



ACEs: What Are They & Why Should Attorneys Care?

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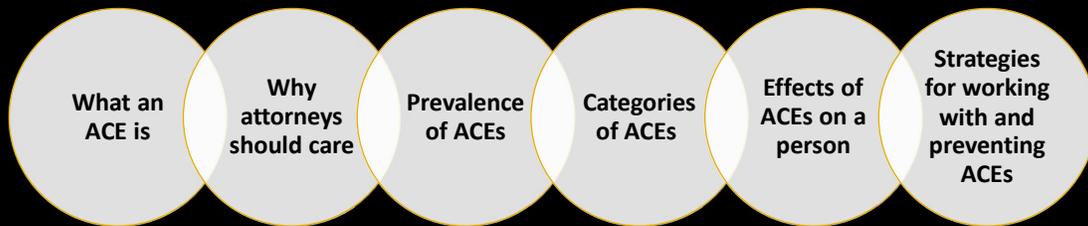


Kansas
Children's Cabinet
and Trust Fund

WASHBURN
UNIVERSITY
SCHOOL OF LAW
Children and Family Law Center

The Kansas Children's Cabinet and Trust Fund and the Washburn University School of Law Children and Family Center present ACEs: What are they and why should attorneys care. Presented by Washburn University School of Law Students Reilly Franek, Jordan Morton and Tina Wenzl.

What Attorneys Should Know



From this presentation we will give listeners a broad lesson into ACEs. In particular, today we will be going over what an ACE is, why attorneys should care, the prevalence of aces, the categories of ACEs, the effects of ACEs, and some strategies that attorneys can use for working with and preventing ACEs all together. We will first start with a basic definition of what an ACE is as it is the foundation for the rest of this presentation.

What are ACEs?

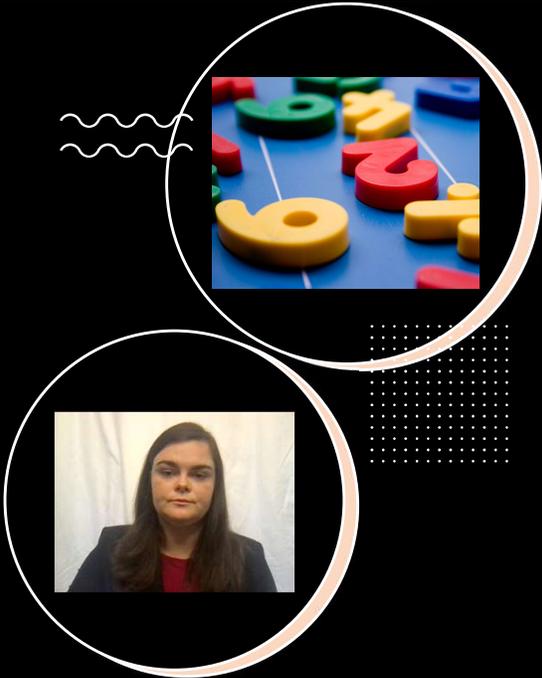
A: Adverse

C: Childhood

E: Experience



What are ACEs? We have said ACE multiple times now, but we never have explained what it is. ACE is an acronym that stands for adverse childhood experience. When we say ACE throughout the course of this presentation we are referring to adverse childhood experiences that were first examined in a study conducted by the Center for Disease Control. We will go into this study later in the presentation.



What is an ACE?

- A potentially traumatic event occurring during childhood
 - 0-18 years old
- Anything within a child's environment that can undermine their:
 - Safety
 - Stability
 - Ability to bond

What is an ACE? The Center for Disease Control defines an adverse childhood experience as a potentially traumatic even occurring during childhood and includes anything within a child's environment that can undermine their safety, stability, or ability to bond with others. The period of childhood is between the ages of birth and 18 years old. Over the years, research has developed different categories of ACEs that are linked with specific negative outcomes later in life that will be discussed more in depth throughout this presentation.



So something happened to a person as a child, why on earth should lawyers care? You may be thinking that you only work with adults, not children, so this is not relevant to you. There is a long answer which will be touched on throughout this presentation and includes the long-term effects of ACEs, strategies needed to work with those who have an ACE, and how the law relates to ACEs, but the short answer is simple. ACEs are everywhere including working with adults. Understanding what your clients have experienced, and how those experiences are impacting them now, can help you truly advocate for their best interests.



ACEs are everywhere!



Attorneys deal with people who have experienced ACEs in nearly every field:

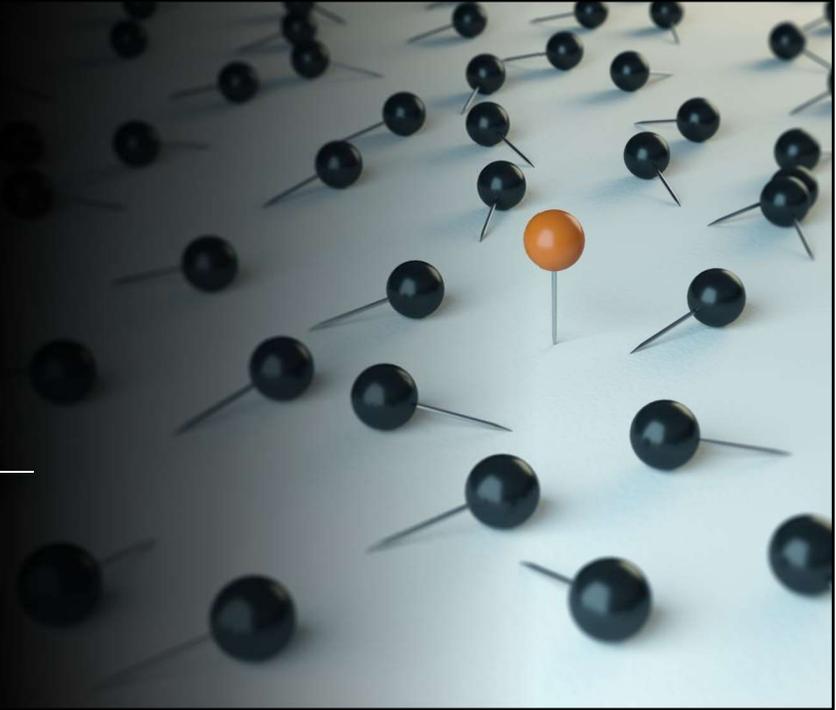
- Estate Planning
- Criminal Law
- Family Law***
 - Divorce
 - CINC
 - Etc.

ACEs are everywhere. Nearly 2/3 of people have experienced at least 1 ACE during their childhood. This means that a large number of your clients will have experienced at least one ACE. ACEs have effects that we will discuss later on in the presentation. Although ACEs are very prevalent in family law and guardian ad litem work, that is not the only field of law that should be aware of ACEs and their effects. It is important that Criminal law attorneys, estate planning attorneys, and other types of attorneys have at least a basic understanding of ACEs. In particular this information could be very important for attorneys who are opening up their own general practice firms and will be working with a wide variety of clients both adults and children. Attorneys can use even a basic knowledge base in various areas of law to help best advocate for their client's needs. For example, as will later be discussed in more detail, experiencing an ACE can lead to an increased risk of behaviors like substance abuse. Attorneys can use this knowledge to advocate for their client to receive the treatment that they need based on their unique experience rather than a one size fits all solution. This knowledge of where the client is coming from can help attorneys take that experience, whether they are a child or an adult, and start where the client is to create an alliance. In family law this could be advocating for a client to get treatment as part of a safety plan rather than automatically removing the child, if it is safe for the child to remain in the home. In criminal law this could be the prosecutors and defense counsel during the plea bargaining stage working together collaboratively to come up with a plea that meets the needs of both sides. Without this knowledge attorneys would be missing a critical piece

of the puzzle that can be the solution to their client's problem, instead of perpetuating it by coming up with solutions that don't address the root causes and sources of the problem in the first place.



Just How Prevalent Are ACEs?



Just how prevalent are aces? We have mentioned now that ACEs are everywhere, but what exactly does that mean?

A graphic with a black background. On the left, a large white circle contains the text "CDC-Kaiser Study". Above it is a smaller white circle containing a video frame of a woman with long brown hair wearing a dark blazer over a red top. To the left of the video frame are three white wavy lines. Below the video frame is a grid of small white dots. To the right of the circles is a bulleted list of findings.

CDC-Kaiser Study

- 63.9% reported at least one ACE.
- 22% reported three or more ACEs.
- Certain populations are more vulnerable to experiencing ACEs.

First let's start with the study done by the Center for Disease Control and Kaiser on ACES. In this study they learned that almost 2/3 of people, or 63.9%, who participated in the study reported having experienced at least on ACE during their childhood. 22% reported having experienced 3 or more ACEs during their childhood. Based on the demographic information that was assessed, the study found that certain populations seem to be more vulnerable to experiencing ACEs due to socioeconomic conditions. This study found other interesting findings that will be addressed later.



Putting it in Perspective



- In a room of 100:
 - 64 have experienced at least ONE ACE.
 - 22 have experienced THREE OR MORE ACES.
- Out of the 2,937,880 people in Kansas:
 - 1,821,485 have experienced ONE ACE.
 - 646,333 have experienced THREE OR MORE ACES.

To put the findings of the Center for Disease Control Study into perspective let's look at a room with 100 people in it and the population of the state of Kansas in 2020. In that room of 100 people, 64 of them will have experienced at least one ACE at some point during their childhood. In that room 22 of those people will have experienced 3 or more ACES at some point in their childhood. That means that out of the 2,937,880 Kansans in 2020, 1,821,485 Kansas would have experienced one ACE, and 646,333 Kansans would have experienced three or more ACES during their childhood. Still think knowing about ACES is only important to those who work with kids?



Categories of ACEs



Categories of ACEs: The original study and the new study. Although ACEs can be studied very generally, the CDC has divided them into three distinct categories, each with subcategories. Newer research has expanded the categories of ACEs by adding two additional categories.

History of ACEs

- 1995-1997 CDC study on ACEs and their impacts later in life.
 - 70% response rate out of the 17,000 participants.
- Previous research explored long-term effects of childhood abuse, not other forms of adversity.

Before getting into the categories of ACEs it is important to understand the history of ACEs and the Center for Disease Control Study. From 1995-1997 the Center for Disease Control conducted a study of over 17,000 people to evaluate adverse childhood experiences and their impacts later in life. This connection between an adverse childhood experience and impacts later in life was one that previous research had not explored. At the time the study was being conducted, the leading causes of morbidity in the United States were related to health behaviors and lifestyle factors. As such, this study was an exploration that researchers hoped would demonstrate the connection between certain life events and mortality later in life.

Previous research had explored the long term effects of childhood abuse, but that research typically only looked at single types of abuse without considering the impacts of multiple types of abuse or other conditions such as drug abuse, spousal violence, and criminal activity that may occur simultaneously with other forms of abuse that children experience.

This study caused changes in a variety of fields including the medical field and the law. By demonstrating just how prevalent ACEs were statistically this study taught many fields more information on what aces were, and how they could affect the body. As a result this information has changed how even attorneys work with clients and can use this information to make sure that they are advocating for their best interests in a certain

situation.

CDC divided 10 commonly recognized ACEs into 3 categories:

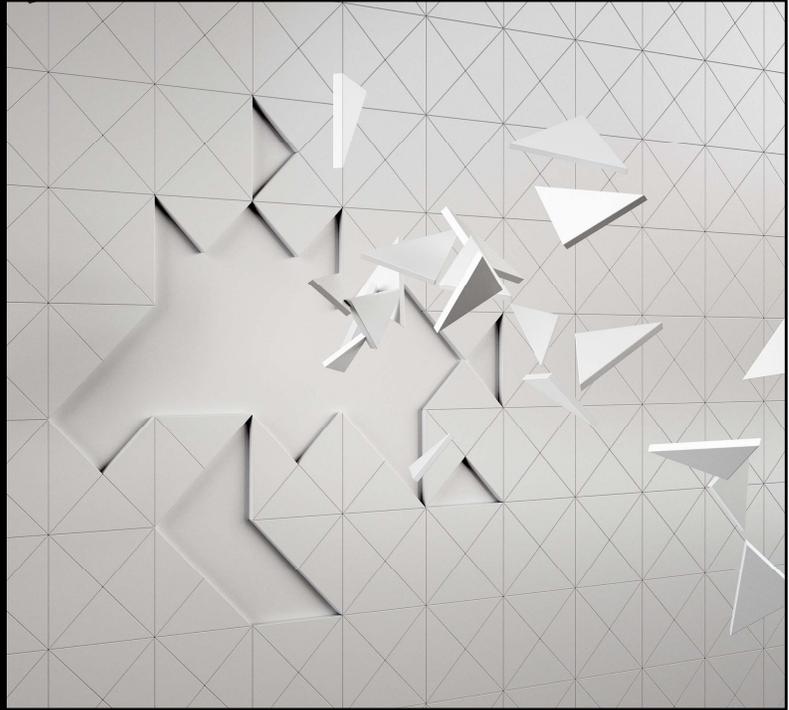
1. Abuse
2. Neglect
3. Household Adversity or Challenges

Categories of ACEs

Categories of ACEs Historically, there were 10 commonly recognized ACEs. Following the study by the Center for Disease Control, these 10 acs were divided into 3 separate categories: abuse, neglect, and household dysfunction. Although the original study used the terminology "household dysfunction" for the purpose of this presentation we will be referring to that category as household adversity or challenges in an effort to promote a strengthening families model. This model focuses on the strengths of an individual family and how we can respond to the challenges that family is facing based on those strengths. In a way this is similar to using a strength-based perspective in social work. Rather than looking at a family for every difficult thing they have faced and starting there you start by focusing on what they are doing well, their strengths, in facing any challenges that they are seeing and reframe the situation in a different perspective. It is important to do this because it is more empowering for instance in a situation where a family is unable to afford certain things one could look at them and say that they are poor, but instead you could also look at them and see that they are resourceful and continue the work from there.

1. Abuse

- Physical
- Emotional
- Sexual



The Abuse ACEs category. This category of ACEs is further divided into three subcategories: Physical, Emotional, and Sexual: Physical abuse was defined as a parent, stepparent, or adult living in the home having pushed, grabbed, slapped, threw something at, or hit the child so hard he or she was injured. Emotional abuse was defined as a parent, stepparent, or adult living in the home that swore at, insulted, put down, or acted in a way that cause fear that a person would be physically hurt. Sexual abuse was defined as an adult, relative, family friend, or stranger who was at least 5 years older than the child and that person touched or fondled the child's body in a sexual way, made the child touch his or her body in a sexual way, or attempted to have any kind of sexual intercourse with the child.

2. Neglect

- Physical
- Emotional



The Neglect ACEs category. This category of ACEs like the Abuse ACE category also has subcategories: Physical and Emotional. A child was considered to have been physically neglected if there was not someone to take care of, protect, or take the child to the doctor; there was not enough food to eat, the caregiver was too drunk or too high to care for the child, or the child had to wear dirty clothes. A child was considered to have been emotionally neglected if there was not someone in the family that helped the child or made the child feel important, special or loved; family members did not look out for each other or have a close relationship; and the family was not a source of strength and support.

It is important to note that issues related to poverty, including food insecurity, are attributed to physical neglect. It is imperative, especially as an attorney, to differentiate between these two issues. Kansas law, like most states, provides that financial hardship by itself is not a basis to remove a child from his or her home. While poverty can be an ACE we can reduce that risk by connecting families to resources that they need.

3. Household Adversity or Challenges

- Severe unmanaged mental illness
- Incarcerated relative
- Mother treated violently
- Substance abuse
- Divorce



Household Adversity or Challenges ACES. This category has five subcategories. Severe unmanaged mental illness, incarcerated relative, mother treated violently, substance abuse, and divorce. Mental illness in the home was defined as a household member being depressed, mentally ill, or having attempted suicide. Incarcerated relative is defined as a household member going to prison. Mother treated violently was defined as the child's mother or stepmother being pushed, grabbed, slapped, kicked, bitten, hit, or having things thrown at her repeatedly for more than a few minutes or being threatened or hurt by a weapon when the father was the perpetrator. Substance abuse in the household was defined as a household member being a problem drinker or alcoholic or using street drugs. Divorce was defined as the separation of parents from a single household.

While these issues are all linked with negative outcomes later in life, the severity of each event differs. For example, research has indicated that the long-term effects of sexual abuse tend to be more traumatic than those experienced by children with divorced parents.

New Categories of ACEs



- Research since the initial study has focused on additional categories: community and environmental.
- Research shows ACEs can be related to socioeconomic and racial disparities that exist in our society:
 - Racism
 - Bullying
 - Community Violence



The new categories of ACEs. Since the initial ACEs study was conducted, research has focused on additional experiences that create similar effects to the ACEs we have just discussed. These new ACEs fall into two additional categories: community and environmental. Examples of these new categories include racism, bullying, and community violence. Researches have began considering these experiences to be ACEs because they create similar longer term outcomes, including biological changes, that the original 10 ACEs do. Another extremely important thing to keep in mind is that community and environmental ACEs tend to exist along socioeconomic and racial disparities that exist in our society. That is, racial minorities and those living below the poverty line are more likely to experience ACEs.



Stress & ACEs



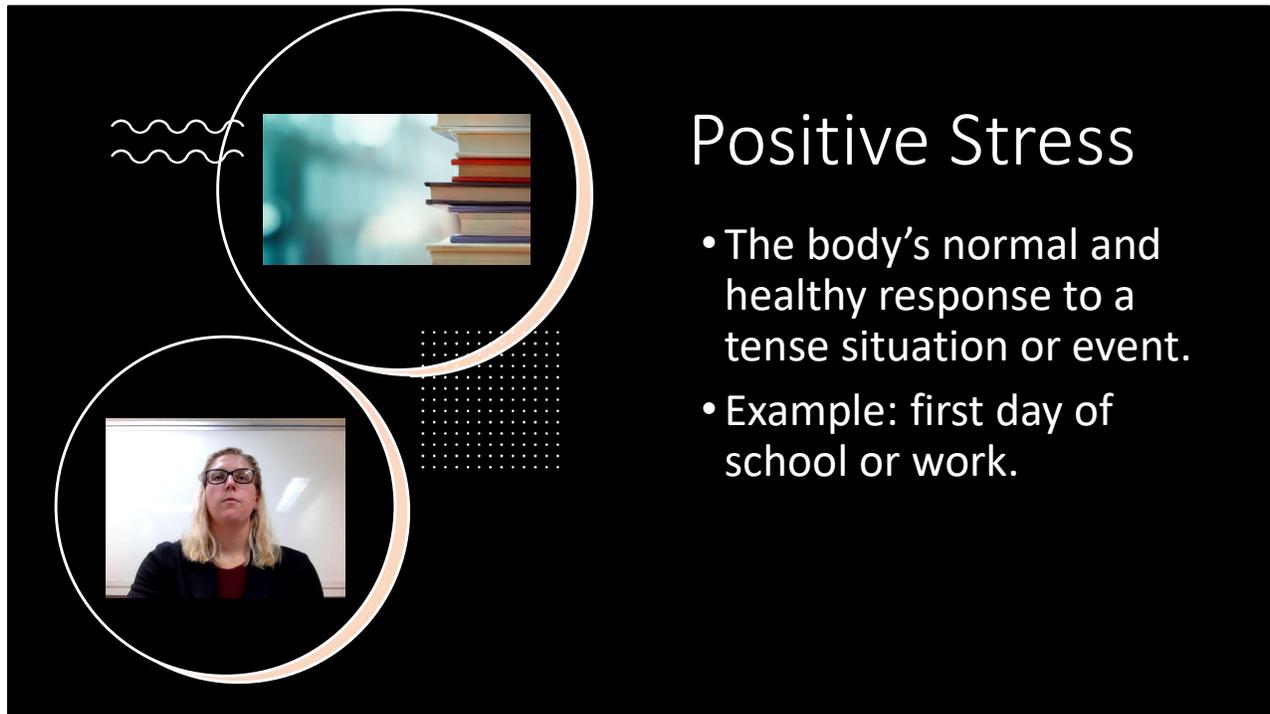
Now that we have an understanding of what ACEs are, we are going to look at the connection between the different types of stress and adverse childhood experiences. An easy way to think about this connection is to think about a rope that is fraying. Prolonged stress over time will cause it to eventually break, but if you can reinforce the rope somewhere along the lines, you might be able to salvage it.

The slide features a black background with white text and graphics. On the left, a large white circle contains the text 'Types of Stress'. Above it are three wavy lines. To the right, a smaller white circle contains a photo of a woman with glasses and blonde hair. Below the photo is a grid of small white dots. To the right of the circles is a bulleted list of stress types.

Types of Stress

- We are exposed to stress in a variety of circumstances in our daily lives.
- Stress can be divided into different types:
 - Positive
 - Tolerable
 - Toxic

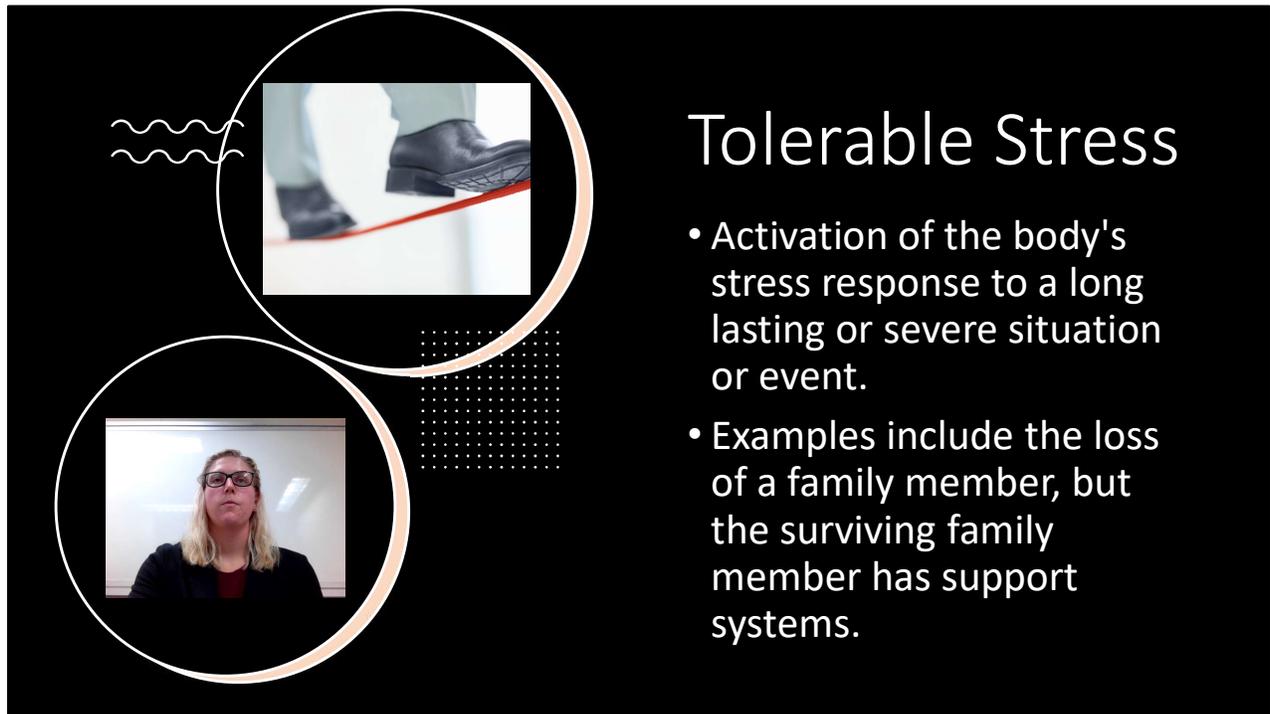
We are exposed to stress every day in all aspects of our lives. The stress that we experience can be divided into 3 distinct categories: positive stress, tolerable stress, and toxic stress. A certain amount of stress is healthy, as it is the body's way of responding to temporary challenges we face each day. In routine situations, our stress response activates and will return to a normal baseline. Some stressors are more intense or last for longer periods of time. These stressors are usually tolerable when there are supports in place to help us cope. However, if we do not have a support system and we are frequently exposed to certain stressors, it can have a negative impact on our bodies and lives. Over time, if prolonged stress occurs without check, the negative impacts can become more severe and have more lasting consequences.



Positive Stress

- The body's normal and healthy response to a tense situation or event.
- Example: first day of school or work.

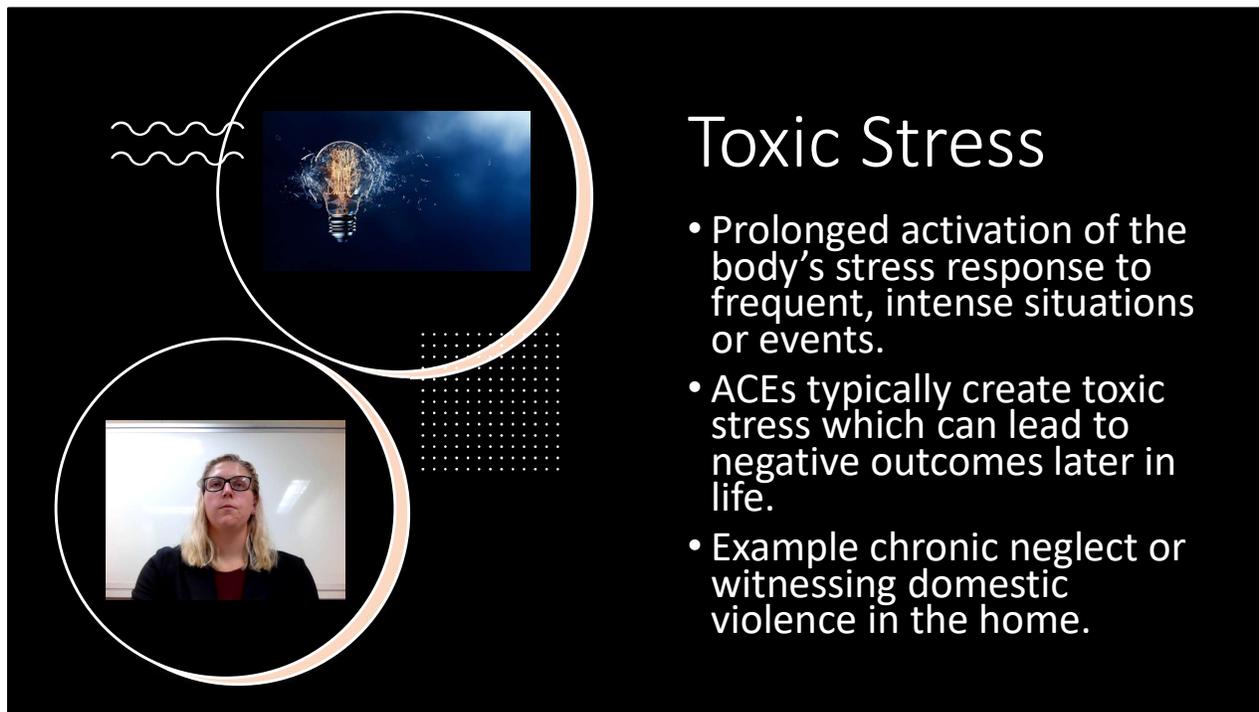
Positive stress is the body's normal and healthy response to a tense situation or event. We need stress to function – for instance you have to put stress on your body in order to move. Stress is not inherently bad or unhealthy. Often times, people feel they need some stress, such as a due date, in order to accomplish tasks. Examples of positive stress include the first day of school or work.



Tolerable Stress

- Activation of the body's stress response to a long lasting or severe situation or event.
- Examples include the loss of a family member, but the surviving family member has support systems.

Tolerable stress is the activation of the body's stress response to a long lasting or severe situation or event. Like positive stress, tolerable stress is not inherently bad. It is unavoidable and you likely deal with it every day. An example of tolerable stress is losing a family member, but you have support systems to help you through the grieving process. If the supports that a person has in place disappear or otherwise become unavailable, then the stress can become toxic stress.



Toxic Stress

- Prolonged activation of the body's stress response to frequent, intense situations or events.
- ACEs typically create toxic stress which can lead to negative outcomes later in life.
- Example chronic neglect or witnessing domestic violence in the home.

Toxic stress is the prolonged activation of the body's stress response to frequent, intense situations or events. Tolerable stress can turn into toxic stress if it is left unregulated. Generally, ACEs tend to create toxic stress which is linked to negative outcomes later in life. An example of toxic stress is chronic neglect or witnessing domestic violence in the home. Although these experiences can be very traumatic for those in that home, anything that can help mitigate or eliminate these risks will also serve to limit the impacts of toxic stress. These factors are often referred to as protective factors, and our colleagues have completed a presentation on those as part of this series. For more information on how protective factors can help reduce toxic stress, we encourage you to view that presentation.

Protective factors are conditions or attributes in individuals, families, communities or the larger society that help people deal more effectively with stressful events and mitigate or eliminate risk in families and communities

Effects of Toxic Stress

Short Term Effects

- Immune system response
- Shortened attention span
- Increased impulsivity
- Decision making and learning

Long Term Effects

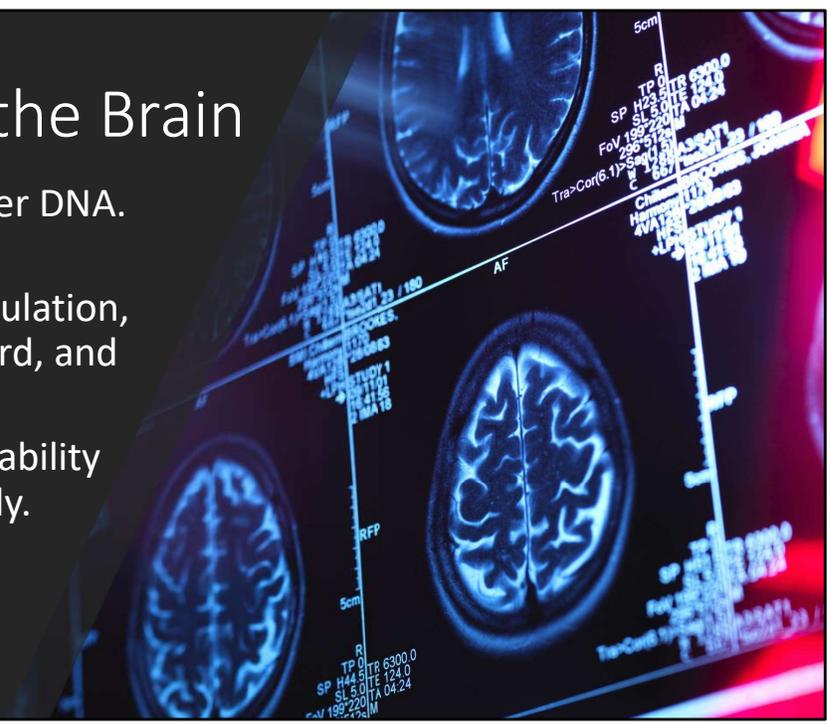
- Increased risk of crime and violence
- Drug and alcohol use
- Behaviors that risk health
- Increased risk of cancer and heart trouble



Toxic stress produces short term effects that if left unregulated can have severe long term impacts. Examples of short term effects include immune system response, shortened attention span, increased impulsivity, and impacts on decision making and learning. Over time, these conditions can evolve into increased risk of becoming involved with crime and violence, using drugs and alcohol at early ages, engaging in other behaviors that put health at risk such as engaging in sexual behaviors early and engaging in unprotected sex, and serious medical risks including cancer and heart trouble.

Impacts on the Brain

- Toxic stress can alter DNA.
- Affects emotional processing and regulation, evaluation of reward, and brain connectivity.
- Impacts children's ability to learn successfully.



Research indicates that toxic stress can impact the levels of various bodily systems to the point that it actually alters our DNA. This means that if toxic stress is left unregulated, it can create a generational cycle, which is especially prevalent along racial and socioeconomic lines. Toxic stress can affect various areas of the brain including emotional processing and regulation, evaluation of reward, and brain connectivity. The real world implications of the various things we mentioned on the previous slide, in addition to things like creating conditions where children struggle to learn and complete schooling.

Community Level ACEs

- Researchers expanded on the CDC-Kaiser ACE study by examining additional stressors that living in an urban area might bring.
- The demographics of the Philadelphia study were significantly different than those of the original study.
- The results of the study indicated that 40% of participants experienced 4 or more of the community level ACEs.

We mentioned earlier that research since the original CDC study has focused on additional community based ACEs. One of the most prominent studies since then was conducted in Philadelphia in 2012 and 2013. Researchers recognized that the majority of the available data was collected from white middle or upperclass participants and was not representative of the country's population. The Philadelphia ACEs project aimed to expand on the original study by seeking to understand the impact of community level adversities experienced in an urban area. The study included the original ACEs and additional ones including witnessing violence, experiencing discrimination, adverse neighborhood experiences, having been bullied, or having lived in foster care.

The demographic of the Philadelphia study was significantly different, and significantly more diverse in terms of the participants education, race, and socioeconomic status. At the time of the study, approximately one quarter of Philadelphia residents lived below the poverty line. Of the original ACEs, nearly 70% of adults had experienced at least one ACE and approximately 40% had experienced 4 or more. Researchers found that almost 40% of participants had experienced 4 or more of the expanded, community level ACEs.

This study expanded on the concept of adversity and has helped pave the way for researchers to study and understand the impacts that these experience have on various groups in our society, particularly those of color and that live in poverty.



Implications of Community Level ACEs

- Differentiating between poverty and neglect is crucial to being able to adequately address issues children face.
- Welfare programs are no longer enough to bridge the gap, and attorneys can play a role in getting there.

Research has demonstrated that these community level ACEs also have long term impacts for the people who experience them. One of the biggest issues this presents is how imperative it is to differentiate between poverty and neglect. Children who experience issues related to poverty are disproportionately represented in the child welfare system in Kansas.

Like many other states, Kansas law specifically prohibits finding a child to have been neglected purely because of a lack of financial means. Instead neglect is defined as:

- (1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;
- (2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or
- (3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. The statute does include exemptions for religious practices.

Welfare programs such as SNAP, TANF, and WIC are intended to help families in need, but these programs are no longer enough to bridge that gap. We have already mentioned the

generational effects that ACEs can create, and we have to find a way to break the cycle. Attorneys can play a role in do just that by advocating for their clients based on their needs. Understanding the impacts of ACEs, including community level ACEs, can be instrumental to providing a response that helps to evoke positive changes in this cycle.



Clients with ACEs



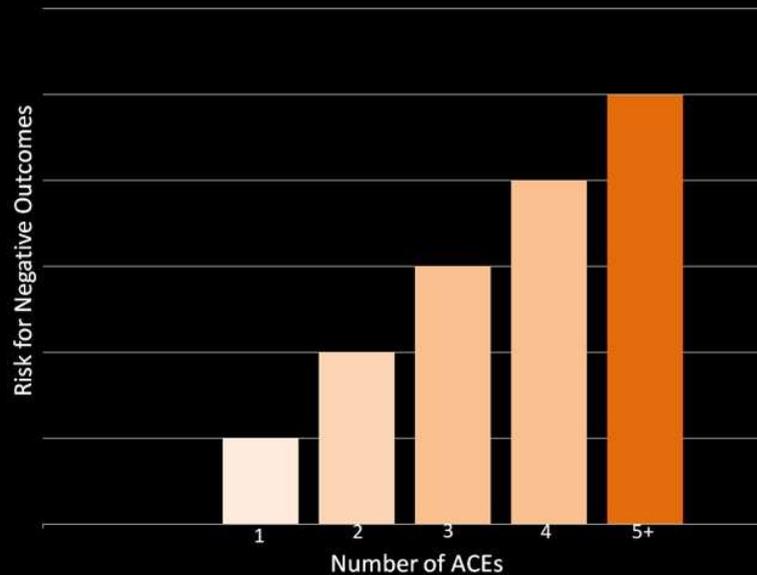
ACEs are extremely prevalent in our society today, as nearly 2/3 of people report having experienced at least one ACE in their lifetime. This means that it is extremely likely that as an attorney or family law professional, you will have clients who have had these experiences. Knowing about them, and the impacts and long term consequences of adverse childhood experiences, can help you not only advocate appropriately for their needs, but also understand their situation in a way you might not otherwise be able to.

Lifelong Effects of ACEs

- Long term exposure to toxic stress can actually alter DNA.
- People who have experienced 4 or more ACEs are significantly more likely to experience negative outcomes.

We have already discussed the implications of long term exposure to toxic stress, but it is important to note that long term in this context means life long. Research has consistently demonstrated that toxic stress during childhood can harm the nervous, endocrine, and immune systems and even alter DNA when experienced over a long period of time. The CDC-Kaiser study found that a person having experienced 4 or more ACEs was at a significantly greater risk of experiencing negative outcomes later in life. These negative outcomes have been linked to more than 40 different situations and are divided into three primary categories, behavioral, physical health, and mental health.

Compounding ACEs



22% of adults have reported experiencing 3 or more ACEs during their childhood. Long term exposure to toxic stress has negative impacts on your health, behaviors, and life achievements. When combined with the disparities in ACE exposure that exist along racial and socioeconomic lines, the issue of compounding ACEs present a serious issue for many vulnerable members of our society. When one generation experiences these hardships as a result of ACE exposure, it can lead to a multigenerational effect that perpetuates toxic stress exposure.

Behavioral Outcomes

- Smoking
- Drug abuse
- Alcohol abuse
- Lack of physical activity
- Missing work
- Engaging in other risky behaviors

Behavioral outcomes include smoking, alcohol abuse, lack of physical activity, drug abuse, and missing work. Other risky behaviors such as engaging in criminal activity and early sexual behaviors also fall into this category. These outcomes can create issues including substance dependency and trouble maintaining employment.

Physical Health Outcomes

- Extreme obesity
- Stroke
- Diabetes
- Chronic lung disease
- Cancer
- Heart disease
- Broken bones

Physical health outcomes include extreme obesity, stroke, diabetes, chronic lung disease, cancer, heart disease, and broken bones. Health impacts can also greatly affect other people in the person's life. For example, a person may require full time care after having a stroke which adds to the financial strain that family may already be experiencing.

Mental Health Outcomes

- Depression
- Suicide attempts

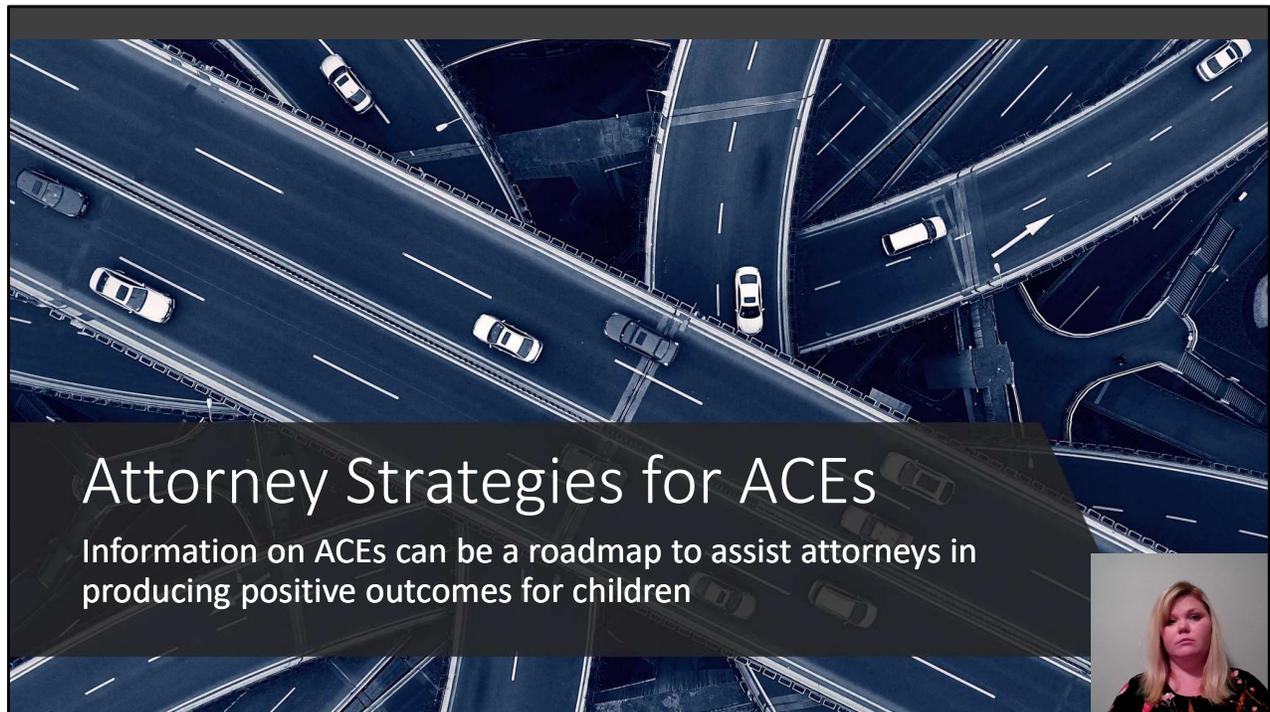
Mental health outcomes include depression and suicide attempts. Finding appropriate support for mental health concerns can be especially challenging due to a lack of resources. For instance, therapy is not widely accessible to people who are uninsured or cannot take off work during the day to go to an appointment. Another barrier in rural areas is the availability, or lack thereof of service providers. Understanding that ACEs, even if a person experienced them decades before, can impact the daily lives of individuals is important in addressing negative mental health outcomes.



Strategies for Working with ACEs



Situational specific ACEs and community ACEs have negative outcomes and as family law attorneys you have clients who are dealing with both. Some ACEs are preventable. Effective legal advocacy can help. Understanding what your clients have experienced in the past, and how those past experiences are currently impacting them, can help you more effectively and compassionately advocate for their interests.



Attorney Strategies for ACEs

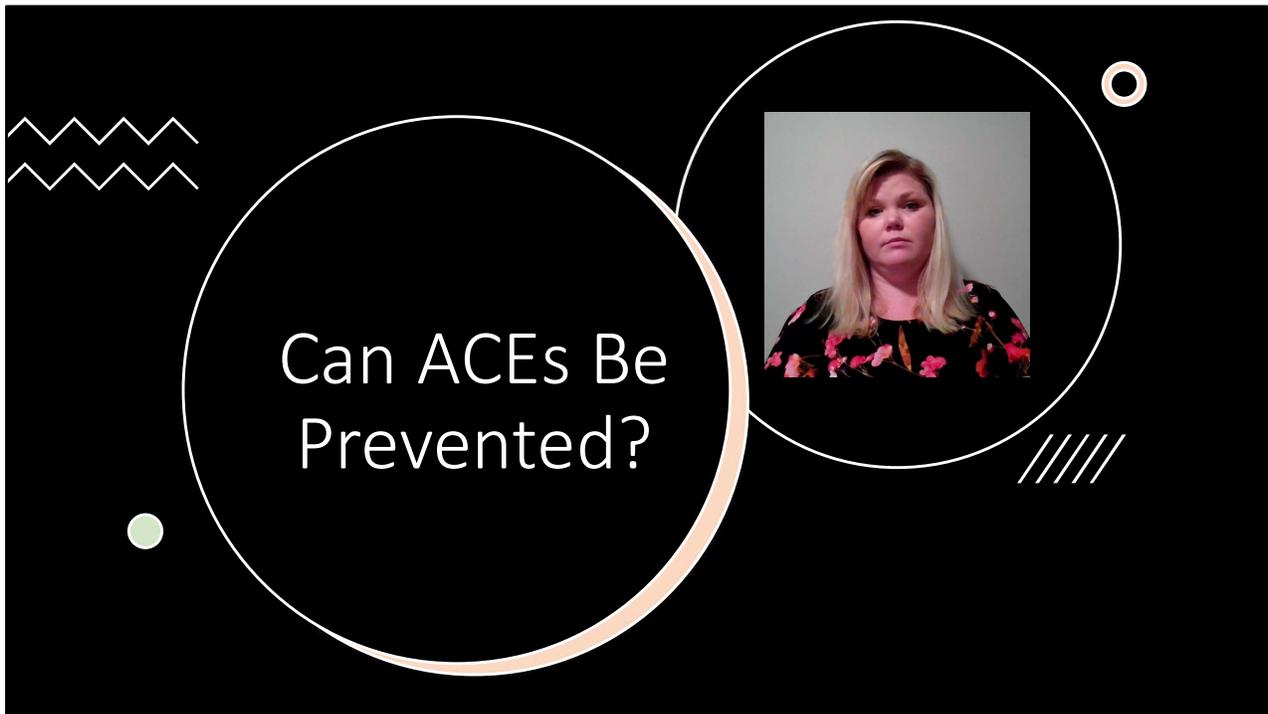
Information on ACEs can be a roadmap to assist attorneys in producing positive outcomes for children

Attorneys, and specifically attorneys in family law, should be educated on ACEs because it is likely that they will have clients who have experienced ACEs or have clients whose children are experiencing ACEs. Additionally, attorneys have a lot of power as an advocate to help provide these families with different resources that may be able to help. Each of these strategies are discussed in great detail as part of this project, but we will provide a brief overview of some of them. Knowledge about ACEs, their long term impact on both physical and mental health should serve as a roadmap to guide advocate's decisions particularly in family law.

Adopting a strengthening families model can help families protect against ACEs by expanding on the strengths that already exist in the family and providing them with support or services that could help reduce risk in other areas. Understanding protective and risk factors can again help attorneys identify potential risks and help the family address them. Attorneys should also have a working knowledge of child development so as to be able to truly advocate for the best interests of the child.



Understanding the trauma that your clients have experienced can help you as their lawyer to best advocate for their needs. It will not only give you the tools to advocate for services that could be beneficial but it will also increase your ability to empathize with your client. Clients who have experienced ACEs as children are also more likely to make choices as adults that increase the likelihood of their own children experiencing ACEs. While representing parents, you may be able to help your clients understand how ACEs affect children, or how the ACEs that they may have experienced have impacted the situation that they are currently in.



Research indicates that ACEs can be prevented. In order to prevent ACEs, we need to advocate for changes in policy based on what research tells us. There are a variety of policy areas which could be improved and we will explore a few of these in more detail now. Family law attorneys are in a unique position to advocate for programs and policies that can improve positive outcomes for their clients



Building Resilience in Children

- High levels of resilience lessens toxic stress
- Safe, nurturing, and stable environment
- Coping skills
- Protective factors

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One way to prevent toxic stress and limit its long term impacts is to build resilience in children. Resilience is defined as the ability to thrive, adapt, and cope despite tough and stressful times. Creating a safe, nurturing, and stable environment and helping children learn to cope with adversity can help protect them from toxic stress due to ACE exposure. Protective factors such as having adult mentors and strong peer networks can also help children build resilience. Early childhood programs have been an effective tool for building resilience and protective factors in children For more information on protective factors and their impact on positive outcomes for children and families please watch the webinar on protective factors.

What does building resilience look like?

Seven Cs

1. Competence
2. Confidence
3. Connection
4. Character
5. Contribution
6. Coping
7. Control



There are 7 core ideas that help develop and foster resilience in children:

Competence: building understanding of skills

Confidence: helping children develop a belief in their own abilities

Connection: connecting children with other people, schools, and communities to expand their support system

Character: teach moral values and the difference between right and wrong

Contribution: giving children a chance to contribute to the wellbeing of others

Coping: discovering a variety of healthy coping strategies to deal with stress

Control: teaching children to make decisions on their own empowers them and makes them feel like they have some control

As a family law attorney, day to day implementation of the 7 Cs in clients life is not realistic. However, advocating for things such as batterer's intervention, family or individual therapy and other programs available to children and families can be an effective way to increase positive outcomes. There are programs that empower families and children. Mentor programs and CASA programs for children in out of placement can build resilience and empower children to have a voice in the legal system.

Community Resources

- Strengthening economic supports to families
- Family friendly work policies
 - Paid time off
 - Flex time
 - Maternity and paternity leave

Providing additional community resources and strengthening economic supports to families is one way to prevent ACEs. Family friendly policies such as providing paid time off, flex time, and paid maternity and paternity leave can give families necessary flexibility. Having flexible but consistent work schedules can help families meet their specific needs. Attorneys need to be knowledgeable about the programs available in their areas to be the most effective advocate for their clients.



Social Norms Protecting Against Violence & Adversity

- Bystander intervention
- Public education campaigns
- Reducing corporal punishment
- Reduce stigma against seeking help



Another area of policy that can help reduce or prevent ACEs is to promote social norms that protect against violence and adversity through things such as bystander intervention, public education campaigns, reducing corporal punishment, and reducing the stigma against seeking help. While this might seem like an altruistic endeavor, it is possible to evoke this type of change on a societal level through a community effort. Attorneys can lead the way in this by helping direct their clients to these and other resources.

Strong Start for Children

- Reliable and high-quality childcare
- Family engagement in school
- Preschool
- Home visitations in early childhood



Another area to be expanded on is ensuring a strong start for children by ensuring access to high quality childcare that is affordable, preschool enrichment with family engagement, and early childhood home visitation. ACEs experienced in early childhood can greatly impact negative outcomes for children. Ensuring access to programs for families that foster resilience in children improves positive outcomes.

A graphic with a black background. On the left, there are two overlapping circles. The top circle contains a photograph of wooden blocks with arrows; one block has a red arrow pointing left, while others point right. To the left of this circle are three white wavy lines. The bottom circle contains a portrait of a woman with blonde hair wearing a floral top. To the right of the circles is a grid of small white dots. On the right side of the graphic, the text 'Teach Skills' is written in a large white font, followed by a bulleted list of three items: 'Safe Dating Practices', 'Family and Parenting Skills', and 'Community Programs'.

Teach Skills

- Safe Dating Practices
- Family and Parenting Skills
- Community Programs

In Kansas there are various organizations dedicated to helping to teach youth and adults safe dating practices. Jana's Campaign was started here in Kansas by Curt and Christie Brungardt after their daughter was murdered by her ex boyfriend. Jana's Campaign focuses on educating the youth on safe dating practices, red flags in relationships, and in advocating for services for survivors of domestic abuse and sexual assault. YWCA provides information and resources for domestic violence survivors in Eastern Kansas. Options is located in Western Kansas and provides resources to people in those rural communities. Including shelter for victims of domestic violence. Family and parenting skills programs such as the Strengthening Families Program are available and have online versions. Community programs such as Big Brothers and Big Sisters and community centers allow children and teen to have a safe destination and mentors.

Harm Reducing Interventions

- Primary care: a problem in rural Kansas
- Family centered substance treatment
- Trauma CBT

Interventions have shown to lessen both immediate and long terms damage caused by the toxic stress associated with ACEs. For families experiencing substance abuse, family centered substance treatment can be successful in lessening stress in children and producing positive outcomes for families. For children and families recovering from a high ACE score, Trauma Centered CBT therapy is an effective treatment tool for recovery.

ACEs & the Law



Statutory
Best Interest
Factors

K.S.A. 23-3203

- Parent's role and involvement before and after separation
- Parent's desire for custody or residency
- Child's preference – depending on age and maturity
- Child's age
- Child's emotional and physical needs
- Child's interaction and relationship with parents, siblings, and any other family members in the household
- Child's adjustment to home, school and community
- Both parents' willingness & ability to respect the bond between the child and the other parent, and allow a continuing relationship.
- Evidence of domestic abuse
- The parents' ability to communicate and cooperate
- The child's school activity schedule

- Each parent's work schedule
- The location of each parent's home and workplace, and
- The location of the child's school.
- Divorce and removal from the home are both ACEs. Judges, attorneys, and parents need to be aware of the impact of ACEs and take protective measures to lessen the toxic stress these events produce in children.

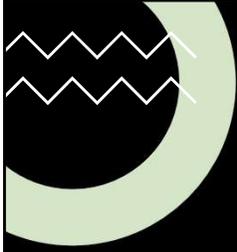
Best Interest Factors in Context

- Best Interest Factors are used in divorce, parentage, and CINC proceedings
- The judge must look at these factors to determine what is in the child's best interest.
- ACEs apply to these factors as children's relationships and ability to bond and adjust to the community and home from an outside perspective will be affected by any ACE that they have experienced.

KSA 23-3203 outlines the best interest factors that are weighed by Judges in custody situations. These factors are the same for contested custody in divorce cases as well as for custody placement in Child In Need of Care Cases. Aces apply to these factors, because a child's relationship and bond with caregivers is both a protective factor but also can be a source for Adverse Childhood Experiences. Having an understanding of ACEs can improve the way Judges and attorneys implement the statutory factors for children facing custody disputes.



In the state of Kansas, the statute sets out 14 factors to be considered when determining what is in the best interests of a child. They are factors, not elements, so judges are able to consider what is most relevant to the specific situation. However, this judicial deference can have extreme impacts because individual judges will give certain factors more weight. From the outside, this can make it seem as if there are gaps in the law because it is likely that 2 different judges would come to two entirely different conclusions as to what is in the best interests of the child based on their own interpretations of the factors and their own life experiences.



Thank You!



Adverse Childhood Experiences can greatly impact an individual's overall physical and mental well-being. Family law attorneys are uniquely situated not only by working with clients who have experienced ACEs in the past but also by working with families and children in which ACEs are presently occurring. Understanding the lasting impact these experiences have on individuals is essential to providing the best representation to clients. For more information on how to improve positive outcomes for families and children in the legal system please see the other presentations presented by the Kansas Children's Cabinet and Trust Fund and Washburn University School of Law Children and Family Law Center.