

Promising Practice: Increasing Survivor Safety and Offender Accountability Through Court Watch Programs

On a daily basis, people volunteer to observe protective order hearings in Montgomery County, Maryland. Thirty volunteers are part of the Court Watch Montgomery (CWM) program. They record observations on a standardized form for each relevant case in District and Circuit Court gathering information such as judicial, interpreter and bailiff demeanor, efficiency of the courtroom, whether courthouse exits are accomplished in a safe manner and if the judge reminds respondents it is a crime to violate a protective order. Collecting this information allows CWM staff to pinpoint systemic problems and gaps in the protective order system that can place victims of domestic violence at risk.

CWM Executive Director Laurie Duker established Court Watch in Montgomery County in an effort to increase domestic violence victim safety by improving the protective order process in the county courts. As a former victim advocate, Ms. Duker saw systemic problems that left victims vulnerable and failed to hold offenders accountable. CWM sought to identify key areas needing improvement in the protective order process using hard data and monitoring of hearings.

CWM uses a transparent process when monitoring the protective order proceedings. The organization shares their monitoring practices and areas of focus with judges and court administrators in advance. This provides all stakeholders with a clear understanding of the monitoring process.

Several issues were identified in the initial monitoring. CWM found that few judges regularly offered a thorough introductory explanation of the protection order proceedings and the meaning of legal terms used. In addition, the introductory statements provided by the judges varied considerably in content. There was also a failure to provide translation of the introductory statements leaving parties who did not speak English without vital information. It became evident in observing court proceedings that pro se parties were not consistently obtaining a clear explanation of legal proceedings. Having observed the systemic problems and gaps firsthand, CWM staff compiled the data, developed findings and proposed recommendations after comparing local practices to those recommended as best domestic violence protective order practices by the National Council of Juvenile and Family Court Judges. Reports were distributed to court personnel and the judiciary as well as to press, community groups, county departments that handle domestic violence issues and elected officials. The individual names of judges were not used in public reports but were provided to the judges, who voiced interest in seeing their personal profiles. Many judges told the administrative judge that the report provided useful feedback, which is generally unavailable.

Numerous changes occurred as a result of CMW's three reports to date. Court personnel took the initiative to produce an introductory audio recording in English and Spanish. Parties now hear an introductory statement of 15 minutes before the judge takes the bench that provides a clear and concise overview of the protective order process in language that a layperson understands. Staggered exits (a national best practice) were implemented within 24 hours of the first report and use rates rose dramatically in the following year. The rates at which judges told respondents it is a crime to violate a protective order and ordered respondents to turn in any firearms rose significantly.

The results of CWM's successful efforts have led other programs to express an interest in starting court watch programs in their jurisdictions. To learn more about CWM's work and obtain assistance, please visit their website by clicking <http://courtwatchmontgomery.org/>.