

We should really serve teens...but how?

There is growing interest in working with teens to provide support, education, and resources so that they too can have healthy, happy, and safe relationships. And as the interest has grown, so have the questions. This documentⁱ addresses some of the questions that arise when working with teens experiencing dating violence.

What does the law say about serving teens? [RCW 70.123.070](#) states that DV shelters “shall make services available to any person who is a victim of domestic violence and that person’s children.” But in the RCWs and WACs that govern our programs,ⁱⁱ Washington State law does not specifically address whether domestic violence programs can serve teen victims of domestic violence who are seeking services independently from their parent/guardian. Washington State does, however, address serving teens in other instances, including allowing a minor (13 and over) to consent to outpatient mental health servicesⁱⁱⁱ and many health care services^{iv} without the consent of their parent or guardian.

What does WSCADV think? We want young people to have autonomy and control over their lives in the same ways that we want all people to be able to control their intimate relationships. Opening our doors to teens in order to provide them the same safety planning, resources, and support that we offer all victims of domestic violence enables teens to get what they need to gain more control over what is happening in their lives. Though not specific to DV programs, Washington law^v does recognize that young people 13 and over should be able to seek help, give consent themselves, and get support in the context of outpatient mental health services. Teens giving consent to access our services is on par with being able to consent to birth control or mental health counseling. Bottom line: DV programs can and should provide advocacy services to teens.

What about sheltering teens? DV shelters cannot shelter or house individuals under 18 without consent of their parents, with limited exceptions. Minors who are emancipated through a court process can be served in DV shelters.^{vi} Otherwise shelters must call parents or authorities^{vii} within 8 hours of the teen arriving.

What should our program policies say about serving teens? While each program around the state has their own unique policies, all programs should have policies that specifically spell out how you will serve teens. Program policies should:

- clearly state that you can and will serve teens,
- list what services you can provide (e.g. individual advocacy, support groups) and what services you can’t (e.g. shelter without parental consent),
- note that teens can provide consent to these services without their parents, and
- clarify your policies and practices around mandatory reporting and release of records.

Check out [Break the Cycle's Youth Services Policy Development Tool](#) for some helpful model policies. Programs should always check with their own legal counsel for guidance on the policy.

What about protection orders? Teens (13 and over) in a dating relationship with someone 16 or over can petition for a Domestic Violence Protection Order^{viii}. Teens under 16 years old must enlist a family, household member, or “[next friend](#)” to go to court with them to file for a protection order on their behalf. Teens 16 and over may file on their own behalf. The law does not require the court to notify the petitioner’s parent or guardian if a protection order is issued.^{ix} For more information on court orders, check out this [comparison of court orders](#).

What about access to records? As with any survivor, the information you keep in records is the survivor’s information to share (or not). That said, with minors, you must get the parent and the minor’s permission and signature to release information.^x Follow your policies for releases of information and other confidentiality exceptions.^{xi}

What about mandatory reporting? DV advocates are mandated reporters. And a good mantra is: before they disclose, be sure that you disclose your duty to report. The law says that mandated reporters must report any abuse or neglect of a child (someone under 18) to CPS or law enforcement.^{xii} Washington law is fundamentally unclear regarding mandatory reporting obligations in the case of peer-on-peer dating violence. WSCADV consulted with DSHS/Children’s Administration staff, law enforcement, and others and concluded that in most cases teen dating violence will not trigger an advocate’s mandatory reporting duties. That said, if you reasonably believe your client experienced serious physical abuse resulting in actual injury, and particularly if that serious physical abuse is ongoing, you should report it. Your job is to be the most effective advocate possible, even when you are also a mandatory reporter. Many of your advocacy skills can be used to ensure your client understands the process, receives essential support, and is empowered to make informed choices. Remember these [survivor-centered advocacy tips](#) when making a report.

What are best practices when serving teens? Good news: teens are people, too, and you are really good at serving people! Apply many of the same survivor-centered philosophies to your work with teens. Here are some general tips:

- **Identify supportive people.** One of the most important things advocates do with survivors is to help them identify supportive people in their lives. This is no different with teens. Teens *can* consent to services without their parents, but it’s always best to engage and support parents to help teens, if and when they can.^{xiii}
- **Be authentic.** Don’t worry about what teens call “dating;” they’ll know what you mean. And ask what they mean if you are not sure.^{xiv}
- **Use their preferred method of communication.** We ask most survivors how they would like to stay in touch; let’s do the same with young people. Communicate with teens in the way that they would like to communicate with you. Ask them if they’d prefer to stay in touch via phone, email, Facebook, texting, or some other platform, and use their preferred method of communication when possible. You can discuss the safety implications and limitations of that mode of communication and move forward together.^{xv}
- **Let the teen be the expert.** Ask questions about what they want. Listen and help them sort out their options.

- **Be up front.** Let them know about your duty to report abuse and neglect and explain how that process works if you go down that road.

What's the takeaway? Our programs have a lot to offer young people and we can and should provide advocacy services to teens. Here's to healthy relationships for all!

ⁱ Want a more in-depth look at the concepts in this document? Click [here](#) for access to a recorded webinar from 6/11/13 on this very topic.

ⁱⁱ For the purposes of this document, when we say “our programs” or “programs” or “organizations,” we mean domestic violence shelter/advocacy programs.

ⁱⁱⁱ [RCW 71.34.530](#)

^{iv} [Providing health care to minors chart](#)

^v [RCW 71.34.530](#)

^{vi} Minors who are legally married are considered emancipated.

^{vii} [RCW 13.32A.082](#) Any person who, without legal authorization, provides shelter to a minor and who knows at the time of providing the shelter that the minor is away from the parent's home without the permission of the parent, or other lawfully prescribed residence, shall promptly report the location of the child to the parent, the law enforcement agency of the jurisdiction in which the person lives, or the department. Please note that this RCW has been revised (and will take effect in late July) and the WACs have not yet been drafted. At this point it is unclear whether DV programs will be covered under the new guidelines, so this is a conservative recommendation to alert authorities within 8 hours, rather than the 72 hours prescribed for licensed youth shelters.

^{viii} [RCW 26.50](#)

^{ix} It is important for survivors to know that protection orders are public records that could be viewed by parents, friends, or others even if those people are not part of the petition process.

^x This is different when serving survivors of sexual assault. In that case, you treat the minor receiving services as you would in any other situation. WCSAP has a thorough and helpful [resource on confidentiality considerations](#) (including access to records) that provides helpful guidance.

^{xi} [RCW 70.123.076](#)

^{xii} [RCW 26.44.030](#)

^{xiii} Parents may need support and practical help to support their teen. DV programs can provide workshops, guidance, and tailored assistance to parents and the adults in their communities to help ensure this goes well.

^{xiv} Teens use many different words to describe their relationships. They may say they are “talking to,” “going out with,” “seeing,” “hooking up with,” “hanging out with,” or “dating” the person. Since we can never anticipate the many ways teens describe their relationships, it's best just to ask teens what they mean.

^{xv} This may be difficult when programs have a “no Facebook” or “no texting” rule. Working with youth sometimes helps us to see how our policies and procedures create unintended barriers to our services. This may be one of those cases where a change in policy is warranted.