

Mentor Courts and Judicial Engagement Network

New Orleans, LA

ICJR New Grantee Orientation – Nov 2019

Center for Court Innovation

www.courtinnovation.org/areas-of-focus/domestic-violence



Domestic Violence Courts Today

- ▶ Approximately 250+ domestic violence courts in the United States
- ▶ Represents more than 27 states
- ▶ More than 150 domestic violence courts internationally
- ▶ A diversity of models, policies, and practices

Domestic Violence Courts Promote

- ▶ An engaged judiciary
- ▶ Coordination between courts as well as stakeholders
- ▶ Improved victim safety for petitioners/children
- ▶ Identifying offender risk and needs
- ▶ Improved information sharing between agencies where appropriate
- ▶ Evaluation and research

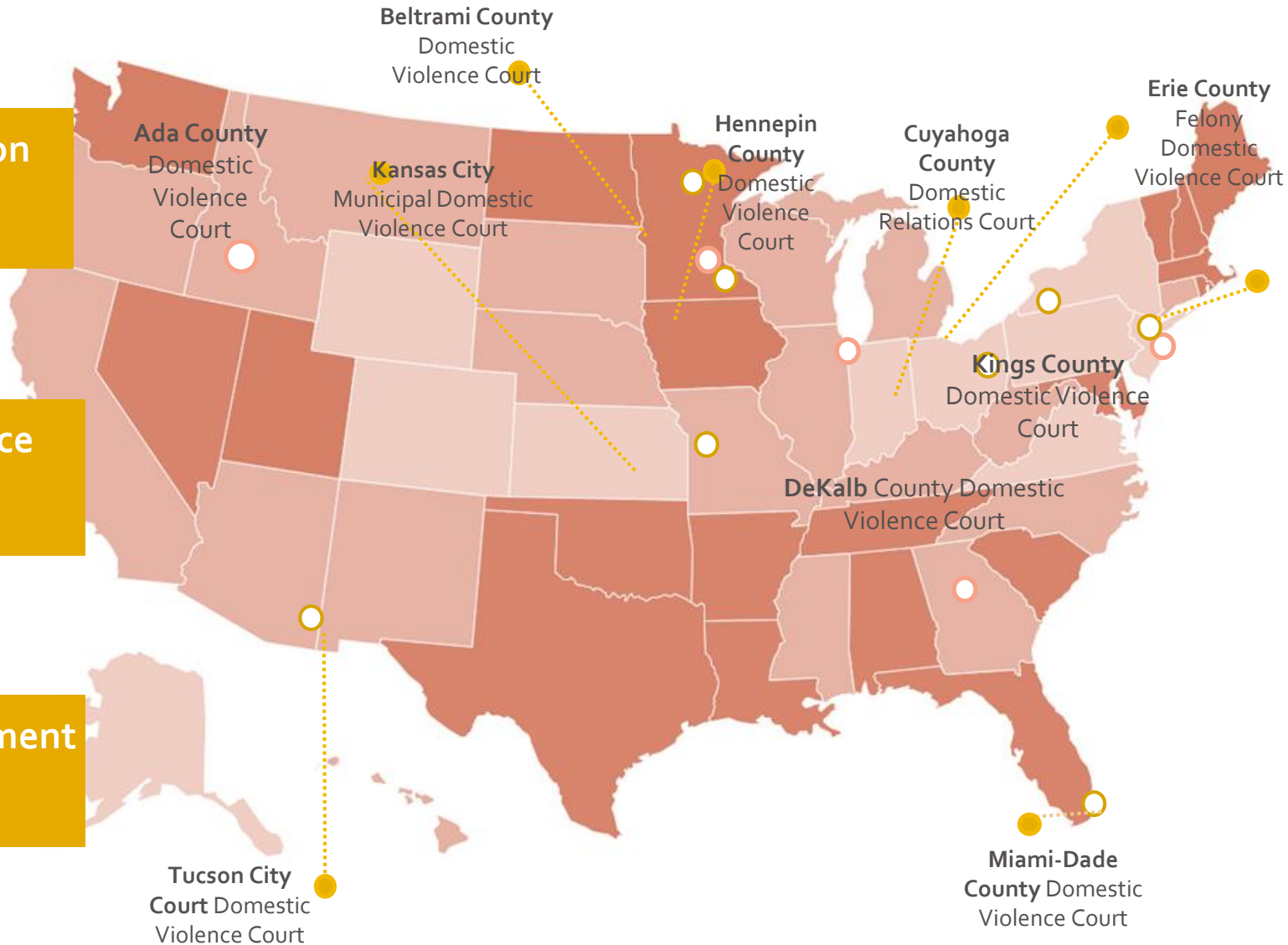
Research Supports Court-Based Responses to Domestic Violence

- ▶ Improves victim linkages with victim services
- ▶ Increases cooperation with the criminal justice process
- ▶ Some studies show reduced recidivism
- ▶ Increased accountability including conviction, probation, offender program attendance and compliance
- ▶ Improved victim satisfaction

Information Sharing

Compliance

Risk Assessment



Underserved Communities

Cross Agency Collaboration

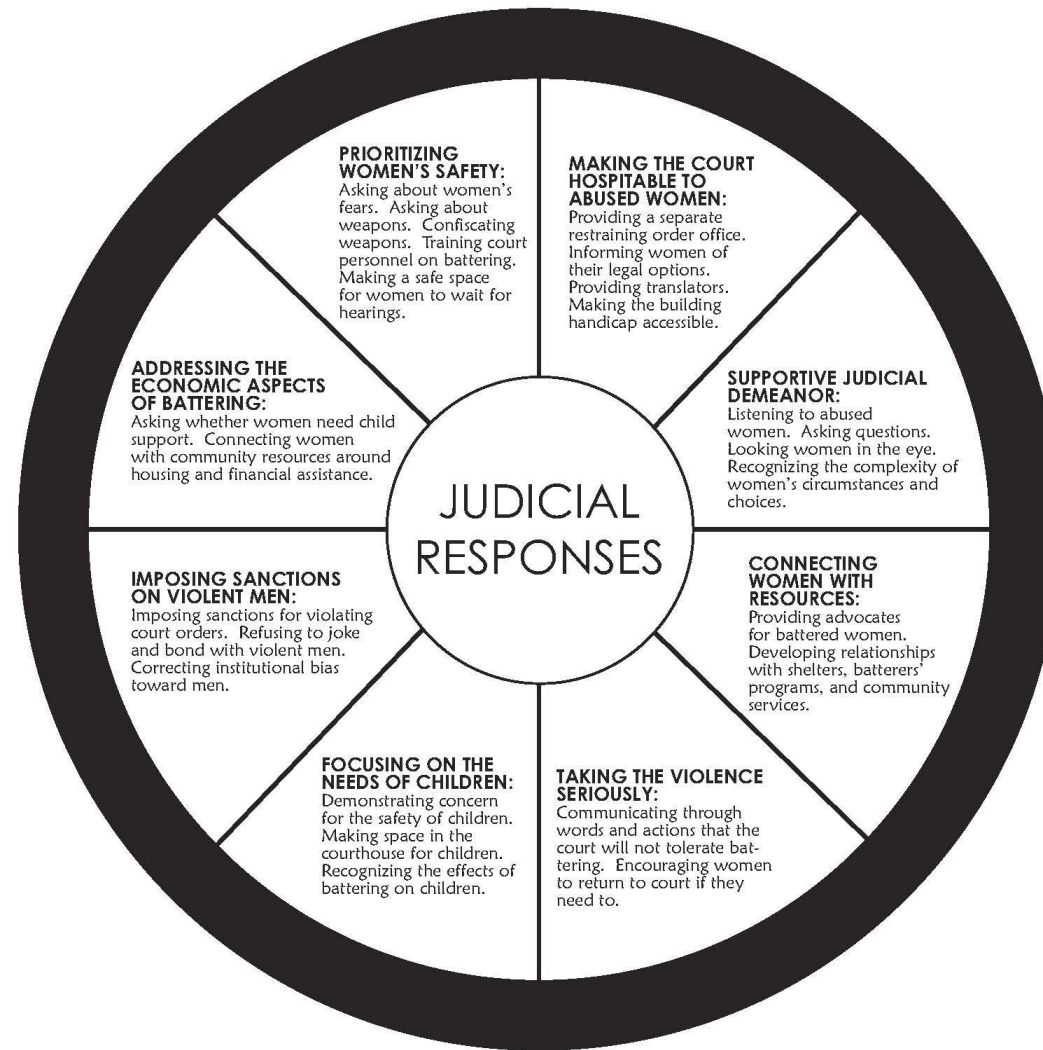
Victim/Offender Services

Miami-Dade DV Mentor Court

Example and Strategies from the Field

Judge Carroll Kelly

JUDICIAL RESPONSES THAT EMPOWER BATTERED WOMEN



NATIONAL CENTER
on Domestic and Sexual Violence
training • consulting • advocacy

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Key Principles: Victim Safety

- Safe facilities
- Victim advocates
- Family Justice Centers
- Civil legal services

Domestic Violence Court Strategies: Victim Safety

- ▶ More effective protective orders, including focus on firearms law implementation
- ▶ Understanding the services offered in community
- ▶ Have resources for victims available → hotline numbers, pamphlets, on-site advocate
- ▶ Courthouse Safety
- ▶ Information sharing where possible between agencies
- ▶ Understanding risk factors

Responding to Intimidation

- ▶ Provide a safe waiting area for complainants to minimize contact with defendants
- ▶ Monitor defendants for any intimidating behavior in the courtroom (including nonverbal) → put on the record
- ▶ Encourage DV training for ALL staff, including security personnel
- ▶ Seek sanctions for violations of OPs, including stalking, phone calls & sending messages through children

Responding to Minimization, Denial & Victim Blaming

- ▶ Address alcohol/drug abuse as a co-existing problem but not the *cause* of abuse
- ▶ Emphasize defendants' sole responsibility for their criminal behavior even if victim disengages
- ▶ Ask for a detailed allocution
 - ▶ Review the charges & ask the defendant to give specifics of crimes committed
- ▶ Establish a reporting system with mandated programs & Probation
- ▶ Risk Assessment

Key Principles: Offender Accountability

- Compliance monitoring
 - Resource coordinators
 - Compliance review dockets
- Increased communication
- Collaborating with community service providers

Domestic Violence Court Strategies: Accountability and Informed Decision-Making

- ▶ Defendant/Respondent assessment and placement
- ▶ On-going monitoring
- ▶ Intensive supervision/probation
- ▶ Reports from victim advocates
- ▶ Reports from programs
- ▶ Technology systems can help

Role of the Court Coordinator and Information Sharing

- ▶ Court Employee
- ▶ Identifying Cases
- ▶ Liaison between court and stakeholders
- ▶ Compliance Monitoring
- ▶ Coordination of Services
- ▶ Working with the Judge

DV Court Compliance Strategies: Accountability

- ▶ “Judge Knows It All”
- ▶ Compliance Reports
- ▶ Courtroom Theater: scheduling of compliance calendar
- ▶ Who is in the courtroom?
- ▶ Creative Sanctioning to respond to the individual offender
- ▶ DV probation conditions
- ▶ Court technology to share compliance information

Accountability: Programming/Treatment

- ▶ Who are your BIP and other treatment providers?
- ▶ Have BIP and other mandated program providers present information at ongoing meetings regarding programming so that all stakeholders are informed
- ▶ Use compliance calendaring and sanctions to leverage a sufficient program duration that responds to risk

Accountability: Risk and Needs

- ▶ Who are your providers and what screening tools they use to assess for general and dv risk of re-offense?
- ▶ Probation or other stakeholder use of risk assessment?
- ▶ What information can be shared and with whom?
- ▶ DV Court Compliance Calendaring to respond to risk
- ▶ What specific supervision and reporting does the court need that responds to risk and needs?
- ▶ How can we ensure coordination of victim services to respond to risk faced by the victim?

Key Principles

Judicial and Court Staff Training

- Dedicated court stakeholders
- Training on:
 - Operational matters
 - Domestic violence dynamics
 - Impact of domestic violence on children

Key Principles

Community Partner Involvement

Domestic Violence
Court

Victim Services

Mental Health and
Substance Abuse
Treatment

Attorneys

Abusive Partner
Intervention
Program

Law Enforcement

Probation

Substance Abuse
and Mental Health
Providers

Domestic Violence Court Strategies: Collaboration

- ▶ Coordination of victim services
- ▶ Multi-disciplinary planning team
- ▶ Inter-court collaboration
- ▶ Planning meetings hosted by various team members
- ▶ On-going training and stakeholder meetings
- ▶ DV Court Tool Kit (Center for Court Innovation)

Key Consideration: Collaborating with Victim Advocates

- ▶ Victims should be contacted by DV advocates.
- ▶ Get to know your local DV service agency
 - ▶ Have a contact for referrals
 - ▶ DV service agency can assist in developing appropriate protocol for victim contact
 - ▶ Understand advocate's confidentiality obligations

Miami DV Mentor Court – Coordinated Community Response

▶ [video]

Takeaways:

- ▶ Understanding the Goals of DV Court
- ▶ Communication & Collaboration
- ▶ Working with local DV Advocates
- ▶ Training

TA & Training Resources for Courts and Communities

Comprehensive Training and Technical Assistance Provided to Judges on Domestic Violence

Goals and Objectives

Provide comprehensive TTA to judges on DV to increase capacity of judges to lead their courts and communities in response to the needs of DV victims with trauma-informed, culturally appropriate interventions that enhance the safety and well-being of victims and their children and batterer accountability.



NCJFCJ – Judicial Comprehensive

- Increase DV competence in communities
- Increase judicial engagement
- Enhance educational opportunities through high quality trainings
- Improve stakeholder communication and collaboration

Deliverables – Judicial Comprehensive

- Conduct Webinars
- NJIDV (EJS workshops, CJS workshops, scholarships, and faculty development meetings)
- Convene replications and insertions
- Host and convene steering committees and round tables
- Court observations
- Case law updates, TA briefs and summaries
- Maintain the NJIDV and Judicial Engagement Network (JEN) website
- Provide TTA



The Judicial Engagement Network (JEN) is a national community of engaged judicial officers leading efforts to improve community responses and practices to domestic violence and sexual assault courts. We are here to offer technical assistance, tools, and training.

Purpose Statement

The Judicial Engagement Network (JEN) will identify, connect and bring together all Judges on a regular basis to promote cutting edge best practices, increase access to justice, provide resources for continuing judicial education and encourage collaboration among all Judges in order to improve responses to domestic violence (including teen dating violence), sexual assault, and stalking

Partnership with the Center for Court Innovation

JEN

The mission of the Judicial Engagement Network (JEN) is to identify, engage, encourage and support Judges nationally who will lead the effort to improve court responses to domestic violence (including teen dating violence), sexual assault, and stalking.

WHERE IT ALL BEGAN

The Judicial Engagement Network (JEN) began as an identified need to engage the judiciary in communities to strive for judicial excellence. Because courts hold a unique position in protecting social values, it places judges in an important position to lead changes in their own courts and communities. Through JEN, judges and judicial officers will be able to connect within a network of judges to promote best judicial practices, trends, and successful outcomes that are based on principle and better outcomes for families. Judges will be able to, in a network of their peers, craft and hone leadership skills to effect change in their communities, share practices, and pass knowledge to the next generation of judges.

www.judicialengagementnetwork.org

▶ [video]

What Resources Are Available to You from the Center for Court Innovation?

Center for Court Innovation - Our Services

- ▶ Training and Open Houses
- ▶ Site Visits/Needs Assessment
- ▶ Dissemination of Toolkits & Best Practice Documents
- ▶ Webinars
- ▶ Listserv/Forum
- ▶ Peer-to-Peer Mentorship



How Can Your Community Enhance its Justice System Response to Domestic Violence?



THINK, PAIR, SHARE: QUESTION #1

What are some **challenges** in addressing survivor needs in your current court system response to domestic violence?

QUESTION #2

What are some **challenges** in addressing offender accountability and engagement in your court system response to domestic violence?

QUESTION #3

What kind of **support** do you need to address these challenges?

TA Websites

- Research
- Podcasts
- TA Bulletins
- Judicial Engagement and Training Resources
- Mentor Court Videos

➤ **CCI: DV and Mentor Courts:**
<https://www.courtinnovation.org/areas-of-focus/domestic-violence>

▶ **NJIDV:** info@njidv.org

▶ **JEN:**
judicialengagementnetwork.org

▶ **NCJFCJ:**
<http://www.ncjfcj.org/>

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