

Addressing Child and Youth Trafficking in Dependency Cases

Case Plan Decisions Benchcard

Judicial officers play a pivotal role in ensuring that case plan services for children and families affected by trafficking are trauma-informed, culturally relevant, and responsive to the unique needs and safety of survivors. Effective case planning requires not only legal oversight but also a deep understanding of how trafficking affects family dynamics, service accessibility, and a youth's ability to heal. This benchcard serves as a practical guide to inform judicial decision-making, structure key questions during hearings, and identify appropriate services.

Note: The term "child" includes both children and youth. The term "parent" includes all legal guardians and caregivers.

Key Considerations for Judicial Officers

Understanding the Case

Child Context and Trafficking Dynamics

- **Consider the modality of trafficking:** Determine whether the trafficking occurred digitally (e.g., online grooming, exploitation via social media), physically (e.g., in-person recruitment or coercion), or through labor trafficking.
- **Recognize survivor behavior:** Recognize trauma responses such as dissociation, avoidance, aggression, or non-compliance not as defiance but as protective strategies. Understand that the child may not be ready to engage in services or disclose details.
- **Consider motivating factors:** Explore if unmet basic needs (e.g., food insecurity, homelessness, lack of emotional support) contributed to the child's vulnerability to trafficking.

Parental Role and Capacity

- **Parental involvement:** Assess whether the parent facilitated, ignored, or failed to prevent the trafficking. If there is a criminal no-contact order or pending investigation involving a parent, factor this into case planning.
- **Preventing further harm:** If a parent is ordered to participate in services with the child (e.g., family therapy), ensure that child's safety is not compromised, especially if therapy becomes a site for control or coercion.
- **Pre-disposition efforts:** Explore what the parent has already done voluntarily to be protective of their child (e.g., parent sought support, education, or resources).

on their own initiative). Voluntary action can indicate readiness to engage, although it should also be noted that parents are sometimes advised by their legal counsel not to engage in services until post-disposition.

Cultural and Community Connections

- **Tribal affiliation:** Ask directly about tribal enrollment or affiliation. Many tribes offer trafficking-specific services, awareness programs, and culturally grounded healing models.
- **Immigrant or refugee considerations:** Be mindful of cultural norms around labor, family roles, and disclosure. Ensure that services offered are sensitive to language, immigration status, and community stigma.
- **Culturally responsive planning:** Confirm whether interpreters are available and used appropriately. Consider involving faith-based or community organizations where culturally congruent services may exist.

Service Landscape and Accessibility

- **Availability of services:** Ask whether recommended services are reasonably accessible to the family—considering transportation, language barriers, eligibility requirements, and wait times. If services are not accessible, courts should request that alternatives be sought.
- **Coordination with local experts:** Engage with trafficking liaisons or regional experts (e.g., CSEC coordinators) who can advise on available supports and gaps in the system.
- **Education and school considerations:** Confirm whether a meeting has occurred regarding school placement, what the outcome was, and if it was in the best interest of the child.

Balancing Choice and Consent

- **Consent vs. compliance:** Ensure the child is not forced into services they are not ready for. While therapeutic supports are often helpful, forced participation can be re-traumatizing and ineffective.
- **Victim autonomy:** Respect the child's voice in deciding what support looks like for them. Provide them with information about available resources, even if they aren't ready to access them immediately.

Critical Questions

Disclaimer: The following questions are intended to help judicial officers assess case plan decisions in child trafficking cases. However, asking these questions in open court may not always be safe or appropriate, as it could put the child at further risk or cause additional trauma. Judicial officers should consider the setting, the presence of support persons, and the potential for coercion or intimidation before questioning a child. Whenever possible, trauma-informed practices should be used, and professionals trained in trafficking and child welfare should be consulted.

Questions About Services for the Child

- What supports or services does the **child believe** would help them heal?
- Has the child experienced **running away**? If yes, what would help them feel safe?
- **What services** are being recommended for the child?
- How were the services for the child identified and did the process **include the child's input** in meaningful way?
- Is the child **interested in or willing to participate** in the services? If not, what alternative or less directive options were considered?
- Do the services recommended in the case plan reflect a clear understanding of the **intersectional vulnerabilities** (e.g., SOGIE, disability, cultural identity) that may have contributed to the child's exploitation?
- Does the case plan provide opportunities for the child to **maintain safe connections** to community, culture, and trusted adults?
- Is the case plan built with a **harm reduction approach** rather than relying solely on abstinence, compliance, or forced participation?
- Does the case plan allow for **child autonomy and dignity**, even if they choose not to engage in all aspects of it?

Questions About/For the Parent

- What services are being **recommended** for the parent(s)?
- How were the services for the parent identified?
 - Did this include the child's input on what services the parents should be ordered to complete?
- Have the parents' own **barriers to engagement** (e.g., transportation, housing instability, mental health needs) been identified and addressed?
- Has the parent received **trafficking-specific education**? Was it interactive and culturally appropriate?
- Does the parent understand how their behavior (or failure to act) **resulted in or contributed to the child's exploitation**?

- Is the parent's participation in therapy or services impacting the **child's sense of safety**?
- What steps has the parent taken voluntarily **prior to disposition** to protect the child from further harm and how do those efforts (or lack of efforts) factor into the Department's current recommendations?

Questions About the Case Plan

- How is each recommended service **directly connected** to resolving the identified safety threat(s) that resulted in the child being placed in out-of-home care so that the child can safely return home?
- Are the services that are being recommended **supportive rather than punitive** (e.g., mentoring, survivor advocacy, skill-building) or are they forced compliance with therapy?
- Are the service providers involved in the case plan **trained in recognizing and responding to the trafficking of children**?
- Have the recommended family therapeutic services (e.g., family therapy) been evaluated for **emotional and cultural safety**, particularly where family members may have facilitated or failed to prevent trafficking?
- What **oversight is in place** to ensure services are trauma-informed and prevent further harm?
- Are all recommended services **currently available in the family's geographic area**? If not, what alternatives were considered?
 - Is there a **waitlist or significant delay** for any recommended service? If so, is the family being offered interim support?
 - Is there an expectation that the parent or child travel long distances or **miss school/work** to attend services? If so, what supports are being provided to manage that burden?
- Are **systemic barriers** (e.g., poverty, racial bias, immigration status) being addressed as part of the case plan or merely documented?

Services & Support to Consider

Services for Children

- **Trauma-informed individual therapy** should be court-ordered when appropriate and offered by clinicians trained in trafficking, complex trauma, and dissociation (e.g., Cognitive Behavioral Therapy; EMDR; Somatic therapies).
- **Harm reduction strategies** that support the child without requiring immediate disclosure or service compliance (e.g., phone check-ins, safe contact cards, transportation access).
- **Survivor-led advocacy and mentorship programs** with experienced support peers that provide validation and model recovery.

- **Restorative justice and healing circles:** For some children, particularly those from tribal communities, culturally grounded restorative practices may be more healing than traditional therapy.
- **School-based supports** (e.g., trauma-informed educational liaisons; flexible scheduling; credit recovery for children who have missed school due to exploitation).
- **Crisis stabilization and respite care** (e.g., emergency placements or drop-in support centers) designed to stabilize trafficked children before long-term service engagement.

Services for Parents

- **Interactive trafficking education** consisting of culturally responsive, scenario-based training for parents to understand coercion, trauma bonding, online exploitation, and how to support recovery.
- **Economic, housing, and vocational supports** to address structural barriers that undermine engagement (e.g., housing, job training, or access to basic needs), especially in cases where a lack of access to economic support was a factor in the exploitation.
- **Parenting programs** such as Nurturing Parenting, Circle of Security, or culturally specific parenting classes that reinforce attachment and trauma-informed care.
- **Family therapy** should ONLY be ordered when safe and supported by the child. It should not be recommended in cases involving familial trafficking unless clear clinical rationale supports it and sufficient oversight exists.

Other Service Considerations

- **Child Advocacy Centers (CACs):** Multidisciplinary teams providing forensic interviews, mental health referrals, and case coordination.
- **Tribal services and partnerships:** Many tribes operate trafficking awareness and response programs.
- **LGBTQIA+ affirming programs:** Access to therapists, support groups, and mentors who are experienced in supporting children navigating gender identity and sexual orientation, particularly those who have experienced rejection.
- **Immigrant and refugee-specific supports:** Legal advocacy, culturally congruent service providers, and family navigation resources.
- **Legal advocacy for immigrant children:** Legal services may include support with visa options (e.g., T-visas, U-visas), SIJS (Special Immigrant Juvenile Status), or defense against deportation.
- **CSEC-specific resources:** Community-based organizations like those led by experts (e.g., King County CSEC programs) offer support groups, consultation, and family services tailored to commercial sexual exploitation.

- **Internet safety education:** Programs or materials designed for children and parent(s) to better understand the risks of digital exploitation and improve digital boundaries.

Data Tracking Considerations for Courts

- **Trafficking-specific service referrals completed:** Note how many children or parents complete trafficking-specific education, therapy, or advocacy programs.
- **Service availability and proximity:** Document how often geographic limitations, waitlists, or eligibility exclusions prevent families from accessing court-ordered services.
- **Incidents of service-related delays or disruptions:** Identify systemic service gaps such as lack of providers, long waitlists, or budget-related service cuts.
- **Re-exploitation or runaway episodes post-disposition:** Track instances where children experience further trafficking, go missing, or run from placement, especially after service changes or lapses.
- **Case plan revisions due to changing needs or disclosures:** Count how often case plans are adjusted in response to evolving safety needs or new trafficking-related information.

Additional Judicial Resources

[Child Sex Trafficking On-Ramps and Off-Ramps Infographic \(NCJFCJ\)](#)

[Familial Trafficking Warning Signs \(Shared Hope International\)](#)

[What Should Judicial Officers Know About Domestic Child Sex Trafficking? \(NCJFCJ\)](#)

[Responding to Sex Trafficking in Your Jurisdiction \(Center for Court Innovation\)](#)

[Bench Card for the Trauma-Informed Judge \(NCTSN\)](#)

[Child Labor vs. Child Labor Exploitation vs. Child Labor Trafficking Venn Diagram](#)

[Labor Trafficking of US Minors](#)

[Human Trafficking and Exploitation of Juveniles - The Center for Family Safety and Healing](#)

*This benchcard is a product of the collaborative work done through the
[Family Well-Being Community Collaborative's Child & Child Trafficking Workgroup.](#)*