



## **RESOLUTION REGARDING JUDICIAL OVERSIGHT OF PSYCHOTROPIC MEDICATIONS FOR CHILDREN UNDER COURT JURISDICTION**

**WHEREAS,** Judges recognize that each child under court jurisdiction is unique, valued and entitled to individualized attention;

**WHEREAS,** Medicaid data indicate children in foster care are prescribed psychotropic medications far more often than children in the general population;

**WHEREAS,** Judges in child welfare and juvenile justice cases are responsible for overseeing the safety and well-being of children under court jurisdiction;

**WHEREAS,** the NCJFCJ believes that this oversight responsibility extends to children prescribed psychotropic medications, including ensuring that medications are safe and appropriate; and

**WHEREAS,** the NCJFCJ believes that judicial oversight means, at a minimum, that each court:

- Is aware of every child who is being prescribed psychotropic medications, and has the following information:
  - the names and dosages of all psychotropic medications being prescribed as well as all other medications being prescribed and taken,
  - the reason for the prescription(s),
  - the alternatives to medications that have been considered,
  - the other interventions that should accompany or are accompanying the use of the medications,
  - the actual effects of the medications, both beneficial and adverse,
  - the name of the medical professionals prescribing the medications and their qualifications, and
  - the individual responsible for administering the medication to the child.
- Ensures a qualified medical professional is timely and thoroughly monitoring the medications.
- Ensures there are protocols in place to maintain the medication regimen without interruption when any placement changes occur.
- Ensures parents are fully involved and informed about the use of the medications and the reason for their use, and have the ability to maintain the regimen or meaningfully decide, in consultation with medical professionals, whether and how to discontinue medications during reunification or upon return to their custody.

- Ensures all other caregivers are fully informed of the use of the medications and the reasons for them and have the ability to maintain the medication regimen in consultation with medical professionals.
- Ensures children have been engaged at the earliest possible time in the medication process, allowing the court to have an understanding of their attitude toward medications and whether additional services or resources will be necessary to assure medication compliance.
- Ensures all children transitioning from child welfare or juvenile justice who are being administered psychotropic medications have been educated sufficiently to maintain their medication regimen and make decisions about their care, including possible adverse effects of sudden discontinuation of psychotropic medications.

**BE IT THEREFORE RESOLVED AS FOLLOWS:**

NCJFCJ shall promote the exercise of judicial leadership to convene and engage States and other jurisdictions, communities, and stakeholders in the child welfare and juvenile justice systems in meaningful partnerships to encourage and to ensure, when necessary, the appropriate use of psychotropic medications for children and youth under court jurisdiction.

NCJFCJ is committed to development of technical assistance resources to assist judges in fulfilling the oversight role described in this resolution.

NCJFCJ is committed to educating judges on issues related to psychotropic medications, including but not limited to, the safe and appropriate use of psychotropic medications and recommended practices for judicial oversight.

NCJFCJ remains committed to educating judges on the substantial impact trauma can have on children and families and how psychotropic medications are most appropriately used when trauma is present.

NCJFCJ encourages engaging parents, caregivers, and others involved in the care, supervision and treatment of the child to be educated regarding the appropriate use of psychotropic medication for children.

NCJFCJ shall advocate for information sharing among those involved in the care and treatment of children under court jurisdiction and for the development and use of technology to enhance information sharing among all entities responsible for the care of children under court jurisdiction.

NCJFCJ supports the development of consultation resources for those courts that are charged with making decisions regarding the use of psychotropic medications for children under court jurisdiction.

NCJFCJ encourages the further study of, and the continued analysis of available data on, effective interventions and outcomes for children prescribed psychotropic medications with particular emphasis on disproportionately impacted populations.