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The National
Center for State Courts and
The National
Criminal Justice Association,

on behalf of
The Conference of Chief Justices and
The Conference of State Court Adminis-
trators

with funding from
The U.S. Department of Justice,
Office on Violence Against Women

Crossing Borders

*Regional Meetings
on Implementing
Full Faith and Credit*



U.S. Department of Justice
Office on Violence Against Women

OVW

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Innumerable people and organizations were involved in initiating, planning, and implementing this nationwide effort to engage state and tribal participants in meaningful dialogue to enhance full faith and credit enforcement for protection orders. Although everyone cannot be named without filling another several pages of this report, we would be remiss not to identify a few key individuals and organizations for their contributions.

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EXECUTIVE SUMMARY

Background

This report outlines the history, meeting design, key themes and meeting outcomes of a series of regional meetings held on implementing full faith and credit of domestic violence orders of protection. The meetings were convened around the country by the National Center for State Courts (NCSC) and the National Criminal Justice Association (NCJA) on behalf of the Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA) through a cooperative agreement with the Office on Violence Against Women (OVW) of the U.S. Department of Justice. Six regional meetings were held from 1999 to 2002 involving multidisciplinary teams that represented all 50 states, the territories, the District of Columbia, and several tribal nations.

The objectives of the regional meetings were to:

- (1) Increase the understanding of the requirements of the full faith and credit provisions of the VAWA;
- (2) Identify and work to reduce barriers to enforcement of protection orders within and across state and tribal jurisdictions;
- (3) Share technological and other innovative approaches to enforcement and coordination among relevant government and community organizations;
- (4) Address issues specific to individual regions; and
- (5) Encourage continued collaboration within and across states, tribes, and disciplines following the meetings.

Meeting Design

Each regional meeting was designed to blend educational information sharing sessions and interactive small group discussions to maximize the opportunity for networking and development of relationships at all levels as well as increase the knowledge base of

participants. All content was aimed at preparing the state and tribal teams to develop strategic action plans tailored to the needs and existing conditions of the state and tribal nations located geographically within the state. The plenary sessions focused on specific substantive areas such as a thorough review of the federal full faith and credit and domestic violence laws as well as federal domestic violence firearms laws. Other plenary sessions provided information on best practices for intra-state and tribal coordination and collaboration on implementation of full faith and credit and enforcement of domestic violence laws as well as opportunities to share the action plans of all the state and tribal teams. Breakout sessions were divided between practitioner group meetings, state and tribal team meetings, regional strategies sessions, and concurrent substantive workshops tailored to hot topics within each region.

Key elements to the success of the regional meetings was advanced planning with key stakeholders, the extensive preparation of the faculty, and the emphasis and effort on the formation of the state and tribal teams.

Key Themes

Key themes emerged across the six meetings from the practitioner group meetings, the state and tribal team meetings and the regional strategies discussions. Practitioner group meetings allowed participants to meet and discuss issues within their respective professions, including advocates and service providers, attorney practitioners, judges, court administration personnel, law enforcement, technology, and criminal justice planners. Common themes across all the professions were education and training for both discipline-specific and multidisciplinary groups, consistency of practices across all jurisdictions; and trust building among and across disciplines. State and tribal teams met on more than one occasion during the meetings. Consistent themes

also emerged across these team meetings at all six regional meetings. Increased discipline-specific and multidisciplinary training and education was a key strategy identified in the team meetings. Continued communication and coordination among all practitioner groups also emerged as an important theme of the team action planning process. Although the meetings sought regional outcomes, it became clear early on that to improve interstate enforcement intrastate enforcement and consistency of protection orders was a critical first step. Technology and registry enhancements also were an important part of the strategies identified at all the regional meetings. Ultimately protection of domestic violence survivors was the focus of all the state and tribal teams and their action planning process.

Finally, multidisciplinary, multi-state/tribal groups met to consider regional approaches to enhancing full faith and credit enforcement. At the regional strategies level, five key themes came out of the meetings: regional communication, coordination and resource sharing; additional training at all levels, consistent information supplied on state and tribal orders; access to and consistency of technological approaches to full faith and credit implementation; and public awareness.

Follow-up surveys were provided to selected participants. The findings from the survey results highlighted how the meetings facilitated understanding of full faith and credit issues, generated momentum and coordination among different practitioners within particular communities, and identified ideas about where to focus future technical assistance efforts and initiatives.

While there is still work to be done to continue to implement full faith and credit, the regional meetings made huge strides in every state and participating tribe toward reducing the barriers to enforcement, creating a network of multi

disciplinary intrastate and interstate contacts, enhancing the communication, coordination and mutual respect between states and tribal nations, heightening awareness of domestic violence issues, and ultimately increasing the safety for women and children throughout the states, tribes, and territories.

The Report

The report is organized into four sections with extensive appendices of documentation. The first section provides the background and history of the project. The next section details the design of the meetings and all the sessions. Detailed information is provided and supplemented by the documentation in the appendices so that a similar program could be replicated in other jurisdictions at the local, state, tribal, regional and national level. The third section provides a summary of the themes that emerged from the practitioner groups, the state and tribal strategy meetings, and the regional strategy meetings at all of the regional meetings. Results of a survey and some general findings of key meeting outcomes are presented in the fourth section of the report.

The appendices provide extensive documentation and resource materials including several links to web sites for further technical assistance and expertise. Appendix A provides information on the goals and objectives of the meetings and a full faith and credit implementation pre-meeting survey. Appendix B includes the schedule of the regional meetings and the agendas, participant lists, and faculty and staff lists for each regional meeting. The scenario and answers from the plenary session case study on full faith and credit is provided in Appendix C. Since planning and preparation were critical to success of these meetings, the guidelines and instruction sheets for all meeting sessions are provided in Appendix D including the intended outcomes and agendas for each breakout group session. A list of faculty, their expertise, and contact information is provided in Appendix E. A list of technical assistance providers from the Office on Violence Against Women is located in Appendix F.

Relevant federal statutes are provided in Appendix G along with a statutory analysis by the National Center on Full Faith and Credit. Appendix H contains the resolutions from the Conference of Chief Justices and the Conference of State Court Administrators that provided the impetus for this project and the court leadership for implementation. State contact information is provided in Appendix I, updated, as possible, prior to publication of this final report. National information on tribal courts is provided with a list of web site links in Appendix J. A chart with the state protection order registry information is provided in Appendix K, updated, as possible, prior to printing of the report. Finally, in Appendix L, resource information from the National Center on Full Faith and Credit is provided including a request for materials order form.

The appendices are as detailed and current as possible at the date of this printing. Links to web sites, which are updated continually, are also provided wherever possible. ■

I. INTRODUCTION AND HISTORY OF THE PROJECT

One of the most significant contributions of the Violence Against Women Act (VAWA), (first enacted in 1994 and modified in 2000) to the safety of domestic violence victims arises from its provisions requiring full faith and credit for protection orders across state and tribal lines. Courts, law enforcement, and other justice system practitioners, however, faced numerous obstacles to implementing full faith and credit, including significant differences in state laws governing protection orders, variation in the format and content of the orders, and the lack of extensive data systems to verify orders originating in another state or tribal court.

In 1998, the Office on Violence Against Women (OVW) provided funding under a technical assistance cooperative agreement with the National Center for State Courts (NCSC) and the National Criminal Justice Association (NCJA), on behalf of the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) to coordinate a series of regional meetings on full faith and credit. The meetings were designed to explore implementation issues with judges, court managers, criminal justice information system administrators, law enforcement officials, prosecutors, victim advocates, service providers and others involved in and responsible for ensuring the safety of domestic violence victims in states, territories, and tribes. In planning the meetings, the NCSC and the NCJA worked closely with several other collaborating partners as well as a national advisory committee.¹

The goal of the project was to promote inter- and intra-state and tribal enforcement of domestic violence protection orders as required by the full faith and credit provisions of the Violence Against Women Act (VAWA).² The objectives of the regional meetings were to:

- (1) increase understanding of the requirements of the full faith and credit provisions of the VAWA;
- (2) identify and work to reduce barriers to enforcement of protection orders within and across state and tribal jurisdictions;
- (3) share technological and other innovative approaches to enforcement and coordination among relevant government and community organizations;
- (4) address issues specific to individual regions; and
- (5) encourage continued collaboration within and across states, tribes, and disciplines following the meetings.

The work conducted under the cooperative agreement demonstrated the merits of bringing together representatives from the state courts with other key practitioners in states and tribes to work collaboratively to overcome barriers to full faith and credit implementation. Ultimately, the meetings brought together key players from each of the states, territories, the District of Columbia, and a number of tribal nations to work on these efforts.

¹ The other organizations who collaborated in the planning of the regional meetings are the Pennsylvania Coalition Against Domestic Violence's Full Faith and Credit Project, the National Council of Juvenile and Family Court Judges, and the Vera Institute of Justice.

² The Violence Against Women Act of 1994, Pub.L. 103-322, Title IV, 108 Stat. 1902-55 (Title IV of the Violent Crime Control and Law Enforcement Act of 1994), as amended by the Violence Against Women Act of 2000, Pub.L. 106-386, Division B, 114 Stat. 1491-1537 (Division B of the Victims of Trafficking and Violence Protection Act of 2000).

A. HISTORY OF THE REGIONAL MEETINGS EFFORT.

One of the most dangerous times for a domestic violence victim is when she leaves the batterer.³ Survivors often seek safety and refuge by moving to another state.⁴ Many survivors live near the border of a neighboring state or tribal jurisdiction and must continually pass across jurisdictional boundaries to work, shop, worship, play and engage in other routine life activities. The VAWA full faith and credit requirement for protection orders is a potentially potent tool for protecting women from violence, but it poses numerous challenges especially for courts and law enforcement. Major obstacles to achieving full faith and credit result from the significant differences in state and tribal laws governing protection orders, including eligibility requirements, duration of orders and penalties for violations. In addition, variation in the format and content of the orders impedes comprehensive understanding and interpretation of the meaning of terms stated in the order. These issues are exacerbated by the continuing lack of extensive and accurate data systems to verify orders originating from another state or tribe. A further obstacle is the lack of criminal jurisdiction of tribal governments over non-Indians who violate protection orders in Indian country.

In 1997, a national conference entitled “Full Faith and Credit: A Passport to Safety” began a truly national conversation on the implementation of full faith and credit. One of the key themes that emerged from that conference was the need for significant coordination and cooperation among states and tribes to overcome these obstacles. Participants in the conference recommended regional meetings as an effective way to promote

cooperation and improve practice in enforcing protection orders within and across state and tribal boundaries.

State court leadership also became involved in the issue of full faith and credit implementation. In response to a request for assistance from former Attorney General Janet Reno in 1996, a joint task force of CCJ and COSCA examined the status of state court initiatives to implement full faith and credit and the projected capacity of state courts to achieve full implementation. The 1997 Task Force report to the Attorney General identified implementation challenges to state courts, specified needed reforms, and proposed strategies for accomplishing those reforms. The Task Force recommended opportunities for education, training, and information exchange within and across jurisdictions.⁵ The CCJ and COSCA committed to continued collaborative efforts to implement the full faith and credit provisions of the VAWA with a resolution in August 1997. (See Appendix H for a copy of the CCJ and COSCA resolutions).

As a direct response to these recommendations, the NCSC and NCJA, on behalf of CCJ and COSCA, began the first phase of the Full Faith and Credit Regional Meeting Technical Assistance Project under a cooperative agreement with the OVW in 1998. This funding later was supplemented with 2000 and 2001 OVW Technical Assistance funds. Over the next four years, the NCSC and the NCJA worked closely with other national technical assistance providers and a national Planning Committee to develop a core agenda, materials, and plans for the regional meetings. Six meetings (one pilot and five meetings) were convened from November 1999 to May 2002. A schedule of the meetings and a list of participating jurisdictions

³ Martha Mahoney. ‘Legal Images of Battered Women: Redefining the Issue of Separation.’ *Michigan Law Review*. V. 90. pp. 1-94. (1991); Meredith Hofford. “Full Faith and Credit: A Promise and a Challenge.” *Courts and Communities: Confronting Violence in the Family*. (1996); Lisa G. Lerman. “A Model State Act: Remedies for Domestic Abuse.” *Harvard Journal on Legislation*. Vol. 21:6 (1984).

⁴ Hofford, 1996.

⁵ The CCJ/COSCA Joint Task Force on Domestic Violence. *Policy Issues for Implementing the Full Faith and Credit Provision of the Violence Against Women Act*. (1997).

are included in Appendix B.

Each regional meeting was tailored to its region based on the input of representatives from the various practitioners at the state, tribal, territorial, and local levels who were and are involved in implementing full faith and credit. The meeting content and format evolved in response to feedback from participants and faculty and the lessons learned by NCSC and NCJA at each meeting. The core meeting program offered educational plenary and workshop sessions covering the VAWA full faith and credit requirements, federal and state firearms statutes related to domestic violence, tribal court order enforcement, attendant custody issues, and promising implementation practices, including technology solutions, from across the region and the country.

While education on these matters is critical to informed policymaking and appropriate use of resources, an important objective of the regional meetings was to facilitate and enhance relationships within and among the states and tribes in the region to advance the implementation of full faith and credit. To accomplish this end, the meeting agenda also included time for facilitated, interactive discussions among (1) practitioners in the represented disciplines to address concerns from their perspectives; (2) participants within the state/tribe to develop and/or enhance implementation efforts; and (3) representatives from all the participating states and tribes in the region to promote regional implementation strategies.

In order to maximize the reach of an interactive

discussion of the issues related to full faith and credit implementation, states were encouraged to invite a broad base of practitioners to participate. Participants included:

- ◆ state, tribal, and local judges;
- ◆ court administrators;
- ◆ criminal justice planning agency representatives;
- ◆ domestic violence advocates;
- ◆ law enforcement officials;
- ◆ prosecutors (including some federal, state, tribal, and local); and
- ◆ criminal justice database/protection order registry administrators.

The teams often included VAWA STOP grant administrators, legislative representatives, representatives of the defense bar, and others selected by their state or tribe. Tribes receiving grants from the OVW were invited to send one or more participants.

Detailed information and recommendations for replication of the meeting design and implementation are included in Section 2.

B. MEETING EVALUATION

Participant evaluations of the Regional Meetings were consistently high. The response to the meetings demonstrated the merits of the format. Faculty and participants consistently rated the value of the discussions and interactions at the Regional Meetings as high. The meetings were highly successful in reaching participant expectations as exhibited by the evaluation data.⁶

⁶ Evaluations were given for each day of the regional meeting, except for the pilot where one evaluation was given for the entire conference to participants. An example is provided in Appendix B from the Southeast Regional Meeting. The concurrent workshop topics and states are changed according to each regional meeting agenda.

TABLE 1: COMPOSITE EVALUATION DATA – FULL FAITH AND CREDIT REGIONAL MEETINGS

MEETING	OVERALL RATING FOR DAY ONE	OVERALL RATING FOR DAY TWO	OVERALL RATING FOR ENTIRE CONFERENCE
Southern Region, New Orleans, LA			4.47
			Overall Rating for Day Three
West/Southwest Region, Tempe, AZ	4.07	4.04	4.09
Great Lakes/Central Region, Indianapolis, IN	4.25	4.36	N/A
Northwest Region, Seattle, WA	4.10	4.46	N/A
Southeast Region, Atlanta, GA	4.00	4.16	N/A
Northeast Region, Tarrytown, NY	4.26	4.64	N/A

The issue of full faith and credit provided a gateway to a variety of rich discussions. Issues considered included the difficulties surrounding the interaction of federal and state firearms prohibitions related to domestic violence; the costs of service across state lines; enforcement of protection order custody provisions and interrelated laws [Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), Uniform Child Custody Jurisdiction and Enforcement Act (UCCJA), and Parental Kidnapping Prevention Act (PKPA)]; notification and registration requirements for foreign orders; the need for recognizable orders across states and tribes; and the continuing importance of training - both multidisciplinary and within targeted disciplines. Participants left each meeting with ambitious plans to continue work on these issues. The key themes that emerged during the regional meetings are discussed in Section 3.

Follow-up survey results gathered from participants indicated a variety of meaningful outcomes and activities resulting from the regional meetings. Among the efforts that states reported undertaking were legislation, training and education programs, coordination with

neighboring states, statewide registry enhancements, new firearm protocols and training, participation in the National Crime Information Center Protection Order File, coordination with military entities, and coordination between state and tribal courts. Information on the follow-up activities is included in Section 4.

The strong leadership provided by CCJ and COSCA membership throughout the regional meetings was a key ingredient to these successful outcomes. The NCSC and NCJA staff appreciated the support provided by the state court administrative offices that assisted in planning the regional meetings to ensure that the content best met the needs of the respective regions. The Administrative Offices and Supreme Courts in the host states (Louisiana, Arizona, Indiana, Washington, Georgia, and New York) in particular provided critical assistance in planning and conducting the meetings.

C. LESSONS LEARNED

During the course of the regional meetings project, several lessons were learned about the meeting process:

- ◆ a larger number of faculty was needed to address increasingly specific areas of expertise;
- ◆ heightened levels of staff effort were required to ensure broad tribal participation at the meetings,
- ◆ travel expenses increased as the cost of airfares and other meeting expenses rose and the number of faculty and tribal representatives grew;
- ◆ a greater volume of materials was generated to be reproduced for the conference notebook; and
- ◆ increased coordination was necessary with the points of contact to ensure participation and pre-meeting coordination to enhance the impact of the meeting for the state and tribal teams. ■

II. OVERVIEW OF MEETING DESIGN AND IMPLEMENTATION

A. PRINCIPLES FOR SUCCESSFUL REPLICATION OF THE REGIONAL MEETING DESIGN

The key to the success of the regional meeting design and its replication was detailed preparation in advance of each meeting. Three significant factors to success were planning meetings with key stakeholders and practitioner groups, advance orientation and preparation of the faculty, and emphasis on and assistance provided to the formation of the state and tribal teams. Work sheets are provided in Appendix D for conducting this advance work through planning meetings, faculty preparation, and team formation.

B. PLANNING MEETINGS

Planning meetings were held in the host state at a location in or at the recommendation of the state administrative

Three significant factors to success were planning meetings with key stakeholders and practitioner groups, advance orientation and preparation of the faculty, and emphasis on and assistance provided to the formation of the state and tribal teams.

office of the courts. These planning meetings were held in advance of the regional meeting dates, preferably a minimum of three months in advance and as much as six months in advance if possible. Each state administrative office of the courts designated a point of contact who was invited to the planning meeting for the region and also served as the point of contact for the state during the planning and preparation process up to and including the regional meeting. Selected tribal nations that received OVW grants in the region also were invited to send a representative to the planning meeting.

The agenda for the planning meetings began the

dialogue between the state and tribal representatives and the NCSC and NCJA staff. Staff from the National Center on Full Faith and Credit (NCFFC) also attended these meetings to prepare for any technical assistance needed as part of the preparations and to provide expertise on full faith credit law and surrounding issues. The state and tribal representatives were given the opportunity to introduce themselves and provide a brief overview of the full faith and credit implementation efforts of their state or tribe. The NCSC and NCJA staff then reviewed the goals and intended outcomes (Appendix A) of the regional meeting and a draft agenda. The planning group responded to the meeting agenda in relation to regional needs and concerns. The state and tribal representatives gave specific suggestions for concurrent workshop topics and potential faculty from the region.

The NCSC and NCJA spent considerable time describing the formation and coordination of

a state and tribal team for each state and each territory at the planning meeting. Ultimately the goal of the regional meeting was not to create a one-time event, but rather to serve as a first step in a continuous implementation process for the states, tribes and the region as a whole. Therefore it was important that a broad representation from various practitioner groups be involved in the regional meeting to ensure meaningful follow-up activities. The NCSC and NCJA provided a sample listing of the categories of possible participants, which included information about essential and optional positions, funded and unfunded positions under

the NCSC grant budget, and names and contact information for specific practitioners in their state as available. Ultimately, however, the states and tribes were able to make their own decisions about the optional and unfunded participants to create the best composite team for their jurisdictions.

The invitation process also was designed so that states and tribes could determine the most effective way to invite participants. States had the option to issue invitations from their offices or from the NCSC, whichever would have the most impact and assure greater participation by the invitees. Some states sent out their own invitations while others had NCSC send the invitations to their potential team members. A form invitation letter and attachments were provided in all cases. NCSC managed the registration process and kept the state points of contact informed of registrations so that state contacts could conduct the follow-up to ensure comprehensive, representative and informed team composition. Although states were encouraged to invite representatives from their U.S. Attorney's Offices (USAO) and tribal nations, NCSC also sent specific invitations to the points of contact in the USAOs and to the tribal grantees of the OVW in the region. Funding under this grant was not sufficient to pay for a representative of every tribal grantee. Determination of funding was provided to NCSC by OVW and others were permitted to use their VAW grant funds to participate.

At the planning meeting, NCSC and NCJA explained the team process that would occur at the regional meeting and the expectations of the teamwork before, during and after the meeting. A full faith and credit questionnaire was provided as an advanced preparation tool to be used by the points of contact and their team members (see appendix A). The questionnaire provided direction for assessing their state and tribal strengths and weaknesses and identifying key stakeholders who should participate on the team and in the deliberations. At the pilot

program, states selected their own facilitator from their state. This strategy, however, proved to be less effective because the team leader typically was not a neutral party and might unintentionally stifle the discussions by virtue of their position within the state or tribes. For example, a state or tribal court judge might inhibit responses from other team members simply because of their position in the jurisdiction and the hesitation of other participants to provide constructive comments or innovative ideas if they appeared to contradict the judges' comments. Outside facilitators were used in all future regional meetings to establish a more neutral environment and encourage full participation and discussion. It became critical that these outside facilitators also work with the team leaders in advance of the meeting to become familiar with the state laws, tribal involvement and concerns, and the hot topics within that state or territory.

The NCFFC participated in the planning meeting to offer assistance in preparation and follow-up activities with the states, tribes, and territories.

In order to put together the most useful notebook materials, each point of contact was asked to provide state and tribal specific information, electronically if possible, in advance of the meeting. A sample explanation of the materials gathered and the format used is provided in the appendix.

Tribal Involvement

Tribal nations were identified by the OVW, NCSC, and NCJA and invited to participate in the regional meetings on the teams and in the faculty. Tribal issues were discussed in many sessions and are described in the section on session structure. Efforts were made to contact the local tribal nation and request a tribal leader or elder to open several of the regional meetings. The opening by the local tribal nation varied according to the ways of that tribe and the leader who represented them. The local tribal nations also were asked to close the regional meetings in

an appropriate way according to their custom. These openings and closings provided an excellent opportunity to recognize the tribal nations and their leadership role in implementing full faith and credit in addition to recognition of their culture and their tribal sovereignty.

C. REGIONAL MEETING

1. Overall Design Themes

Each regional meeting was designed to blend educational information sharing sessions and interactive small group discussions to maximize the opportunity for networking and development of relationships at all levels as well as increase participants' knowledge base. Each session built on the knowledge gained from previous sessions. All content was aimed at preparing the state and tribal teams to develop strategic action plans tailored to the needs and existing conditions of the state and the tribal nations located geographically within the state. The evaluations from each regional meeting were used to further enhance the design of individual sessions and the meetings as a whole. The regional meetings grew increasingly more interactive as the evaluation process provided insight into the best methods for increasing involvement and active participation. More opportunities also were provided over the course of the regional meetings for the state and tribal teams to meet and engage in action planning.

The meeting design deliberately provided opportunities for networking and developing relationships within and across multiple professional disciplines, across states and tribal nations, and across the region. Each meeting included breakout group discussions by discipline, by state and tribes located within each state, and mini-regions within the regional conference. In addition, substantive information on specific topics was provided in small groups as part of concurrent workshop sessions. The plenary sessions provided consistent educational information to insure that all conference

participants had a similar knowledge base while allowing each participant to bring his or her own expertise to bear on their state and tribal teams.

2. Advance Faculty Preparations

In addition to preparing the overall agenda, the NCSC and NCJA prepared intended outcomes and a suggested agenda for each plenary and breakout session of each regional meeting. A one-page description of the overall goals and objectives of the regional meetings along with overarching themes and roles was provided to each faculty member in advance (see Appendix D). The outcome and agenda instructional worksheets were given to the faculty for their relevant facilitation assignments in advance of the regional meeting. Faculty were given the opportunity to provide feedback to improve the agenda and the intended outcomes of the sessions they were to lead and also to ask questions for clarification.

Faculty designated to facilitate state and tribal teams received the instruction sheets for all the team meetings and the action-planning guide that the teams would receive at the regional meeting. The faculty also were given the name and information on the point(s) of contact for their assigned team. State and tribal team facilitators were urged to contact the point of contact prior to the regional meeting to discuss their expectations, learn about other team members, become familiar with the relevant law, answer any questions and make final preparations for the team meetings.

This advance work took place primarily by telephone and electronic communication. In addition, any substantive sessions involving multiple speakers generally required the panelists to participate in one or more conference calls prior to the meeting as part of their preparation. This pre-meeting preparation required a great deal of personnel time and labor but resulted in better prepared faculty, more consistent presentations and discussions, increased levels of interaction at the conference,

and greater problem/issue identification and resolution prior to the meeting. This advance work also resulted in fewer problems or questions at the actual meeting and in turn, more productive work done by the state and tribal teams.

A required faculty meeting was held one day in advance of each regional meeting to make final preparations with the full faculty. A facilitator orientation was held prior to the start of each regional meeting for approximately one half day. The faculty received information on the history of and lessons learned from the previous regional meetings and the points of contact planning meeting for the region. As a group, the faculty had the opportunity to meet one another and learn about the expertise and background of other faculty members. The faculty members were given an overview of the conference including the flow of the sessions, the balance between content and process, the multi-cultural component of the meeting, and the flow of information into the small group sessions. The facilitators reviewed the conference notebooks in detail in order to be knowledgeable enough to lead the meeting participants through a “tour” of the materials in the state and tribal caucus sessions and other sessions as questions arose. The agenda for the faculty orientation is in Appendix D.

The faculty reviewed the full agenda in detail, focusing especially on their roles as session leaders and as informed participants in sessions they would attend but not lead. Faculty also were reminded of the resources available to them at the meeting, in particular substantive and facilitation experts such as the NCCFFC, NCSC and NCJA staff. Breakout session goals and agendas were reviewed and tips for facilitating the various types of breakout sessions were provided. Emphasis was placed on seeking a balance between product and process and allowing all participants the opportunity to speak and be heard. This balance was especially significant with the participation of tribal

representatives. Facilitators were reminded to be respectful and recognize that in some cultures people do not interrupt others, may not look directly into the eyes of other participants, may wait until everyone else has spoken to speak, or defer to others if not specifically addressed or given the opportunity to speak. For some cultures there are many things that must be said before sharing a significant point or recommendation. Patience, understanding, recognition of expertise and authority, and respectful listening were key to the participation and active involvement of all representatives to the regional meetings.

As part of the faculty orientation prior to the start of the conference, panelists and those facilitating the same breakout sessions were given an opportunity to meet in small groups and discuss their specific sessions.

Since the regional meetings were focused on developing teamwork by the states and tribes, the teamwork of the faculty was critical to modeling the desired outcomes. The pre-meeting communications by telephone and email, the faculty meeting immediately prior to the full meeting, and the opportunity to meet with smaller groups of faculty, contributed to the sense of teamwork. These opportunities allowed the faculty to build relationships and support one another in conducting an effective conference with a better hope for ongoing activity in the region and active steps in implementing full faith and credit in the states, tribes, and regions.

D. REGIONAL MEETING DESIGN

1. Session Structure

The conferences flowed from plenary sessions with substantive information dissemination to interactive small group discussions. Information from each session flowed into the information and discussions of the sessions that followed. Concurrent topical workshops provided the opportunity for specialized information to be

shared with smaller groups and allowed more interaction as well as concentrated information on topics particular to the needs and interests of the regional participants. The agendas for every regional meeting are provided in Appendix B.

2. *Opening Plenary Session*

The opening plenary session focused broadly on full faith and credit basic information, the interdependent roles of system practitioners, the interaction and legal requirements between states and tribes, and current applicable federal law. In the first regional conferences this session was presented in lecture format, which the participants felt was not as beneficial to them. Based on feedback from the conference evaluations, the opening plenary session evolved into an interactive session conducted in three simultaneous breakout rooms.

Each breakout room used a fact pattern and scenario with problems and questions to test the knowledge of the participants and provide the setting for discussions on specific aspects of full faith and credit and the roles of system practitioners. Instructors with expertise in full faith and credit, including tribal orders of protection, rotated among the three large breakout groups to discuss discreet portions of the fact pattern and work through full faith and credit issues and questions. Timing was critical in order to ensure that all participants were fully engaged and instructors had the opportunity to move among all three groups of participants. The answers to the questions raised in the fact pattern were provided to the participants at the end of the session in order to ensure they received consistent and accurate substantive information. The fact pattern and answers to the accompanying questions are included in Appendix C.

3. *Practitioner Group Breakout Sessions*

For each breakout session of the conference, facilitators and participants received instruction sheets outlining the learning outcomes of the session, the suggested agenda for the time

period, and recommended discussion questions on the topics. The first breakout session divided participants into practice areas. Generally the practitioner groups were divided into advocates and service providers; attorney practitioners including prosecutors, defense bar, and legal counsel to victims; court administrators and clerks; information management and technology practitioners; judges and other judicial officers; law enforcement; and criminal justice planners. Although the learning outcomes and agenda for the practitioner group session were the same for each practitioner group, the discussion questions were tailored to the responsibilities and issues of the specific practitioner group. Examples of the instruction sheets for each practitioner group are included in Appendix D.

4. *Concurrent Substantive Workshops*

Concurrent workshops on specialized topics were offered during the first afternoon of the conference. The subject matter areas for these workshops were discussed at the planning meeting prior to each regional meeting so that states and tribes had the opportunity to recommend topics of particular interest to the region. Consequently, there were topical areas of interest to all the regions and some that were particular to a specific regional meeting. These workshops were delivered in small groups to provide more opportunity for discussion and interactive involvement of participants.

5. *State and Tribal Team Meetings*

Only one state team meeting was held during the pilot regional conference, which also did not include tribal representatives (although tribal representatives were invited). By the end of the sixth regional conference, three state and tribal team meetings were included on the agenda. As each regional conference was held, more and more tribal representatives were able to attend and participate in the team meetings. The changes to the number of state and tribal team meetings and the intended outcomes of each meeting were in direct response to the evaluation feedback from each regional conference. The

evaluations specifically requested assistance in the action planning process so an action plan form was developed (see Appendix D).

A caucus meeting was added to later regional conferences to give the team members the opportunity to meet before the formal start of the conference. The caucus meetings provided an opportunity for informal interaction and gave the conference organizers an opportunity to orient participants to logistical information about the agenda and flow of the conference. The state and tribal team facilitators also were able to go through the conference notebooks to review the materials provided to them and the current federal law on full faith and credit. This review helped ensure that participants had a base of knowledge about the law and had an opportunity to prepare for the opening plenary session that would discuss the law and its application to the role of each profession in the field. Participants also could provide additional feedback about their state and tribal laws captured in the materials and make any corrections or updates during this time. Before any formal strategy sessions began, the caucuses allowed team members to share their concerns and priorities with their team members about the implementation of full faith and credit for protective orders in their jurisdictions.

The state and tribal teams met two more times over the course of the conference and then provided a report of their action plans to the full conference in a final plenary session. The first strategy meeting occurred after the first two plenary sessions and the practitioner group session. This schedule allowed professionals to meet with others from their discipline and develop contacts within the region. It also allowed the substantive knowledge from the plenary sessions and the information shared in the practitioner groups to be brought to the state and tribal strategy meeting. During this meeting, the teams began working on an action plan for their team that could be applied to their profession, state, tribe and to the region as a whole.

A second team meeting was held after the concurrent workshops, a third plenary session and, in some conferences, a mini-regional strategy session. Both of these team meetings were facilitated using instruction sheets provided to faculty and participants and an action plan form for each team and individual member to fill out. The agendas for the state and tribal strategy meetings are included in Appendix D.

6. Action Plans

The conference evaluations from early regional meetings recommended providing some additional assistance in the action and strategic planning of the teams. Adding additional meetings gave the teams time to make plans but not all teams had expertise in strategic or action planning at the state, tribal and regional levels. A form was developed for use by individuals and/or by the full team (see Appendix D). Each individual received a form that was divided into sections, that mirrored the flow of the conference and gave space to complete strategic thinking. The facilitators and teams were encouraged to use the same form to shape their own strategic thinking process and allow the form to provide a framework to develop an action plan. Some state and tribal teams were further along in their planning process and were able to put considerable detail into their action plans. Other teams had not had an opportunity for planning prior to their regional conference and so needed to make more basic plans for actions in order to form a solid foundation on which to build their full faith and credit efforts. The key themes and outcomes of these action plans are provided in the subsequent sections of this report.

7. Regional strategy sessions

A regional strategy session was held at most of the meetings. This session received mixed reviews in the evaluation process and was difficult to maintain consistently across the simultaneous breakout group sessions. The conference staff assigned each participant to a regional strategies meeting. These assignments were made to represent a maximum mix of the

states, tribes, and professions at the full meeting. At some of the larger meetings, the participants were assigned so that mini-regions within the region were identified and diverse disciplines and participants were assigned to those sessions. The session was held towards the end of the conference and allowed participants to hear what other states and tribes were planning and find areas of mutual interest. By the end of this session, participants were asked to identify possible strategies that could be done on a regional basis. Many teams discovered that other states and tribes were in similar situations or had similar needs. Some identified regional strategies included joint training and curriculum development and information sharing opportunities across the region. Participants also were asked to prioritize on what they felt the region should start working first. Many states and tribes responded that they had so much to do in-house it was difficult to focus on regional priorities.

8. Plenary sessions

In addition to the opening plenary, three other plenary sessions were held at most conferences. A second plenary session typically was held at lunch. This session generally consisted of a panel discussion highlighting best practices in a jurisdiction that had been working in the area of full faith and credit. Where possible, conference organizers chose jurisdictions that had good working relationships between states and tribes. In the first regional meeting a lecture was held to discuss the tribal issues and the need for state and tribal coordination but the evaluations recommended a best practices session instead.

A plenary session on the second day focused on firearms laws for federal and state jurisdictions. Panelists representing federal, state, tribal, and local practitioners presented in this session. Practitioners provided substantive information and examples of work they had done to facilitate enforcement of domestic violence firearms laws in a variety of jurisdictions.

The final plenary session provided each team the opportunity to present highlights of their planning process and next steps. The action plans were shared, which allowed participants to identify other jurisdictions that would be working on similar projects. The state and tribal team reports provided participants with key information to facilitate regional working relationships and potential joint efforts after the conference. ■

III. SUMMARY OF KEY THEMES

A. SUMMARY OF PRACTITIONER GROUPS

One of the goals of the regional meetings was to facilitate conversations between practitioners on ideas and strategies for their respective professions to implement full faith and credit effectively. Several different configurations of practitioner groups evolved throughout the six meetings, based on the number of participants attending from each category. Over the course of six meetings, the practitioner groups included judicial officers, court administrators, advocates and service providers, law enforcement, attorney practitioners (including prosecution, defense, and civil attorneys), criminal justice practitioners (including those from Byrne grant administrative agencies and legislators), and technology practitioners. The agenda for the practitioner groups is included in Appendix B. Practitioners from within the respective disciplines but from outside the region usually facilitated the discussion groups. At some of the meetings, state and tribal counterparts co-facilitated the discussions, for example at several meetings a state judge and a tribal judge co-facilitated the judicial officers practitioner group.

While the topics of conversation reflected the roles and responsibilities of the practice areas of each group, practitioner discussions across the six meetings were largely similar in content. Three common themes emerged from nearly all of the discussions.

Three common themes emerged from nearly all of the practitioner group discussions: multidisciplinary and discipline-specific education and training; consistency of practice across all jurisdictions; and trust building among and across disciplines.

1. Education

Training and education were the most often mentioned strategies throughout the practitioner discussions and all regional meeting discussions. Every practitioner group reported training as a priority area. Practitioners recognized the value of offering both multidisciplinary as well as discipline-specific training opportunities since the two formats serve different purposes. A key element is delivery of the education and training to all practitioners that come into contact with the protection order process, whether in issuance or enforcement. Most practitioner groups recommended that training not only cover full faith and credit issues, but also “domestic violence 101” topics. Some practitioner groups debated whether training should be made uniformly mandatory, as it is already in many states. Strategies to share the responsibility of developing and presenting training, such as CD-ROMs, Internet-based distance learning, regional trainings by discipline, and other means of delivering a consistent training package were discussed.

2. Consistency

All practitioner groups placed high priority on finding strategies to enhance consistency of practice across all jurisdictions to ensure the safety of women and children. Emphasizing consistency also contributes to greater confidence

for practitioners about the validity of orders, an often-cited stumbling block to enforcement efforts. Mechanisms such as protocols and procedures for verification and law enforcement response were recommended to help achieve consistency in enforcement. Consistent elements on the front page of a protection order was a strategy identified and implemented in some states. This strategy ensures that all elements necessary to establish an order's validity and enforceability are clearly identified. Technology was suggested as a means to develop consistency in orders, such as automated protection order forms and unified systems linking law enforcement and the courts. One of the essential goals of efforts to achieve consistency is to help anyone who comes into contact with a protection order to know without question that it meets the full faith and credit requirements for enforcement.

3. *Building Trust*

The need to build trust among and across disciplines was a third theme of the practitioner discussions. Many comments were made on the need for increased coordination and cooperation between practitioners within states, tribes, and federal agencies. Building trust is an outcome of educational efforts and may help to promote greater consistency.

In addition to the three general themes of the practitioner breakout group discussions, summaries specific to each practitioner group across the six meetings and their recommendations are provided in the sections that follow.

JUDICIAL OFFICERS

1. *Issues and Recommendations.*

The regional meetings were well attended by judicial officers, including judges, magistrates and other hearing officials, and their discussions generally focused on specific legal elements of

full faith and credit. Some of the concerns raised included the need for greater clarification and education regarding conflicts of law as well as custody and visitation provisions in full faith and credit enforcement. Many judicial participants expressed concern about their obligation to establish order validity and determine whether an order meets the criteria for enforcement based on the statute. One particular problem identified is the lack of an efficient method to verify return of service information on orders issued in another state. This highlighted the associated problems of inconsistent or lack of entry of service information in registries. These discussions led to an important practice recommendation for judges issuing orders. When drafting an order, consideration must be given to the information that will be critical for the enforcing court such as contact information for the issuing court and clear indications that the order meets the full faith and credit enforcement criteria.

In addition to the legal aspects of full faith and credit, judges were concerned that the lack of communication between states and other states and tribes is a challenge to achieving the goals of full faith and credit. This is particularly problematic with the service of protection orders and the assessment of fees for service. While fees for service within a jurisdiction or state may be covered, the fees for petitioners from out of state or jurisdiction may not. These funds collected by local law enforcement authorities are often important sources of income to support sheriff's offices and other local law enforcement. One recommended solution was the establishment of a state funding pool to which sheriffs can apply for reimbursement of service fees. Accountability of sheriffs or other entities responsible for service or orders of protection was recommended. The practice recommended would be to order sheriffs or the entities responsible for service to appear in court and explain lags in service or the reasons behind a low percentage of issued orders of protection that are actually served.

In addition to examining the specifics of full faith and credit, the judicial officers covered issues related to domestic violence cases, generally. These included the concerns about how to administer the process with pro se parties and problems of inconsistent, and often competing, family law orders. Relinquishment of firearms when there is an existing order of protection or a misdemeanor conviction for domestic violence also continues to raise confusion and inconsistent application of federal law.

At several meetings, the judicial officer discussion was enhanced by the participation of tribal court judges. They brought opportunities to discuss issues surrounding tribal jurisdictional issues and the interaction between tribal, state, and federal law. Tribal judges reported reluctance of state and local law enforcement officers to enforce tribal orders and vice versa. Tribal court judges recommended better communication through telephone calls, voluntary exchange of information between state and tribal courts, joint state and tribal judicial meetings, and familiarity among peers to help improve enforcement efforts. Tribal judges also reminded their state counterparts that each tribe is its own sovereign entity and they must not only cope with enforcement coordination with the states, but also from tribe to tribe.

2. *Strategies.*

- a. Joint state and tribal judge training and education was a consistent priority for this group. Judicial officers provide a particularly difficult training group due to the transient nature of judicial assignments. Training therefore must be continual to accommodate new judges who come onto the bench or rotate into the docket that handles protection orders.
- b. To increase consistency, judges recommended that their colleagues ensure that all orders issued comply with full faith and credit enforcement requirements. Cooperation and communication with others in the state

PRACTITIONER GROUP ISSUES

JUDICIAL OFFICERS

- ◆ Clarification and education regarding conflicts of full faith and credit laws.
- ◆ Lack of communication and coordination between states and tribes, particularly as this relates to service of protection orders and assessment of fees.
- ◆ Reluctance of state and local law enforcement officers to enforce tribal orders and vice versa.

COURT ADMINISTRATORS

- ◆ Lack of protocols for handling valid foreign protection orders and lack of standardized language on protection orders so they can be easily verified and enforced by the court.
- ◆ Obtaining service for orders and assessment of fees.
- ◆ Registration of protection orders and variation of laws regarding confidentiality of records.

TECHNOLOGY

- ◆ Implementation and management of protection order registries, including access to, privacy and confidentiality of registry data.
- ◆ Insufficient understanding of the law and domestic violence of some database managers.
- ◆ Linkages between state registries and the NCIC Protection Order File.

LAW ENFORCEMENT

- ◆ Officer liability and the need for immunity statutes.
- ◆ The need for reliable, updated information in registries and uniform entry of orders into the NCIC Protection Order File.
- ◆ Sovereignty of tribal nations and how this affects enforcement between states and tribal jurisdictions.

CRIMINAL JUSTICE PLANNERS

- ◆ The influence of local and national politics on local enforcement efforts.
- ◆ Better utilization of funding and technology resources to enhance full faith and credit efforts.

ATTORNEY PRACTITIONERS

- ◆ Lack of standards for establishing facial validity of protection orders.
- ◆ The need for immunity standards or statutes.
- ◆ The need for consistent procedures to notify both petitioners and respondents of protection orders that orders are enforceable across jurisdictions.

CONTINUED ON NEXT PAGE

and federal criminal justice system and tribal courts was critical for consistency to be achieved.

- c. Uniform orders at the state level were recommended.

COURT ADMINISTRATORS

1. Issues.

While judges examined the legal aspects of full faith and credit, court administrators focused on the management specifics of implementation. The administrators’ discussions centered on challenges presented in verifying validity of foreign orders, such as trying to contact the issuing court in other states or tribes to determine whether the respondent was provided adequate notice or whether the orders have been withdrawn prior to expiration. Another problem highlighted is the difficulty in interpreting such a wide variety of orders with different language usage and formats. Obtaining service for orders in other jurisdictions (both intra- and interstate) also emerged as a consistent issue for this group. Local law enforcement assessment of service fees and the amendments to the Violence Against Women Act (VAWA) eliminating the assessment of fees were also raised.

The process of registering foreign orders was another topic of discussion. While registration is explicitly not a requirement for enforcement under the VAWA, some petitioners still seek to register their orders with the court. administrators expressed strong concerns about the unsafe practice in some jurisdictions of providing notice to respondents when orders are registered and the different laws regarding confidentiality of records from one jurisdiction to the next.

2. Strategies.

- a. Establish procedures for issuing orders, including providing petitioners with certified copies of their orders and information packets on obtaining out-of-

PRACTITIONER GROUP ISSUES, CONT'D

ADVOCATES AND SERVICE PROVIDERS

- ◆ Inconsistent expectations and understanding by the system of the advocates role.
- ◆ The need for training for law enforcement, the judiciary, and prosecutors to enhance enforcement of intra-state and out-of-state orders.
- ◆ Statewide and national protection order registries and issues of privacy, confidentiality and, ultimately safety.

jurisdiction enforcement as well as protocols for handling valid foreign orders so they can be easily verified and enforced by the court. Along with this recommendation is the recommendation to develop a guide for court staff on these procedures.

- b. Incorporate standardized and recognizable language on orders. Establish common data elements for use in all orders across regions to facilitate the verification process. Several meetings discussed the possibility of developing a consistent front page, following the Kentucky model of a recognizable first page on orders of protection.
- c. In order to cope with the service issue, the administrators recommended enlisting the support of the CCJ and the COSCA as well as local advocates in the community to explore coordinated efforts to improve the efficiency and effectiveness of service, generally.

TECHNOLOGY

1. Issues.

During their practitioner group discussions, technology practitioners focused almost exclusively on state registry and NCIC Protection Order File issues. Representatives from the FBI attended many of the regional meetings and met specifically with this group to hear their

comments about NCIC's implementation of the Protection Order File and data management.

Nearly all states have established statewide registries to provide data on active protection orders to law enforcement within their states, but the implementation and management of these registries is varied. Many policy issues remain to be resolved including questions about which practitioners have access to the registry data, the privacy and confidentiality of registry data, and responsibility for data initiation, management, and confirmation. Technology practitioners reported difficulties extracting data from handwritten protection order forms that are extremely difficult to read and in turn delay entry of orders into the registry. They also expressed the challenge of finding the extra resources necessary to enter and maintain data in the registry and insufficient understanding of the law and domestic violence among those that are entering and maintaining the data.

The linkage between state registries and the NCIC Protection Order file also revealed challenges for technology practitioners. The lack of complete information on respondents was discussed as a common problem that fails to provide adequate identifiers in protection orders to qualify for entry in NCIC. It is also difficult to provide after-hours confirmation of NCIC hits.

2. *Strategies*

- a. Achieve consist data elements across protection orders to assist in data quality and management in registries.
- b. Explore using the Internet as a tool for sharing protection order data across systems and utilizing XML technology as a standardized tool for automated data entry in both state registries and the NCIC Protection Order File.
- c. Train those involved on the technological side of the protection order registry to understand the law and domestic

violence. Training should also explore the non-technological barriers to technology.

- d. Recommendations were made for Technology Resource Contacts:

www.xml.org
www.legalxml.org
www.lagao.org
www.lpor.org
www.pfad.org

LAW ENFORCEMENT

1. *Issues.*

Law enforcement participants focused their discussions on the nuts and bolts of enforcement. A consistent area of concern was officer liability and the need for immunity statutes. Practitioners also expressed lack of clarity on the enforcement of child custody provisions as part of protection orders. Practitioners examined federal firearms laws and the interaction with ATF. Storage and return of firearms present challenges as well.

Another issue related to officer reliance on technology for the verification of orders. While entry of a protection order into a registry is not necessary for enforcement, many officers on the scene tend to look to the electronic data to confirm the order's validity. Law enforcement practitioners, however, raised concerns that reliance on this data is problematic as not all orders are entered or updated in a timely fashion. This may undermine the overall reliability and usefulness of available electronic information. Twenty-four hour access to information to verify the validity of the order is difficult to achieve.

In the regions where a strong tribal presence attended the meetings, the issue of sovereignty of tribal nations was a large topic in the law enforcement groups. Discussions included examination of the question of jurisdiction over the parties in tribal lands where one party is non-

native, full enforcement between state and tribal jurisdictions, and local rapport between agencies.

1. *Strategies*

- a. Practitioners recommended that the concerns over liability might be resolved through statutory language ensuring immunity. Several states reported they have already instituted this strategy. Vicarious liability for improper response, however, was also necessary for accountability of enforcement.
- b. Promoting system accountability was another important strategy for the law enforcement groups. Eliminating the voluntary aspects of state and jurisdictional entry of orders of protection and implementing statutory sanctions for non-entry was recommended. In particular, practitioners stressed the need for a mechanism to ensure that service information is updated in the registry and uniform entry of orders of protection into the NCIC Protection Order File.
- c. Practitioners acknowledged that domestic violence cases necessitate close coordination between local, state, tribal, and federal law enforcement agencies.
- d. Order consistency would greatly aid law enforcement efforts. Practitioners recommended that orders that comply with full faith and credit be more clearly identified in the NCIC file, particularly due process information that indicates there were both notice and an opportunity to be heard. Procedures for validation by law enforcement officers on the scene would also enhance consistency of enforcement.
- e. Training emerged as a critical area for the law enforcement practitioners, and overlapped all the other strategies. Training should encompass liability and

immunity issues as well as model policies and procedures for response and verification. Special attention should be given to resolve confusion over local versus federal mandates.

Training efforts should include collaboration between local, state, and federal law enforcement agencies. Questions emerged whether assimilation of tribal training is likely to happen. Even without joint training, information-sharing efforts were needed. Some practitioners reported an over reliance on police academy training, and recommended a mandatory in-service training policy. One suggestion was to institute roll-call training efforts in this area. Partnerships with local domestic violence providers may be a source for training as well as a means to improve information sharing. The creation of a training module for all states in the regional groups was also recommended.

CRIMINAL JUSTICE PLANNERS

1. *Issues.*

As more regional meetings were held, participation and attendance of criminal justice planners or representatives from executive branch agencies that manage funds for criminal justice activities increased. The last three regional meetings incorporated a separate discussion for this group of practitioners. The focus of their discussions tended to be at the policy level. They discussed the challenges of influence by local and national politics on local enforcement efforts. They noted that relationships in smaller communities can present unique challenges for enforcement efforts. Because of their position in their states and their roles in statewide criminal justice planning, this group was often able to connect resources, projects, expertise, and strategies that could provide support and enhance the full faith and

credit efforts in their states. Many of these participants had responsibility for administering federal grant money coming to the states for domestic violence as well as other funding streams and were often very involved in technology initiatives in their states. Innovative methods for better utilizing these resources were discussed among these participants at the statewide and policy level. Several states also shared their experiences for improving coordination with tribal courts in the criminal justice arena.

2. *Strategies*

- a. They acknowledged their role in helping to support training efforts through grant funding. Specialized training, where professionals train others within their practitioner groups, was identified as a priority.
- b. These practitioners also recognized the importance of their leadership role through national and regional support groups.

ATTORNEY PRACTITIONERS

1. *Issues.*

The attorney practitioner group brought together practitioners from varied perspectives including local, tribal, state, and federal prosecutors, the defense bar, civil attorneys, and coalition legal counsels. As a result, the conversations were wide-ranging. A consistent topic for attorneys throughout the meetings was that of facial validity of protection orders. The specific requirements for validity, including naming of parties, expiration date, and statement of jurisdiction over parties were outlined. The group raised the issues about the continued validity of an order and the problem of proof of service and notice, particularly for temporary orders. Other practitioner groups raised these issues also. Like the law enforcement group, the

topic of immunity standards was discussed and whether the best approach was through protocols or statutes. The attorneys also examined what role the victim's statement should have in establishing probable cause. Attorney practitioners also considered what constitutes notice to both the petitioner and respondent so that the order is entitled to full faith and credit. Many petitioners (and respondents) are not aware that their orders are enforceable in other jurisdictions.

At the later meetings, the attorney group also explored the issue of the intersection of child welfare matters and domestic violence, emphasizing the different cultures of the child welfare and domestic violence advocacy communities.

2. *Strategies.*

- a. Multidisciplinary cross training of advocates and attorneys was an important strategy for this group. Educational programs should review the elements of the federal law as well as domestic violence dynamics. Some practitioners recommended that multidisciplinary meetings, not just training, are an effective mechanism for education. State and county domestic violence multidisciplinary working groups have been established in many jurisdictions for this purpose.
- b. The group felt it was important to set specific standards for establishing facial validity either through statute, memorandums of understanding, or protocols to ensure consistency of enforcement. Continuing checks must be established within the system among all disciplines to ensure consistency and accountability for survivor's safety.
- c. Coordination between assistant United States attorneys and assistant prosecutors was a key strategy. A few jurisdictions

(Iowa, for example) have experimented with cross designation efforts. The practitioners emphasized that meeting with their federal and state counterparts was important, as was joint training efforts.

- d. Several strategies emerged around notification issues from a variety of perspectives. Petitioners should be notified that their order is enforceable in other jurisdictions. Enforcement resources, such as contact numbers for the issuing state and hotline numbers, should be provided to the petitioner, either in a folder or attached to the order. Attorneys and the issuing court should inform respondents that the protection order will be enforceable under full faith and credit in other jurisdictions. The issuing court should be notified of enforcement history in a new enforcing jurisdiction.

ADVOCATES AND SERVICE PROVIDERS

1. *Issues.*

Advocates and service providers were well represented at each of the regional meetings. The discussions during their breakout sessions focused both on the role of the advocate in the system as well as frustrations from the advocacy community about the response of other components within the system.

Participants examined the different expectations of advocates by the system and the role of advocacy. Many argued that advocates continue to have limited access to the judicial process and need standing to achieve their goals more effectively and to advocate for survivor safety. Some suggested that the perceived hierarchy bias within the judicial systems has resulted in advocates receiving less respect. The persistent problems of lack of resources and insufficient numbers of advocates were raised. Consistency

of advocacy efforts also was a concern.

Differences in protection orders were identified as a problem for advocacy as well. Advocates reported that many orders look different from one another, are hard to read, and contain confusing terms or contradictory elements. The varying terminology across jurisdictions, e.g., protective order or restraining order causes confusion for petitioners.

Advocates were very concerned with the continuing lack of consistency from the bench, law enforcement and prosecution. Many groups indicated that intra-state enforcement remains a huge problem, before even taking into account enforcement of out-of-state orders. They recognized that law enforcement has limited jurisdiction and lacks necessary technology to assist in assessing “validity.” Practitioners believe that the lack of education within the judiciary, either because it is not offered or is not attended, causes inconsistent practice.

The statewide and national registries cause additional concerns for advocates and the women they represent. Advocates questioned how to know if an order is actually in the registry, the scope of information that is entered in the registry and the option for a victim to extract their information from the registry if they choose. Issues of privacy, confidentiality, and ultimately, safety compelled this discussion.

2. *Strategies*

- a. Again, training emerged as a priority for the advocacy groups at the meetings. They stressed the need for enforcement training for all criminal justice practitioners, including sheriffs. Further education on the issues of guns and domestic violence and the enforcement of federal laws related to this issue was identified as a critical need. Advocates and service providers envisioned an important role for themselves in

providing training, particularly to law enforcement.

- b. Advocates identified another important strategy in providing information on protection orders to aid law enforcement on the scene. Numbers should be provided to law enforcement that would include a contact number for an agency of the issuing state to confirm an order, the terms, and verify service.
- c. Advocates acknowledged the need to build relationships and reduce finger pointing among the system components. They stressed the need for coordination, not isolated work between judges, prosecutors, advocates and other system participants. The coordination should be inter-jurisdictional. Any dialogue must be infused with information about tribes and culture. Participation by advocates on boards, councils, and task forces is a means to increase the coordination efforts.

An outcome from the advocate practitioner group discussions at the Northwest regional meeting is presented below. The Northwest group created this list of core values for their work and their strategies for implementing full faith and credit:

- ◆ Voluntary
- ◆ Woman defined
- ◆ Social change
- ◆ Confidentiality
- ◆ Systems change
- ◆ Anti-racism
- ◆ Anti oppression
- ◆ Accountability to women and children
- ◆ Holding batterers and system accountability
- ◆ Autonomy/agency

PRACTITIONER GROUP CONCLUSIONS

As indicated from the summaries, most of the conversation during the practitioner group discussions was specific to full faith and credit. Some of the discussions, however, revealed many challenges that practitioners continue to face with domestic violence generally. All participants agreed that persistent efforts are needed for consistency and uniformity by all components of the system in their roles and responsibilities toward complete implementation of full faith and credit. Uniformity will come about by continued communication, coordination and trust among all practitioner groups. Education with professions and in multidisciplinary settings is critical for true change and implementation. Ultimately the participants established the priority that all aspects of the system must be examined from the perspective of the survivor. All responses should be careful, thoughtful, and responsible.

B. SUMMARY OF STATE AND TRIBAL STRATEGIES

COMMON NATIONAL THEMES.

The regional meetings were originally designed to focus primarily on regional issues. Following the initial planning activities, however, meeting planners recognized that in order to improve interstate enforcement, states and tribes must first work to enhance the enforcement of protection orders within their jurisdictional boundaries. As the regional meetings progressed, the design of the state and tribal strategies discussions evolved from a single small group discussion for the state and tribal team at the first regional meeting to three progressive discussions at the final regional meeting in the Northeast. The final small group design is included in Appendix B.

At the close of each regional meeting, a representative from each state and tribal team reported on their plans for enhancing the enforcement of protection orders and full faith

and credit. Consistent themes emerged from these reports across the five regional meetings.

1. *Education and Training*

The most often cited plan for the state and tribal teams was to focus on training issues. Nearly every state and tribal team at each of the regional meetings mentioned that training would be one focus of their meeting follow-up efforts. Several states suggested they would explore train the trainer models or work through established training mechanisms, such as the state judicial education office and state judicial education conferences. In most cases, teams were equally concerned with providing discipline-specific training as multidisciplinary training opportunities. Accompanying the topics of domestic violence and full faith and credit, consciousness-raising and education regarding state and tribal coordination issues emerged as important additional topics for training curricula. In addition to the plans for more formal training initiatives, participants left the regional meetings with a strong commitment to pass on the information that they had learned to other practitioners in their offices and state associations.

Consistent themes emerging from across the state and tribal regional meetings included increased discipline-specific and multidisciplinary training and education; continued communication and coordination among practitioner groups; intrastate enforcement and consistency of protection orders; technology and registry enhancements; and protection of domestic violence survivors

2. *Continued Communication and Coordination.*

Another common outcome of the state and tribal strategies meetings across the various regions was a commitment (either new or renewed) to continue to communicate with other members of the group following the regional meeting. As one state articulated – a commitment to just “pick up the phone.” For some groups, the plan was to work together as a more formalized coordinating team to accomplish various plans for improved enforcement of protection orders. Some state and tribal teams came to the regional meetings with statewide coordinating teams already well

established. The regional meeting provided these teams with an opportunity to review and renew plans that may have been developed at earlier national or statewide conferences. A majority of the states that attended the meetings, however, did not have established connections among statewide practitioners prior to attending. Even in instances where established teams existed, the incorporation of more diverse viewpoints, in particular from tribal representatives, provided new insights. The statewide coordinating committee was identified as an important mechanism to accomplish other strategic goals developed by the teams, including the already mentioned training initiatives as well as other enhancement plans.

3. *Intrastate Enforcement and Consistency*

Specific plans for work on intrastate enforcement issues, including standardization of forms within respective states, were another common priority among the state and tribal groups. At the time of the regional meetings, many states still had not standardized their statewide protection order forms, leading to confusion even within states about terminology and conditions of orders. States that did not have uniform forms (or had not achieved statewide usage of a standardized form) left the meetings with a renewed commitment to establish better consistency of their orders across the state. States also reviewed their orders in light of the full faith and credit requirements to determine whether their orders clearly indicated the necessary information to establish compliance under the law. Another area of improvement identified by the state and tribal strategies groups was the need to establish better procedures for service of process across jurisdictional lines within the states and with tribes. State and tribal teams also

commonly reported plans to investigate firearms enforcement issues within their states.

4. *Technology and Registry Enhancements.*

Technology and registry enhancements were another priority area cited frequently from the state and tribal teams. Some states indicated that they planned to work on establishing statewide registries where none had existed. Other states reported they would focus on data integrity and accuracy issues within existing registries. Education about the NCIC National Protection Order File provided many with important guidelines that could be used to enhance statewide registries and improve transfer of data to the NCIC. Another important outcome was the dialogue established between state and tribal entities about the incorporation of tribal protection orders into statewide registry systems.

5. *Protection of Domestic Violence Survivors.*

A final priority area identified by the state and tribal teams at all of the regional meetings was the protection of domestic violence survivors. While some states listed this explicitly during their reports, all the state and tribal teams used this consideration as the framework to all the other plans that they formulated.

REGION-SPECIFIC STATE AND TRIBAL PLANS SUMMARY

Although the meetings were characterized mostly by their commonality of priorities reported, each of the regional meetings had some definable regional differences in the focus of the state and tribal team reports and outcomes.

Southern Region. The first meeting in New Orleans was intended as a small pilot meeting for a limited number of states. At this initial meeting, state teams were given one opportunity to discuss possible strategies. The themes that emerged from these discussions – including training and education as well as technology – provided an accurate representation of the issues that would be identified in all the meetings that followed.

Some of the specific plans reported by these Southern states include:

- ◆ more communication and collaboration (LA);
- ◆ establishing a formalized task force/coordinating council (MS);
- ◆ developing education and training initiatives (MS, AR, AL);
- ◆ enacting legislative changes (AR);
- ◆ exploring state information database issues (AR, AL); and
- ◆ resolving NCIC data transfer problems (AL).

Based on the experience at the Southern pilot regional meeting, planning staff recognized the need to include more time for interactions between the state and tribal team members. Subsequent meetings would provide two and then three such opportunities during the meeting itself. This meeting also provided staff with feedback that state participants in the regional meetings needed greater investment and preparation prior to the regional meeting in order to take better advantage of the opportunity for dialogue that the meeting presented. Planning for future regional meetings, therefore, incorporated a planning meeting prior to the actual regional meeting. At the planning meeting, points of contact from the states in the region as well as tribal representatives met with planning staff to identify key issues for the region and to begin the process of engaging state and tribal team members to participate more fully in the conference.

West/Southwest Region. The West/Southwest regional meeting was the first to incorporate the planning meeting design. Participants arrived at the regional meetings in Arizona ready to engage in dialogue and conversation about state, tribal and regional strategies. Priorities identified by the state and tribal strategies groups followed those mentioned earlier, but with a stronger emphasis on the state/tribal coordination component. Topics such as memorandums of understanding between state and tribal law

enforcement, rural jurisdiction issues, and tribal jurisdiction over non-native offenders were topics more unique to this region. State and tribal strategies groups voiced a strong commitment to engage in state and tribal relationship building, communication, and discussion in an effort to build trust across native and non-native people.

Some specific plans reported by state and tribal teams during the West/Southwest meeting were:

- ◆ developing statewide resource websites (AZ, CA);
- ◆ resolving NCIC interface problems (AK);
- ◆ developing or enhancing registries (CO, NV, CA);
- ◆ designing training initiatives for law enforcement (NM, NV);
- ◆ offering cultural competency training, particularly related to tribes (CO, UT),
- ◆ developing curricula or judicial benchbooks (OK, TX);
- ◆ establishing protocols and policy for tribal and state courts (NM),
- ◆ standardizing/improving forms (TX, UT),
- ◆ and establishing formal statewide team/task force (OK, TX).

Great Lakes/Central Region. The meeting for the Great Lakes/Central Region again incorporated the planning meeting and added a state and tribal caucus meeting the evening prior to the first day of the conference. The caucus provided state and tribal participants an opportunity to engage in an informal interchange prior to the beginning of the regional meeting and jump-started the process of engaging participants in the work of the conference. The Great Lakes/Central Region was one of the largest of all six regions - incorporating eleven states as well as numerous tribal entities. Similar issues of training, consistency of enforcement, and technology emerged from the state and tribal dialogues.

Some of the specific strategies identified were:

- ◆ establishing/continuing working group activities (IN, IL, KY, KS, MI, MO, NE, TN, OH, WI);
- ◆ engaging in public education (IN);
- ◆ promoting various legislative changes (IN, MI, MO);
- ◆ exploring firearms enforcement issues (IA, KY, MO);
- ◆ developing or enhancing statewide forms (IN, IL, MI, MO, TN); and
- ◆ conducting registry/technology audits and enhancements (IN, KS, MI, MO, NE, TN, OH, WI).

The state and tribal strategy reports at this regional meeting were distinguished from other meetings by the nearly unanimous agreement to continue a statewide coordinating task force/committee and the commitment not only to their statewide initiatives but also to regional efforts. Nearly all of the states in this region eagerly agreed to join Kentucky in their undertaking entitled Project Passport. Project Passport is an effort, begun by Kentucky, to develop key data elements to be included on an easily identifiable first page for protection orders in the region. Following the commitment by many of the participants at the Great Lakes meeting, Kentucky was successful in engaging several states in a process to develop this recognizable first page. Many states have now incorporated this information into the first page of their statewide protection order forms.

Northwest Region. By the Northwest regional meeting, the design of the state and tribal strategies meetings was relatively stable. This meeting was the first in which territorial representatives participated. Similar to the West/Southwest meeting, discussions in the state and tribal strategies sessions were enhanced by strong tribal participation at the meeting. The strategies and plans reported by the states in this region reflected the strong tribal voice, with suggestions for legislative changes, incorporation of tribal orders in statewide registries, joint state/tribal training initiatives, and cultural

competency training all identified as priorities by teams at the conference. Some teams discussed trying to join the implementation of Project Passport (the recognizable first page), but this initiative did not have as much momentum as at Great Lakes meeting.

Some of the more specific priorities reported included:

- ◆ developing/refining of registry (HI);
- ◆ examining firearms enforcement issues (HI, WA);
- ◆ continuing training and education efforts (HI, MN, ND, OR, SD, WY, NMI);
- ◆ coordinating between state and tribal entities on training efforts, etc. (ID, MN, MT, OR, SD, WA, WY);
- ◆ promoting legislative changes such as explicitly including tribes in full faith and credit (MN, SD);
- ◆ conducting registry/technology audits and enhancements such as including tribal orders in registry (MN, OR, GU); and
- ◆ developing/enhancing uniform forms (MT, MN, MD, OR, WA).
- ◆ implementing a recognizable cover page for orders of protection (AL, MS);
- ◆ establishing/continuing multidisciplinary work groups (AR, NC, PR);
- ◆ developing wallet sized protection order documentation for survivors (DE, MD);
- ◆ coordinating training curricula development and education planning (DC, GA, NC, VA, WV, VI);
- ◆ exploring firearms issues (DC, GA, MD, WV);
- ◆ examining full faith and credit limitations with criminal stay away orders (FL);
- ◆ developing, enhancing, or mandating statewide forms (FL, GA, SC);
- ◆ implementing or enhancing statewide registry and consistency of NCIC entry (GA, MD, MS, SC, WV);
- ◆ opening dialogue and coordination with other jurisdictional entities (tribes, military installations) (LA, MS, NC);
- ◆ initiating public (and survivor) awareness efforts (PR, MD, MS, VI)

Southeast Region. As was the case with the Great Lakes region, the Southeast regional meeting also included a large number of participating states (nine) plus the District of Columbia and two territories (Puerto Rico and Virgin Islands). The four states that participated in the first, pilot regional meeting in New Orleans were invited to send representatives to this meeting as well. The state and tribal team reports at the Southeast meeting more consistently emphasized the joint priorities of information sharing and education/training than at other regional meetings. The idea of working with a similar model to Kentucky's Project Passport in developing a recognizable first page for orders of protection in the region also gained some momentum with state and tribal teams at this regional meeting.

Specific priority areas reported by states in the Southeast included:

Northeast Region. The Northeast regional meeting was the final meeting of the series, representing a much more mature conference design than was possible at the early meetings. The states in this region tended to be more advanced in at least some aspects of their full faith and credit implementation efforts, partially due to their participation in a previous regional conference on the topic. While many of the suggested strategies were consistent with previous meetings, the priorities identified by the Northeastern states tended to reflect a more detailed examination of the issues. In particular, many of the state and tribal teams made plans to tackle the more complex issues of custody, service of process, and firearms provisions as they relate to full faith and credit and protection orders. In general, the plans developed by these state and tribal teams were much more detailed than had been reported at previous meetings.

Some of the specific strategy areas mentioned include:

- ◆ continuing communication through listservs and other electronic mechanisms (NY);
- ◆ coordinating training efforts, including incorporation of federal law (NY, PA, RI, ME);
- ◆ implementing distance education strategies (NY);
- ◆ developing easily referenced resources on full faith and credit (PA, NH);
- ◆ developing weapons confiscation procedures (CT, NH, RI, NJ, VT);
- ◆ examining service of process issues (CT, NH);
- ◆ promoting legislative efforts, including adoption of UCCJEA or other refinements (NH, ME, NJ, VT);
- ◆ enhancing registry and NCIC data interchange (RI, NJ); and
- ◆ improving of protection order forms (MA, VT).

C. SUMMARY OF REGIONAL STRATEGY SESSIONS

The regional strategy sessions at each of the meetings provided participants with an opportunity to meet with a mix of practitioners representing states and tribal nations from throughout the region.⁷ During the session, participants shared information about their state and tribal plans for further implementation efforts. The facilitators in each session also led a discussion of strategies that could be accomplished at a regional level to advance full faith and credit implementation.

The discussions across groups and meetings

were largely similar, with only slight regional variations. Five key themes for possible strategies that could be implemented at a regional level emerged from the series of meetings:

1. *Regional communication, coordination and resource sharing*

The communication and resource sharing that began at the regional meetings was valued by those who participated. Creating mechanisms to improve information sharing and link practitioners with their counterparts in other states was one of the most commonly discussed strategies at the meetings. Strategies to continue communication and coordination are a necessary prerequisite to the other strategies discussed for regional work. Communication between tribal and state counterparts, particularly the judiciary, was stressed as an important follow-up activity to the work begun at the regional meetings.

Five key themes for possible regional strategies emerged from the series of meetings: regional communication, coordination and resource sharing; additional training at all levels; consistent information supplied on state and tribal orders, access to and consistency of technological approaches to full faith and credit implementation; and public awareness.

Groups in the Southwest, Northwest and Great Lakes meetings in particular noted the importance of prioritizing state and tribal coordination

efforts. Communication and coordination efforts need to provide continuity and anticipate staff turnover. New people must be brought into the coordination effort and informed of past activities and milestones. All efforts should be geared towards building ongoing relationships so that all practitioners share a common vision and understanding. An important component of the coordination activity is teaching and learning

⁷ The Northeast Regional Meeting coincided with meetings of a Northeast Regional Working Group convened by the Center for Court Innovation in New York. The working group's goal was to implement and refine a regional strategic plan for interstate enforcement and expansion of ongoing collaboration across states developed by the working group. Further information about the work of the Regional Working Group is available at: www.fullfaithandcreditne.org.

from one another about different priorities and roles.

There are several possible mechanisms to achieve this communication. Coordination and resource sharing were recommended, including websites, listservs, and periodic meetings or conferences. Additional pamphlets and handouts were suggested, similar to the full faith and credit brochures prepared for judges, law enforcement, advocates, and survivors.

Some groups recommended establishing or continuing state and regional multidisciplinary full faith and credit implementation teams or working groups with significant tribal participation. Groups considered, but did not resolve, who should initiate such groups. Possible initiators include attorney general, governors, Supreme Court justices, registry managers, or court administrators. No matter who convenes the meeting, a key element for success is the identification and involvement of point people to generate support at the highest levels. While participants acknowledged the benefits of engaging practitioners in these discussions, some groups felt that discussions must move to the leaders and decision-makers in the region to gain administrative buy-in and participation.

Groups also brainstormed about various functions or activities in which regional communication and resource sharing could engage. Several groups recommended that the region create a regional clearinghouse for statistics, training curricula, technology, data management, and other available resources. Other ideas were to share best practices, particularly those that utilize effective technology, as well as model language, for instance immunity statutes and domestic abuse acts. Compiling copies of orders from states and counties as well as tribal codes was another suggested function as was maintaining a list of points of contact for state law enforcement agencies for easy communication.

The prevailing motivation for the efforts at continued communication and resource sharing was a desire for practitioners, states, and tribes not to overburden already stressed resources or reinvent the wheel. Achieving coordination across systems is difficult, particularly given the traditional segmentation of systems. As one group acknowledged, these efforts to improve regional implementation and coordination will require persistence.

2. *Additional training at all levels (State/Tribal/Regional/Federal)*

Training and education efforts continually emerged as one of the top priorities for all of the regional discussions. Participants particularly emphasized the need for more multidisciplinary training efforts across state borders including the integration of tribal nations and participants. Coordination between state and tribal courts was an important element of the training recommendations in several regions.

Groups saw benefits in collaborating on the development of regional training that would include full faith and credit, federal laws, dynamics of domestic violence and would incorporate information related to various disciplines from federal, state, and tribal perspectives. Short of cooperatively developing a training program, however, efforts to share training curriculum across the regions should be increased. Several regional groups recommended the establishment of a central repository for training manuals as well as lists of possible trainers for the region, states and tribes. These materials could be posted on the Internet to share with other states, tribes, and regions.

The groups identified a variety of specific training topics. All training should emphasize attitudinal shifts about violence against women and cover basic violence against women issues. Further education about the federal statutes overall including full faith and credit for protection orders, firearm prohibitions, and

federal domestic violence crimes also is needed, particularly reviews of any updates to the federal law, regulations, resources, contacts, and what they mean for state, tribal, and local practitioners. Increasing law enforcement and court administration knowledge of the orders from border states would be a useful outcome of regional training efforts.

Another large area identified for training and education was coordination between state and tribal courts. Cross-cultural training was identified as an important component of this type of training. Education about the general structure of tribal courts and recognition of tribal courts and orders was stressed. Training also should address barriers to enforcement, such as misperceptions, lack of respect, and racism. Firearms and domestic violence, particularly the Brady law requirements, were identified as areas for further training. Judicial training about crafting orders that are compliant with Brady requirements and following protocols to ensure firearm retrievals was specifically mentioned.

Various distance learning modules, such as videoconferencing or web-based, e.g., WebCT, were discussed as possible platforms for delivery. The concept of a train-the-trainers model was also suggested. Another possible mode for training was a short, cross-disciplinary video that could be used throughout the region such as the role-call video developed by Hawaii, or a multidisciplinary handbook and guides. Participants also recommended linking training to regional professional association meetings. One group listed nearly ten upcoming meetings that potentially could serve as venues, such as regional judicial conferences, tribal judges conferences, law enforcement coordinating committee meetings, victim advocacy networks, and bar association meetings. Incentives for training, including continuing education and counseling credits and funding, were recommended to increase participation.

3. *Consistent information supplied on state and tribal orders, including the exploration of reaching acceptance of recognizable front pages*

Efforts to increase consistency of protection orders were a critical strategy raised in the regional strategies group discussions. All regions, except the first pilot meeting in the Southern Region, discussed the possibility of coordinating as a region to develop a recognizable first page with consistent information that would be incorporated into the orders of protection in each of the respective states. Several groups also expressed a desire to extend this common cover sheet nationally.

Some states indicated that they still were working on implementing consistent forms on a statewide basis. Many of these states acknowledged that they needed to coordinate with plans to develop recognizable elements for the first page as part of their efforts to increase consistency at a state level.

Standardized data elements and definitions of terminology would facilitate enforcement efforts by providing law enforcement with all of the information needed for enforcement in an understandable format. These elements should include expiration date, service/personal jurisdiction, information related to the weapons prohibition (Brady), date of birth and other personal identifiers, and information about how to reach the issuing court such as court address and phone number. Clearly indicated information regarding service would greatly benefit enforcement efforts, as this criteria is often cited as a barrier to enforcement. These elements should be presented in a relatively standardized format on the first page of the order with explicit and clear terminology. Efforts to increase consistency will make orders easily recognizable by law enforcement officers in the field.

4. *Access to and consistency of technological approaches to full faith and credit implementation*

Technology served as a continuous undercurrent in the discussion of regional implementation strategies. Technological approaches have the potential to greatly enhance information sharing and coordination efforts. The current lack of access to information by many practitioners within the system as well as the inconsistency and incapability of the information systems to produce accurate and timely information was a large source of frustration. Concurrently, the access to technology must be balanced with the assurance of confidentiality and victim safety.

Regional groups prioritized several specific activities to improve access to and consistency of technology, including exploring tribal court access to state databases, establishing consistent system data requirements, and increasing utilization of the NCIC protection order file. Another strategy that was considered was making orders available between state registries, thus reducing reliance on the NCIC protection order file. Priorities for technology approaches include the ability to provide timely access for verification of orders, accurate and standardized data, consistent terminology and definitions, tribal data incorporated in the state and NCIC registries, and full text of court orders available as part of registries. The development of technology working groups was recommended to share best practices and look at the future technological needs of the region.

5. *Public Awareness*

At least one group at each meeting mentioned the need for further awareness by the public that qualified orders of protection can be enforced in any jurisdiction, not just the one in which the order was issued. Changing community standards on issues regarding domestic violence also was suggested as an integral part of the public awareness effort. Recommendations for increasing public awareness included a media campaign, with public service announcements

for TV, radio, newspapers, etc. Another suggestion was to develop a “how to” video for victims on obtaining out-of-state enforcement of protection orders. These efforts were viewed as more regional or national in scope, rather than state specific. ■

IV: SYNTHESIS OF KEY MEETING OUTCOMES AND FOLLOW-UP SURVEY DATA

Six months to one year following each of the regional meetings, selected participants from each state and tribe were mailed surveys to elicit information about follow-up activities that resulted from the discussions at the regional meetings.⁸ The survey also was designed to gain a sense of ongoing challenges and newly identified goals as well as to learn about subject areas that might be appropriate for further technical assistance efforts. Reported findings are based upon individual responses from many states. The findings below highlight how the meetings:

- Facilitated understanding of full faith and credit issues,
- Generated momentum and coordination among different practitioners within particular communities, and
- Identified ideas about where to focus future technical assistance efforts and initiatives.

A. GENERAL FINDINGS

A repeated comment at the meetings and in the follow up surveys was participant's appreciation for a meeting that examined federal issues and allowed state and tribal teams to discuss what was going on in their own communities. All stressed the value of meeting together for a concentrated period of time. Many participants reported plans to keep meeting as a state and tribal team and in smaller groups to continue the work begun at the regional meeting. Respondents said they learned new information about what areas needed particular attention and a better sense of available resources and contacts in their own

state and tribes. The most immediate difference identified after the meeting was that law enforcement seemed to have a much better sense of issues related to foreign orders and officers were, in turn, being more vigilant in their enforcement. In addition, nearly every state and tribal team has now designated a Full Faith and Credit point of contact within their state.

All states seem to be moving toward improving many parts of their system. States and tribal nations are exploring a range of new approaches since the regional meetings as well as facing continued challenges.

B. ORDERS OF PROTECTION – FORMS AND ENFORCEMENT

The meetings provided participants an opportunity to consider and critique their protection order laws and forms, particularly in light of full faith and credit. Comparison with other orders from surrounding states also provided practitioners with new ideas and model language such as notice regarding full faith and credit. Following the Great Lakes Meeting, for example, Iowa revised its uniform orders. After the Northeast Meeting, New Hampshire altered its order of protection form to add a line for the defendant to sign the order that indicates service has been executed and another check box to verify that weapons have been received.

Many people reported during the meeting and afterwards that they were not aware that orders—local and foreign—were not being adequately enforced. This frequent comment raises a number of issues for concern. The fact that people concluded that they are doing okay because they

⁸ Follow-up surveys were distributed 3 to 9 months following the regional meetings. Recipients of the survey included all state points of contact as well as selected state and tribal participants from each region.

have not heard otherwise is somewhat troubling. Their conclusion is problematic and generally inaccurate. Across the country, methods to track actual enforcement of orders, including state orders or foreign orders or their violations seem to be inadequate.

In addition to matters related to full faith and credit, the underlying issue indicates that better monitoring of compliance with orders of protection and their violations in general is needed. Such a tool also would prove beneficial to gain a more general sense of sanctions for violated orders and overall compliance. Respondents to the follow-up survey also expressed an interest and need to learn more about full faith and credit efforts in states that were not in their region. This need might be addressed by generating a national point of contact list for states and tribes for distribution of further information sharing resources.

C. WORKING GROUPS AND OTHER COORDINATION ACTIVITIES

States and tribes indicated in their surveys that future meetings have or would be held with many of those who attended the regional meetings to discuss progress and keep momentum going. While some people had worked together previously, the state and tribal team meetings enabled participants to meet new practitioners engaged in similar efforts. Attendees appreciated knowing who else within their state or region would be appropriate contacts when issues of concern were raised. All recommended bringing those who were not already at the table, for instance probation officers, prosecutors, and judges, on board to better disseminate information and promote consistency in practice. As a follow-up to the regional meetings, one respondent requested their Chief Justice to convene a full faith and credit work group to discuss related

state and local issues. Chief Justices, by convening such a group, would confer legitimacy and leadership to such efforts by creating, if not actually leading, such an initiative.

Others survey respondents reported plans to convene their border states and begin discussions about adopting a recognizable first page for orders of protection. Several states that participated in the Great Lakes Meeting joined the Kentucky Domestic Violence Association in Project Passport, an effort to develop a recognizable first page for protection order forms for the states contiguous to Kentucky. According to Ms. Lisa Beran, staff attorney for the Kentucky Domestic Violence Association and faculty for the meetings, the success of Kentucky's effort was partly related to their Chief Justice and Governor directly contacting their counterparts in surrounding states to explain and promote this important initiative. When presented at the regional meetings, this idea resonated with a number of participants as several follow-up surveys indicated plans to replicate this effort in their own state. States in the Southeast region now are in the process of modeling Kentucky's efforts and success in adopting a recognizable cover sheet as a region. Montana and California have also expressed interest in doing so with their contiguous states.

Another area of coordination that grew from the regional meetings was enhanced efforts at state and tribal coordination activities. At the conclusion of the Southwest Regional Meeting, both Nevada and New Mexico developed state and tribal consortia to work together on full faith and credit issues. The Nevada Administrative Office of the Courts sought state VAWA funding for their Consortium of State and Tribal Judges. In their program proposal, they report that attending the West/Southwest Meeting helped them become aware of the "many problems that have yet to be overcome in the area of domestic violence" between tribal and state courts.⁹ Washington and

⁹ Subgrant Program Proposal to the NV Attorney General's Office by the NV Administrative Office of the Courts. (Contact: Susan Strauss).

South Dakota, both participants in the Northwest Meeting, developed listservs to continue communication among their state and tribal team members following the regional meeting.

D. ACTIVITIES RELATED TO FIREARMS AND DOMESTIC VIOLENCE

Survey respondents expressed particular appreciation for the firearms segment that was added to the second and subsequent regional meetings. This issue continues to present controversy and difficulties in enforcement for both law enforcement and judges. Some practitioners reported considerable resistance by members of the bench to require relinquishment of firearms once an order of protection has been issued. States from each region in the country identified judges' reluctance, especially during hunting season.

Many states reported efforts to alter orders of protection either before or since their regional meeting so that the federal language (922g8 and 922g9) is on the face of the order. Some local law enforcement practitioners argue that it is beyond their jurisdiction to facilitate the relinquishment of firearms to comply with a federal law. Alternative measures, however, may be available in state statutes to assist with this practice. Storage and processes for return of relinquished firearms also pose problems for local law enforcement.

Following the Southwest Meeting, Arizona presented a live broadcast to educate court staff on domestic violence and firearms issues.

E. TRAINING

The need for ongoing training was repeatedly articulated. Many respondents indicated desire for both cross training and practitioner training opportunities. Respondents recommended that further training should be designed to reinforce

certain concepts, learn new ones, and educate others. Other disciplines and members of the judiciary themselves routinely identified judges as being the practitioner group most in need of training on both state and federal legal issues and more broadly with general information about domestic violence, specifically on batterer and victim behaviors. This observation was reinforced by the facilitators of the judicial practitioner groups who noted a wide range of knowledge among judges that participated in those discussions.

F. REGISTRIES

Many states indicated that the full faith and credit regional meetings provided them with new information concerning registries in their state and how to use and access NCIC. Revisions are being made in many states to order of protection forms to standardize their entry and accessibility. The Supreme Court of Ohio, for example, began working with the Ohio Attorney General's Office to develop an in-state protection order registry. Also, states and counties that had not been reporting to NCIC recognized its importance and reported plans to do so soon after the regional meeting.

Despite the VAWA 2000 amendments regarding fees, this issue remains problematic. Many participants planned to make others more aware that charging fees to victims violated federal law upon returning from the regional meetings.

G. CONCLUSION

The regional meetings met and, in many instances, exceeded their desired goals and objectives.

Participants left with increased knowledge of the requirements of full faith and credit as well as other related issues such as federal firearms laws. As an extension to that goal, participants in the meetings left with a commitment to share the information that they had learned with other

practitioners in their localities, states, and tribes.

Practitioner groups, states, and tribes identified many of the barriers that they face in enforcing protection orders within and across state and tribal jurisdictions. They worked together as teams to develop action plans that sought to reduce those barriers. One of the most beneficial outcomes of the meetings was putting practitioners in contact with their colleagues as a fundamental first step to the process of bridging enforcement barriers. This outcome was especially important in the communication established between state and tribal entities.

Participants were provided many opportunities to share technological and other innovative approaches to enforcement and coordination in the various meeting sessions. One of the most significant examples of the benefits of the information sharing at the regional meetings was the Project Passport project, begun by Kentucky. Through the regional meetings, many other states and regions became interested in implementing this model. The information sharing across the regions begun at the meetings was an outcome that participants sought to find ways to operationalize following the meetings through listservs and other electronic mechanisms. The information provided through the technology practitioner groups was particularly useful in helping to enhance the activities of statewide registries and improve participation in the NCIC National Protection Order file.

As evidenced in the section regarding the individual regional meetings, each meeting provided opportunities to focus on the concerns and issues of a particular region. The focus and character of each meeting thus reflected the states, territories, and tribes that participated. Convening a planning meeting prior to the actual regional meeting ensured that meeting

planners allowed the local participants an opportunity to design a meeting that met their regional needs.

Finally, the regional meetings promoted strong collaboration during the meeting itself that in most instances led to continued work between the states, tribes and disciplines following the meetings. The communication begun between the state and tribal practitioners was a particularly beneficial outcome for the meetings. Although the discussions at the regional meetings focused on full faith and credit, the opportunity for dialogue opened communication for broader issues of domestic violence in general, child custody, and state and tribal relationships. While there is still work to be done to continue to implement full faith and credit, the regional meetings made huge strides in every state and participating tribe toward reducing the barriers to enforcement, creating a network of multidisciplinary intrastate and interstate contacts, enhancing the communication, coordination and mutual respect between states and tribal nations, heightening awareness of domestic violence issues, and ultimately increasing the safety for women and children throughout the states, tribes, and territories. ■

FINAL REPORT

**Crossing Borders:
Regional Meetings on Implementing Full Faith and Credit**

Completed by:
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