repeatedly about what he saw during the homicide and how he wanted violent revenge against his stepfather. He had anxiety about his safety due to fears his stepfather would escape from jail, and he was anxious that his maternal aunt, now his primary care-



Children in the Bronx Child and Adolescent Witness Support Program use art to express their fears and frustrations and to learn to move past them. This drawing, followed by several others throughout the paper, powerfully conveys the impact of crime on young victims. In this picture a 7-year-old draws his family crying after the homicide of his aunt.

taker, would die and he would be left with no one to care for him. Paul also regularly complained of headaches and stomachaches.

Despite all of his hardships Paul had numerous strengths, including his ability to express himself and show insight into his emotions, his close relationship with his maternal aunt and his artistic talent. Building on these strengths, the therapist from the Child and Adolescent Witness Support Program collaborated with Paul's maternal aunt, his school teacher and the prosecutor on the homicide case to help Paul establish a sense of safety. The therapist assisted Paul in processing the loss of his mother, as well as the violent nature of that loss, and gave concrete suggestions on how to manage his trauma-related symptoms. His maternal aunt, who was struggling with her own grief over the violent loss of her sister and the new responsibilities that went along with inheriting four children, received individual therapy from the Crime Victims Assistance Unit and participated in Paul's treatment as best she could. At the end of his engagement in services, the therapist referred Paul to a community mental health program to address his long-term needs. The therapist resumed services with Paul for a limited time when he needed emotional support related to testifying at the homicide trial.

## THERAPUTIC INTERVENTIONS

As Paul's case indicates, the purpose of treatment offered by the Child and Adolescent Witness Support Program is to help each young crime victim improve his or her overall functioning and reduce trauma-related symptoms by establishing safety, processing the violent crime experience and developing and reinforcing the coping strengths of the child and the family. Sessions can involve the child alone, the caretaker alone, the caretaker and the child, the siblings or all members of the family together. Since family functioning plays a leading role in a child's emotional development, the therapist prioritizes strengthening the child's relationship with his or her caretaker and encourages the caretaker's active participation in the therapy.<sup>7</sup>

Now I can talk about it more freely with my mother at home, and with other people who are trying to help me.

—A 15-year-old girl who was sexually abused by her uncle,  
commenting on what she gained from sessions with her mother

A caretaker's eagerness and ability to participate in the child's therapy varies considerably. For those caretakers whose own victimization histories render them unable to effectively support the child's healing process, parenting sessions are held without the child present. In addition, the caretaker is strongly encouraged to receive his or her own treatment, either with the Crime Victims Assistance Therapy Unit or an outside service provider.

Group therapy is available as another treatment option for adolescent female victims of sexual abuse or assault at the Bronx Child and Adolescent Witness Support Program. The benefits of group treatment include the ability to reduce the stigma associated with being a victim of a sex crime and the opportunity to take advantage of peer influence so participants can learn from and support one another.



In group I saw that other people have problems like mine and they've survived them, too.

—A 13-year-old girl who was raped by her stepfather

In addition to ongoing therapy, therapists from the Child and Adolescent Witness Support Program offer young crime victims emotional support through the court process and provide on-site crisis intervention. Often children experience emotional difficulties participating in the legal process. Therapists can help identify the problem and suggest possible solutions so that the legal case can proceed and the child's emotional needs can be sufficiently addressed. For example, Lana (a pseudonym), an 8 year old female who was sexually abused by a stranger on her building rooftop was hours away from testifying in trial when she began refusing to speak to the prosecutor. The Assistant District Attorney (A.D.A) requested that the Child and Adolescent Witness Support



An 8-year-old girl draws a picture of what she wishes she had done when her mother's boyfriend started sexually abusing her.

Program therapist meet with the child to help address what may have been causing the breakdown in communication. The therapist brought Lana to a playroom and engaged Lana in play. Once a rapport had been established, Lana revealed that she was not going to testify because she was afraid that since the abuser would be in the courtroom he would steal her and abuse her again. The therapist obtained Lana's consent to discuss her concern with the A.D.A., and then the A.D.A. and the therapist explained to Lana the reasons why she would be safe. After receiving the simple explanation, Lana's fears were allayed and she agreed to go forward with testifying.

In situations involving a child who is about to testify, the Child and Adolescent Witness Support Program therapist helps the child anticipate what to expect, teaches the child relaxation techniques to cope with anxiety, and if desired by the child, accompanies the child to court. For example, Paul, mentioned previously, received therapy services following the homicide of his mother. Two years after the initial referral, the criminal case went to trial with Paul as a key witness. Prior to trial, the therapist met with Paul on several occasions to assess and address his concerns about testifying. The therapist taught Paul relaxation techniques he could use to manage his anxiety while on the witness stand and created a drawing of the layout of the courtroom to facilitate his understanding of the process. As a result of Paul's developmental disability, the therapist consulted with the prosecutor about swearability issues and accompanied Paul to court for his swearability hearing. During the trial, the therapist accompanied Paul to court, providing emotional support and relaxing activities while he waited to be called as a witness. The therapist also sat in the courtroom in clear view of Paul while he testified, and met with Paul afterwards to process his feelings after recounting the trauma in court. Once the jury returned a guilty verdict, the therapist assisted Paul with writing his victim impact statement, which he later read aloud at the sentencing hearing.

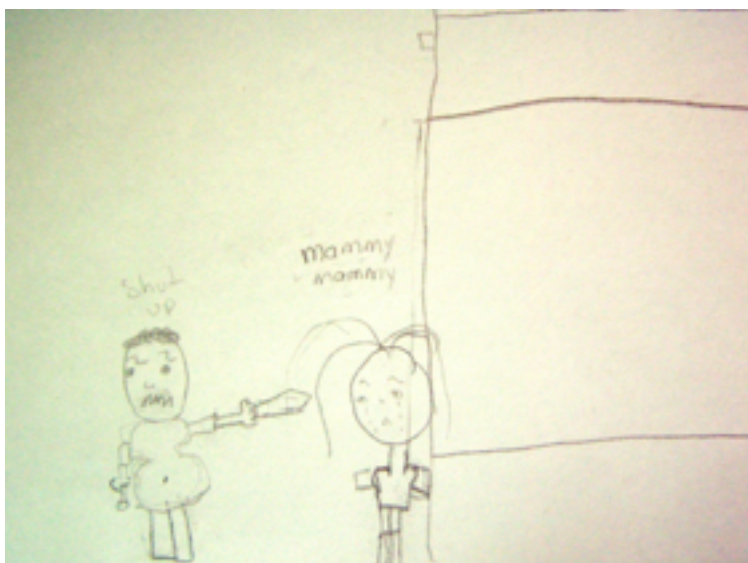
As an Assistant District Attorney within the Child Abuse and Sex Crimes Bureau, my primary responsibility is to interview children and teenagers who have made allegations of either physical or sexual abuse, assess their swearability and credibility, and ultimately prosecute the offender in cases in which an arrest is appropriate. There are occasions, however, when the child or teenager is in crisis and ensuring mental and physical health of the child must take precedence. In these cases, it is very helpful for Assistant District Attorneys to have mental health professionals staffed within the office to assist in providing the services necessary for that particular child or teenager. I used the Child and Adolescent Witness Support Program with great success in a case in which the teenager I was interviewing required immediate hospitalization due to suicidal risk. I feel confident that she received the treatment and care she required in a timely fashion due to their presence within the office.

— *Remi Simoes, Bronx Assistant District Attorney*

Another child whose mother was murdered by her biological father commented on the reassurance she felt by looking at her therapist in the courtroom while she testified: “Having you there was like looking out the window at a butterfly.”

There are also occasions when immediate help from the therapist is requested because during the course of a child’s visit to the office for routine legal matters an assistant district attorney or crime victim advocate has become aware of a possible risk to the child’s safety, such as when a child has expressed suicidal intentions or has disclosed homelessness. The therapist immediately meets with the child to make an assessment and coordinate interventions to facilitate the child’s safety. Ongoing therapy is always offered to youths whose first contact with the program has been for the purposes of emotional support through the court process or crisis intervention.

The therapeutic interventions offered by the Child and Adolescent Witness Support Program can last for as little as one or two sessions, for emotional support through the court process or crisis intervention, up to weekly sessions for six to nine months for ongoing therapy. Participation in group therapy involves a 12 week engagement with the option to participate in subsequent cycles and/or transfer to ongoing individual therapy. The therapist assesses, together with the child and family, the needs of the child and which treatment and length of engagement might best meet those needs. Children who have been enrolled in ongoing therapy for 9 months but continue to require therapeutic assistance are generally referred out to a specialized treatment program in the community where their long-term needs can be served. However, the therapist often resumes therapeutic services for a limited period if a significant event has occurred and is causing distress, such as when the child’s testimony in the criminal matter is imminent or the defendant is about to be released from jail.



In the drawing above, a 9-year-old boy draws a picture of his father physically abusing him. To the left, an 11-year-old girl depicts her uncle threatening to hurt her with a knife if she discloses the sexual abuse.

In the process of providing ongoing therapy, emotional support through the court process and/or crisis intervention, therapists from the Child and Adolescent Witness Support Program also provide children and their families with referrals for social services they may need. Families often have difficulties related to housing, education, health insurance, and family court proceedings. By collaborating with the Bronx District Attorney's Office and local non-profit organizations, the Child and Adolescent Witness Support Program also helps children, adolescents and their families connect with other victims in their community through events such as organized art and recreational activities.

Making art here every week has been the most relaxing thing I've done since all this happened. It is keeping me sane.

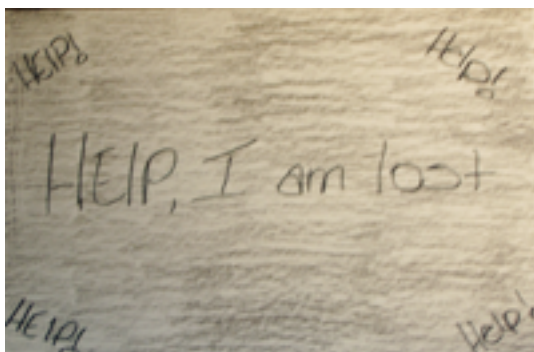
— *A grandmother who became the caretaker of four children after their youngest sister was murdered by their mother's boyfriend, commenting on her participation in a weekly on-site family art program*

## WORKING WITHIN THE CRIMINAL JUSTICE SYSTEM

The Bronx Child and Adolescent Witness Support Program enhances the criminal justice system's ability to respond to the mental health needs of young people exposed to violent crime. In order to accomplish this, the Program:

- Serves as an on-site resource when assistant district attorneys and crime victim advocates recognize that a child is in distress and/or is at risk of harm.
- Provides recommendations for the court regarding a child's mental health status and how it may impact the child's testimony and well as what the likely impact of testifying will be on the child's mental health.
- Represents the mental health needs of victimized youths to medical providers, child protective services, law enforcement and school personnel at multidisciplinary meetings to enhance general sensitivity and avoid duplication of services or contradictory system responses.
- Provides formal and informal trainings to legal staff and others regarding the impact of violent crime exposure on mental health.

There are numerous benefits to locating therapeutic services on-site within a prosecutor's office. As soon as a child is identified as a crime victim, a referral to the program can be made and the child can immediately begin receiving specialized mental health support. Many experts believe that the rapid identification of children who have been traumatized can reduce the enormous costs of trauma for both victims and society.<sup>8</sup> Addressing victims' legal and mental health needs in one place helps coordinate services and limits the burden on victims to travel to various locations and juggle appointment days and times.



In the drawing above, a 9-year-old boy who's father sexually abused his sister and physically abused his mother depicts his father humiliating his mother in front of the family. To the left, an image of the emotional distress experienced by a 14-year-old girl who was sexually assaulted by a 42-year-old man she met on the internet.

One of the benefits to having a therapy program for children on-site is that the therapists are more easily accessible to us and collaborating with the therapists allows us to better serve our victims. It is also reassuring to know that the children are receiving quality treatment, especially for cases that are hard to prosecute due to the child's age or the lack of evidence. At least you know that the child and the family are being supported and that is important.

— *Laura Rodriguez, Supervisor, Crime Victims Assistance Unit, Bronx District Attorney's Office/Coordinator, Bronx Multi-disciplinary Team on Child Physical and Sexual Abuse*

Another important benefit to having therapy services at the District Attorney's Office is that it helps victims create positive associations with the criminal justice system. Particularly in cases when the outcome of the criminal case is disappointing to the victim or where there are significant differences between the victim's preferences and the criminal justice action taken, specialized mental health services can help restore the victim's sense of control and perception that his or her voice has been heard.

At least my son knows what happened to him matters.

— *A mother of a 7-year-old sexual abuse victim, whose case was dismissed, commenting on how therapy has been helpful despite feeling disappointed in the criminal case outcome.*

Although the program is housed in the District Attorney's Office, the Center for Court Innovation, an independent not-for-profit organization, provides administrative oversight. All therapeutic case notes and records are under the control of program staff who are employees of the Center for Court Innovation and are bound by the confidentiality privileges attached to mental health professionals. Since program therapists are not District Attorney's Office employees, they are not required to share confidential information concerning participants with assistant district attorneys or other legal personnel except as directed by court order. This protection can improve victims' and witnesses' willingness to engage in services, alleviating their concerns regarding privacy and ensuring that their needs are paramount—even if they conflict with the needs of the prosecutor.

Housing the program in the District Attorney's Office also carries with it challenges. For victims who are dissatisfied with the criminal justice intervention they have received, or who are too intimidated by the criminal justice process to even participate in it, housing the therapy program on-site can be a deterrent to their engagement in services. For some victims, the District Attorney's Office may trigger negative associations with a process that they perceive as threatening or as having failed them. Confidentiality concerns may also arise when young victims and families receive services in a legal setting. Victims may fear that their private information will be shared with legal staff and be used against them during criminal court proceedings. Alternately, they may have

difficulty understanding the distinction between therapists and legal staff and consequently think the therapist has an ability to influence criminal court proceedings.

These issues are thrown in stark relief when prosecution goals conflict with a victim's mental health needs. Repeatedly recounting a traumatic experience to multiple audiences, coping with repeated disruptions to one's daily life in order to attend interviews and court dates, confronting an alleged perpetrator in court—these hardships can sometimes prove too difficult to manage for young victims and their families. During these occasions it may be in the best interest of the child's mental health to end his or her participation in the criminal justice process. This reality is particularly difficult to accept when it results in the charges being dropped against the defendant. For a therapist who has the responsibility to act in the best interest of the child's mental health but is also a collaborative partner with those responsible for prosecution, these situations can be hard to navigate. Although these challenges are not entirely avoidable, creating clear written policies around confidentiality, the nature of the therapist role, and program goals, as was done in the Bronx Child and Adolescent Witness Support Program, can assist with mitigating them. Communicating these policies clearly and repeatedly to young victims and their families is also an important step in reducing the potential burdens of housing a therapy program in a legal setting.

## EVALUATION AND FUTURE DIRECTIONS

In 2008, the Child and Adolescent Witness Support Program received grant funds from the Heckscher Foundation for Children to evaluate the impact of the program on participants' mental health symptoms and functioning.

The evaluation was an exploratory study designed to indicate whether the program has a positive therapeutic impact on its participants. Evaluation findings were based on structured pre- and post-treatment assessments (administered by a licensed clinical social worker) with adolescents ages 11-15 and with the parent or guardian of younger children ages 3-10. These assessments are clinically recognized tools designed to measure a wide range of trauma symptoms, including anxiety, depression, post-traumatic stress and anger.

Evaluation findings showed a reduction in both the number and severity of symptoms of trauma among participating children.

The results of this study suggest that the Child and Adolescent Witness Support Program may be helpful in reducing the symptoms of trauma that follow a child's exposure to violence.

It is invaluable to have the Child and Adolescent Witness Support Program at the District Attorney's Office. The Child Witness Support Program therapists help traumatized children make sense of their experience and move toward healing.

—Beth Ann Holzhay, Director, Crime Victims Assistance Unit,  
Bronx District Attorney's Office

## CONCLUSION

The Bronx Child and Adolescent Witness Support Program, created by the Center for Court Innovation in partnership with the Bronx District Attorney's Office, provides a model approach for victims and witnesses of violent crime. By undertaking a comprehensive and collaborative planning process with the prosecutor's office, the Bronx Child and Adolescent Witness Support Program has succeeded in reducing the negative impact of crime on young victims.

## NOTES

1. Bronx District Attorney's Office, Domestic Violence Bureau Chief Penny Santana, 2010.
2. Fantuzzo, J. W., Boruch, R., Beriama, A., Atkins, M., & Marcus, S. (1997). Domestic violence and children: Prevalence and risk in five major U.S. cities. *Journal of the American Academy of Child and Adolescent Psychiatry*, 36, 116–122.
3. Bronx District Attorney's Office, Child Abuse/Sex Crimes Bureau Chief Joseph Muroff, September 2010.
4. Finkelhor, D., et.al. (October 2009) Children's Exposure to Violence: A Comprehensive National Survey. U.S. Department of Justice, OJP, OJJDP, *Juvenile Justice Bulletin*. 1-11.
5. The Child Advocacy Center model seeks to alleviate the re-traumatization of young victims through multidisciplinary investigations and child-centered interviews, aiding in the investigation of criminal acts against children while also providing medical examinations, crisis intervention and advocacy. The Child Witness to Violence Project is a hospital-based program for children 8 years old and younger that provides counseling, advocacy and outreach to young victims of violence, including therapeutic services for children and their families.
6. Crime victim advocates from this unit assist crime victims with emotional and concrete needs by connecting them to service providers, providing assistance with filing claims, acting as a liaison between the victim and the numerous workers within the court system and accompanying the victim to court. Prior to the creation of the Child and Adolescent Witness Support Program, when advocates worked with child victims and witnesses in need of therapy they would engage in a series of steps involving contacting the child's insurance providers as well as community or hospital based therapy programs in search of an available service provider. It was often difficult to find a program that specialized in treating young crime victims and had immediate appointment availability.
7. Therapists work with non-offending family members only. This is not only because of the complications that could arise by providing services to a alleged perpetrator at the office responsible for prosecuting him or her, but also because of concerns regarding the emotional and physical safety of the victim.
8. Harris, W.W. et al., Mobilizing Trauma Resources for Children, Interventions for Children Exposed to Violence, Pediatric Round Table, Johnson & Johnson Pediatric Institute, L.L.C., 2006 pp.311-340.



**Center for Court Innovation**

The winner of the Peter F. Drucker Award for Non-profit Innovation, the Center for Court Innovation is a unique public-private partnership that promotes new thinking about how the justice system can solve difficult problems like addiction, quality-of-life crime, domestic violence, and child neglect. The Center functions as the New York State Unified Court System's independent research and development arm, creating demonstration projects that test new approaches to problems that have resisted conventional solutions. The Center's problem-solving courts include the nation's first community court (Midtown Community Court), as well as drug courts, domestic violence courts, youth courts, mental health courts, reentry courts, and others.

Nationally, the Center disseminates the lessons learned from its experiments in New York, helping court reformers across the country launch their own problem-solving innovations. The Center contributes to the national conversation about justice through original research, books, monographs, and roundtable conversations that bring together leading academics and practitioners and by contributing to policy and professional journals. The Center also provides hands-on technical assistance, advising innovators throughout the country about program and technology design.

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