



National American Indian
Court Judges Association



MOTIVATIONAL INTERVIEWING FOR JUDGES

Hon. Carrie E. Garrow
Chief Judge
Saint Regis Mohawk
Tribal Courts

DISCLAIMER

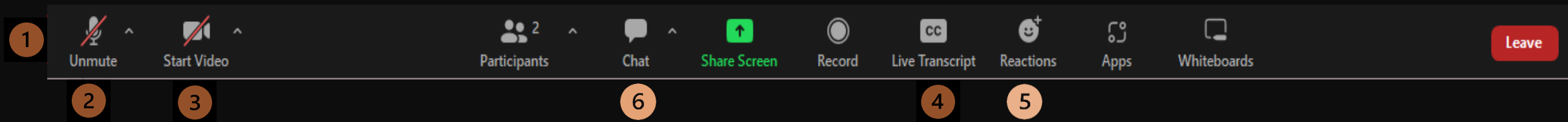
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BEFORE WE BEGIN...

Here are some friendly housekeeping reminders

- 1 Your control panel will appear at the bottom of your user screen (As shown below)
- 2 All attendees will be muted during the beginning of the meeting. Please select “unmute” when you would like to speak. We ask that you please mute yourself when you are not speaking to avoid audio interference with other participants
- 3 Please select “Start Video” if you would like to turn on your camera
- 4 Live Transcript and Closed Captioning is available. Select “Live Transcript” or “Closed Captions”
- 5 You may also use the Reactions button to Raise Your Hand to request to be unmuted
- 6 Use the Chat box to submit a comment at any point during today’s presentation. When we conclude, we request that everyone please complete the workshop evaluation. A link for the evaluation will be shared in the Chat box.





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HWC KEY COMPONENT #7

Ongoing Tribal Wellness Court
judge interaction with each
participant is essential



ALLRISE BEST PRACTICE STANDARD #3

supportive comments

stress the importance of their
commitment

expresses optimism

do not humiliate

do not subject them to foul or
abusive language.

Allow participants a
reasonable opportunity to
explain

studies have consistently
found that Drug Court
participants perceived the
quality of their interactions
with the judge to be among
the most influential factors for
success in the program

Rapport with participants is among the most important components of the FTC

Explaining responses

Reinforcing treatment adjustments

Engaging

Supportive

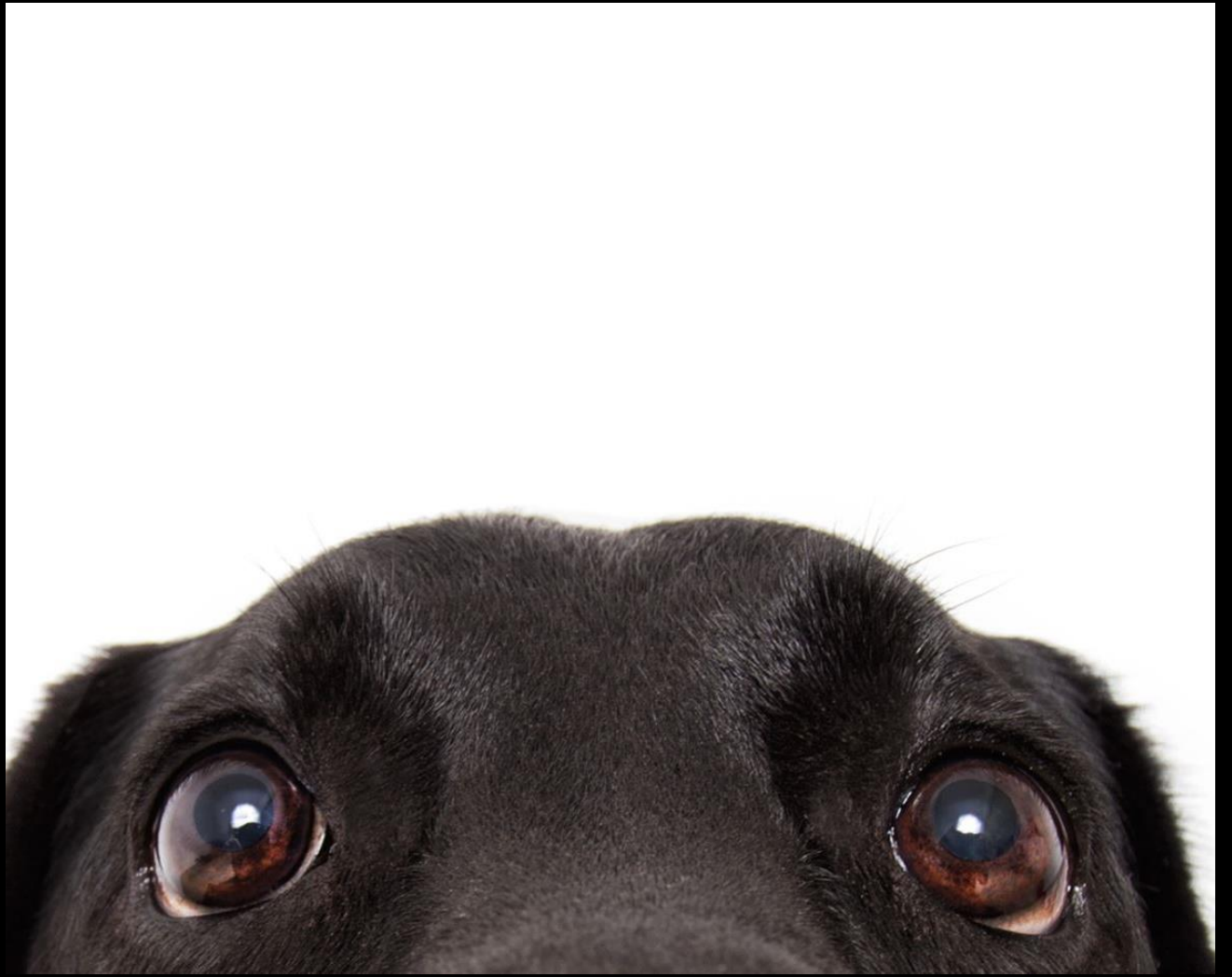
Encouraging

Emphasizing participant's strengths and importance of continued engagement

Result - more likely to comply with treatment and have better outcomes

FAMILY TREATMENT COURT BEST PRACTICE STANDARDS #2 ROLE OF THE JUDGE

HOW DO I
DO THAT?





MOTIVATIONAL
INTERVIEWING
WITH OFFENDERS

Engagement, Rehabilitation,
and Reentry

Jill D. Stinson and Michael D. Clark

335 x 499

MOTIVATIONAL
INTERVIEWING

A background image showing several LEGO minifigures in a jail cell. One minifigure in the center is wearing a white uniform and a white cap, possibly a guard. Other minifigures are behind bars, some wearing striped prison jumpsuits. The scene is dimly lit, with a dark grey overlay.

WHY MOTIVATIONAL INTERVIEWING?

- Evidence based practice & it is an indigenous approach
- Behavior change – reform/restorative
- Prepares offender for change
- Shifts balance of responsibility – we are agents of change rather than responsible for change
- Suggests effective ways of handling resistance and keep things from getting worse

The background of the slide is a dark, semi-transparent image of a prison cell. A white grid pattern is visible, representing the cell's bars. In the lower-left and lower-right areas, parts of a yellow LEGO minifigure are visible, representing an inmate. The minifigure has black hair and is wearing a dark suit with a white shirt and tie. The overall tone is somber and institutional.

WHY MOTIVATIONAL INTERVIEWING?

- Best practice
 - Interact in procedurally fair and respectful manner
 - Develop collaborative working alliance with each participant
 - Holds participant accountable
 - Conveys respectful and collaborative demeanor
 - Employs effective communication strategies to develop a working alliance
 - Opened questions
 - Keeps open mind about factual disputes and actions
 - Takes participants' viewpoints into account
 - Shows empathy for impediments or burdens
 - Explains rationale for judicial decisions
 - Expresses optimism about recovery
 - Provides reassurances that staff will be there to support participants

FOUR ELEMENTS OF MOTIVATIONAL INTERVIEWING

Partnership

Acceptance

Compassion

Evocation

PARTNERSHIP

- Compliance = us v. them
- Change = allies
- Work to change behavior that led to punishment NOT inflict further punishment
- Participant is the agent of real change
- Our role – be curious
- Let go of our favorite tools – telling, teaching, advice giving
- Just in case you're not worried – This IS Hard

ACCEPTANCE

- Paradox
- Not condoning behavior – but acknowledge the reality
- Four key components
 - Absolute worth
 - Accurate Empathy
 - Autonomy-Support
 - Affirmation

ACCEPTANCE - ABSOLUTE WORTH

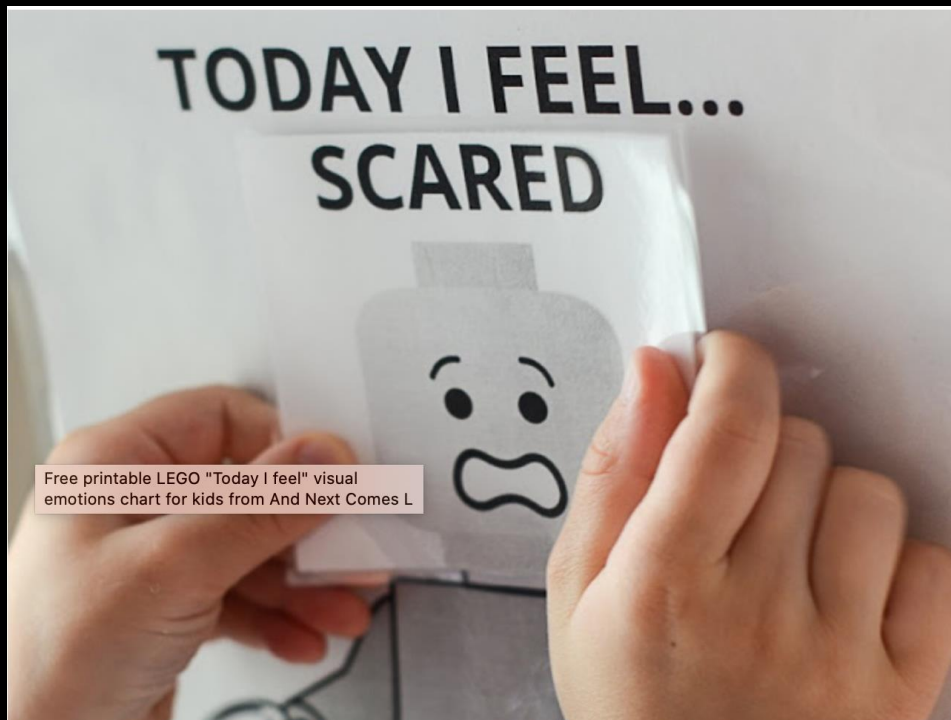
- Every person has potential
- This is an Us problem
- Challenge is to look within ourselves and decide for ourselves whether criminal behavior negates humanity.
- The opposite is judgmental condemnation



- Empathy is not connecting to an experience, it's connecting to the emotions that underpin an experience.
Brené Brown, Daring Leadership

ACCEPTANCE
ACCURATE
EMPATHY -
LISTEN THE WAY
YOU WANT TO
BE LISTENED TO

BRENÉ BROWN'S EMPATHY SKILLS



Free printable LEGO "Today I feel" visual emotions chart for kids from And Next Comes L

- See the world as others see it –honor their truth
- Be nonjudgmental
- Understand another person's feelings
- Communicate your understanding of that person's feelings
- Mindfulness – paying attention

ACCEPTANCE – AUTONOMY – SUPPORT



Freedom to choose own course of action



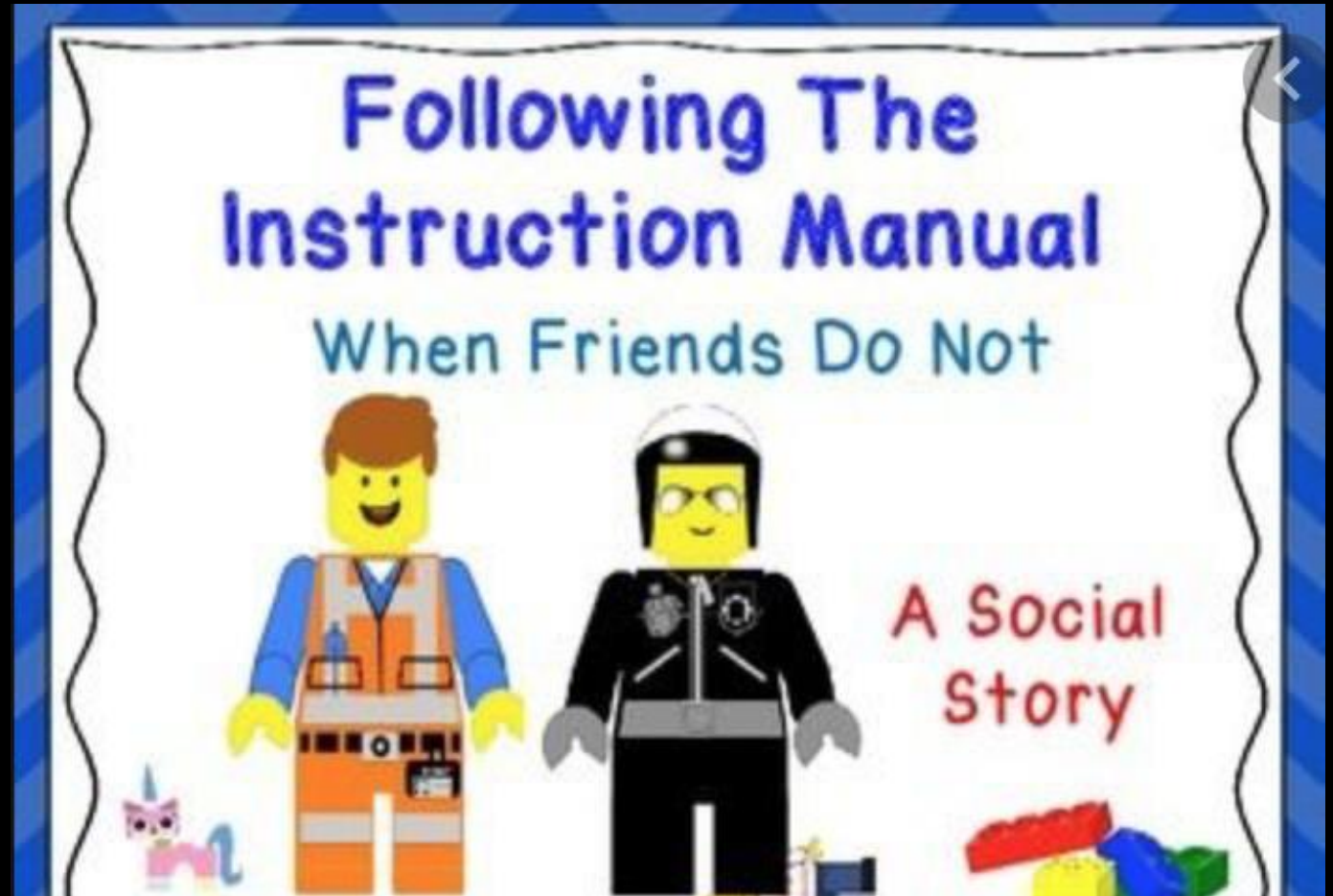
Can't do this vs. make good choices



The judge applies the consequences



Make aware it's your choice, here are the consequences - neutrally



ACCEPTANCE - AFFIRMATION



VERBALIZE SUPPORT



RECOGNIZE THEIR
SURVIVAL



RECOGNIZE THEIR
COMMITMENT TO
KEEP GOING



AFFIRMATIONS
MOBILIZE THEIR
STRENGTHS

COMPASSION

- It isn't just empathy
- "Attention to values, patience, and connection"
- Compassion requires both courage and vulnerability
- It is NOT pity

EVOCATION

- Trust people have what they need to change within them - it's already there
- Our job is to draw it out – aspirations, values, competencies
- Stay close to their definition of the problems and solutions
- Focus on strengths
- Focus on what could do



THE ART OF LISTENING



HOW DO I LISTEN?

- Take down your filters
- Be curious
- Absorb as much as possible
- Work to suspend beliefs and be impartial
- Appreciate uniqueness of person
- The Key – what you say in response



HOW TO START?

- Prepare your mind
- Stop talking
- Practice



Kristal Dubois



LISTENING IS COMMUNICATION

- Undivided attention
- Eye contact
- Facial expressions

I've LISTENED – Now what?

REFLECTIVE LISTENING

- Participants need to know you heard them
- Keep it simple – less is more – get to point
- Remove “I” from reflective statements – keep focus on participant



REPETITION



- Use their own words to repeat
- Helps you understand
- Use it if you're drifting
- Slows down conversation and accentuate points
- Don't use too much

SIMPLE REFLECTIONS

- Repeat or minimally paraphrase what was said
- Use themes rather than words



GORDON'S ROADBLOCKS TO ACTIVE LISTENING

- Ordering, directing, commanding
- Warning, cautioning or threatening
- Giving advice, making suggestions, or providing solutions
- Persuading with logic, arguing, or lecturing
- Telling people what they should do; moralizing
- Disagreeing, judging, criticizing, or blaming
- Agreeing, approving, praising (BUT)
- Shaming, ridiculing, labeling
- Interpreting or analyzing
- Reassuring, sympathizing, or consoling
- Questioning or probing
- Withdrawing, distracting, humoring, or changing the subject

ROADBLOCKS

- Get in way of self-exploration
- Derail from natural flow of thoughts
- Imply power differential
- BUT you're a judge



WHAT YOU DON'T SEE





QUESTIONS?

THANK YOU!

Please email us at WOCG@TLPI.org if you have more questions



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Tribal Law & Policy Institute

www.Home.TLPI.org |

www.WalkingOnCommonGround.org

