

## Addressing Child and Youth Trafficking in Dependency Cases

# Family Time Decisions Benchcard

Children and youth who have been trafficked, particularly when trafficking involves family or household members, face unique safety risks, trauma dynamics, and emotional complexities that should be carefully considered when ordering family time visitation. Visitation and/or contact of any kind may not always be in the best interest of the child when there are allegations or indicators of familial trafficking, coercion, or risk of re-exploitation. This benchcard is intended to guide judicial officers in making informed, trauma-responsive family time visitation decisions in cases involving child or youth trafficking.

*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

- Inquire into whether there are any **criminal investigations** underway or **protection orders** in place.
- Inquire into what **forms of technology will be allowed at the visits** (i.e., cell phones) - understanding that a significant amount of trafficking occurs virtually.
- Evaluate family time visitation separately for each parent, including **whether one or both parents** were involved, facilitated, or should have known the trafficking was occurring.
- Evaluate **age and developmental stage of the child** - keeping in mind that younger or less self-protective children may be more vulnerable during visits.
- Evaluate the **context of the trafficking** - acknowledging that sex trafficking and labor trafficking present different risks.
- Evaluate whether the trafficking is connected to **parental substance use or economic needs** – keeping in mind that the court can order DCYF to provide reasonably available services, concrete goods, and housing assistance.
- Consider that family time visitation with a parent **may not be safe for the child** in cases involving familial trafficking, but that sibling visitation may still be in a child’s best interest.
- Consider **cultural and community norms** when assessing safety and appropriateness of visitation. Practice cultural humility and recognize power imbalances in provider/child dynamics.

- Consider that supervision or monitoring of visits by natural supports (i.e., relatives and suitable others) should be **provided by individuals who are not connected to the trafficking and can be protective of the child.**

## Critical Questions

*Disclaimer: The following questions are intended to help judicial officers assess family time visitation 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 or youth. Whenever possible, trauma-informed practices should be used, and professionals trained in trafficking and child welfare should be consulted.*

### Questions About the Case

- Are the **specific allegations** related to sex trafficking, labor trafficking or a combination of both?
- What is the status of any **criminal investigation**?
- Are there any **no-contact or protection orders** in place?
- **Who knew or should have known** about the trafficking, including household members?

### Questions About/For the Child

- What is the **child's preference** regarding visitation? *Consider how the impacts of trauma might be impacting the child's preference.*
- Does the child have **siblings**? Are they co-victims or perpetrators?
- Is the child connected with an **advocate**? If so is this advocate providing **culturally informed supports**?
- Has the child had recent **hospitalizations, therapy, or engagement with victim services**?

### Questions About the Visits

- Is there an **existing safety plan** designed to keep the child safe during family time visitation?
- What **harm reduction measures** are in place to help the child stay safe if something does not go as planned?
- Are visits part of a **broader therapeutic strategy**? Has a mental health professional assessed **child's needs**?
- What **forms of technology** will the child and parent(s) have access to during the visit (e.g., cellphone)?
- Is the **proposed supervisor** someone the child feels safe with?

- What **vetting** has the proposed supervisor undergone to ensure they can be protective of the child?
- Is there a plan in place to **safely end visitation** if issues arise?
- Is the **proposed location** somewhere the child feels safe?
- Would **virtual visitation** better support the child's safety or emotional stability?

## Services & Support

- [Child Advocacy Centers](#)
- Harm reduction strategies (e.g., how can we help them stay safe during visits; how can they stay in contact with safe people)
- Parental education and therapeutic supports for non-offending parents
  - [Human Trafficking: A Guide for Parents and Caregivers](#) (OVC)
  - [Educational Resources on Trafficking For Youth & Caregivers](#) (San Diego Youth Services)
  - [Talking with Youth about Human Trafficking: A Resource Guide for Caregivers](#) (STAC Survive and Thrive Advocacy Center)
  - [Washington Trafficking Help](#)
  - [Internet Safety Workbook for Tweens](#) (*\$ Paid Resource*)
  - Local and tribal resources (each county should maintain a guide of culturally specific/appropriate services). Tribal social workers (if involved) may have specialized training or connections to appropriate supports.

## Data Tracking Considerations for Courts

- Number of cases where **visitation was restricted, suspended, or denied** due to trafficking-related concerns.
- Percentage of children **receiving family time within 72 hours** of removal in trafficking-involved cases.
- **Frequency** of visitation (e.g., weekly, biweekly) by supervision level (e.g., supervised, virtual, therapeutic) in trafficking-involved cases.
- **Duration and consistency** of visitation over time (e.g., interruptions due to safety risks).
- Number of **supervised vs. unsupervised visits** in trafficking-involved cases.
- Percentage of **court orders** referencing findings related to familial trafficking.

## Additional Considerations

- Visitation decisions should be **re-evaluated regularly** with updated safety assessments.
- **Therapeutic visitation** may not be available in all areas.
- Children **may not be able to express candid preferences** in open court.
- A child's outward behavior may **mask trauma**.
- Consider **trauma bonding dynamics and attachment disruption**.

## 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](#).*